

February 21, 2025

Case No.:	RZN24-000008	Prepared By:	Patrick Carlton \	White, Senior Planner
	4207.55 oth DI		1	
Property	1207 SE 8 <sup>th</sup> Place			
Location:	Cape Coral, FL 33990		Property Owner	
	STRAP: 19-44-24-C4-00	809.0010		
			Name:	Gasparilla Investments LLC
	Authorized Representat	ive	Address:	PO Box 60021
Name:	Joe Mazurkiewicz, BJM	Consulting		Fort Myers, FL. 33906

### **SUMMARY OF REQUEST:**

The owner has requested rezoning Unit 22, Block 809, Lots 1-7, located at 1207 SE 8th Place, from the Professional (P) zoning district to the Residential Multi-Family Low (RML) zoning district for one parcel totaling +/- 34,863 SF or 0.8 acres.



MAP SOURCE: City of Cape Coral

Existing Zoning	Existing Land Use	Proposed Zoning	Site Improvements	Size of Property
Professional	Mixed Use	Residential Multi-	Vacant	34,863 SF
(P)	(MX)	Family Low (RML)		0.8 acres

STAFF RECOMMENDATION: Denial

Conditions: None

CASE OVERVIEW		
Background:	<ul> <li>The property is located in central Cape Coral near City Hall. Surrounding development includes a mix of government facilities, offices, and duplexes.</li> <li>The Future Land Use was changed from Commercial/Professional (CP) to Mixed Use (MX) in 2003.</li> </ul>	
Positive Aspects of Application:	<ul> <li>The proposed rezoning will allow the development of additional housing in a area wit existing duplexes and multi-family development near several places of employment.</li> <li>Residential development exists to the south and west of the site.</li> </ul>	

Case No.: RZN24-000008 Page **1** of **11** February 21, 2025



February 21, 2025

Negative Aspects of Application:	<ul> <li>The rezoning would result in a small loss of non-residential property.</li> </ul>
Mitigating Factors:	<ul> <li>The site is near a major intersection, has good visibility, and has centralized utilities.</li> </ul>

#### SITE INFORMATION

Street Addresses: 1207 SE 8<sup>th</sup> Place (1 Parcel)

Urban Service Area: Infill

City Water & Sewer: City Water: Yes City Sewer: Yes Service Area: ----

Right-of-Way Access: The site has frontage along Nicholas Parkway E., a minor arterial road, and SE 8<sup>th</sup> Place, a

local roadway.

STRAP Number(s): 19-44-24-C4-00809.0010

Subdivision: Cape Coral

Site Area: SF (+/-): 34,863 Acres (+/-): 0.8

Case Planner: Patrick Carlton White, Senior Planner

Review Approved By: Mike Struve, AICP, Planning Team Coordinator

FUTURE LAND USE AND ZONING INFORMATION					
Site:	Future Land Use	Zoning			
Current:	Mixed Use (MU)	Professional (P)			
Proposed:	N/A (No Change)	Residential Multi-Family Low (RML)			
	Surrounding Future Land Use	Surrounding Zoning			
North:	Public Facilities (PF)	Commercial (C)			
South:	Mixed Use (MX)	Residential Multi-Family Low (RML)			
East:	Mixed Use (MX)	Professional (P)			
West:	Mixed Use (MX) and Commercial/Professional (CP)	Professional (P) and Residential Multi-Family Low (RML)			

### **PURPOSE OF REQUEST**

The owner has requested rezoning Unit 22, Block 809, Lots 1-7, located at 1207 SE 8th Place, from the Professional (P) zoning district to the Residential Multi-Family Low (RML) zoning district for one parcel totaling +/- 34,863 SF or 0.8 acres. The authorized representative's Letter of Intent does not identify what will be developed on the property although they note that the property would be a good site for workforce housing.

