

Cape Coral Special Planning & Zoning Commission/Local Planning

Agency



AGENDA

Wednesday, January 24, 2018

9:00 AM

Council Chambers

1. CALL TO ORDER

A. Chair Read

2. MOMENT OF SILENCE

3. PLEDGE OF ALLEGIANCE

4. ROLL CALL

A. BENNIE, MARMO, PETERSON, RANFRANZ, READ,
SCHNEIDER, SLAPPER, AND ALTERNATE ROBINSON

5. HEARINGS

6. BUSINESS

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

A. Ordinance 4-18 (LU 17-0008)

WHAT THE ORDINANCE ACCOMPLISHES:

An ordinance amending the Future Land Use Map from
Single Family and Multi-Family by PDP (SM) to
Commercial/Professional (CP) land use for property located
at the intersection of Burnt Store Road and Embers Parkway.
(Applicants: Arkin, Rubinstein, Big Marlin Properties,
Maritime Properties)

8. OTHER BUSINESS

9. DATE AND TIME OF NEXT MEETING

A. Workshop Wednesday, January 24, 2018

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: 1.A.
Meeting Date: 1/24/2018
Item Type: CALL TO ORDER

AGENDA REQUEST FORM
CITY OF CAPE CORAL



TITLE:

Chair Read

REQUESTED ACTION:

STRATEGIC PLAN INFO:

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

Planning & Zoning Recommendations:

SUMMARY EXPLANATION AND BACKGROUND:

LEGAL REVIEW:

EXHIBITS:

PREPARED BY:

Division- Department-

SOURCE OF ADDITIONAL INFORMATION:

Item Number:	4.A.
Meeting Date:	1/24/2018
Item Type:	ROLL CALL

AGENDA REQUEST FORM
CITY OF CAPE CORAL



TITLE:

BENNIE, MARMO, PETERSON, RANFRANZ, READ, SCHNEIDER, SLAPPER, AND
ALTERNATE ROBINSON

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.
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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: 1/24/2018
Item Type: PLANNING AND ZONING COMMISSION / LOCAL PLANNING AGENCY PUBLIC HEARING

**AGENDA
REQUEST
FORM**
CITY OF CAPE
CORAL



TITLE:

Ordinance 4-18 (LU 17-0008)

REQUESTED ACTION:

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2. Is this a Strategic Decision?
If Yes, Priority Goals Supported are listed below.
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SUMMARY EXPLANATION AND BACKGROUND:

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An ordinance amending the Future Land Use Map from Single Family and Multi-Family by PDP (SM) to Commercial/Professional (CP) land use for property located at the intersection of Burnt Store Road and Embers Parkway. (Applicants: Arkin, Rubinstein, Big Marlin Properties, Maritime Properties)

LEGAL REVIEW:

EXHIBITS:

PREPARED BY:

Division- Department-

SOURCE OF ADDITIONAL INFORMATION:

ATTACHMENTS:

Description	Type
▣ Ordinance 4-18 (LU 17-0008)	Backup Material
▣ Back up material	Backup Material

ORDINANCE 4 - 18

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) TO COMMERCIAL/PROFESSIONAL (CP) LAND USE FOR PROPERTY DESCRIBED AS LOTS 1 THROUGH 6 AND 61 THROUGH 72, UNIT 59, BLOCK 4127 CAPE CORAL SUBDIVISION; PROPERTY LOCATED AT THE INTERSECTION OF BURNT STORE ROAD AND EMBERS PARKWAY; 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 HAROLD AND PAMELA ARKIN, TRUSTEES; RONALD AND JANE ARKIN; LEONARD ARKIN; ESTA RUBINSTEIN, TRUSTEE; BIG MARLIN PROPERTIES LLC; MARITIME PROPERTIES, INC.; AND HAROLD AND PAMELA ARKIN 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
COMMERCIAL/PROFESSIONAL (CP)

LOTS 1 THROUGH 6 AND LOTS 61 THROUGH 72, BLOCK 4127, UNIT 59, LYING IN SECTION 7, TOWNSHIP 44 SOUTH, RANGE 23 EAST, CAPE CORAL SUBDIVISION AS RECORDED IN PLAT BOOK 19, PAGES 140-153 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

PROPERTY LOCATED AT: 6-22 BURNT STORE ROAD NORTH AND 5 NW 32ND PLACE

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

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

ADOPTED BY THE COUNCIL OF THE CITY OF CAPE CORAL AT ITS REGULAR SESSION THIS _____ DAY OF _____, 2018.

JOE COVIELLO, MAYOR

VOTE OF MAYOR AND COUNCILMEMBERS:

COVIELLO	_____	NELSON	_____
GUNTER	_____	STOKES	_____
CARIOSCIA	_____	WILLIAMS	_____
STOUT	_____	COSDEN	_____

ATTESTED TO AND FILED IN MY OFFICE THIS _____ DAY OF _____, 2018.

REBECCA VAN DEUTEKOM
CITY CLERK

APPROVED AS TO FORM:



BRIAN R. BARTOS
ASSISTANT CITY ATTORNEY
ord/lu17-0008



DEPARTMENT OF COMMUNITY DEVELOPMENT
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). Advertising costs will be billed and must be paid prior to hearing.

CASE # LU17-0008

OWNER OF PROPERTY

Hal and Pamela Arkin, TR

Email: hal@halarkin.com

Address: 2324 SE 27 Street

City: Cape Coral State: FL Zip 3390

Phone: 239 910 5363

AUTHORIZED REPRESENTATIVE

Greg Stuart

Email: Greg@stuarturbandesign.com

Address: 7910 Summerlin Lakes Dr

City: Fort Myers State: FL Zip 3390

Phone: 239 677 6126

Unit 59 Block 4127 Lot(s) 67-72 Subdivision _____
Legal Description Cape Coral Unit 59 BLK 4127 PB 19 PG 143 Lots 1 thru 6 & Lots 67 thru 72

Address of Property 5 NW 32nd PL and 6 Burnt Store Road N. Cape Coral, FL 33993

Current Zoning Residential Develop. Strap Number 074423C304127.0010 & .0670
Current Land Use SM Proposed Land Use Commercial Professional

Parcel Size: Width 242 Depth 280 Sq. Ft. 67,760 Acreage 1.55
Soil Type: Matlacha Gravelly Fine Sand 69

Urban Services Area: (check one) ☒ Infill ☐ Transition ☐ Reserve
Natural Resources: (state habitat type, e.g. high lands, wetlands, upland forest, oak hammocks, etc.):
FLUCCS 192 Inactive Land w./Street Patterns But w./out Structures

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

Estimated Development:

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

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 ☐

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.

Hal Arkin, Tr.
NAME (PLEASE TYPE OR PRINT)

Hal Arkin - TRUSTEE
AUTHORIZED SIGNATURE

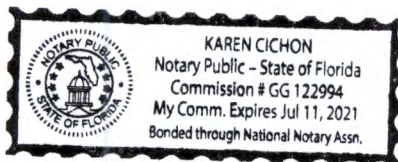
(SIGNATURE MUST BE NOTARIZED)

STATE OF FL, COUNTY OF LEE

Sworn to (or affirmed) and subscribed before me this 29th day of August, 2017, by
_____ who is personally known or produced Driver License
as identification.

Exp. Date: 7/11/21 Commission Number: GG122994
Signature of Notary Public: Karen Cichon
Printed name of Notary Public: KAREN CICHON

NOTARY STAMP HERE



AUTHORIZATION TO REPRESENT PROPERTY OWNER(s)

PLEASE BE ADVISED THAT Greg Stuart, MUP
(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

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

UNIT 59 BLOCK 4127 LOT(S) below: SUBDIVISION Cape Coral

OR LEGAL DESCRIPTION Lots 1 - 6 & 67 - 72

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

Hal Arkin, Tr.
PROPERTY OWNER (Please Print)

Hal Arkin, TRUSTEE
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 29th day of August, 2017, by
who is personally known or produced Driver License
as identification.

Exp. Date: 7/11/21 Commission Number: GG122994

Signature of Notary Public: Karen Cichon

Printed name of Notary Public: KAREN Cichon

Note: Please list all owners. If a corporation, please supply the Planning 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.

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

29 day of AUGUST, 20 17

Hal Arkin, Tr.

NAME (PLEASE TYPE OR PRINT)

Hal Arkin - Trustee
APPLICANT'S SIGNATURE

STATE OF FL, COUNTY OF Lee

Subscribed and sworn to (or affirmed) before me this 29th day of August, 2017, by
who is personally known or produced Driver License
as identification.

