



**DEPARTMENT OF COMMUNITY DEVELOPMENT  
PLANNING DIVISION**

For Internal Use Only

Case \_\_\_\_\_

Date \_\_\_\_\_

Tel. (239) 574-0776  
Fax (239) 574-0591  
P.O. Box 150027  
Cape Coral, FL 33915-0027

**REZONING APPLICATION**

**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.**
  - 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.
  - If there are any deed restrictions on the property, a copy of the restrictions will be required.
2.  **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 be prepared in label format and contain the following information; name, address, city, and zip-code.**
5.  **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.



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**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**

Project Name: \_\_\_\_\_  
Location/Address \_\_\_\_\_  
Strap Number \_\_\_\_\_ Unit \_\_\_\_\_ Block \_\_\_\_\_ Lot (s) \_\_\_\_\_  
Plat Book \_\_\_\_\_ Page \_\_\_\_\_ Future Land Use \_\_\_\_\_ Current Zoning \_\_\_\_\_

**PROPERTY OWNER (S) INFORMATION**

Owner \_\_\_\_\_ Address \_\_\_\_\_  
Phone \_\_\_\_\_ City \_\_\_\_\_  
Email \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Owner \_\_\_\_\_ Address \_\_\_\_\_  
Phone \_\_\_\_\_ City \_\_\_\_\_  
Email \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

**APPLICANT INFORMATION (If different from owner)**

Applicant \_\_\_\_\_ Address \_\_\_\_\_  
Phone \_\_\_\_\_ City \_\_\_\_\_  
Email \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

**AUTHORIZED REPRESENTATIVE INFORMATION (If Applicable)**

Representative \_\_\_\_\_ Address \_\_\_\_\_  
Phone \_\_\_\_\_ City \_\_\_\_\_  
Email \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_



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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.

*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.*

\_\_\_\_\_  
CORPORATION/COMPANY NAME (IF APPLICABLE)

\_\_\_\_\_  
OWNER'S NAME (TYPE OR PRINT)

\_\_\_\_\_  
OWNER'S SIGNATURE

\_\_\_\_\_  
OWNER'S NAME (TYPE OR 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 a copy of the Notice of Public Hearing stipulating the day and time of any applicable hearings.



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

PLEASE BE ADVISED THAT \_\_\_\_\_  
(Name of person giving presentation)

IS AUTHORIZED TO REPRESENT ME IN THE REQUEST BEFORE THE HEARING EXAMINER  
AND CITY COUNCIL FOR:

\_\_\_\_\_  
(Type of Public Hearing, PUD, Rezone, Special Exception, Vacation of Plat, Variance, etc.)

UNIT \_\_\_\_\_ BLOCK \_\_\_\_\_ LOT(S) \_\_\_\_\_ SUBDIVISION \_\_\_\_\_

OR LEGAL DESCRIPTION \_\_\_\_\_

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

\_\_\_\_\_  
PROPERTY OWNER (Please Print)

\_\_\_\_\_  
PROPERTY OWNER (Signature & title)

\_\_\_\_\_  
PROPERTY OWNER (Please Print)

\_\_\_\_\_  
PROPERTY OWNER (Signature & title)



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**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 understood the above affidavit on the \_\_\_\_\_ Day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
CORPORATION/COMPANY NAME

\_\_\_\_\_  
OWNER'S NAME (TYPE or PRINT)

\_\_\_\_\_  
OWNER'S SIGNATURE



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**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.

\_\_\_\_\_  
OWNER/APPLICANT  
(PLEASE TYPE OR PRINT)

\_\_\_\_\_  
OWNER/APPLICANT SIGNATURE



## REZONES REGULATIONS

- A. Manner of Initiation. Applications for a change in zoning may be initiated in the following manner:
1. The City Council upon its own motion;
  2. The Planning and Zoning Commission upon its own motion;
  3. The property owner(s) of at least fifty-one percent of the land in the proposed rezone area;
  4. The City Manager for a City initiated rezone; or
  5. The Community Development Department, following approval of a similar use determination.
- B. Review Criteria. An application for a rezone shall be reviewed in accordance with the following criteria:
1. Whether the proposed zoning district proposed is consistent with the City Comprehensive Plan;
  2. Whether the full range of uses allowed in the proposed zoning district will be compatible with existing uses in the area under consideration;
  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;
  4. Whether the proposed zoning district will serve a community need or broader public purpose;
  5. The characteristics of the proposed rezone area are suitable for the uses permitted in the proposed zoning district; and
  6. Whether a zoning district other than the district requested will create fewer potential adverse impacts to existing uses in the surrounding area.
- C. Effective date of approval. A rezone shall take effect upon City Council adoption of the ordinance approving the rezone.
- D. New application after denial. No application for a rezone which has been previously denied by the City Council shall be accepted for at least one year after the date of denial. An application to rezone property to a designation that is different than the designation which was denied by the City Council, will be accepted and considered without consideration of time since the previous application was denied.