FUTURE LAND USE AND ZONING HISTORY		
Unit 22, Block 809,	Lots 1-7 FLU: CP (1989, Original) to MX in 2003 via ORD 62-03;	
	Lots 1-5 Zoning: R-3 to P1 via Council action on 10-28-74.	
	Lots 6-7 Zoning: R-3 to P1 in 1990 via Ord 61-90	

Case No.: RZN24-000008 Page **2** of **11** February 21, 2025

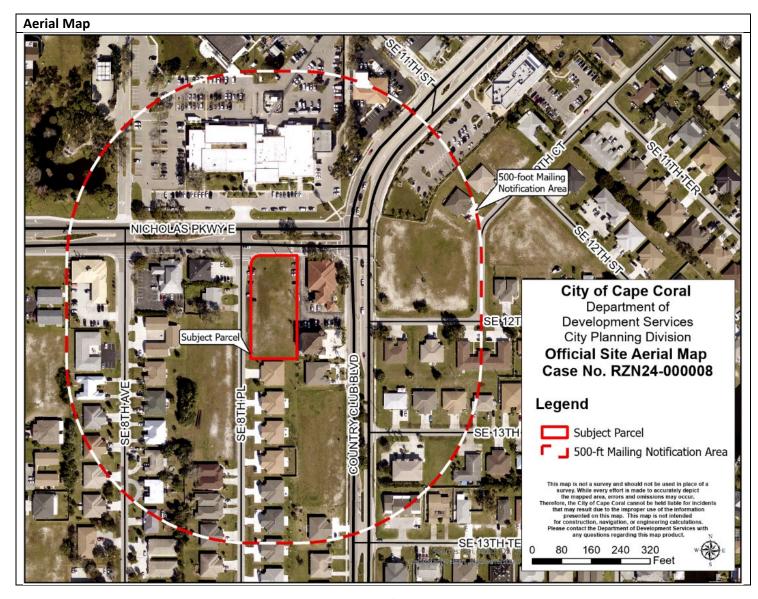


February 21, 2025

#### BACKGROUND

The Mixed Use (MX) Future Land Use Classification (FLUC) permits all zoning districts with one exception. The existing Professional (P) zoning district allows office development and other uses generally considered less intense and less intrusive than several uses allowed in the Commercial (C) zoning district. The P District also prohibits all types of residential development.

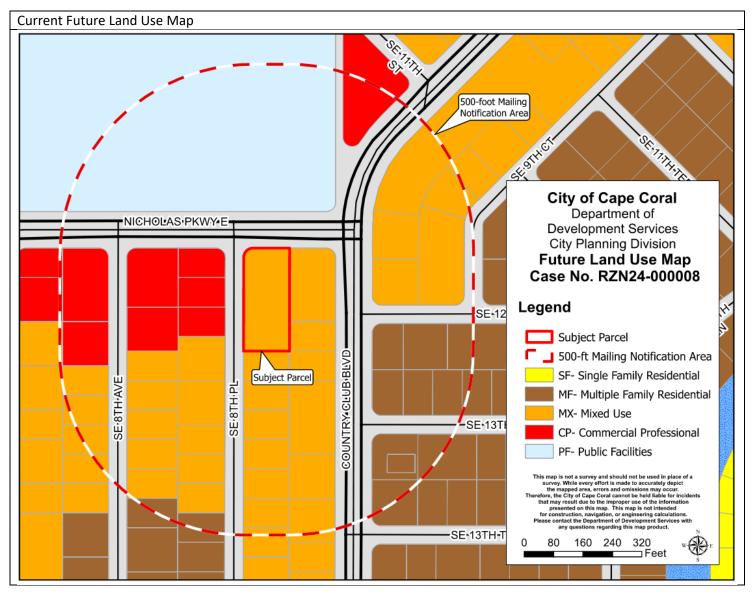
The property is near governmental facilities, the Cape Coral Hospital, and the Viscaya Industrial Park. Existing office development is located to the north, east, and west of the subject property. Multiple properties within the immediate area are improved with duplexes or small apartment buildings.



