

Planning Commission Meeting

December 10, 2024

- **PLANNING COMMISSION AGENDA ITEM : 7B**
- **APPLICATION NUMBER: CUP-2024-000251**
- **PROPERTY ADDRESS: 975 RABBIT ROAD UNIT 6 - TAX PARCEL NUMBER 21-46-22-T3-00002.0020**

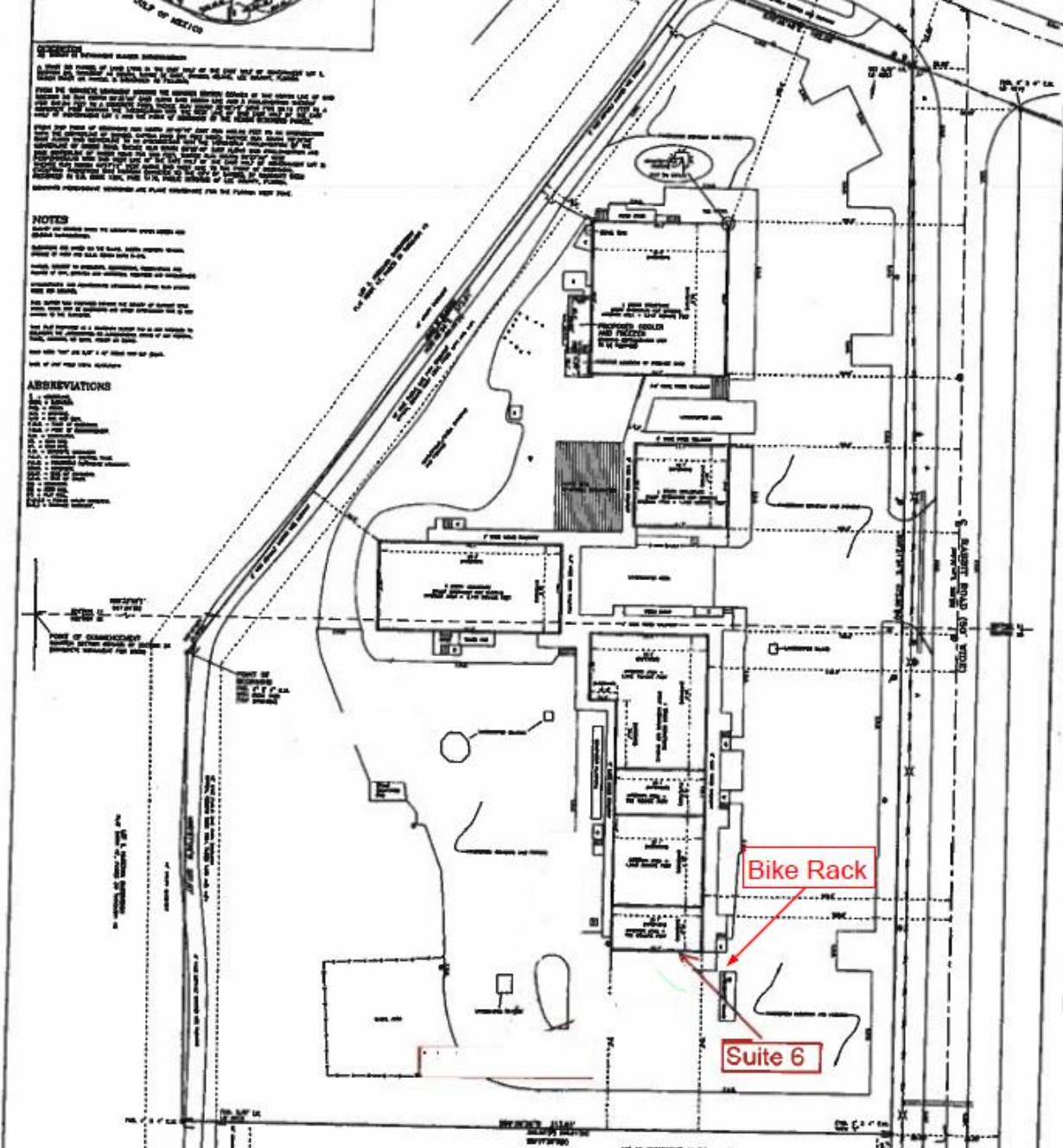
APPLICANT

RYAN COPELAND ON BEHALF OF ACME SANIBEL FL LLC

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ISSUES

1. Does the proposed development comply with the general requirements of a conditional use provided in Land Development Code Section 126-82 – general requirements?
2. Does the proposed development comply with the specific requirements provided in LDC Sec. 126-94 – Vehicle Rental and Leasing?
3. If the Planning Commission approves the application, what additional conditions should be required?



