



# City of Sanibel

800 Dunlop Road  
Sanibel, FL 33957

## Meeting Minutes - Draft City Council

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Tuesday, March 17, 2026

9:00 AM

MacKenzie Hall - 800 Dunlop Road

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### Special Meeting

#### 1. CALL TO ORDER

The meeting convened at 9:02 a.m.

#### 2. INVOCATION AND PLEDGE OF ALLEGIANCE (Councilmember DeBruce)

Councilmember DeBruce gave the Invocation and led the Pledge of Allegiance.

#### 3. ROLL CALL

**Councilmember Johnson moved, seconded by Councilmember DeBruce, to excuse Vice Mayor Smith. The motion carried.**

**Absent:** 1 - Vice Mayor Holly Smith

#### 4. SET THE AGENDA

The agenda was set as published.

#### 5. PUBLIC COMMENTS FOR NON-AGENDA ITEMS

There were no public comments from the audience.

#### 6. 9:05 - SECOND READING AND PUBLIC HEARING

##### a. Milestone Inspections

**ORDINANCE 26-002 OF THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA, AMENDING THE SANIBEL CODE OF ORDINANCES, CHAPTER 14, BUILDINGS AND BUILDING REGULATIONS, ARTICLE VII, MANDATORY INSPECTION OF AGING CONDOMINIUM AND COOPERATIVE BUILDINGS, SECTION 14-323, INSPECTION, REPORTING, AND REPAIRS; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERANCE; AND PROVIDING AN EFFECTIVE DATE**

Attorney Agnew read into record the title of Ordinance 26-002.

Building Director Mole' presented a brief background of the ordinance amending milestone inspection requirements for aging condominium and cooperative buildings. The amendment addresses recent state law changes that modified the definition of milestone buildings from "3 story buildings or higher" to "3 habitable stories," which

excludes storage areas and parking levels that don't meet habitable space criteria. This change significantly reduced the number of structures on Sanibel requiring milestone inspections from 212 buildings to 137 buildings. The director explained that habitable space is defined as areas used for sleeping, eating, and living, and this change provides relief for property owners while maintaining structural safety requirements that were implemented following the Surfside collapse.

Council members asked questions about the definition of habitable space, flood level considerations, and potential legal implications. City Attorney Agnew confirmed that while the city could implement stricter standards than state requirements, this ordinance simply aligns with the updated state law. The building director indicated support for the changes as written.

Planning Director McMichael and City Attorney discussed communication plans for affected properties and the authority granted to Building Director Mole' for deadline extensions under the milestone inspection program.

**Councilmember DeBruce moved, seconded by Councilmember Johnson, to adopt Ordinance 26-002. The motion carried by a vote of 4-0 with Vice Mayor Smith excused.**

**Absent:** 1 - Vice Mayor Holly Smith

## 7. DISCUSSIONS OF DRAFT LEGISLATION

### a. Community Housing & Resources - Conditional Use Permit

**A DRAFT ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA, APPROVING AN INCREASE IN RESIDENTIAL DEVELOPMENT DENSITY AS SET FORTH AND APPROVED IN PLANNING COMMISSION RESOLUTION 26-04, CONDITIONAL USE PETITION APPLICATION NO. PL20260002, PURSUANT TO SECTIONS 82-201, AUTHORIZATION, AND 82-204, APPLICATION AND HEARING, OF THE CODE OF ORDINANCES, TO ALLOW INCREASED-DENSITY BELOW MARKET RATE HOUSING FOR CONSTRUCTION OF A 39-UNIT MULTI-FAMILY DEVELOPMENT ON PROPERTY OWNED BY COAST ISLANDS COMMUNITY LAND TRUST, INC. (FORMERLY OWNED BY SANIBEL 1523 , INC., AND SANIBEL 1531, INC.), AND LOCATED AT 1523 PERIWINKLE WAY, TAX PARCEL NO. 30-46-23-T1-00004.0060 AND NO. 30-46-23-T1-00004.0070, MORE FULLY DESCRIBED HEREIN; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERANCE; AND PROVIDING AN EFFECTIVE DATE**

Planning Director Paula McMichael provided a PowerPoint presentation and comprehensive overview regarding the conditional use permit and variance requests from Community Housing & Resources (CHR). The 2.6-acre property lies in the General Commercial and Interior Wetlands Conservation Districts, with no development in the wetlands. The project transforms the former Fish House restaurant site into a three-story building with 39 one-bedroom units, increasing by 30 units over

the usual allowance of 9. It will use \$9.75 million in CDBG-DR funding, requiring an additional \$8 million from CHR.