Exp. Date:

7/11/21

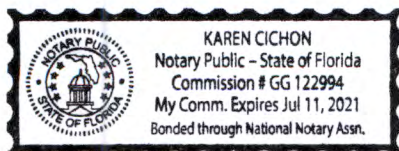
Commission Number:

GG122994

Signature of Notary Public:

Karen Cichon
KAREN Cichon

Printed name of Notary Public:





STUART AND ASSOCIATES
Planning and Design Services

7910 Summerlin Lakes Drive
Fort Myers, FL 33907

C 239-677-6126
Greg@Stuarturbandesign.com

www.Stuarturbandesign.com

The Embers Parkway and Burnt Store Road Future
Land Use Map Amendment Application Addendum
September 25, 2017

Location:
NW Cape Coral Unit 59, Cape Coral Subdivision

STRAP #	BLOCK	LOTS	SITE ADDRESS
07-44-23-C3-04127.0670	4127	67 thru 72	6 Burnt Store Road N, CC 33993
07-44-23-C3-04127.0010	4127	1 thru 6	5 NW 32nd Place, CC 33993
07-44-23-C3-04127.0610	4127	61 thru 62	22 Burnt Store Road N, CC 33993
07-44-23-C3-04127.0630	4127	63 thru 66	16 Burnt Store Road N, CC 33993


STRAP #	CURRENT FLU	PROPOSED	ACREAGE
07-44-23-C3-04127.0670	SM	Commercial Professional	0.87 ac.
07-44-23-C3-04127.0010	SM	Commercial Professional	0.69 ac.
07-44-23-C3-04127.0610	SM	Commercial Professional	0.28 ac.
07-44-23-C3-04127.0630	SM	Commercial Professional	0.56 ac.
Subtotal Area			2.4 ac. +/-

STRAP #'S	EST. TOTAL LOT COVERAGE	EST. BUILDING FLOOR AREA	EST. FUTURE DEVELOPMENT TYPE
07-44-23-C3-04127.0670 07-44-23-C3-04127.0010 07-44-23-C3-04127.0610 07-44-23-C3-04127.0630	20%	20,900 sf	Office @ 17,765 sf (85%) Retail @ 3,135 sf (15%)

STRAP #'S	EST. FUTURE DEVELOPMENT TYPE	ITE TRIP GENERATION 8TH EDITION	PM PEAK PERIOD RATE
07-44-23-C3-04127.0670 07-44-23-C3-04127.0010 07-44-23-C3-04127.0610 07-44-23-C3-04127.0630	General Office 170 @ 17,765 sf (85%) Drive-in Bank 912 @ 3,135 sf (15%)	11.01 ADT Per 1,000 sf = 196 Daily Trips 139.25 ADT Per 1,000 sf = 436 Daily Trips	1.49 = 26 PMPH 27.41 = 86 PMPH

PLANNING DIVISION STAFF REPORT
LU17-0008

PROPERTY ADDRESSES 6 Burnt Store Road 16 Burnt Store Road 22 Burnt Store Road 5 NW 32 nd Place	APPLICANTS/PROPERTY OWNERS Harold and Pamela Arkin, Trustees Marlin Properties, LLC Esta Rubinstein Trust
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SUMMARY OF REQUEST The applicants propose a Future Land Use Map Amendment for four undeveloped sites (2.4 acres) from Single-Family/Multi-Family (SM) to Commercial/Professional (CP). The existing zoning is Residential Development (RD).	
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STAFF RECOMMENDATION: APPROVAL

Positive Aspects of Application:	Provides additional commercial land at an existing intersection of two arterial roads. The block is sparsely developed with single-family homes to the north. This area will receive City water, sewer, and irrigation within 1-3 years.
Negative Aspects of Application:	There is no existing commercial development in the block to integrate with. One single-family home is adjacent to the site.
Mitigating Factors:	The site has frontage along a principal arterial. Burnt Store Road has access management plan to encourage cohesive development.

Site Information

Urban Service Area: All sites are in the Transition Urban Service Area, except for 16 Burnt Store Road which is in the Reserve Urban Service Area.

City Water and Sewer: The area is not currently serviced by City water and sewer, however, the site is in the North 2 (N2) Utility Expansion Project Area, which has begun installation of utilities.

Street Access: The site has access from three streets: Burnt Store Road, Embers Parkway, and NW 32nd Place¹.

STRAP Number:

6 Burnt Store Road	–	07-44-23-C3-04127.0670
16 Burnt Store Road	–	07-44-23-C3-04127.610
22 Burnt Store Road	-	07-44-23-C3-04127.630
5 NW 32 nd Place	-	07-44-23-C3-04127.0010

Block/Lot(s): The site is in Block 4127/Lots 1-6 and 61-72.

Zoning and Land Use Information:

Subject Property:	Future Land Use	Zoning
Current:	Single-Family/Multi-Family Residential (SM)	Residential Development (RD)
Proposed:	Commercial/Professional (CP)	N/A

Surrounding Areas	Future Land Use	Zoning
North:	SM	RD
South:	Single-Family Residential (SF)	Single-Family Residential (R-1B)
East:	SM	RD
West:	SF	R-1B

¹ A Principal Arterial, Minor Arterial, and Local street, respectively.

Background

The 2.4 acre site is an undeveloped assemblage of parcels in the northwestern quadrant of the City. The site is at the intersection of Embers Parkway and Burnt Store Road and bisected by an unimproved 20-foot wide alley right-of-way (ROW). Surrounding development consists of undeveloped parcels and single-family homes. City water and sewer are not available, however, the site is in the N2 section of the Utility Expansion Project (UEP) which is currently under construction. There is no existing access, however, access from Embers Parkway and NW 32nd Place is probable. Burnt Store Road is a controlled access road and under the jurisdiction of the Lee County Department of Transportation (LCDOT). Ingress and egress from Burnt Store Road would need approval from LCDOT.

The site has a Future Land Use Map classification of SM which has been present since 1989, upon adoption of the Comprehensive Plan and the Future Land Use Map. There have been no Future Land Use Map amendments in the block. There have been Future Land Use Map amendments in the vicinity in the past 10 years. Several properties to the east across Burnt Store Road were amended to Commercial Activity Center (CAC) in 2004. In addition, properties to the west and south were recently amended to Single-Family Residential (SF) on October 29, 2017.

The applicant states in their "Letter of Intent" that the properties are suited for commercial development based upon their location at a major intersection and they are part of "the gateway" into the future Seven Islands development along Old Burnt Store Road.

Additional Site Information

Protected Species

The applicant has not performed a Protected Species Survey, however, the sites are clear of vegetation and no wetlands are present. The City requires species surveys prior to issuance of City of Cape Coral permits or development approvals, in accordance with the Conservation and Coastal Management Element of the Comprehensive Plan.

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

"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."

Soils and Drainage

The site has one soil classification; Matlacha Gravelly Fine Sand. This soil has limitations for development, which are typically overcome using various engineering solutions such as importing fill. The soil type should not present an obstacle to future land development although special feasibility studies may be required.

Analysis

Comprehensive Plan

Chapter 4 – Future Land Use Element

Policy 1.12

The Comprehensive Plan recognizes that the original platting of the City was prepared with the primary purpose of creating a readily marketable commodity; residential lots. This resulted in an imbalance between residential and commercial lands, leading to insufficient commercial land. As required by Policy 1.12 of the Future Land Use Element, the City conducted a citywide commercial needs study. This study identified the characteristics and locations for new potential commercial lands.

Policy 1.12 of the Future Land Use Element requires the City to conduct commercial land needs studies to identify areas of the City, which could accommodate commercially designated land, consistent with the studies' findings and recommendations, and other provisions of the Comprehensive Plan. In March 2007, the City of Cape Coral requested Paul Van Buskirk, PhD., AICP, PE, and Mike Jackson, the City's former Economic Development Director, to prepare a report entitled: "Future Land Use Analysis: Commercial & Industrial Land Required For The City of Cape Coral At Build-Out." This report updated earlier analyses. The report suggests a number of strategies to increase the inventory of developable commercial properties within the City. Two of the suggested strategies involve 1) converting parcels with residential future land use to commercial future land use and, 2) increasing the size of existing commercial areas. The proposed amendment is seeking to convert parcels with a residential future land use to a commercial future land use. **Therefore, staff finds that the proposed amendment is consistent with Policy 1.12.**

Policy 1.13

Policy 1.13 encourage commercial development at commercial nodes to decrease the potential for strip development and to facilitate compact development that encourages pedestrian friendliness. A commercial node is defined as the intersection of two four-lane parkways or boulevards. Tropicana Parkway has four lanes and Burnt Store Road is currently being widened to four lanes, while also being designated as a Principal Arterial. This site qualifies as a commercial node, **therefore, staff finds that the proposed amendment is consistent with Policy 1.13.**

Policy 1.14

Policy 1.14 addresses eight commercial siting guidelines that provide guidance on whether or not a site is appropriate for a conversion from residential to commercial. The guidelines are also a guide on determining compatibility between existing residential uses and potential commercial uses. A response to each of the commercial siting guidelines follows in **bold**.