DEPARTMENT OF DEVELOPMENT SERVICES  
CITY PLANNING DIVISION

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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.

**(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.*

City of Cape Coral  
CORPORATION/COMPANY NAME (IF APPLICABLE)

Connie Barron  
OWNER'S NAME (TYPE OR PRINT)

*Connie Barron*  
OWNER'S SIGNATURE

\_\_\_\_\_  
OWNER'S NAME (TYPE OR PRINT)

\_\_\_\_\_  
OWNER'S SIGNATURE

\_\_\_\_\_  
APPLICANT NAME (TYPE OR PRINT)

\_\_\_\_\_  
APPLICANT SIGNATURE

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**PLANNING DIVISION STAFF REPORT**

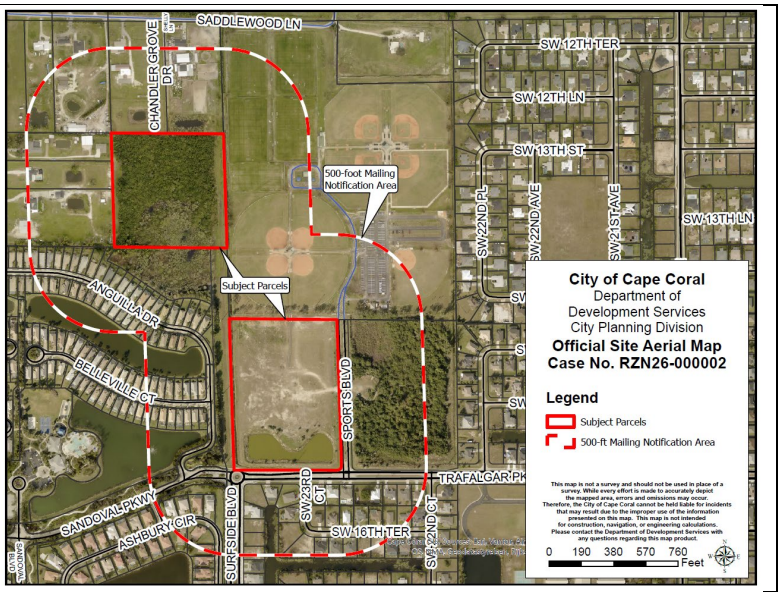
**RZN26-00002**

**Staff Report prepared by Chad Boyko, AICP, Principal Planner**

<p><b>SITE ADDRESSES</b> 2327 Trafalgar Parkway and 11300 Chandler Grove Drive</p>	<p><b>APPLICANT</b> City of Cape Coral</p> <p><b>PROPERTY OWNER</b> City of Cape Coral</p>
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**SUMMARY OF REQUEST**

The applicant requests a rezone from Agricultural-2 (AG-2), a Lee County designation and a the Single-Family Residential (R1) to Commercial (C) for two City-owned parcels in Southwest Cape Coral totaling 23.14 acres. The parcels are undeveloped and one parcel was recently annexed into Cape Coral in 2024.



**STAFF RECOMMENDATION: Approval**

<p><b>Positive Aspects of Application:</b></p>	<p>Brings all City-owned properties in the Cape Coral Sports Complex into uniformity. Assigns a zoning district to newly annexed land.</p>
<p><b>Mitigating Factors:</b></p>	<p>No abutting residential homes or zoning. Site is large enough for adequate buffering and screening. Rezone will allow for additional park uses in an existing sports complex.</p>