Background:

- 975 Rabbit Road
- Rabbit Road Center
 - Rosalita's Cantina
 - A Bit of Baileys
 - Sanibel Carts & Sanibel Carts Taxi (Unit 6 via PC Res 21-25)
- 2.89 acres
- GC – General Commercial District
- F – Mid-Island Ridge Ecological Zone

RESOLUTION NO. 21-25

**CITY OF SANIBEL
PLANNING COMMISSION**

IN THE MATTER OF: Consideration of an application filed pursuant to Land Development Code Section 82-204, Application and hearing, for a **Conditional Use Permit** to allow vehicle rental and leasing land use in the General Commercial District. The proposed project is located at 975 Rabbit Road, Suite 6 and Suite 1 – 1A, Sanibel, FL (tax parcel no. 21-46-22-T3-00002.0020). The subject application is submitted by O'Halloran & Simmons, PLLC – Augustin G. Simmons, Esq. (the applicant) on behalf of Nancy S. Niesel Trust + Charlie A. Niesel Trust (the property owners). Application No. **21-12916 CUP**

APPLICANT: O'Halloran & Simmons, PLLC – Augustin G. Simmons, Esq. (the applicant) on behalf of Nancy S. Niesel Trust + Charlie A. Niesel Trust (the property owners)

APPLICATION NO: 21-12916 CUP

DATE OF HEARING: November 9, 2021

ADOPTION OF RESOLUTION: November 9, 2021

WHEREAS, the Planning Commission heard consideration of an application filed pursuant to Land Development Code Section 82-204, Application and hearing, to allow for the operation of a vehicle rental and leasing land use in the General Commercial (GC) District; and

WHEREAS, it has been determined that the Applicant has complied with the requirements of Land Development Code Section 82-204, Application and hearing; and

WHEREAS, a public hearing was legally and properly advertised and held on November 9, 2021 before the Sanibel Planning Commission; and

WHEREAS, on November 9, 2021 the Sanibel Planning Commission considered the information presented by the Community Services Department including its Staff Report; the testimony and evidence of the Applicant and its representatives; public comments and documents on file with the City; and

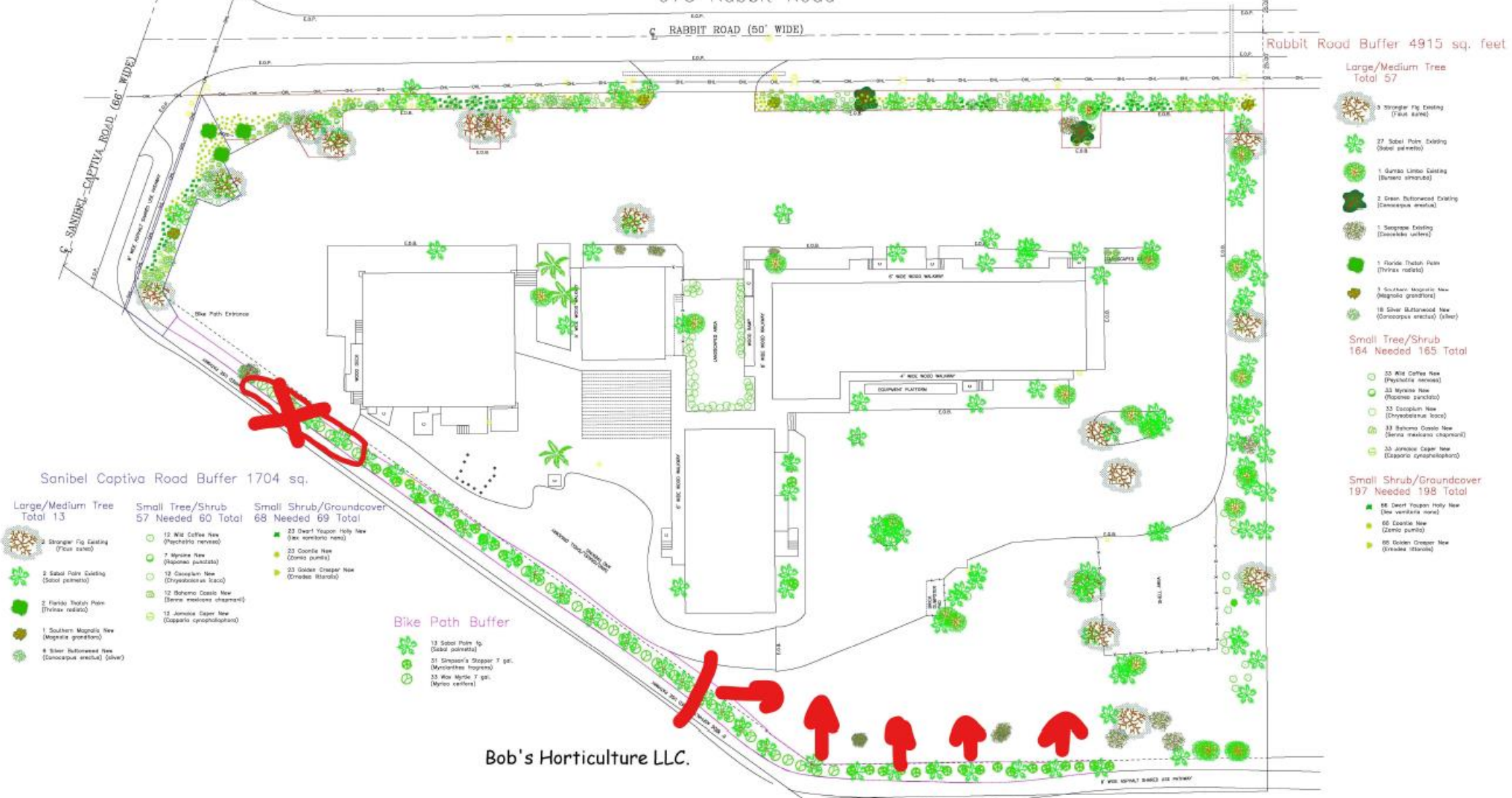
WHEREAS, Chair Roger Grogman, Vice Chair Eric Pfeifer, and Commissioners Laura DeBruce, Paul Nichols, Karen Storjohann and Ty Symroski, were present at the November 9, 2021 hearing, by motion and second Commissioner Matt Kirchner was excused; and