Major Intersection

Preferred locations for commercial properties are in the vicinity of major intersections (i.e., intersections of two or more arterial and/or collector roadways). Development of a commercial node at such an intersection may involve multiple parcels and, sometimes, multiple quadrants of the intersection. The benefits derived by having commercial properties located in the vicinity of the intersection diminish with distance, but the distance at which

a property ceases to derive benefit from proximity to the intersection varies, based upon whether the subject property would represent a 'new' commercial property (a commercial property not abutting any existing commercial properties) or an expansion of an existing commercial area. New commercial properties should preferably be located adjacent to the intersection, while commercial properties that clearly represent an expansion of an existing commercial area can be any distance from the intersection, provided that such properties are integrated with existing properties (see below: Integration).

Staff Response: The sites are at a major intersection of a Principal Arterial and a Minor Arterial, therefore Planning staff finds that the sites are consistent with the above guideline.

Adequate Depth

Ideally, a commercial property should extend not only along the adjacent collector or arterial roadway, but also should extend inward with adequate depth to accommodate the necessary parking, buffering, retention, and open area for the future commercial development. In Cape Coral, most City blocks are rows of back-to-back lots approximately 250 feet deep. Preferably adequate depth is achieved if any number of contiguous properties, owned by the same landowner (see "Ownership Pattern", below) occupy the entire 250 feet of depth. Adequate depth would not be achieved if the subject properties have different owners, and if the contiguous properties are not reasonably compact (see below, "Compactness").

Staff Response: 50% of the total site area has the preferred depth of 250 feet along a major roadway. The sites that have full block depth are not occupied by the same landowner, however, they are both parties to the Future Land Use Map amendment request. Due to most of the site area possessing full block depth and the joint application by the owners, Planning staff finds that the sites are consistent with the above guideline.

Compactness

Compactness measures the ability of a property proposed for a commercial future land use to take advantage of economies of scale. The shape of an ideal compact commercial property approaches that of a square or rectangle. This quality allows for an orderly arrangement of development on the subject property and acts to reduce adverse visual, noise or aesthetic impacts to neighboring properties.

Staff Response: 50% of the site area is reasonably compact in a quadrilateral or square-like shape. The remainder of the area has a rectangular shape, however, it does not possess full block depth as discussed in the previous guideline. Therefore, the sites are consistent with the above guideline.

Integration

Integration, for the purposes of these guidelines, refers to the interrelatedness of development within a commercial node or area. The presence of features, such as internal access roads, shared parking, courtyards, walkways, or other features, binds the various commercial properties within the node together. This pattern of development reduces the traffic impacts associated with commercial development and often promotes a pedestrian-friendly environment. Integration of neighboring commercial properties should always be encouraged. Therefore, properties proposed for conversion to a commercial future land use should be evaluated for the likelihood that such properties would or could be integrated with adjacent existing commercial properties.

Staff Response: There are no other sites in Block 4127 that have commercial Future Land Use designation or zoning which eliminates the opportunity for integration between commercial developments. The closest area with a commercial or mixed-use Future Land Use or zoning designation is at the southeast intersection of Tropicana Parkway and Burnt Store Road. Due to the lack of existing commercial land in Block 4127, Planning staff finds that the sites are not consistent with the above guideline.

Assembly

For commercial areas to provide the most benefit to the surrounding community, they must be of relatively large size. The majority of buildable lots within the City of Cape Coral are approximately 10,000 square feet (0.23 acre) in size. These lots were designed primarily for single family residential development and do not typically have adequate width or depth for larger commercial development that might serve the City as shopping or employment centers. Therefore, it is important for the City to encourage commercial applicants to assemble relatively large parcels (properties comprising 3 acres or more). Assembly of pre-platted parcels into tracts of 3 acres or more will promote the development of commercial properties that do not express the indicators of strip commercial development. Assembly of larger parcels also allows the developer to provide a greater variety of commercial land uses, and to provide architectural and landscape features that result in a more attractive end-product.

Properties proposed for conversion to a commercial future land use, where such properties would represent an expansion of an existing commercial area may be considered “assembled,” for the purposes of these guidelines if the proposed expansion properties are either owned by the landowner of one or more adjacent commercial properties, or if the expansion property is likely to be integrated with (see above) adjacent commercial properties.

Staff Response: Collectively, the sites total 2.4 acres which is slightly less than the preferred size of three acres. The sites also lack cohesive ownership and there are not any other sites in Block 4127 with existing commercial development. Staff finds that the sites are partially consistent with this guideline.

Intrusion

“Intrusion,” as defined for the purpose of these guidelines, is a measure of the objectionable qualities of the proposed commercial development. This guideline applies primarily to new commercial property (a property proposed for conversion to a commercial future land use in an area where it would not abut existing commercial properties). Intrusion evaluates the potential adverse impacts on surrounding properties that could be caused by converting a property from its existing future land use to a commercial use. There are no definite guidelines for determining when a proposed commercial use would be intrusive to surrounding development. However, expansions of existing commercial areas are generally considered less intrusive than the establishment of new commercial areas. Commercial areas may be considered less intrusive to adjacent multi-family development than to adjacent single family development. Commercial development that is separated from a residential area by a street, canal, vegetative buffer, or other geographic features may be considered less intrusive than a commercial development that directly abuts a residential area. The degree of compactness (see “Compactness” above) of a commercial property can also reduce or increase its intrusion upon adjacent or nearby properties.

Typically, new commercial properties² are less likely to be considered intrusive if the surrounding or adjacent

² Properties proposed for conversion to a commercial future land use classification that do not abut existing commercial properties.

residential areas are sparsely developed. While the finding of intrusion is subjective and depends on many factors, the principle is the proposed commercial property would not likely be intrusive *if* adjacent residential areas are 25% or less developed. The area analyzed to determine the percentage of adjacent residential development may vary from 300 feet to 1,000 feet from the subject property, depending upon the degree to which streets, canals, landscaping or other geographic features separate the subject property from nearby residential areas.

Staff Response: The surrounding residential area within 1,000 feet of the sites is less than 25% developed. Therefore, the proposed CP Future Land Use Designation would not be considered intrusive. Staff finds that the sites are consistent with the above guideline.

Access

In the City of Cape Coral there are two ideal access provisions for a commercial property. If a subject property would meet the requirements for one or more of these provisions, the creation of a commercial future land use at the proposed location should be encouraged. These provisions are as follows:

- a) Access via a platted City parking area. The City of Cape Coral contains a number of dedicated commercial parking areas; some created by plat, and some deeded to the City by landowners. The Comprehensive Plan and City Land Use and Development Regulations refer to these as “dedicated City parking areas.” These parking areas are often surrounded by smaller platted lots originally intended for commercial development with access to these lots only, or primarily, from the dedicated City parking area. In implementing this provision, it may sometimes be in the City’s interest to promote conversion of a dedicated City parking area to a fully functional commercial development (i.e., a portion of the dedicated parking area would become a commercial building site) in return for the applicant’s agreement to own and manage the site.
- b) Direct access onto an arterial or collector roadway having an adopted City access management plan. The City has adopted access management plans for certain arterial and collector roadways. Access management plans serve to facilitate mobility of the traveling public; therefore, such roadways more readily accommodate the impacts of commercial development than roadways without such access management plans.

Staff Response: As stated previously, the sites have frontage on Burnt Store Road, Tropicana Parkway and a local street. Neither of these streets have frontage roads, however, Burnt Store Road has a controlled access plan that is under the authority of Lee County. This access management plan limits driveway connections from Burnt Store Road to increase traffic flow and facilitate mobility. Planning staff finds that the sites are partially consistent with the above guideline.

Ownership Pattern

An ideal commercial node is a cohesive, compact, interrelated network of commercial properties. Properties proposed for conversion to a commercial future land use that consist of multiple parcels, or groups of parcels, or under multiple ownerships are unlikely to develop as a true “commercial node.” Instead, these properties are more likely to develop as separate, small commercial developments with multiple access points, leading to adverse, unsafe traffic conditions. Each small development may also have its own stormwater management pond, dumpster, and an appearance and/or landscaping design that is inconsistent with surrounding development. This pattern is a characteristic of strip commercial development (see Policy 1.13, above). Therefore, the City of Cape Coral encourages land owners and developers to assemble the properties involved in a commercial future land

use request under common ownership. Multiple, small properties under separate ownership, even if such properties are included in a single future land use amendment request, may not be appropriate for the full array of commercial uses.