Case No.: RZN24-000008 Page **3** of **11** February 21, 2025

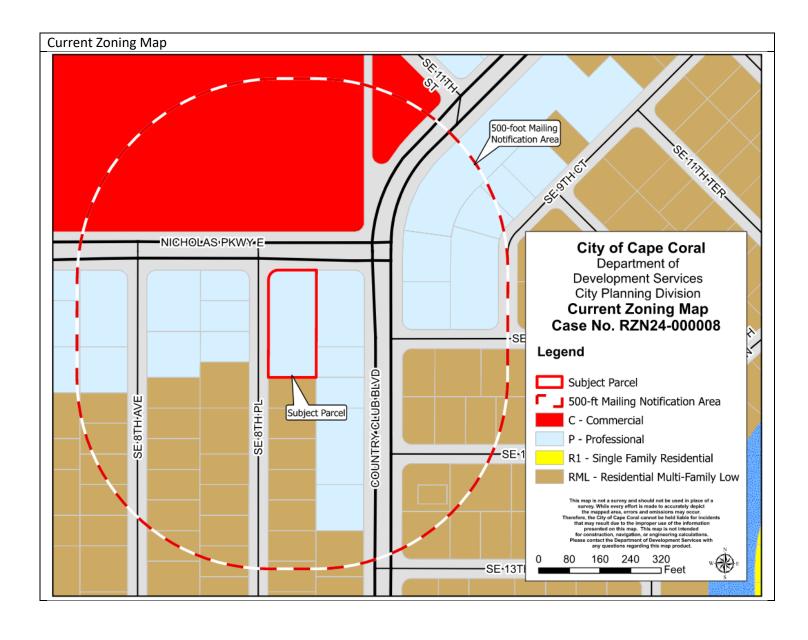


February 21, 2025



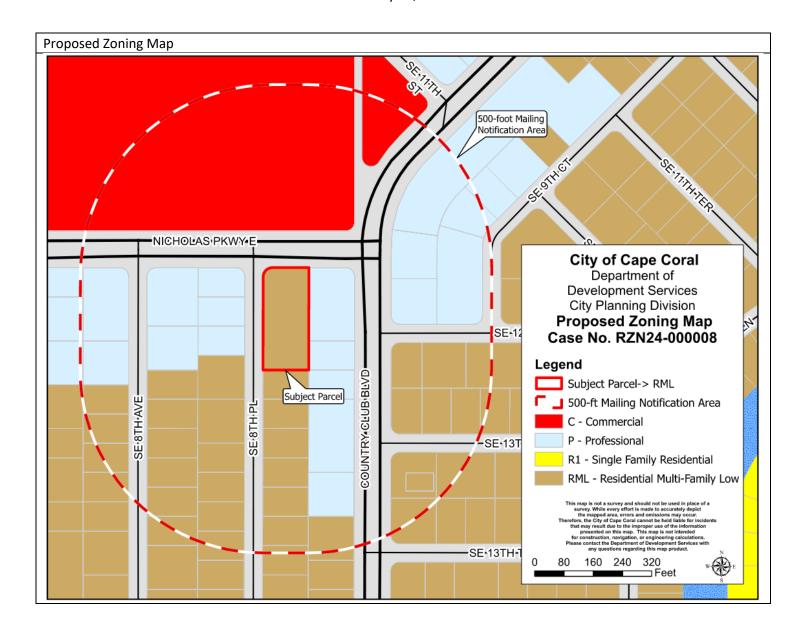


February 21, 2025





February 21, 2025





February 21, 2025

#### APPLICATION ANALYSIS

#### **Land Development Code Analysis:**

Staff reviewed this application based on the review criteria found in the City of Cape Coral Land Development Code, Section 3.4.6, for evaluating rezoning requests. This application was also reviewed based on the provisions of the Residential Multi-Family Low (RML) district. Below is a breakdown of the review criteria and an accompanying analysis of the proposed rezoning based on each criterion.

1. Whether the proposed zoning district is consistent with the City Comprehensive Plan;

The proposed Residential Multi-Family Low (RML) district is consistent with the Mixed Use (MX) FLUC. The current Professional (P) zoning is also consistent with the MX FLUC. Consistency of this rezoning request with various comprehensive plan goals and policies appears later in this report.