Proposal:

- Revise PC Resolution 21-25 to allow rental of up to 20 class-1 e-bikes.
- Landscape Plan references maintenance of previously approved plans (PC Resolution 21-26)

Buffer landscaping must comply with Planning Commission Resolution 24-14 specifically condition number 5.

Native Vegetation Buffer Plan For 975 Rabbit Road



- Large/Medium Tree Total 57**
- 3 Stronger Fig Existing (Ficus saxe)
 - 27 Sabal Palm Existing (Sabal palmetto)
 - 1 Gumbo Limbo Existing (Bursera simaruba)
 - 2 Green Buttonwood Existing (Conocarpus erectus)
 - 1 Scaevola Existing (Scaevola taccada)
 - 1 Florida Tidal Palm (Thrixax nodosa)
 - 3 Southern Magnolia New (Magnolia grandiflora)
 - 18 Silver Buttonwood New (Conocarpus erectus) (Silver)
- Small Tree/Shrub 164 Needed 165 Total**
- 25 Allie Coffee New (Psychotria nervosa)
 - 23 Myrtle New (Myrica punctata)
 - 23 Coccoloba New (Coccoloba toona)
 - 33 Bahama Cassia New (Sesuvium portulacastrum)
 - 23 Juniper Cedar New (Capparis cynoscephala)
- Small Shrub/Groundcover 197 Needed 198 Total**
- 88 Deerf Yucca Holly New (Desfontainia venusta)
 - 60 Coastal New (Limonium carolinianum)
 - 50 Golden Creeper New (Uraria littoralis)

- Large/Medium Tree Total 13**
- 2 Stronger Fig Existing (Ficus saxe)
 - 2 Sabal Palm Existing (Sabal palmetto)
 - 2 Florida Tidal Palm (Thrixax nodosa)
 - 1 Southern Magnolia New (Magnolia grandiflora)
 - 8 Silver Buttonwood New (Conocarpus erectus) (Silver)
- Small Tree/Shrub 57 Needed 60 Total**
- 12 Wild Coffee New (Psychotria nervosa)
 - 7 Myrtle New (Myrica punctata)
 - 12 Coccoloba New (Coccoloba toona)
 - 12 Bahama Cassia New (Sesuvium portulacastrum)
 - 12 Jamaica Cedar New (Capparis cynoscephala)
- Small Shrub/Groundcover 68 Needed 69 Total**
- 23 Deerf Yucca Holly New (Desfontainia venusta)
 - 23 Coastal New (Limonium carolinianum)
 - 23 Golden Creeper New (Uraria littoralis)

- Bike Path Buffer**
- 13 Sabal Palm 1g (Sabal palmetto)
 - 21 Stronger's Shrub 7 gal. (Myrica punctata)
 - 33 Wild Myrtle 7 gal. (Myrica carolinianum)