Staff Response: The amendment area has five sites and three different owners. The largest area under one owner is 1.56. As discussed in the guideline, multiple smaller properties under separate ownership may not result in large commercial developments. Staff finds that the sites are not consistent with the above guideline.

In summary, Policy 1.14 contains eight commercial siting guidelines. The sites are consistent with four of these guidelines (Major Intersection, Adequate Depth, Compactness, and Intrusion), partially consistent with two guidelines (Assembly and Access) and is inconsistent with two guidelines (Integration and Ownership Pattern). Policy 1.14 does not require a proposed amendment to meet a certain threshold of guidelines, rather the guidelines are meant to provide a compatibility analysis. Based on these guidelines, Planning staff finds that the proposed should be compatible with the neighborhood and should provide an opportunity for commercial development at a major intersection.

Policy 3.1

Policy 3.1 states that the City of Cape Coral will encourage commercial development at transportation nodes by designating areas with appropriate future land use categories. Planning staff finds that the proposed amendment is at a transportation node, therefore, **this policy is supportive of the proposed amendment.**

Regional Plan Analysis

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

This amendment is consistent with the SRPP Strategy locating commercial development along transportation corridors.

Lee County Metropolitan Planning Organization's (MPO) 2040 Long Range Transportation Plan:

Burnt Store Road has been identified for improvements and widening in the MPO's 2040 Long Range Transportation Plan. Burnt Store Road is being widened to four lanes and will be utilized as an evacuation route in the event of impending natural disasters.

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 number of dwelling units, population, etc. present within the subject area.

The site is Single-Family/Multi-Family (SM), and the analysis assumes a residential density of 4.4 dwelling units per acre for the site. While the sites are currently undeveloped, the analysis must consider the potential impacts of the proposed Commercial/Professional (CP) land use in the event of construction. Historically, commercial development in Cape Coral has developed with a Floor Area Ratio (FAR) of 0.25. Therefore, 26,136 sq. ft. of commercial development on these sites is a reasonable estimate for analyzing the impacts of the proposed land use amendment.

Dwelling Units

Existing: 10
Proposed: 0
Net Change: -10

Population*

Existing: 25.4
Proposed: 0
Net Change: -25.4

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

Water Use

Existing: 2,000 gal/day total (10 dwelling units x 200 gal/day)
Proposed: 7,841 gal/day total (26,136 square feet x 0.3 gal/sq ft/day)
Net Change: +5,841 gal/day
Facility Capacity: 30.1 MGD
Permitted Usage: 16.9 MGD
Avg. Daily Usage: 9.4 MGD

Sewage

Existing: 2,000 gal/day total (10 dwelling units x 200 gal/day)
Proposed: 7,841 gal/day total (26,136 square feet x 0.3 gal/sq ft/day)
Net Change: +5,841 gal/day
Facility Capacity: 28.4 MGD
Avg. Daily Usage: 12.8 MGD

Solid Waste

Existing Generation: 119 lbs. total/day (25 persons square feet x 4.74 lbs/person/day)
Proposed: 3,554 lbs. total/day (26,136 square feet x 0.136 lbs/sq ft/day)
Net Change: +3,435 lbs/day
Facility Capacity: 1,836 tons/day
Existing Demand: 1,384 tons/day
Capacity Available: Yes

Traffic/Daily Trips

Existing Generation: 8 AM peak trips/hour and 10 PM peak trips/hour
Proposed: 27 AM peak trips/hour and 98 PM peak trips/hour

Net Change: 19 AM peak trips/hour and 88 PM peak trips/hour
Facility Capacity: Both Burnt Store Road and Tropicana Parkway meet the minimum acceptable Level of Service Standard of "D."
Capacity Available: Yes

Development Impact Analysis

Hurricane Evacuation

The subject area is in Evacuation Zone A, however, this amendment would result in a reduction of dwelling units and a small decrease in evacuation times for the surrounding area.

Park Lands

The levels of service standard (LOS) for parkland and facilities are based on permanent population. The amendment would result in a reduction of dwelling units and would have no impact on parkland LOS.

Protected Species

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

School Impacts

There will be no addition of housing units or population, therefore, no additional school impacts are anticipated.

Recommendation:

Planning Division staff finds that the proposed Future Land Use amendment is consistent with several policies of the City's Comprehensive Plan and is compatible with the surrounding neighborhood and therefore recommends **approval** of the proposed small-scale future land use map amendment request.

Planning Staff Contact Information

Chad Boyko, AICP, Principal Planner

239-573-3162/cboyko@capecoral.net



The Embers Parkway and Burnt Store Road Future Land Use Map Amendment Request _ September 25, 2017

Subject Properties:

STRAP #	BLOCK	LOTS	SITE ADDRESS	CURRENT FLU
07-44-23-C3-04127.0670	4127	67 thru 72	6 Burnt Store Road N, CC 33993	SM
07-44-23-C3-04127.0010	4127	1 thru 6	5 NW 32nd Place CC 33993	SM
07-44-23-C3-04127.0610	4127	61 thru 62	22 Burnt Store Road N, CC 33993	SM
07-44-23-C3-04127.0630	4127	63 thru 66	16 Burnt Store Road N, CC 33993	SM

Surrounding Zoning and Land Uses:

SUBJECT PROPERTY	CURRENT FLU	ZONING
Current 4 Parcels	SM	Res. Development _ Vacant

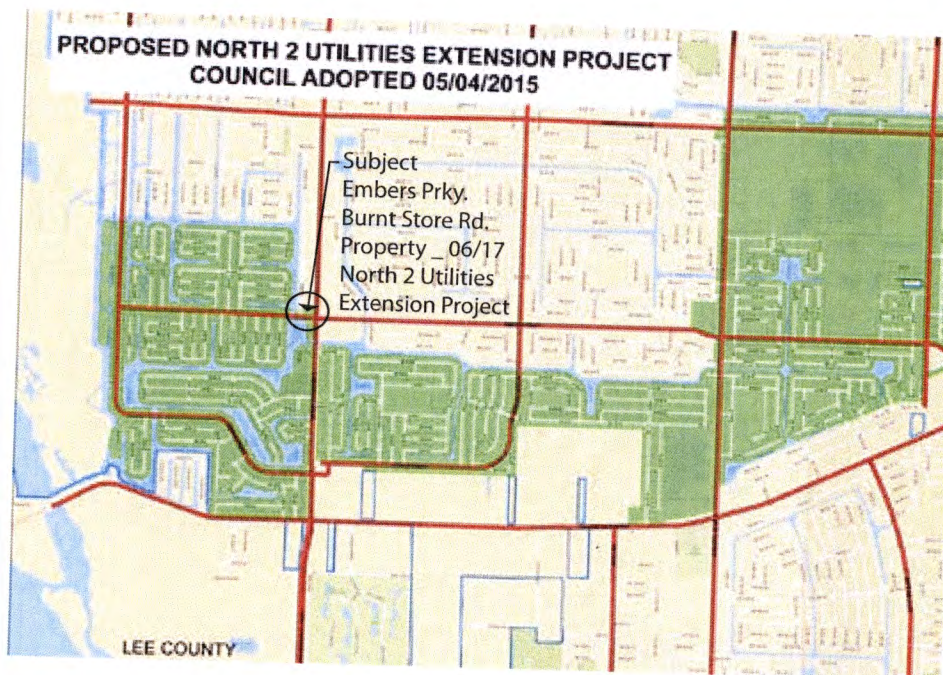
SURROUNDING PROPERTIES	FLU	ZONING
North	SM	Res. Development _ Scattered Housing
South	SM	R1-B _ Model Home
East _ Burnt Store Rd.	SM & CAC _ Vacant	Res. Development _ Vacant
West _	SM	R1-B _ Scattered Housing



NW Cape Coral Future Land Use Map

Urban Service Area:

The property within Utility Extension Project North 2 and is currently classified as an Urban Services Transition and Reserve Area by the comprehensive plan. The North 2 UEP is anticipated to begin in 2018.



Utility Extension North Two Map

Street Access:

The property is accessible from Burnt Store Road via an existing full turning movement median opening. When Burnt Store Road will be reconstructed to a four lane arterial section, the median opening will remain designated as a full turning movement median. Property direct access is provided by Embers Parkway West and NW 32nd Place.



