



Ordinance 48-25/RZN24-000013  
CITY COUNCIL MEETING  
AUGUST 27, 2025

# Background

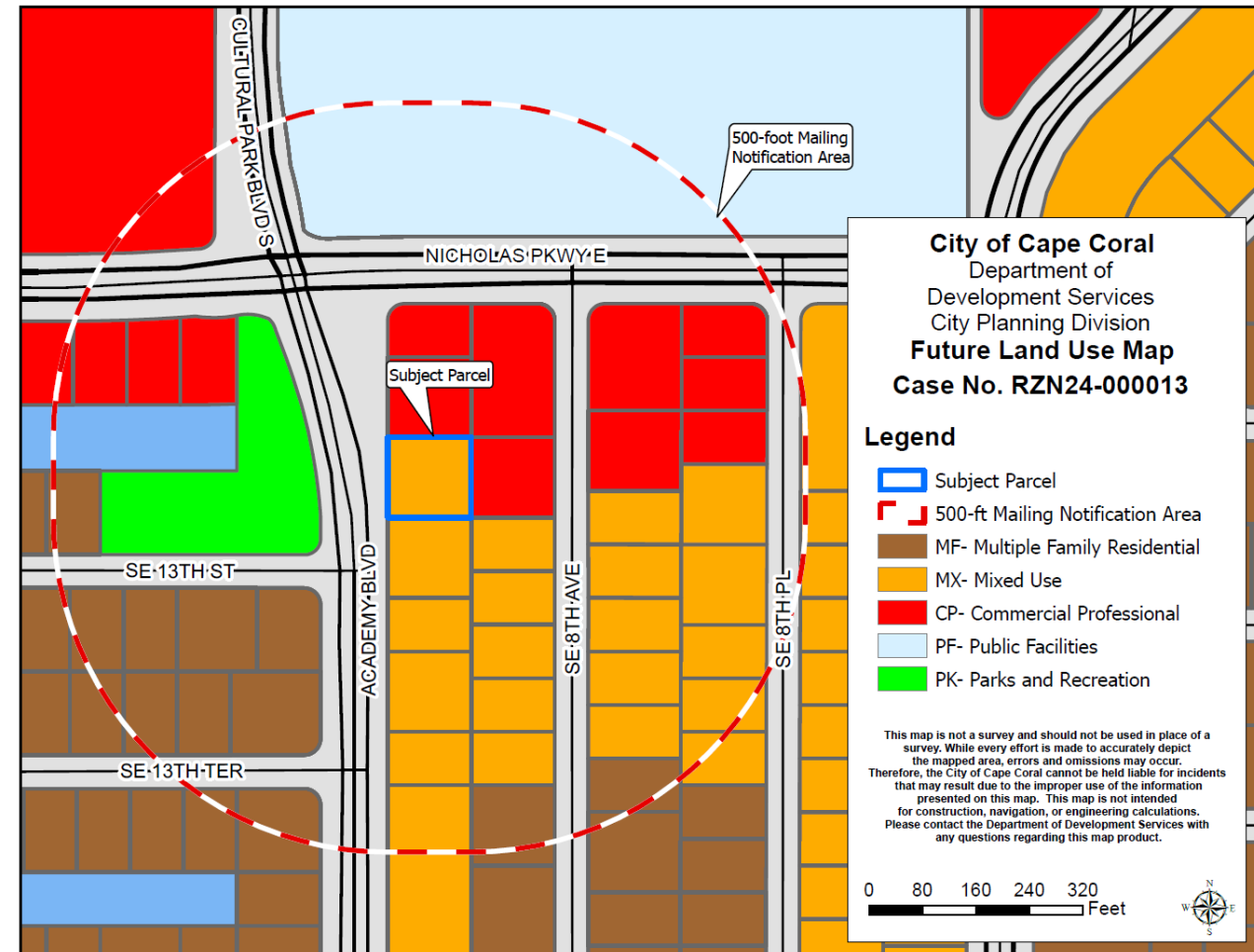
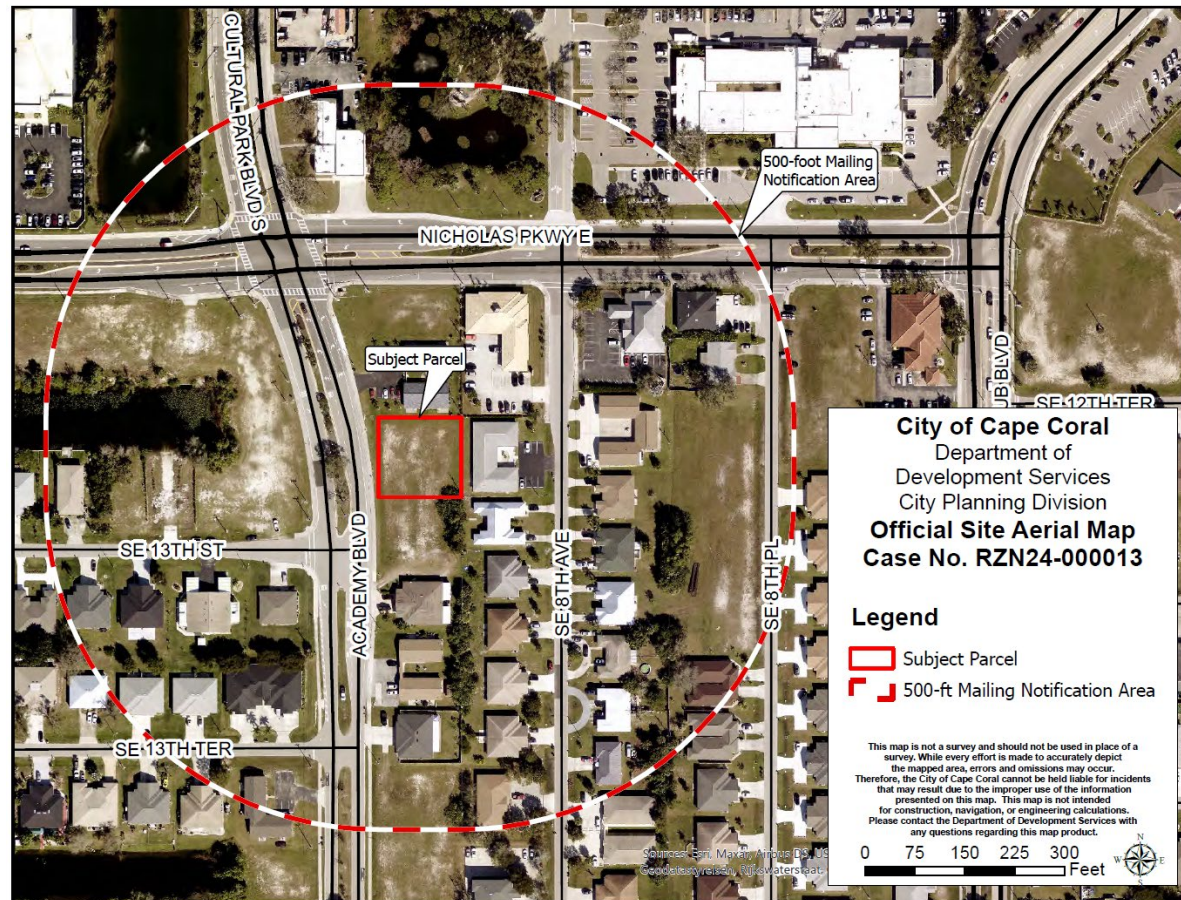
- 1.) A privately-initiated rezone involving 0.34 acres for 1219 Academy Boulevard (Lots 6-8, Block 1039, Unit 24)**
- 2.) Applicant: Ascot Realty Acquisitions USA**
- 3.) Request is to amend the zoning from Professional (P) to Residential Multi-Family Low (RML)**



