

Bartholomew Realty, Inc.

REAL ESTATE AND INVESTMENTS

1560 MATTHEW DRIVE SUITE H FT. MYERS, FLORIDA 33907 TELEPHONE: (239) 936-0144 FAX: (239) 936-7233

March 25, 2026

Mayor and Members of the Sanibel City Council
City of Sanibel
800 Dunlop Road
Sanibel, FL 33957

**RE: Appeal of Planning Commission Approval (February 24, 2026)
Islander Center – Conditional Use & Formula Retail Applications
Application Nos. PL20250011 & PL20260006
2407 Periwinkle Way, Unit 3**

Mayor and Council Members —

On behalf of the Applicant, 2407 Periwinkle Sanibel LLC, I had the opportunity to present the Conditional Use and Formula Retail applications for Unlimited Biking at 2407 Periwinkle Way, Unit 3 (Application Nos. PL20250011 and PL20260006) at the February 24, 2026 Planning Commission hearing, which resulted in unanimous approval following extensive staff review and public input. This letter is submitted in response to the appeal of that decision.

Pursuant to Section 82-98(d) of the Land Development Code, the City Council's consideration on appeal is limited to whether the Planning Commission properly interpreted and applied the Code based upon the application and evidence presented in the record. The Planning Commission's approval was based on competent, substantial evidence demonstrating that the proposed use satisfies all applicable Code requirements.

The record clearly establishes compliance with Section 126-82(a), including compatibility with surrounding uses, protection of the public health, safety, and welfare, and impacts on traffic flow. The City's professional planning staff recommended approval, and the record includes a Traffic Impact Statement (2021) concluding that the proposed bike rental use "would have no impact on total traffic generated for this site and does not adversely affect traffic flow to a significantly greater extent than permitted uses." This analysis was before the Planning Commission and supports its determination that the proposed use satisfies the applicable Code criteria.

Importantly, Section 126-82(a) establishes a rebuttable presumption that a proposed use does not adversely affect traffic flow absent competent, substantial evidence to the contrary. No such evidence was presented to the Planning Commission. While members of the public expressed general concerns, no expert testimony or data was submitted to refute the findings of the traffic analysis or staff's conclusions.

The record also reflects that applicable parking standards have materially changed since prior consideration of this use. As outlined in the staff analysis, City Council adopted Ordinance 24-019, which reduced minimum parking requirements and recognized shared and overlapping parking demand

within multi-tenant commercial centers. Planning staff concluded that, in combination with the Traffic Impact Statement demonstrating no additional external trips, the existing parking supply at Islander Center is sufficient to support the proposed use under the current Code.

The appeal suggests that the application is unchanged from prior iterations; however, the Planning Commission record reflects several key changes and considerations supporting approval, including: (i) updated parking regulations; (ii) approval of an interconnectivity path linking Islander Center to the Shared Use Path; and (iii) changes in the mix of uses within Islander Center and the surrounding commercial district. These factors were specifically identified by staff and support the Planning Commission's determination.

With respect to the formula retail component, the record reflects that such uses are permitted within the Town Center General Commercial District subject to Conditional Use approval. The Planning Department confirmed that the City's current inventory of formula retail square footage remains below the threshold for heightened review, and that the proposed use is consistent with the applicable provisions of the Code.

In sum, the Planning Commission applied the correct legal standards and based its decision on competent, substantial evidence in the record. Accordingly, the Applicant respectfully requests that the City Council affirm the Planning Commission's approval.

Thank you for your consideration.

Sincerely,

Blake Bartholomew
Bartholomew Realty, Inc.
Applicant Representative