Street Network Air Photo Map

Neighborhood Context:

The subject property is located within the NW Cape Coral community. It is strategically located at the intersection of Embers Prky. and Burnt Store Road in a manner that will serve as a gateway to the pending Seven Islands Mixed Use development. This attribute is important due to the relative isolation and major intersection distance of the Seven Islands project in so far as commercial use feasibility and viability. Through the introduction of commercial land uses, the proposed 2.4 acre map amendment amendment will serve as a gateway attractor to the Seven Islands project. The Seven Islands project is currently owned by the City; it may include up to 995 dwelling units, 70,000 sf of commercial that may include a hotel and restaurant, and improved marina and park. The City has recently initiated a Future Land Use Map amendment for 50.7-acres, from Single-family/Multi-family and Parks and Recreation, to Mixed Use. Currently funded neighborhood infrastructure improvements include widening and improving Old Burnt Store Road for the segment associated with the Seven Islands project, and the North Two Utility Expansion Project. The Lee Co. south Burnt Store Road segment, from Pine Island Road to Tropicana Prky., is funded for fiscal year 2019/2020. The NW Cape community, as defined by the area west of El Dorado Blvd., and north of Pine Island Road to the county line, had a 2015 estimated population of 9,455 persons and 3,348 households. The population and household 2020 projections are 11,247 and 3,988; 2030 projections are 15,913 persons and 5,643 households.



Neighborhood Location and Proximity Map

Additional Site Information:

The subject property is an urbanized and cleared site (FLUCCS 192 Inactive Land) with what appear to be two abandoned burrowing owl holes. No other potential protected or endangered species has the potential to use the site. Consistent with Cape Coral Policy 1.2.5, the Applicant will provide professionally accepted Protected and Endangered Species surveys as part of City mandated development permitting approval processes. The site is underlain by Matlacha Gravelly Fine Sands. Though this soil has various site development limitations, these limitations are typically overcome by using various civil engineering solutions such as and including importing clean fill dirt. Hence this soil type does not present any obstacle to future site development.

Regional Comprehensive Plan Analysis:

The Strategic Regional Policy Plan (SRPP) Economic Development Goal One: *“Ensure the adequacy of lands for commercial and industrial centers, with suitable services provided.”*

- Response: The land use map amendment provides needed commercial land inventory within the land use planning context of NW Cape Coral’s overwhelming single-family residential platted lands inventory.

Cape Coral Future Land Use Element Analysis:

Policy 1.20: *“The City will promote the development of identifiable residential 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.”*

- Response: The land use map amendment consolidates four individual parcels into one unified property to facilitate a small and identifiable commercial project. The commercial project will serve as the non-residential Embers Parkway gateway, from Burnt Store Road to the pending Seven Islands mixed use project.

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.”*

- Response: The land use map amendment is for a 2.4 acre site located at the northwest quadrant of the intersection of Embers Parkway and Burnt Store Road. This intersection is identified on the Burnt Store Road South Phase as a full turning movement intersection for the four-lane Burnt Store Road segment. The property is ideally located for commercial land uses and supports viable transportation nodal planning.

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.”*

- Response: In the City’s Land Use Element Policy 3.3 Commercial Centers by Corridor table, the City has identified 190 acres of land along Tropicana and Embers Parkway needed for commercial development. According to the City (see LU17-0002; 04/27/17), at present approximately 90 acres along these roadways are identified as commercial. Therefore at present, a deficit of 100 acres exists. The requested 2.4 acre Commercial/Professional Land Use Map amendment provides needed commercial land inventory as identified by the City.

Policy 3.4: *“The City shall initiate and/or consider privately initiated future land use map amendments necessary to provide an adequate supply of lands designated for retail, office and service uses in quantities and locations appropriate for such uses, generally consistent with the findings of the Commercial Corridor Study, or other subsequent analysis.”*

- Response: See the response to Policy 3.3; the map amendment is consistent with 3.4.

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.”*

- Response: The subject property is in the Urban Services Transition Area; utilities will be extended into this area as part of the North 2 UEP, anticipated to begin in 2018.

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, public water and sanitary sewer, solid waste, storm water facilities and other services in this plan.”

- Response: The requested future land use map amendment will have available to it all needed urban services at acceptable levels, including central water and sanitary sewer service. Based upon the subject property’s platted lot structure, it is reasonable to assume that the property can currently support nine single-family homes. The requested land use map amendment is expected to have 17,765 sf general office and 3,135 sf commercial bank (20,900 sf total). The elimination of nine dwelling units, assuming 2.54 persons per household, will lead to a supported population reduction of 23 persons. Specific service impact assessments are as follows --
 - Water Use _ Zero presently; existing @ 200 GPD * 9 units = 1,800 GPD; proposed commercial @ 20,900 sf x 0.3 gal/sf/day = 6,270 GPD; Net Change @ + 4,470 GPD (City permitted usage @ 16.9 MGD).
 - Sanitary Sewer _ Zero presently; existing @ 00 GPD * 9 units = 1,800 GPD; proposed commercial @ 20,900 sf x 0.3 gal/sf/day = 6,270 GPD; Net Change @ + 4,470 GPD (City permitted usage @ 28.4 MGD).
 - Solid Waste _ Zero presently; existing at 109 lbs./day (23 persons x 4.74 lbs./person/day); proposed commercial @ 20,900 sf x 0.136 lbs/sf/day = 2,842 lbs/day; Net Change @ 2,733 lbs./day (City Facility Capacity @ 1,836 tons/day with Existing Demand @ 1,384 tons/day).
 - Traffic Daily Trips _ Zero presently; existing @ 9 DUS x 9.57 ADT = 86 trips (9 PM Peak Hr.); proposed 17,765 sf general office and 3,135 sf commercial bank equals 195 ADT general office and 436 ADT commercial bank (631 total ADT); Net Change @ 545 ADT. Embers Parkway provides direct access to the subject property. It is a Minor Arterial Road that surpasses the minimum acceptable LOS D and thus has adequate capacity.
 - Hurricane Evacuation, Park Lands and School Impacts _ The requested Commercial/Professional Future Land Use Map amendment reduces accommodated dwelling units. In so doing it will have no impact on hurricane evacuation times, decreases the demand for public park lands and decreases the demand for schools and student class rooms.

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

a.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.

a.ii Pedestrian access should be designed to provide internal and external circulation from adjacent neighborhoods.

a.iii Streets should be designed with elements to provide visual or physical buffering may serve as boundaries between different intensities of land uses.

a.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 and environmentally sensitive areas whenever feasible.

c. Screening and Landscaping

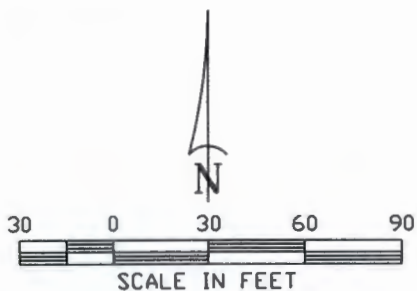
c.i Creative and extensive use of landscaping and berming techniques for natural transitions between differing intensities of land uses is encouraged.

c.ii Fences should not be used as a sole method of providing screening and buffering between differing intensities of land uses.

c.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.

- Response: The ultimate commercial office site development of the property will adhere to Cape Coral land development code rules and regulations relating to buffering, landscaping, lighting, screening and building setbacks. The site will be accessed by Embers Parkway, and with residential neighborhood separation provided by NW 32nd. Place. Pedestrian access will be provided by the new Burnt Store Road sidewalk/bike path system to be built as part of the funded Burnt Store Road South improvement phase. Pedestrian access may also be provided along Embers Parkway as part of the project's offsite sidewalk improvement program. It is envisioned that site design elements will match the Seven Islands development, and in so doing contribute to a themed Seven Islands District design. Landscape plantings and screening walls will be used where residential homes and lots are interfaced by the development. It is envisioned that the project will be commercial service and professional office. This is in response to the fact that the commercial retail marketplace is dominated by the Publix community shopping center located immediately south at Pine Island Road and Burnt Store Road. Commercial office uses are an appropriate "step-down" use between an arterial highway and single-family residential.