**SITE INFORMATION**

**Urban Service Area:** The site is within the Urban Services Transition area.

**City Water and Sewer:** Municipal water, sewer, and irrigation are available to the site.

**Street Access:** The site has frontage along Trafalgar Parkway.

**STRAP Numbers:** 21-44-23-C4-00210.0000 / 20-44-23-C3-00001.2000

**Block/Lot(s):** All of Block 6610

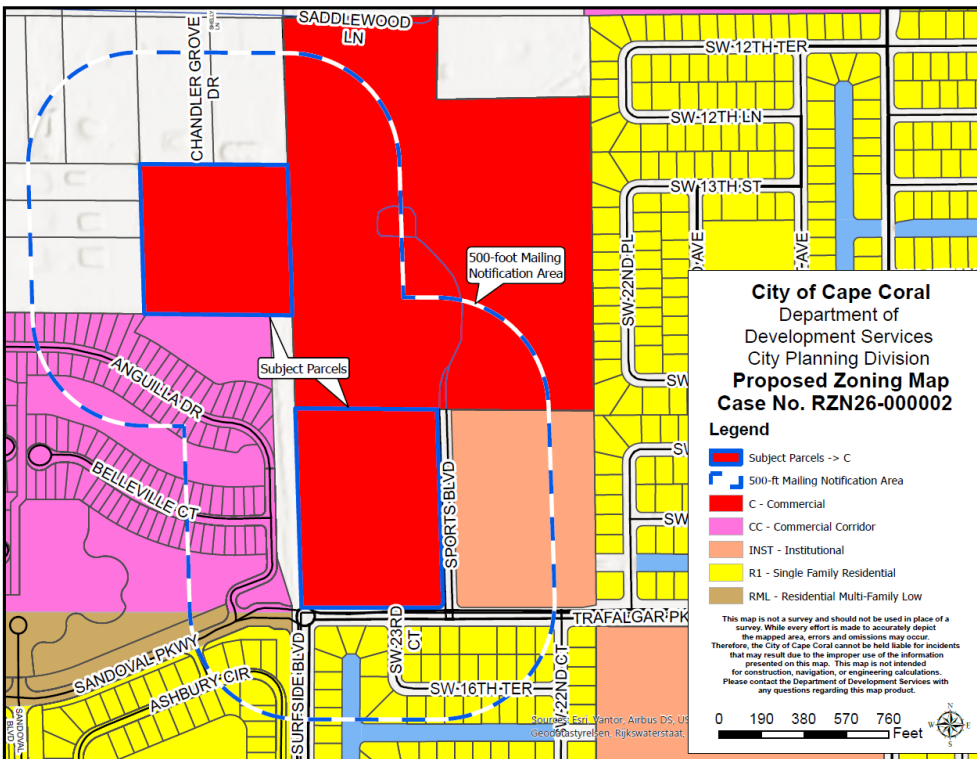
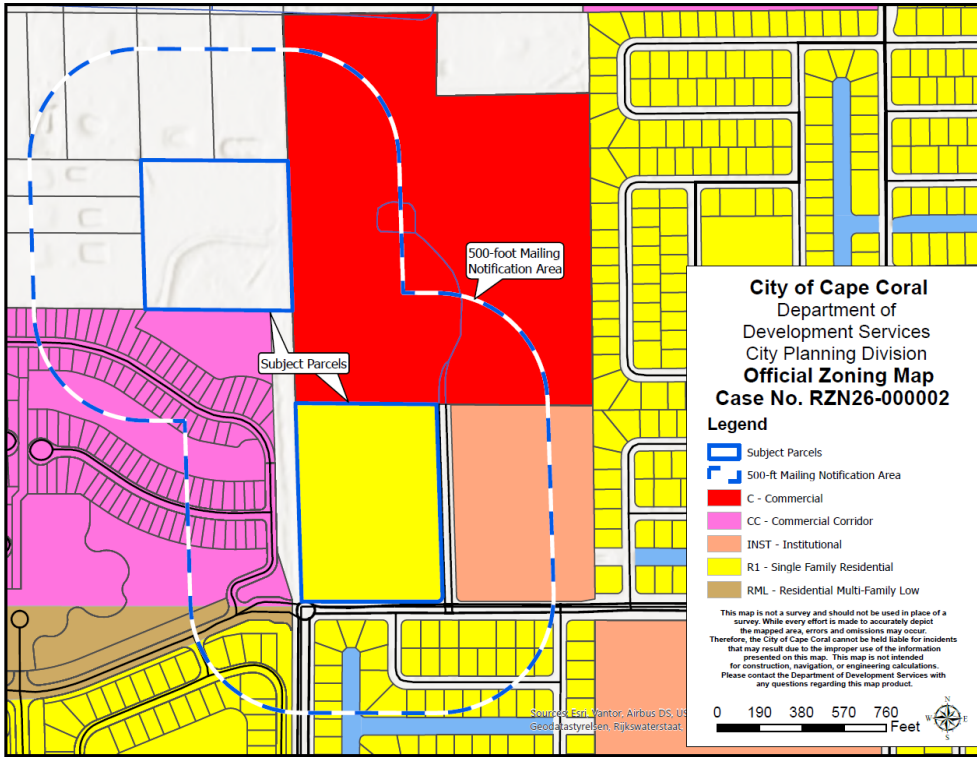
**Site Area:** 1,0008,154 sq. ft. / 23.14 acres