CHR Executive Director, Nicole McHale provided detailed information about the project timeline, funding constraints, and design rationale. She further explained that the organization has spent \$4.2 million upfront (\$3.5 million for land acquisition, \$700,000 for professional services) with these costs non-reimbursable under the grant program. The federal funding deadline requires the project be completed and occupied by January 2029. Ms. McHale detailed current inventory including 67 units, only four of them being one-bedroom with most multi-bedroom units occupied by single individuals. Council inquired about the residents who would apply for the housing. Ms. McHale provided that lease agreements include provisions for residents who work on Sanibel or for Sanibel associated businesses.

Project Manager Rachel Bielert presented new renderings showing the building's integration with surrounding development and explained design decisions including building placement, circulation patterns, and landscape buffering. The presentation included a photograph taken from Periwinkle Way showing the current construction height of Riverview 1 to provide perspective on visual impact.

Multiple Council members voiced concerns about the building's size and potential impact on Periwinkle Way's small-town character. Comparisons were requested with other commercial buildings (Jerry's, Trader's) to better understand scale relationships. The lack of detailed visual renderings during the initial review process was noted as a significant limitation. Discussion then focused on the concentration of single-occupancy housing and potential impacts on community diversity. Questions were raised about the shift away from CHR's traditional approach of scattered, integrated housing throughout the community toward clustered development.

Concerns were expressed about the undefined nature of the proposed commercial space, including parking adequacy, long-term development prospects, and potential restrictions on future sales or development; particularly of the space in front of the property previously occupied by a commercial restaurant space.

Council members inquired whether alternative designs (such as two-story construction with larger footprint) could achieve community housing goals while reducing visual impact, though technical constraints related to site coverage, parking, and fire access were identified as limiting factors. Ms. Bielert spoke to the negative ROI (return on investment) figures and further spoke to the challenges with the timing for federal funding.

Public Comments:

- Larry Schopp - Sanibel Resident - spoke to his reasoning for opposing the project

as a member of the Planning Commission, explaining why he feels the project is in conflict with the Sanibel Plan.

- Mitch Koppelman - Sanibel Resident - spoke to the project being a great addition with proper vegetation and landscaping, recommending ensuring a vegetation buffer is installed quickly and adequately to meet appearance standards

- Erika Steiner - CHR Board Member - noted she abstained from discussions as Planning Commission member due to bias conflict and spoke to the funding opportunities and the work that has happened in the background getting to this point of the project and approval process.

- Caroline Marenco - Sanibel Resident - spoke to concerns with increased development/intensity on the island, how will AC units be implemented in the project

- David Muench - Sanibel Resident - spoke in support of the project, advising that the buffer will be adequate.

Following extensive discussion, City Attorney Agnew proposed additional conditions in order to address Council and the public's concerns:

- Enhanced landscaping requirements with larger trees (15 feet minimum)
- Mandatory landscaping maintenance for the commercial area until developed
- Requirement for City Council approval of any property sub-division

Council agreed that the additional proposed conditions by Attorney Agnew provide greater comfort with the project approval while maintaining the essential timeline for federal funding.

**b. Community Housing & Resources - Variance**

**A DRAFT ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA, DETERMINING A VARIANCE (APPLICATION NO. PL20260007) RELATIVE TO SECTION 86-163, MAXIMUM NUMBER OF DWELLING UNITS, SECTION 86-164, LIMITATIONS ON PRINCIPAL BUILDINGS, SECTION 122-48, LOCATION AND SIZE OF REQUIRED VEGETATION BUFFERS, SECTION 122-49, TYPES, VARIETIES, AND NUMBERS OF PLANTS REQUIRED, SECTION 126-494, REQUIRED CONDITIONS, SECTION 126-1029, SITE PLANNING, AND SECTION 126-1404, DRIVEWAYS AND SERVICE AISLES, TO ALLOW FOR THE CONSTRUCTION OF A 39-UNIT MULTI-FAMILY DEVELOPMENT, ON PROPERTY OWNED BY COAST ISLANDS COMMUNITY LAND TRUST, INC. (FORMERLY OWNED BY SANIBEL 1523, INC. AND SANIBEL 1531, INC.) AND LOCATED AT 1523 PERIWINKLE WAY, TAX PARCEL NO. 30-46-23-T1-00004.0060 AND NO. 30-46-23-T1-00004.0070, FILED PURSUANT TO SECTION 82-138 OF THE LAND DEVELOPMENT CODE; MORE FULLY DESCRIBED HEREIN; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERANCE; AND PROVIDING AN EFFECTIVE DATE**

The meeting went into recess at 12:43 and reconvened at 1:02 p.m.

Council briefly discussed the additional conditions they wished to implement on Ordinance 26-005.