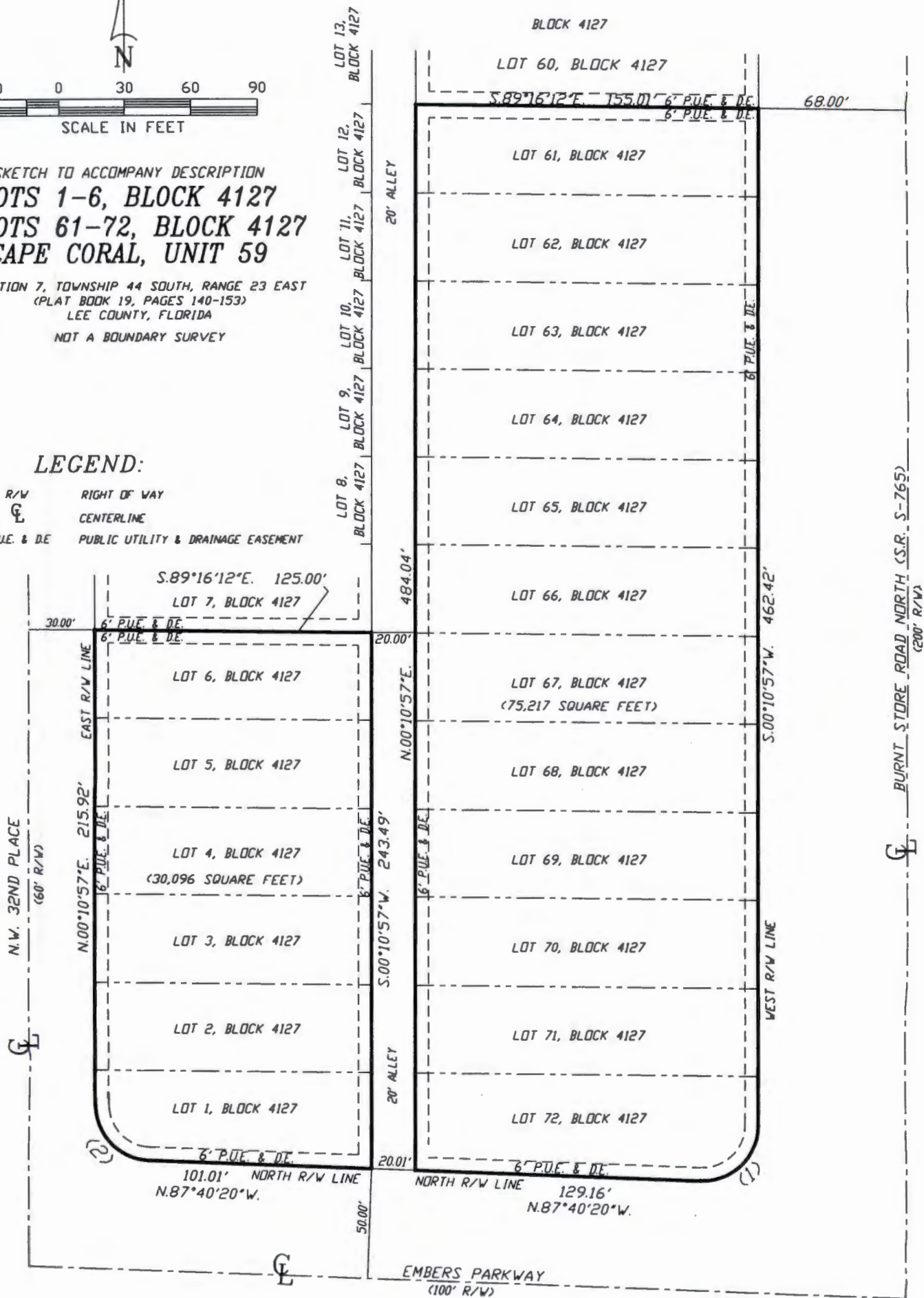


SKETCH TO ACCOMPANY DESCRIPTION
LOTS 1-6, BLOCK 4127
LOTS 61-72, BLOCK 4127
CAPE CORAL, UNIT 59

SECTION 7, TOWNSHIP 44 SOUTH, RANGE 23 EAST
(PLAT BOOK 19, PAGES 140-153)
LEE COUNTY, FLORIDA
NOT A BOUNDARY SURVEY

LEGEND:

R/W RIGHT OF WAY
CL CENTERLINE
P.U.E. & D.E. PUBLIC UTILITY & DRAINAGE EASEMENT



Curve number 1

Radius= 25.00'
Delta= 92°08'43"
Arc= 40.21'
Tangent= 25.95'
Chord= 36.01'
Chord Brg.= S.46°15'18"W.

Curve number 2

Radius= 25.00'
Delta= 87°51'17"
Arc= 38.33'
Tangent= 24.08'
Chord= 34.69'
Chord Brg.= N.43°44'42"W.

NOT A BOUNDARY SURVEY

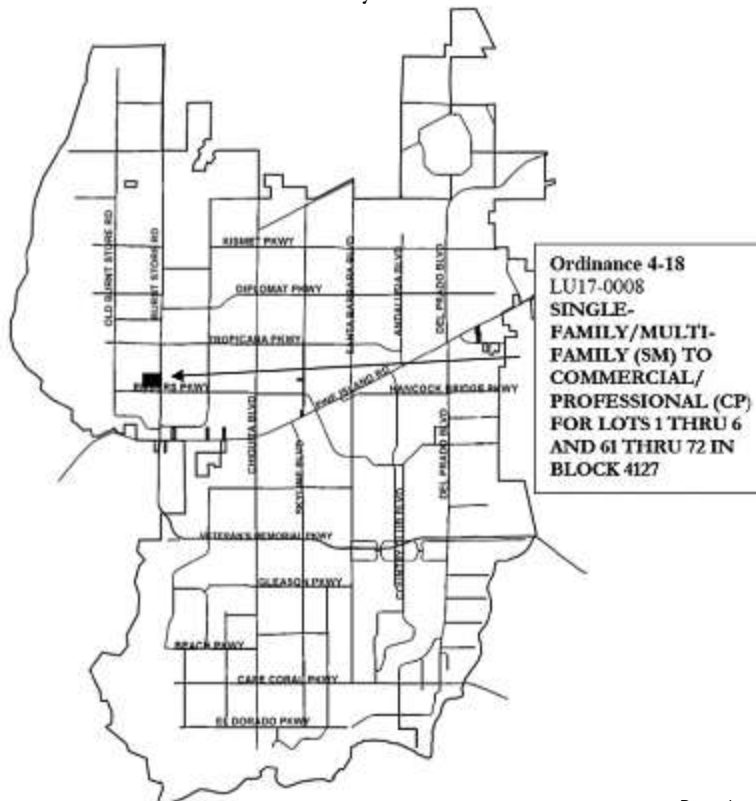
HARRIS-JORGENSEN, INC. 3046 DEL PRADO BLVD. S. 3A CAPE CORAL, FLORIDA 33904 PHONE: (239) 257-2624 FAX: (239) 257-2921		
DATE OF LAST FIELD WORK: 2/16/17		
CERTIFICATE OF AUTHORIZATION: LB #6921		
DRAWN: PMM	CHECK: FBH	SCALE 1"=60'
PROJECT: CC-U59-4127-1		
SKETCH DATE 9/26/17	FILE NO. 44-23-7	SHT.- 1 OF - 2

NOTICE OF CHANGE OF LAND USE

The City of Cape Coral proposes to adopt ORDINANCE 4-18, 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) TO COMMERCIAL/PROFESSIONAL (CP) LAND USE FOR PROPERTY DESCRIBED AS LOTS 1 THROUGH 6 AND 61 THROUGH 72, UNIT 59, BLOCK 4127 CAPE CORAL SUBDIVISION; PROPERTY LOCATED AT THE INTERSECTION OF BURNT STORE ROAD AND EMBERS PARKWAY; PROVIDING SEVERABILITY AND AN EFFECTIVE DATE

A public hearing on the ordinance will be held Wednesday, January 10, 2018 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



NP-0000954138

December 31, 2017

☐ 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-DAILY
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PROOF CREATED AT: 12/29/2017 11:20 AM
PROOF DUE: -
NEXT RUN DATE: 12/31/17

NP-0000954138.INDD

Department of Community Development
Planning Division

AFFIDAVIT

IN RE: APPLICATION OF: Harold M. and Pamela A. Arkin

APPLICATION NO: LU17-0008

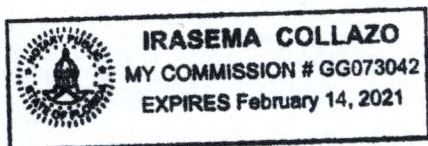
STATE OF FLORIDA)
) §
COUNTY OF LEE)

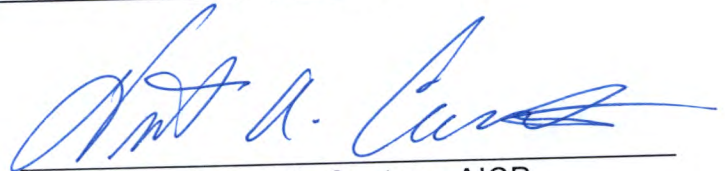
I, Vincent A. Caution, AICP having first been duly sworn according to law, state on my oath the following:

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 29th day of December, 2017.