<b>Site:</b>	<b>Future Land Use</b>	<b>Zoning</b>
<b>Current:</b>	Parks and Recreation(pending FLUMA)	Single-Family Residential (R1) and (AG-2), a Lee County designation
<b>Proposed:</b>	N/A	Commercial (C)
	<b>Surrounding Future Land Use</b>	<b>Surrounding Zoning</b>
<b>North:</b>	PK	Commercial (C)
<b>South:</b>	SF	R1
<b>East:</b>	SF	R1
<b>West:</b>	Pine Island Road District (PIRD)	Commercial Corridor (CC)

**FINDINGS OF FACT**

The 23.14 acre site consists of two parcels considered to be a part of the Cape Coral Sports Complex facility in southwest Cape Coral. Both parcels are undeveloped, however, one parcel has been partially improved a retention pond. One parcel within the site has frontage along Trafalgar Parkway, while a third parcel does not have any existing street frontage or access. The parcel without any street frontage or access is heavily vegetated, while the other parcel along Trafalgar Parkway has been almost entirely cleared of vegetation. The cleared parcel is occasionally used as grassed overflow parking for the Sports Complex. Both parcels are owned by the City of Cape Coral. The surrounding area consists of several playing fields within the Cape Coral Sports Complex which is north of the site, and single-family homes to the south, east, and west. The homes to the west of the site are within the Sandoval residential community.

MAPS



## ANALYSIS

### Land Development Code:

Staff reviewed this application based on the review criteria found in LDC, Section 3.4.6 for evaluating rezones. This application was also reviewed based on the provisions of the Commercial (C) district.

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

The proposed Commercial (C) district is compatible with the proposed future land use designation of Parks and Recreation (PK). Staff also finds that nearly all zoning districts are compatible with the proposed PK designation.

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 Commercial (C) district allows a wide range of commercial and professional uses such as retail, restaurants, offices, personal services along with service based uses such as auto repair shops, vehicle rental, and contractor uses. The C district also allows parks uses and the PK future land use designation will restrict the development that can occur on the parcels. The two parcels are owned by the City of Cape Coral and will utilized in conjunction with the uses currently established at the Cape Coral Sports Complex. The PK future land use allows for public parks of various scales such as the athletic fields within the Cape Coral Sports Complex. Additionally, the potential park uses developed on this site will add recreational opportunities to nearby citizens. These restrictions will allow for compatibility of the C district with the nearby residential uses that are established in this area of Cape Coral.

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;*

All of the undeveloped parcels in the nearby vicinity are zoned Single-Family Residential (R1), except for one large parcel to the east that is owned by the Lee County School District. The vast majority of these parcels will likely develop with single-family homes. As discussed previously, there are mitigating factors that should help with the compatibility of any new residential development such the development restrictions within the PK future land use designation. The C district in conjunction with the PK designation should also no have impact on the future development of the parcel to east as that could potentially be developed by the school district with educational establishment.

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

The City of Cape Coral has a need for recreational development as the population of the City has been steadily increasing for several years. Adding an additional 23 acres of land that can be used for parks or athletic fields will provide more opportunities for residents to utilize the land for outdoor recreation or athletic events.

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

The site has ideal size and depth for a recreational uses. Additionally, the rezone area will expand the existing Cape Coral Sports Complex which is widely uses for sports such as baseball, soccer, and tennis. Adding this park land will expand the footprint of one of Cape Coral's largest sports complexes.

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

According to Policy 1.15 of the Comprehensive Plan, nearly all zoning districts are compatible with the PK designation. The use restrictions of the PK designation will also alleviate many of the concerns regarding the C zoning and its uses by only allowing recreational and athletic activities at the site.

#### **Comprehensive Plan:**

The following Comprehensive Plan policy is applicable to RZN26-00002:

#### **Chapter 4 Future Land Use Element, Policy 1.15.L, Parks and Recreation (PK):**

The proposed rezone is compatible with the PK future land use per Chapter 4 of the Comprehensive Plan.

#### **PUBLIC NOTIFICATION**

This case will be publicly noticed as required by the LDC.

Publication: A display ad will be prepared and sent to the *News-Press* announcing the intent of the petitioners to amend the land use of the property described within this report. The ad will appear in the *News-Press* a minimum of 10 days prior to the public hearing scheduled before the Cape Coral Hearing Examiner. Following the public hearing before the Commission, the display ad announcing the final public hearing before the City Council will appear once in the *News-Press*. The ad will appear in the newspaper not less than 10 days prior to the date of the final public hearing before the City Council. The display ads will not be published in the legal section of the *News-Press*.