2. Whether the full range of uses allowed in the proposed zoning district will be compatible with existing uses in the area under consideration;

The area to the east and west of the site has P zoning and is developed with office uses. The property to the north is zoned Commercial (C) and is improved with government office uses. Properties to south are zoned RML and are improved with duplexes or small apartment buildings. The larger surrounding area is mostly developed with offices and duplexes.

The range of uses allowed within the RML zoning district are predominately residential uses including multi-family units, buildings, duplexes, and single-family homes. Other allowed uses include assisted living facilities and bed and breakfast uses by Special Exception.

LDC, Section 4.1.2.A.2 states that the RML district is to "...accommodate multi-family housing to meet the needs of a diverse community, while ensuring that there is a transition to single-family neighborhoods which protects the integrity of those neighborhood..." and further that "The RML district acts as a transition zone from lower density residential to higher density residential or non-residential uses or zoning district."

LDC, Section 4.1.2.B.2 states that the P district is "designed to encourage the compatible development of major professional and related office complexes in areas which are suitable for such activities. The P District may serve as a transition between commercial corridors and nearby residential uses."

Based on the prevalence of low-density residential development in the area the proposed RML district will be compatible with the existing uses within the area.

3. Whether the range of uses allowed in the proposed zoning district will be compatible with the existing and potential uses in the area under consideration;

Vacant properties within 500 feet of the rezone area are zoned either RML or P and have a MX FLUC. These sites are small, typically encompassing two or three platted lots. Future development on these lots is likely to be small in scale consistent with the modest areas of these sites.

The proposed RML district allows multi-family residential development with a maximum density of 16 dwelling units an acre. The proposed RML zoning will support a maximum of 12 dwelling units on the

Case No.: RZN24-000008 Page **7** of **11** February 21, 2025



February 21, 2025

site which will be consistent with future development in the area that is likely to be low in density and intensity.

4. Whether the proposed zoning district will serve a community need or broader public purpose;

The proposed rezoning <u>could</u> result in the development of workforce housing as suggested within the Letter of Intent. The term "workforce housing" is not defined in this letter and is sometimes confused with affordable housing. Housing affordability remains a significant concern within the City – however there is no guarantee that this property will be developed with this type of housing, nor can a condition be placed on a rezoning approval which would restrict the development of the property. The property could be developed with a maximum of three duplexes or as a multi-family development with a maximum of 12 units.

The City has also identified a significant need for additional non-residential development to provide employment opportunities and increase the non-residential tax base. The existing P zoning guarantees some degree of non-residential development on the property as residential development is prohibited in this district.

While a residential project that provides affordable housing would serve a community need, such a project cannot be guaranteed by the approval of a rezoning application. As the City has a documented deficiency in commercial lands that was recently estimated to be 120 acres at buildout, this application is not expected to serve a broad public purpose when compared to the existing P zoning that supports opportunities for new commercial development.

The characteristics of the proposed rezone area are suitable for the uses permitted in the proposed zoning district;

The site exceeds the minimum lot area requirement of 10,000 SF for the RML District. The area of the site along with the presence of centralized utilities renders the property suitable for most uses in the RML District.

5. Whether a zoning district other than the district requested will create fewer potential adverse impacts to the existing uses in the surrounding area.

The existing P District, unlike the requested RML District, does not allow residential development, but allows offices and several low-traffic generating uses.

The proposed RML district and the existing P district generally allow less intrusive uses than most other nonresidential and mixed-use districts. Both zoning districts are considered appropriate transitional zoning districts and are frequently used between areas with C zoning and sites zoned to allow low-density residential development, like the R-1 district.

The property is not large enough to be zoned to the more intense RMM zoning district.

#### **Comprehensive Plan Analysis:**

Staff reviewed this application for compliance with Section 3.4.6.B of the Land Development Code of the City of Cape Coral and for consistency with the Goals, Objectives, and Policies of the Comprehensive Plan.