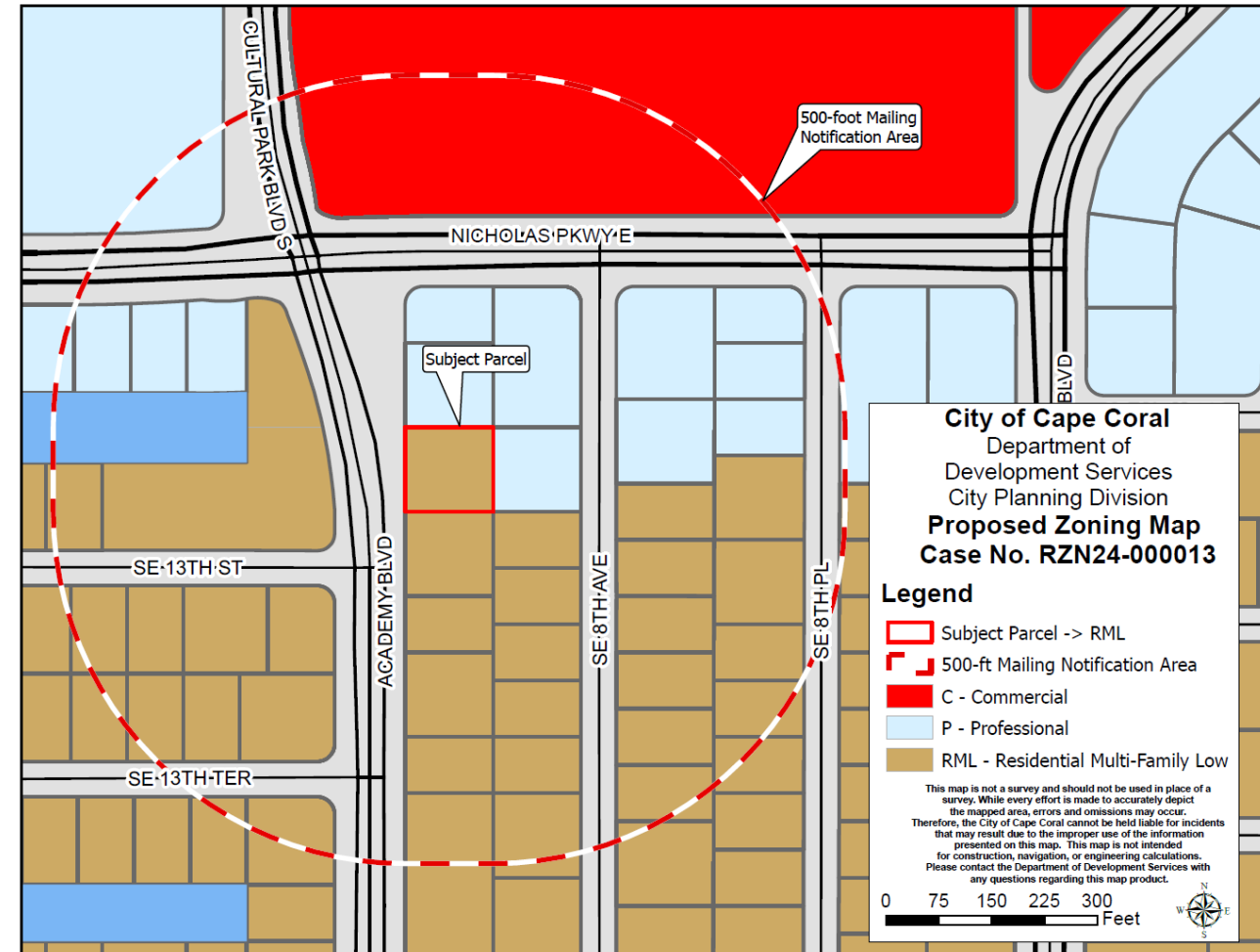
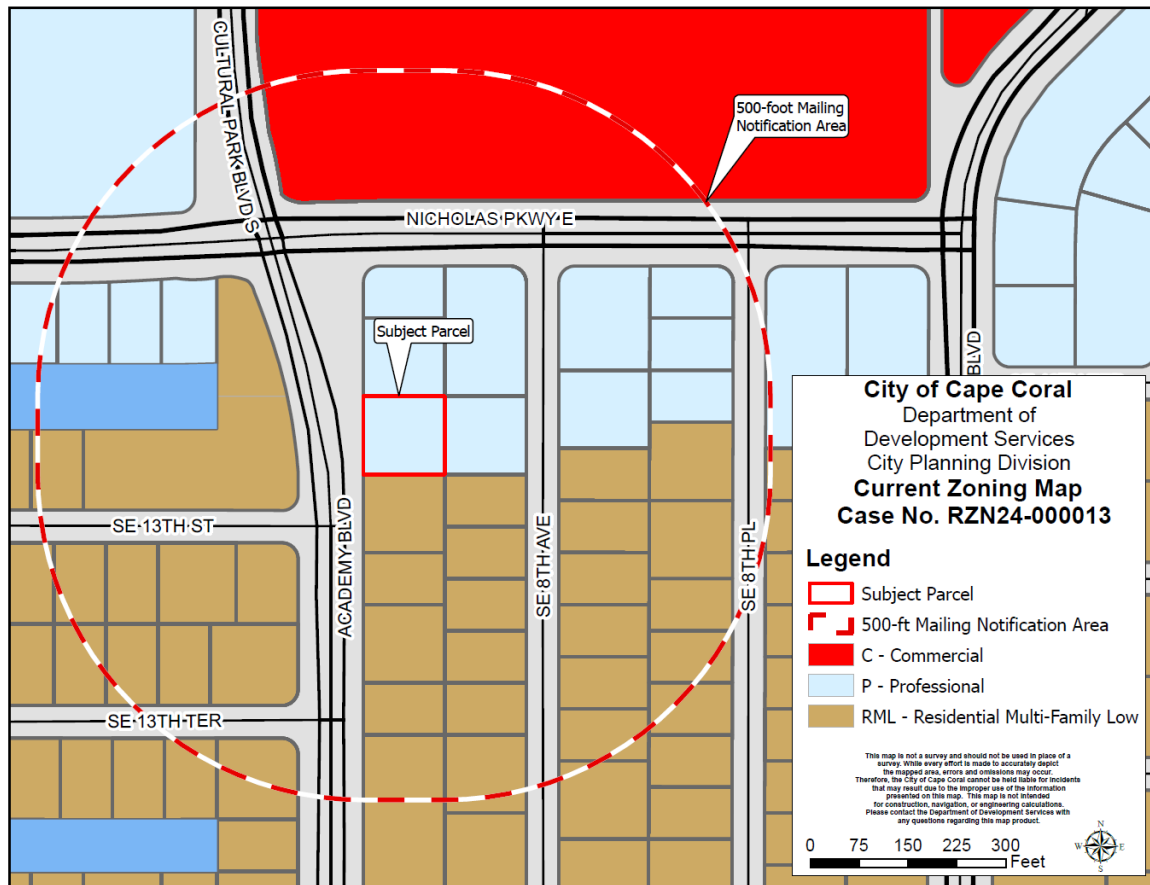
Site