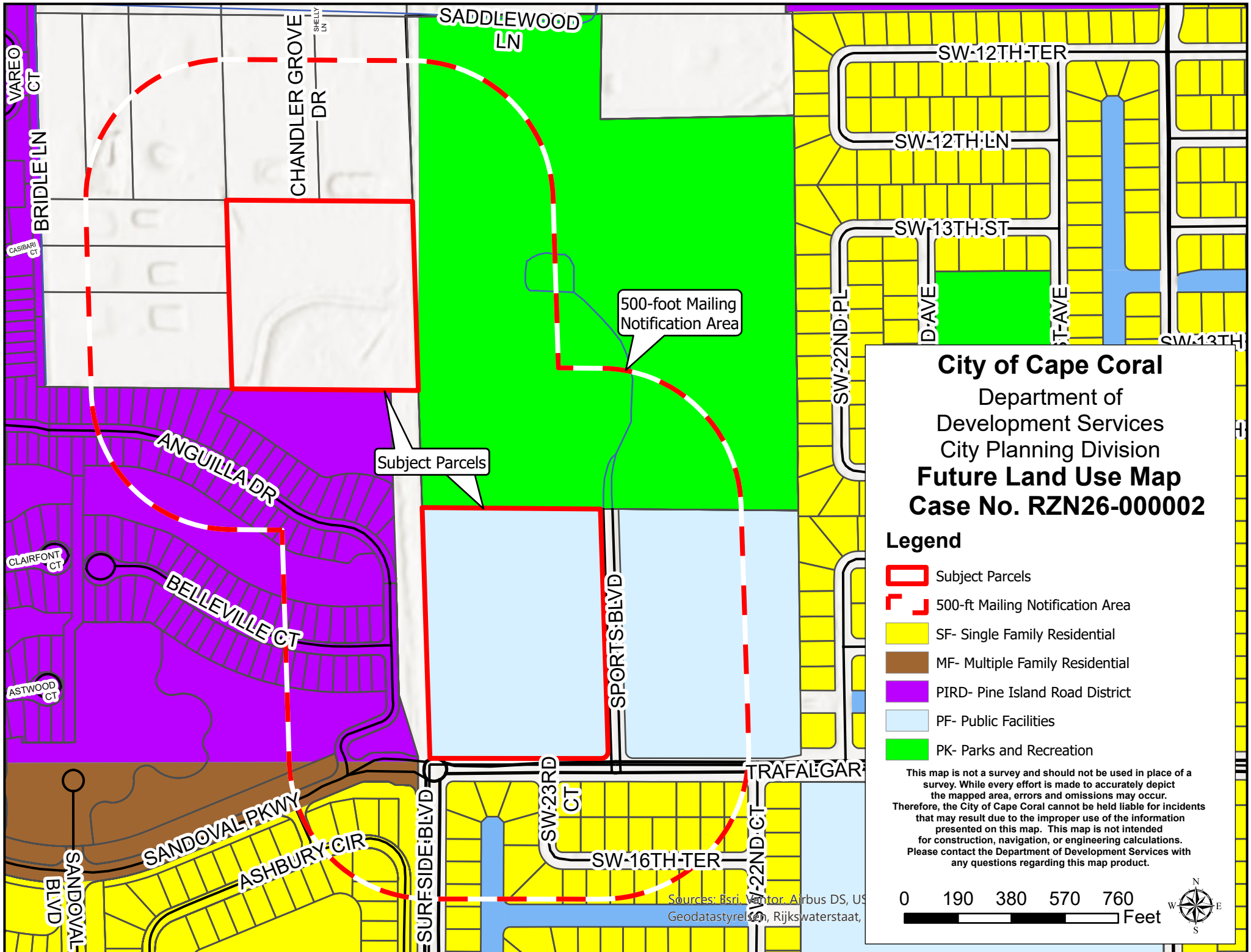
Written notice: Property owners located within 500 feet from the property line of the land which the petitioners request to vacate will receive written notification of the scheduled public hearing. These letters will be mailed to the aforementioned parties a minimum of 10 days prior to the public hearing 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 notice of the land use amendment request.

#### **RECOMMENDATION**

Through the analysis of the Cape Coral Comprehensive Plan and specifically the Future Land Use Element, the proposed rezone to Commercial (C) zoning is consistent with the Comprehensive Plan, the Land Use and Development Regulations, and is compatible with the surrounding area, therefore, Planning Division staff recommends **approval** of the rezone request.