Case No.: RZN24-000008 Page **8** of **11** February 21, 2025



February 21, 2025

<u>Chapter 4, Future Land Use Element, Policy 1.15</u>: Land development regulations adopted to implement this comprehensive plan will be based on, and will be consistent with, the standards for uses and densities/intensities as described in the following future land use classifications. Table 1 shows the zoning district which are consistent with and implement the respective future land use map classifications. In no case shall maximum densities allowable by the following classifications conflict with Policy 4.3.3 of the Conservation and Coastal Management Element regulating density of development within the Coastal High Hazard Area.

Table 1:

Future Land Use	Consistent Zoning Districts
Single-Family (SF)	R-1, RE
Single-Family and Multi-Family (SM)	R-1, RML, RMM, RE, A
Multi-Family (MF)	RML, RMM
Low Density Residential (LDR)	RE, A
Commercial / Professional (CP)	С, Р
Mixed Use (MX)	All except MXB
Downtown Mixed (DM)	SC, MXB
Pine Island Road District (PIRD)	CC
Commercial Activity Center (CAC)	NC
Light Industrial (I)	1
Natural Resources/Preservation (PRES)	PV
Public Facilities (PF)	ALL
Parks and Recreation (PK)	ALL except MX7 and MXB
Open Space (OS)	PV

b. Multi-Family Residential: Densities up to 25 units per acre are permitted in this future land use map classification. Densities shall be calculated as a product of the size of the property divided by 43,560, multiplied by 16, rounded down. Development of multi-family projects in the Urban Services Reserve Area is also subject to the terms of Policies 7.7 and 7.8, below.

The Residential Multi-Family Low (RML) District is designed to permit multifamily residential development. Single-family attached projects (three or more units only), single-family residences, and duplexes are also permitted in this zoning district.

The proposed RML zoning district is consistent with the MX FLUC as identified with an underline in the table above. The RML zoning district has a maximum density of 16 dwelling units per acre, which is below the maximum of dwelling units allowed in the Multi-Family FLUC.

<u>Policy</u> <u>8.5:</u> 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

Case No.: RZN24-000008 Page **9** of **11** February 21, 2025



February 21, 2025

c. Primary site access provided from arterials, collectors, or access streets in order to discourage traffic from directly entering residential areas.

Both the existing P and proposed RML districts are supported by this Policy as each allow uses that would be considered "transitional" consistent with this Policy.

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

The proposed rezoning is supported by this goal within the Comprehensive Plan's Housing Element.

#### **Impact Analysis:**

#### Police & Fire Impacts:

Fire: The property is currently served by Fire Station #2. Proposed development is expected to generate less than 15 calls annually. Minor impact to the department is anticipated.<sup>1</sup>

Police: The property is served by police patrol area Southeast District, Zone 4. Negligible impacts are anticipated – less than 1% increase in the zone and City-wide.<sup>2</sup>

#### **PUBLIC NOTIFICATION**

This case will be publicly noticed as required by the City of Cape Coral Land Development Code, Section 3.1.10 as well as Florida Statute Chapter 163 and Chapter 166 (as applicable) and as further described below.

Publication: A legal ad will be prepared and sent to the News-Press announcing the intent of the petitioners to rezone the property described within this report. The ad will appear in the News-Press a minimum of (10) ten days prior to the public hearing scheduled before the Hearing Examiner. Following the public hearing before the Hearing Examiner, the ad announcing the final public hearing before the City Council will appear once in the News-Press. The ad will appear in the News-Press not less than (10) ten days prior to the date of the final public hearing before the City Council.

Written Notice: Property Owners located within (500) five hundred feet from the property line(s) of the land which the petitioner(s) request to rezone will receive written notification of the scheduled public hearings. These letters will be mailed to the aforementioned parties a minimum of (10) ten days prior to the public hearing scheduled before the Hearing Examiner.

Posting of a Sign: A sign identifying the case and providing salient information will be posted on the property, as another means of providing public notice of the rezoning request.

Case No.: RZN24-000008

<sup>&</sup>lt;sup>1</sup> Fire Impact determined through the City of Cape Coral Fire Department, 02/14/2025.