# Aerial and Future Land Use



# Current and Proposed Zoning



# Background/History

- 1.) Area was part of City Centrum concept.
- 2.) Purpose of City Centrum was to attract office uses to the governmental center (City Hall, post office, County annex) and create an employment center in central Cape Coral.
- 3.) Current property's future land use was amended from Commercial/Professional to Mixed-Use in 2022.
- 4.) Property adjacent to the south was rezoned to RML in 2022. In 2022, an application was filed to rezone this property to RML but was denied in 2023.

# Land Development Code Analysis

Rezone was analyzed through Section 3.4.6, Land Development Code

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

*The proposed RML Zoning is consistent with the Mixed-Use FLUC. A rezone to RML will allow this property to be developed in the future. It should be noted that the existing zoning, Professional, is also consistent with the Mixed-Use FLU.*

## **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 surrounding existing uses are duplexes, single-family housing, and some professional office and ancillary retail uses. The full range of permitted uses in the proposed RML District would be compatible with the existing uses in the area. The proposed RML Zoning would allow for similar or less intense uses than currently exists in the immediate area.*



# Land Development Code Analysis

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

*Uses in the RML District should be compatible with existing uses, as described above. Permitted uses in RML Zoning are identical to those uses allowed on parcels to the immediate east and south and will likely be as intense than the potential uses allowed on the P-zoned parcels to the north.*

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

*The City has identified a need for increasing multi-family housing within Cape Coral. The proposed rezone may assist in a small way in addressing this need.*

*However, the City has also identified a need for additional non-residential uses to provide sufficient employment opportunities and increased tax base. Rezoning from the existing zoning district of Professional would be contrary to fulfilling this need.*



# Land Development Code Analysis

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

*The site meets the minimum lot area requirement of 10,000 sq. ft. for the RML District. The smaller area of the site is suitable for most uses in the RML District.*

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

*The existing Professional (P) District, unlike the requested RML District, does not allow duplexes or multi-family uses, but permits the development of offices and low-intensity commercial uses.*

*The proposed RML district would be considered to create fewer potential adverse impacts than other multi-family residential uses in the surrounding area.*

*The only other multi-family residential zoning district in the Land Development Code is the Residential Multi-Family Medium (RMM), which permits greater building heights and densities. However, the RMM district is only permitted for sites of one acre or larger, and so would not be permitted for this site.*

# Comp Plan Analysis

- 1.) Both the current and proposed zoning are supported by Policy 8.5 of the Future Land Use Element, which discusses transitional uses between higher and lower-intensity development.
- 2.) Property has 120' of frontage on Cultural Park Boulevard, but is near the intersection of two collector roadways which makes it an average candidate for commercial development.

# Additional Considerations

1. Rezoning analysis does not consider market considerations as supply and demand is not one of the six review criteria.
2. Current Co-star data reports a City-wide vacancy rate of 29.7 percent for multi-family housing products, and declining rents.
3. Current Co-star data reports a City-wide vacancy rate of 1.7 percent for professional office space, and increasing rents.

# Additional Considerations

4. An argument that the property be rezoned to accommodate market demand should not be accepted.
5. That argument may negate years of City efforts to preserve land for future non-residential development – as it could be argued that there is sufficient market demand to rezone other lands that were previously strategically rezoned along major corridors and nodes throughout the city.
6. The current estimate within the 2023 IGM from Metro Forecasting is that by buildout, an additional 1,200 acres of non-residential land be mapped throughout the city.



# Conclusion

1.) The City of Cape Coral is deficient in both non-residential and multi-family residential land. It has not been city practice to support relieving one of these deficiencies at the expense of another unless it has been determined that the area is undevelopable due to existing development that prevents assemblage or lacks visibility.

2.) The subject property has direct access to a collector roadway and is proximate to other office uses and the Cape Coral municipal center, which includes City Hall, the Public Works Building, and the City Police Station.

# Recommendation

1. This rezone request was presented before the Hearing Examiner on June 3, 2025.
2. The Hearing Examiner recommends approval of this rezone request, contrary to staff's recommendation, per HEX Recommendation 8-2025.
- 3.) Staff recommends Denial

THANK YOU