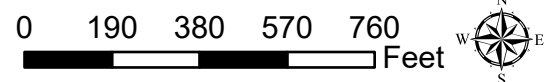


**City of Cape Coral**  
 Department of  
 Development Services  
 City Planning Division  
**Future Land Use Map**  
**Case No. RZN26-000002**

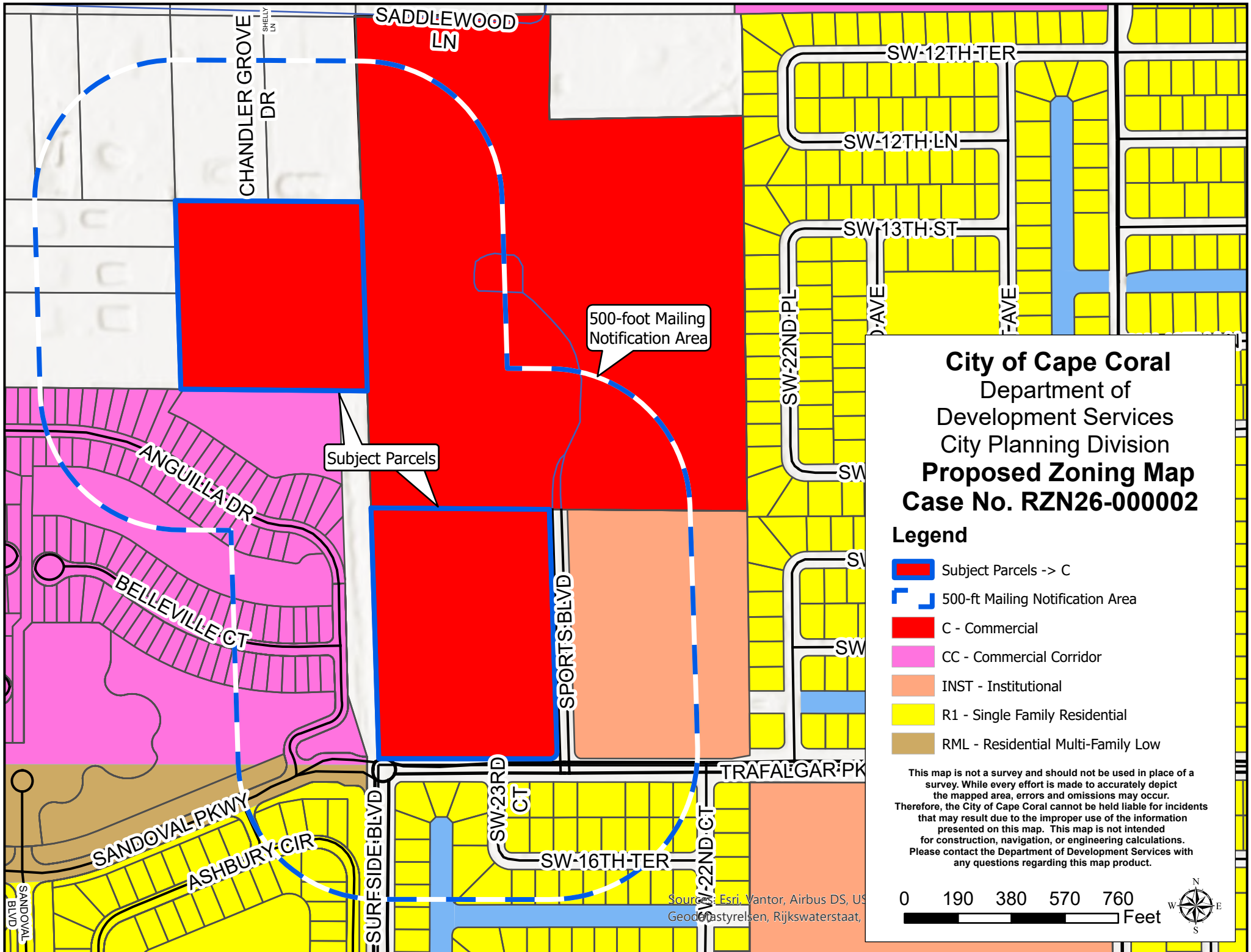
**Legend**

- Subject Parcels
- 500-ft Mailing Notification Area
- SF- Single Family Residential
- MF- Multiple Family Residential
- PIRD- Pine Island Road District
- PF- Public Facilities
- PK- Parks and Recreation

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



Sources: Esri, Contributor, Airbus DS, US  
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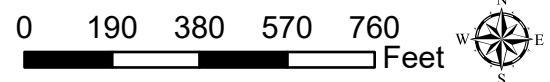


**City of Cape Coral**  
 Department of  
 Development Services  
 City Planning Division  
**Proposed Zoning Map**  
**Case No. RZN26-000002**

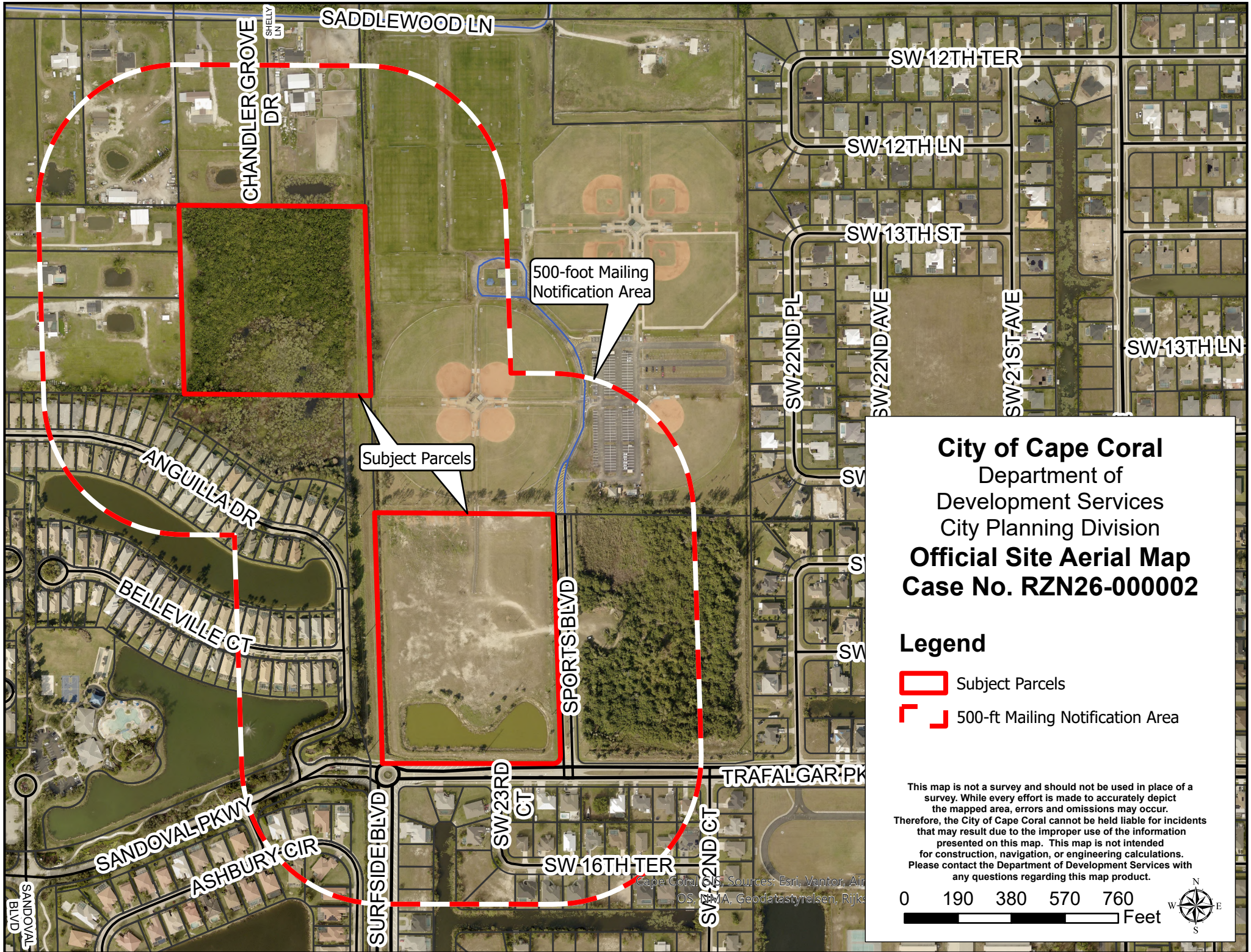
**Legend**

- Subject Parcels -> C
- 500-ft Mailing Notification Area
- C - Commercial
- CC - Commercial Corridor
- INST - Institutional
- R1 - Single Family Residential
- RML - Residential Multi-Family Low

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Source: Esri, Vantor, Airbus DS, US  
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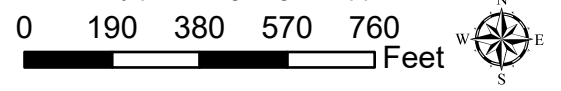


**City of Cape Coral**  
 Department of  
 Development Services  
 City Planning Division  
**Official Site Aerial Map**  
**Case No. RZN26-000002**