Attorney Agnew summarized the previous discussion with notes on the motion as follows:

Move draft ordinance 26-005 to first reading with the following changes:

- Page 2, Section 2: Strike "/denies"
- Page 2 (immediately below) strike "contained in the February 24, 2026 staff report."
- Condition 10: [insert at end] "The large trees in the front buffer shall be a minimum of 15 feet in height at time of installation."
- Condition 11: Until developed, the area within the Applicant plans where the proposed commercial building is depicted shall be planted and maintained in accordance with the buffer standards detailed in Sec. 122-73, except the minimum required plantings of such area is only required to meet 50% of the number of planting requirements per type and variety.
- Condition 12: Any proposed minor or major subdivision of the Subject Property is required to come before City Council for final approval.

**Council member Johnson moved, seconded by Mayor Miller, to forward Ordinance 26-004 to first reading, with the minor correction in the last whereas clause striking "/disagrees" and in section 2 striking "/denied". The motion carried.**

**Absent:** 1 - Vice Mayor Holly Smith

Representatives from CHR committed to providing additional visual materials including renderings showing the building in context with other Periwinkle Way structures and comprehensive view of both Riverview buildings from multiple vantage points.

**Council member Johnson moved, seconded by Mayor Miller to move Ordinance 26-005 to first reading as amended by Attorney Agnew. The motion carried.**

**Absent:** 1 - Vice Mayor Holly Smith

## **8. FIRST READING OF AN ORDINANCE AND SCHEDULING OF PUBLIC HEARING**

- a. Community Housing & Resources - Conditional Use Permit  
**ORDINANCE 26-004 OF THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA, APPROVING AN INCREASE IN RESIDENTIAL DEVELOPMENT DENSITY AS SET FORTH AND APPROVED IN PLANNING COMMISSION RESOLUTION 26-04, CONDITIONAL USE PETITION APPLICATION NO. PL20260002, PURSUANT TO SECTIONS 82-201, AUTHORIZATION, AND 82-204, APPLICATION AND HEARING, OF THE CODE OF ORDINANCES, TO ALLOW INCREASED-DENSITY BELOW MARKET RATE HOUSING FOR CONSTRUCTION OF A 39-UNIT MULTI-FAMILY DEVELOPMENT ON PROPERTY OWNED BY COAST ISLANDS COMMUNITY**

**LAND TRUST, INC. (FORMERLY OWNED BY SANIBEL 1523 , INC., AND SANIBEL 1531, INC.), AND LOCATED AT 1523 PERIWINKLE WAY, TAX PARCEL NO. 30-46-23-T1-00004.0060 AND NO. 30-46-23-T1-00004.0070, MORE FULLY DESCRIBED HEREIN; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERANCE; AND PROVIDING AN EFFECTIVE DATE**

Attorney Agnew read into record the title of Ordinance 26-004.

Second reading and public hearing scheduled for 9:05 a.m., Tuesday, March 31, 2026.

**b. Community Housing & Resources - Variance**

**ORDINANCE 26-005 OF THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA, DETERMINING A VARIANCE (APPLICATION NO. PL20260007) RELATIVE TO SECTION 86-163, MAXIMUM NUMBER OF DWELLING UNITS, SECTION 86-164, LIMITATIONS ON PRINCIPAL BUILDINGS, SECTION 122-48, LOCATION AND SIZE OF REQUIRED VEGETATION BUFFERS, SECTION 122-49, TYPES, VARIETIES, AND NUMBERS OF PLANTS REQUIRED, SECTION 126-494, REQUIRED CONDITIONS, SECTION 126-1029, SITE PLANNING, AND SECTION 126-1404, DRIVEWAYS AND SERVICE AISLES, TO ALLOW FOR THE CONSTRUCTION OF A 39-UNIT MULTI-FAMILY DEVELOPMENT, ON PROPERTY OWNED BY COAST ISLANDS COMMUNITY LAND TRUST, INC. (FORMERLY OWNED BY SANIBEL 1523, INC. AND SANIBEL 1531, INC.) AND LOCATED AT 1523 PERIWINKLE WAY, TAX PARCEL NO. 30-46-23-T1-00004.0060 AND NO. 30-46-23-T1-00004.0070, FILED PURSUANT TO SECTION 82-138 OF THE LAND DEVELOPMENT CODE; MORE FULLY DESCRIBED HEREIN; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERANCE; AND PROVIDING AN EFFECTIVE DATE**

Attorney Agnew read into record the title of Ordinance 26-005.

Second reading and public hearing scheduled for 9:05 a.m., Tuesday, March 31, 2026.

**9. PUBLIC COMMENT**

No additional public comments were received.

**10. ADJOURNMENT**

There being no further business, the meeting adjourned at 1:20 p.m.