<sup>&</sup>lt;sup>2</sup> Police Impact determined through the City of Cape Coral Police Department, 02/18/2025.



February 21, 2025

#### RECOMMENDATION

The City of Cape Coral is deficient in both non-residential development opportunities and housing options, especially those that meet any affordability considerations.

The subject property has frontage along a minor arterial roadway and is close to several office uses, including the Cape Coral municipal center, which includes City Hall, the Public Works Building, and the City Police Station. One of the reasons why this area was designated Professional was to provide the opportunity for businesses ancillary to government uses such as engineering offices and attorneys' offices to develop. While the site is suitable for both RML and P zoning, a more critical public interest is realized if the zoning of the site remains P based on large part on the scarcity of nonresidential lands in the City. Staff recommends that this rezoning application be denied.

#### **Staff Contact Information**

Patrick Carlton White, Senior Planner Development Services Department City Planning Division

Phone: (239) 574-0605 Email: <a href="mailto:PWhite@capecoral.gov">PWhite@capecoral.gov</a>

For Internal Use Only
Case
Date

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

REZONI			
	A LOS CONTRACTOR AND A SECOND CONTRACTOR ASSISTANT AND A SECOND CONTRACTOR AND A SECOND CONTRACTOR ASSISTANT AND A SECOND CONTRACTOR ASSISTANT AND A SECOND CONTRACTOR ASSISTANT ASSISTA		
		20 GJ ( C )	/ ()   /

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

		REZONING REQUIREMENTS
1.	~	Applicant's portion of request shall be typewritten, and signature notarized.
		<ul> <li>All forms (Application, Acknowledgement Form, Authorization to Represent) must be signed by the property owner or the applicant. If the Authorized Representative is an attorney, the application and the Acknowledgement Form may be signed by the attorney and an Authorization to Represent Form is not required.</li> <li>If there are any deed restrictions on the property, a copy of the restrictions will be required.</li> </ul>
2.	<b>/</b>	Letter of intent stating the actual request and why the request is being made.
3.		Certified survey done within past six (6) months MAY be required.
4.		If the subject property is within 500 feet of any County properties, the applicant
		must provide a typewritten list of all affected property owners within the area. The
		list must prepared in label format and contain the following information; name, address, city, and zip-code.
5.	1	Please refer to Rezones Section 3.4.6. (page 7) for additional required documentation

NOTE: In addition to the application fee, all required advertising costs are to be paid by the applicant (ORD 39-03, Sec. 3.4.6.). Advertising costs will be billed and must be paid prior to hearing.

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

It is required that applicant and/or representative attend both the hearing examiner and city council meetings.

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

### **REZONE REQUEST**

FEE \$2,050.00 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. 3.4.6). Advertising costs will be billed and must be paid prior to hearing.

PROPERTY INFORMATION				
Location/Address 1207 SE 8th Place				
Strap Number 194424C4008090010	Unit_22 Block 809 Lot (s) 1-7			
Plat Book 14 Page 8 Futur	e Land Use MX Mixed Use			
Current Zoning P (Professional)	Proposed Zoning RML (Multifamily 16 units/acr			
PROPERTY	OWNER (S) INFORMATION			
Owner Gasparilla Investments LLC	_Address_PO Box 60021			
Phone 239-910-7348	City_Fort Myers			
Email_richrcpa@aol.com	State FL Zip_33906			
Owner	_Address			
Phone	_ City			
Email	_ StateZip			
APPLICANT INFOR	RMATION (If different from owner)			
Applicant	_ Address			
Phone	_ City			
Email	_ StateZip			
AUTHORIZED REPRESENTATIVE INFORMATION (If Applicable)				
Representative Joe Mazurkiewicz/BJM Consulting Address 13222 Heather Ridge Loop				
Phone_239-470-5778	City_Fort Myers			
Email_joe@bjmconsult.com	_State _FLzip_33966			



#### CITY PLANNING DIVISION

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

If the owner does not own the property in his/her personal name, the owner must sign all applicable forms in his/her corporate capacity.

## (ALL SIGNATURE MUST BE NOTARIZED)

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.

Gasparilla Investments LLC					
CORPORATION/COMPAN	Y NAME (IF APPLICABLE)	O			
Richard Ricciani, MGR OWNER'S NAME (TYPE O	R PRINT)	OWNER'S SIGNATURE			
OWNER'S NAME (TYPE O	R PRINT)	OWNER'S SIGNATURE			
APPLICANT NAME (TYPE	OR PRINT)	APPLICANT SIGNATURE			
I have read and understand the above instructions. Hearing date(s) will be confirmed when I receive copy of the Notice of Public Hearing stipulating the day and time of any applicable hearings.					
STATE OF FLORIDA					
COUNTY OF LEE					
notarization, this 牛	and subscribe before me, by read	means of Aphysical presence or online, 2024 by <u>Richard R. Ricciani</u> who			
Irene E. LeVine NOTARY PUBLIC - STATE OF FLORIDA Y COMMISSION EXPIRES AUGUST 10, 2027 COMMISSION NO. HH 404039	Exp Date: Augustio, zozico Signature of notary Public: Printed Name of Notary Public	Dene E. CeVine  Vene E. LeVine			



CITY PLANNING DIVISION

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

## DOCUMENTARY EVIDENCE (LDC, Section 3.1.11F.6)

A copy of all documentary evidence shall be made available to the decision-making body or the Hearing Examiner and to staff no later than three business days prior to the hearing of the application. This requirement includes information that the applicant intends to present at public hearing.

I have read the above requirement and agree to comply with this provision.

Richard Ricciani

OWNER/APPLICANT (PLEASE TYPE OR PRINT)

(SIGNATURE MUST BE NOTARIZED)

STATE OF FLORIDA	
COUNTY OF LEE	
notarization, this	subscribe before me, by means of physical presence or online lay of September, 2024 by Richard Riccians who produced brivers Licenses as identification.
Irene E. LeVine NOTARY PUBLIC - STATE OF FLORIDA MY COMMISSION EXPIRES AUGUST 10, 2027 COMMISSION NO. HH 404039	Signature of Notary Public: Lene S. C. J
	Printed Name of Notary Public: Ivene E. LeVine



#### CITY PLANNING DIVISION

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

## **AUTHORIZATION TO REPRESENT PROPERTY OWNER(S)**

PLEASE BE ADVISED THAT Joe Mazurkiewicz/BJM Consulting
(Name of person giving presentation)
IS AUTHORIZED TO REPRESENT ME IN THE REQUEST BEFORE THE HEARING EXAMINER AND CITY COUNCIL.
UNIT 22 BLOCK 809 LOT(S) 1-7 SUBDIVISION Cape Coral
OR LEGAL DESCRIPTION
LOCATED IN THE CITY OF CAPE CORAL, COUNTY OF LEE, FLORIDA.  Richard Ricciani, MGR  PROPERTY OWNER (Please Print)  PROPERTY OWNER (Signature & title)
PROPERTY OWNER (Please Print)  PROPERTY OWNER (Signature & title)
COUNTY OF LEE
Sworn to (or affirmed) and subscribe before me, by means of Aphysical presence or online notarization, this 4 day of Soptember, 20 by Richard R. Ricciani who is personally known to me or produced Drivers License as identification.
Exp Date: Augustio, 27 Commission Number: H + 4040 39  NOTARY PUBLIC - STATE OF FLORIDA NOTARY PUBLIC - STATE OF FLORIDA OF COMMISSION EXPIRES AUGUST 10, 2027 COMMISSION NO. HH 404039 COMMISSION NO. HH 404039 Printed Name of Notary Public:  Vene E. LeVine
Note: Please list all owners. If a corporation, please supply the City Planning Division with a

copy of corporation papers.



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

Page 5 of 7

## **ACKNOWLEDGEMENT FORM**

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

I acknowledge that I, or my representative, must attend any applicable meetings scheduled for the Hearing Examiner and City Council.

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

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

I understand I am responsible for all fees, including advertising and recording costs. All fees are to be submitted to the City of Cape Coral with the application.