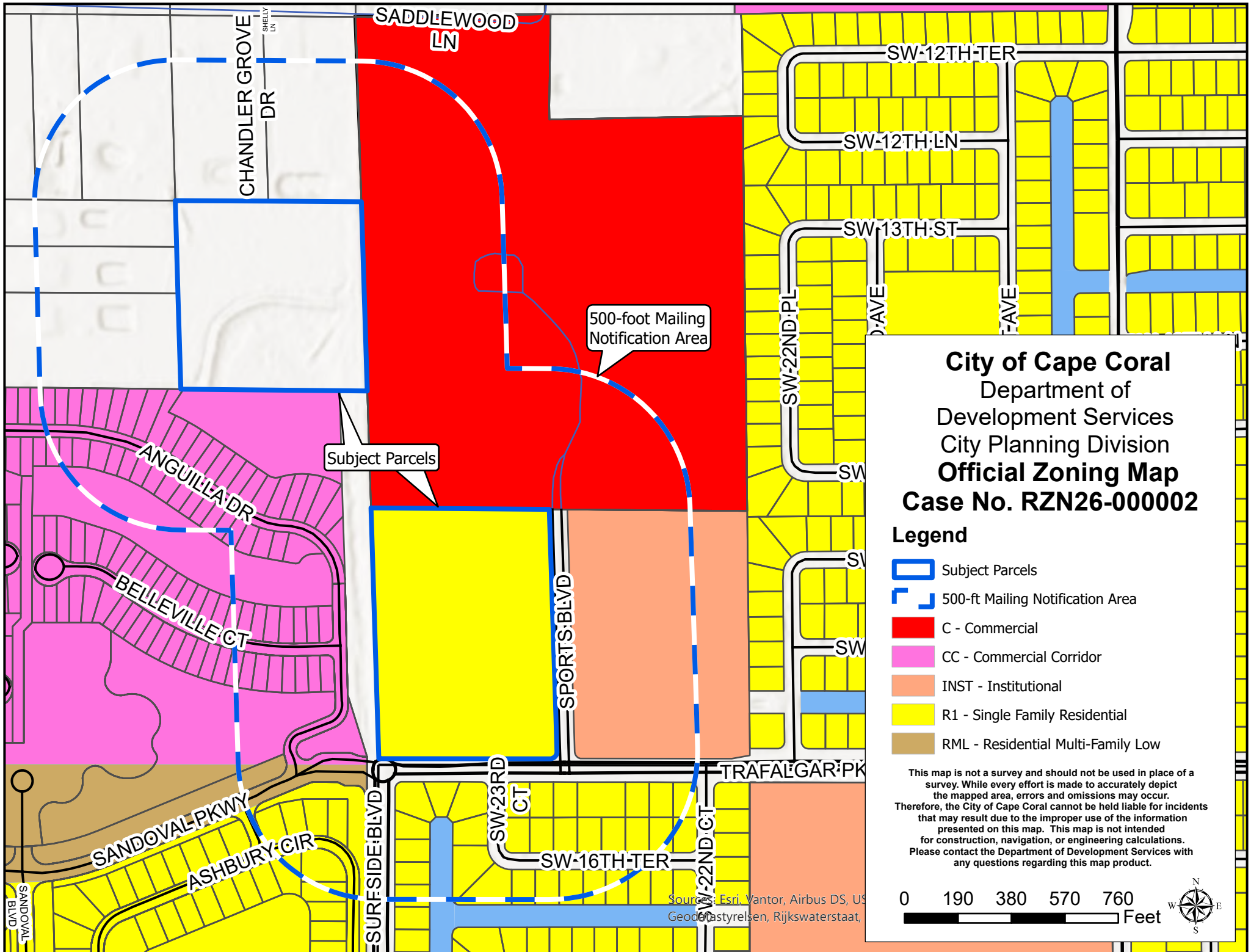
**Legend**

- Subject Parcels
- 500-ft Mailing Notification Area

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






Cape Coral GIS Sources: Esri, Vantor, Air OS, WMA, Geodatastyrelsen, Rijks

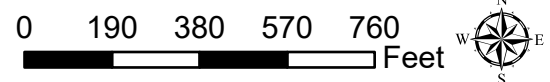


**City of Cape Coral**  
 Department of  
 Development Services  
 City Planning Division  
**Official Zoning Map**  
**Case No. RZN26-000002**

**Legend**

-  Subject Parcels
-  500-ft Mailing Notification Area
-  C - Commercial
-  CC - Commercial Corridor
-  INST - Institutional
-  R1 - Single Family Residential
-  RML - Residential Multi-Family Low

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