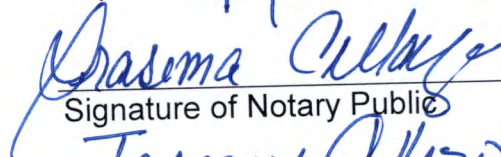


Vincent A. Caution, AICP

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was acknowledged before me this 29th day of Dec., 2017, by Vincent A. Caution, AICP, who is personally known to me and who did not take an oath.

Exp. Date 2/14/21 Commission # GG073042



Signature of Notary Public

IRASEMA COLLAZO


Print Name of Notary Public


CITY OF CAPE CORAL
Department of
Community Development
Planning Division

CURRENT FUTURE
LAND USE MAP
500' Proximity Boundary

Case No. LU17-0008

LEGEND

 500' Proximity Boundary

 Subject Parcels

Future Land Use

 SM

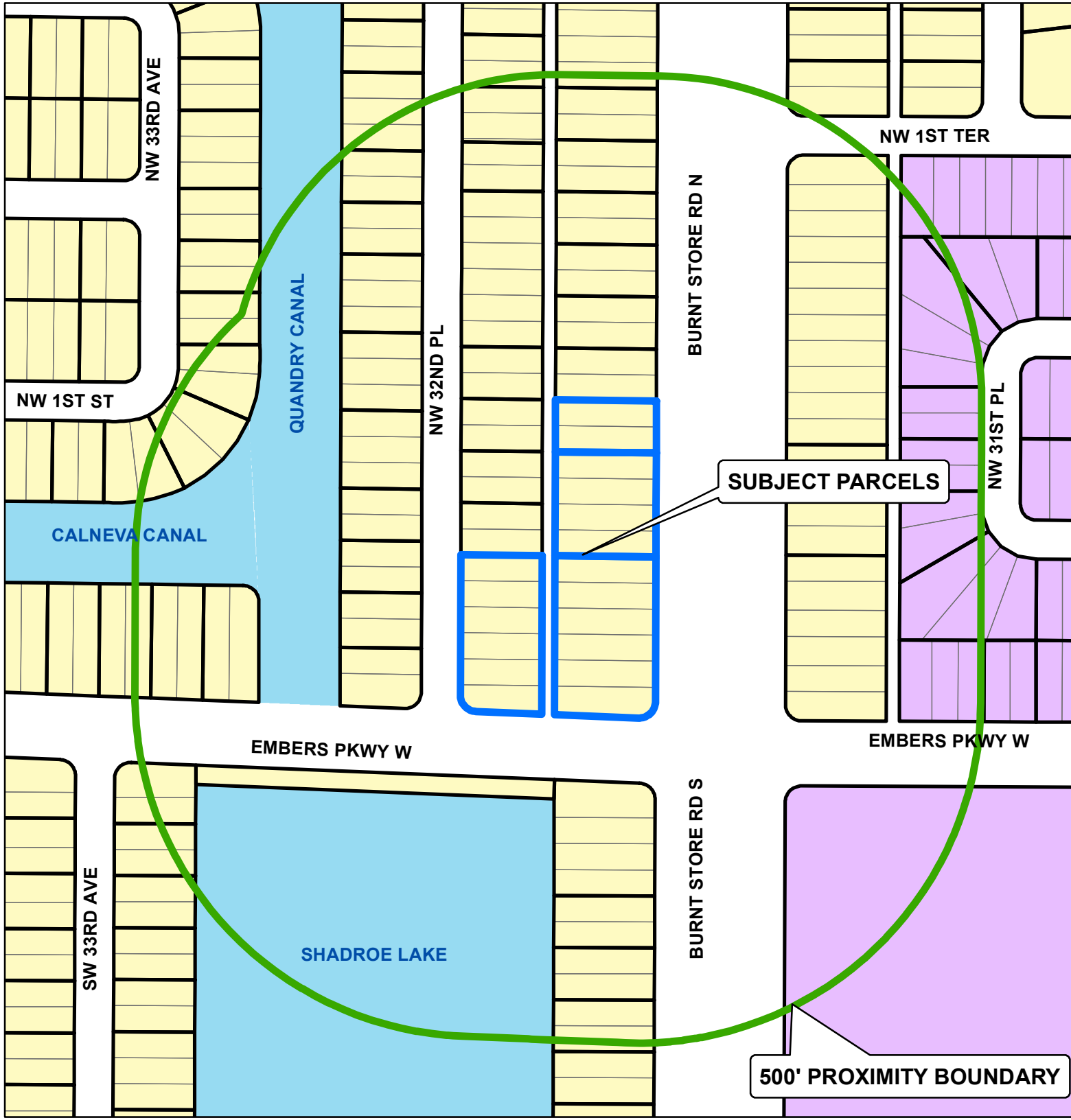
 CAC



NOVEMBER 13TH, 2017



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.




CITY OF CAPE CORAL
Department of
Community Development
Planning Division

CURRENT ZONING MAP
500' Proximity Boundary

Case No. LU17-0008

LEGEND

 500' Proximity Boundary

 Subject Parcels

Zoning

 R-1B

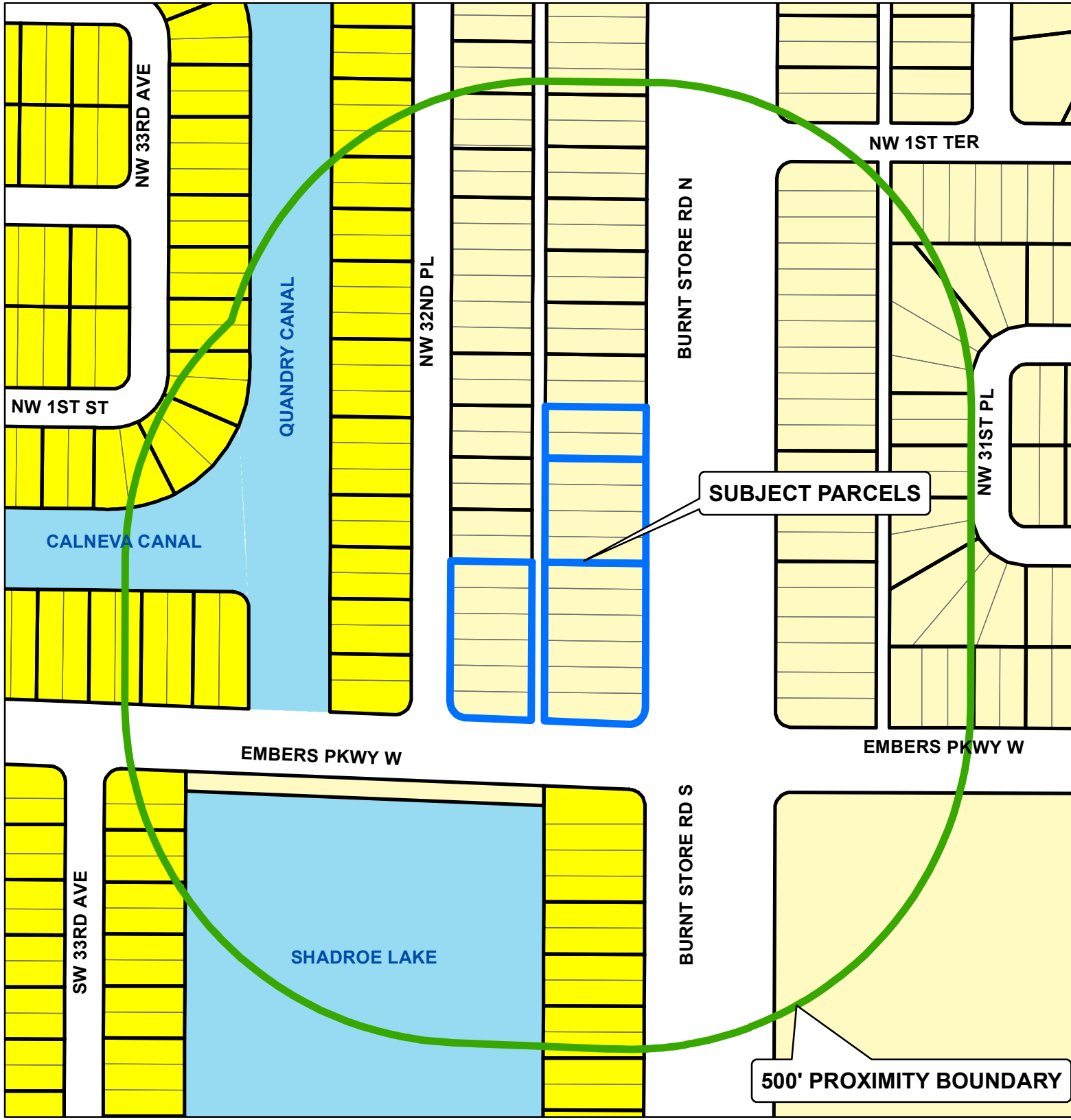
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NOVEMBER 13TH, 2017