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

I hereby acknowledge that I have read and unof September, 20 24.	derstood the above affidavit on the <u></u> 中 Day
Gasparilla Investments, LLC	Richard Ricciani
CORPORATION/COMPANY NAME	OWNER'S NAME (TYPE or PRINT)
	Den Ci Vicien
STATE OF FLORIDA	OWNER'S SIGNATURE
COUNTY OF LEE	
Sworn to (or affirmed) and subscribe befo	re me, by means of physical presence or online
notarization, this4_ day ofSe_#	tember, 2024 by Richard R. Richard who
is personally known to me or produced 🔀	was License as identification.
Irene E. LeVine NOTARY PUBLIC - STATE OF FLORIDA	<u>+(0,2021</u> Commission Number: <u>HH 4040 3</u> 9
MY COMMISSION EXPIRES AUGUST 10, 2027	0 - 01
COMMISSION NO. THE COMMISSION NO	iry Public: Sere 2. Telline
Printed Name of	Notary Public: <u>lvene</u> E. Le Vine
Last revised_10_20_2021 (subject to change)	Page 5 of 7

Joe Mazurkiewicz, Jr. President 13222 Heather Ridge Loop Fort Myers, FL 33966 Telephone 239-470-5778 Email: joe@bjmconsult.com

September 26, 2024

Matt Grambow, Interim Development Services Director Department Community Development City of Cape Coral PO Box 150027 Cape Coral FL 33915-0027

RE: Rezoning Application for 1207 SE 8th Place

Dear Mr. Cautero,

BJM Consulting, Inc. represents Gasperilla Investments LLC, the owners of a parcel of land located in Southeast Cape Coral. The address of the property is 1207 SE 8<sup>th</sup> Place. Please accept this as our Letter of Intent for a request to change the zoning to Multifamily (RML).

The site fronts SE 8<sup>th</sup> Place and is across the street from the city hall complex, with the Mid Cape Industrial Park and Cape Coral Hospital in the area. With so many employers in the area making this parcel a great site for workforce housing. The present land use is MX (Mixed Use), and the existing zoning is P (Professional). The site is approximately 36,875 S.F, (0.85+/-) 295' of frontage and 125' deep and is currently serviced by all three Cape Coral Utilities.

We are requesting a zoning change of the entire site from the existing P (Professional) to RML (Multifamily/16 units/acre). The parcel is the eastern end of Block 809 at the intersection of SE 8<sup>th</sup> Place and Nicholas Parkway.

The site is part of the old City Centrum area, but as we know the market never responded to the nonresidential development possibilities of this area and city staff has change much of this area along with most this block back to multifamily. The parcel has RML zoning to the South, professional to the East and West, with Commercial to the North.

In reviewing this application with the required review criteria, we submit the following:

- The proposed RML zoning is consistent with the property's MX (Mixed Use) Land use and is less than the required 1 acre necessary for the RMM zoning as required by the LDC, making RML as a better choice for this parcel.
- The full range of uses in the RML zoning are compatible with the existing and potential uses in the surrounding area.
- The location of this parcel makes it a great site for workforce housing, making the uses allowed by the rezoning compatible and an asset to the existing and potential uses in the area.
- The requested RML zoning will serve the community need to provide attainable workforce housing right next to employers in the Mid Cape Industrial Park, Cape Coral Hospital and City of Cape Coral
- The requested RML zoning will allow for a development that fits in well with the characteristics of the area and the multifamily residential areas to the to the South.
- Other zoning district allowed within the MX (Mixed Use) Land Use would create additional impacts to the surrounding area. The other allowed zonings will create a larger impact to the adjoining infrastructure and not fit in as well to the many existing multifamily development in the neighborhood.

Based on the submitted information showing our favorable responses to all six review criteria we respectfully ask for a positive response from the City to this rezoning request.

Please let us know if you have any questions or concerns regarding these applications.

Sincerely,

Joe Mazurkiewicz, Jr.

Joe Mazurkiewicz, Jr. Ph.D.

President, BJM Consulting, Inc.