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CITY OF CAPE CORAL
Department of
Community Development
Planning Division




PROPOSED FUTURE
LAND USE MAP
500' Proximity Boundary

Case No. LU17-0008

LEGEND

-  Subject Parcels
-  500' Proximity Boundary

Future Land Use

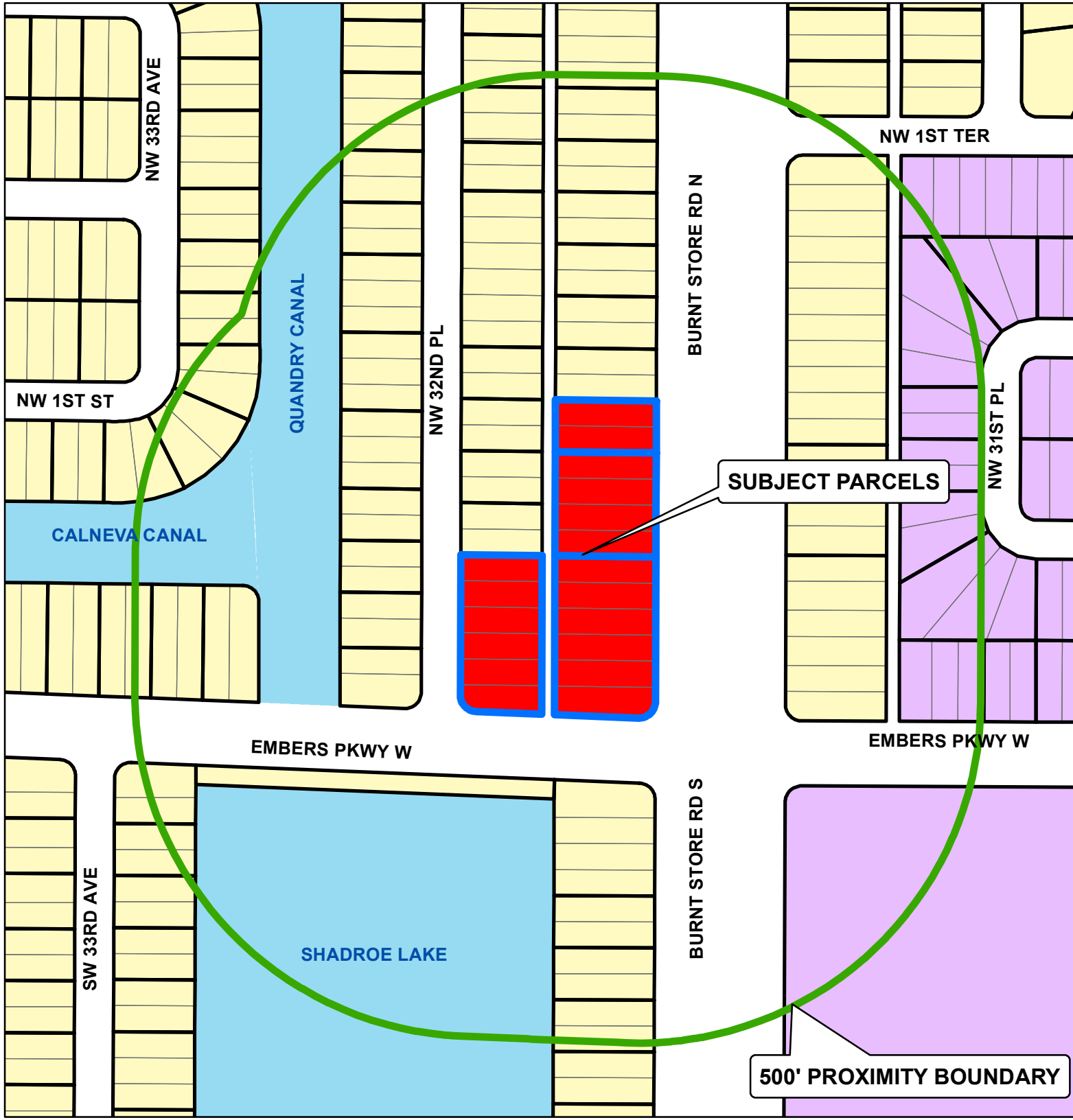
-  SM
-  CAC
-  CP

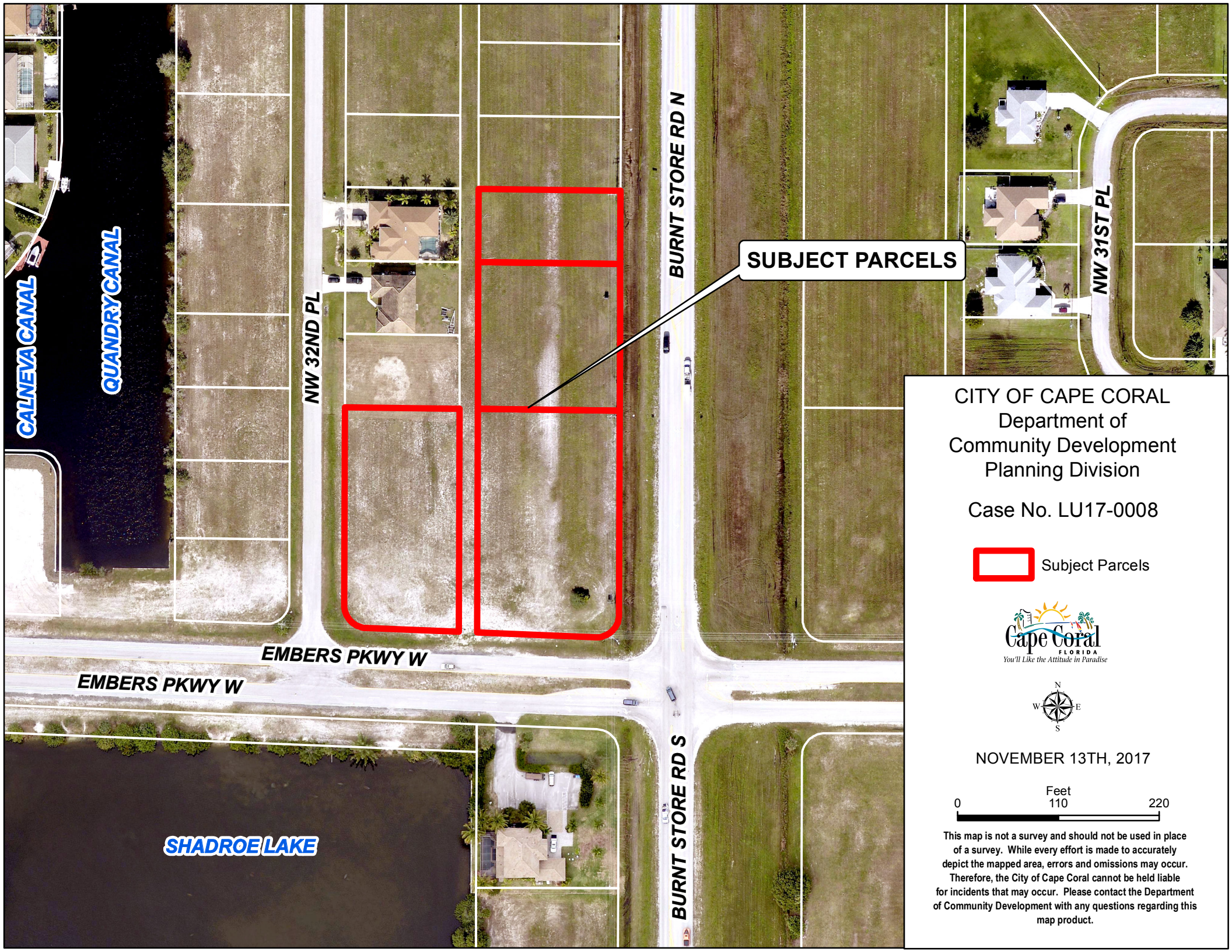


NOVEMBER 13TH, 2017




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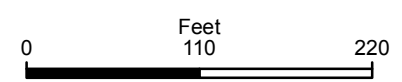
CITY OF CAPE CORAL
Department of
Community Development
Planning Division

Case No. LU17-0008

 Subject Parcels



NOVEMBER 13TH, 2017



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Item Number:	9.A.
Meeting Date:	1/24/2018
Item Type:	DATE AND TIME OF NEXT MEETING

**AGENDA REQUEST
FORM**
CITY OF CAPE CORAL



TITLE:

Workshop Wednesday, January 24, 2018

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: