

CITY OF SANIBEL  
**DRAFT** PLANNING COMMISSION RESOLUTION 26-11

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANIBEL, FLORIDA, DETERMINING CONDITIONAL USE PETITION APPLICATION PL20260011, PURSUANT TO SECTIONS 82-201 AND 82-204 OF THE CODE OF ORDINANCES, TO ALLOW AN INSTITUTIONAL USE (SANTIVA ISLANDERS) TO OPERATE IN UNIT 11 OF PALM RIDGE PLAZA, ON PROPERTY OWNED BY NANCY BASS COOKE, LOCATED WITHIN THE TCG - TOWN CENTER GENERAL COMMERCIAL DISTRICT, AT 2330 PALM RIDGE ROAD, TAX PARCEL (STRAP) NO. 26-46-22-T2-0030A.0010; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Section 82-204 of the Land Development Code details the application and hearing process for a conditional use; and

**WHEREAS**, Nancy Bass Cooke is the owner of the property located at 2330 Palm Ridge Road; and

**WHEREAS**, the owner of the property has authorized Bernard Arroyo to act as applicant and file this petition; and

**WHEREAS**, the applicant has requested approval of the application to allow an institutional use (Santiva Islanders) to operate in Unit 11 of Palm Ridge Plaza, located within the TCG - Town Center General Commercial District, at 2330 Palm Ridge Road; and

**WHEREAS**, a duly noticed public hearing of the application was held on April 14, 2026; and

**WHEREAS**, after providing the applicant, staff, and the public an opportunity to present testimony and evidence, the Planning Commission finds that the requirements for conditional uses, set forth in Section 82-204 of the Code of Ordinances have / have not been met and that the application should therefore be approved / denied.

**NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SANIBEL, FLORIDA** finds that Conditional Use Petition Application PL20260011 to allow an institutional use (Santiva Islanders) to operate in Unit 11 of Palm Ridge Plaza, located within the TCG - Town Center General Commercial District, at 2330 Palm Ridge Road, Tax Parcel (STRAP) No. 26-46-22-T2-0030A.0010, is hereby approved / denied.

Any approval of this Conditional Use Petition Application is pursuant to the application and attachments included with these items, and subject to the following condition(s) contained in the April 14, 2026, staff report,

1. Palm Ridge Plaza, Unit 11 (approximately 945 square feet of commercial floor area), is approved for institutional use (Santiva Islanders).
2. Accessory uses associated with the senior center shall be clearly incidental and subordinate to the primary use, including but not limited to:
  - a. Meeting and event activities for civic, educational, and social purposes.
  - b. Recreational, wellness, and educational programs.
3. Such uses shall not result in operational characteristics (including but not limited to traffic generation, noise, or hours of operation) that exceed those evaluated as part of this approval, unless otherwise reviewed and approved by the Planning Commission. A Business Tax Receipt shall be obtained prior to the commencement of operations.

4. No on-site food preparation shall be permitted as part of this approval. Any proposal for on-site food preparation shall require additional review and approval by the Planning Commission.
5. A permit shall be obtained for any proposed signage.
6. A change of use (occupancy) permit shall be obtained prior to operation to implement the approved conditional use and associated conditions.
  - a. The permit application shall include a site plan identifying additional bicycle parking racks sufficient to accommodate 15–20 bicycles.
  - b. The permit application shall include a floor plan demonstrating compliance with ADA requirements.
  - c. The unit shall receive approval from the Sanibel Fire Marshal prior to issuance of the certificate of occupancy.
7. The approved vegetation buffer, approved via WVR-2021-000017, shall be installed in accordance with the approved plans within 12 months of this approval.
8. All exotic plant species shall be removed from the subject property, including but not limited to Brazilian pepper (*Schinus terebinthifolius*), melaleuca (*Melaleuca quinquenervia*), earleaf acacia (*Acacia auriculiformis*), lead tree (*Leucaena leucocephala*), Java plum (*Syzygium cumini*), air potato (*Dioscorea bulbifera*), and scaevola species. The property shall be maintained free of such species in perpetuity.

Conditions contained herein are in addition to the requirements of the Sanibel Code. The applicant is required to comply with all regulations of the City of Sanibel. Some conditions stated herein reflect the current code requirements applicable at the time of approval of this permit. After the issuance of the completion certificate for this development or upon expiration of the development permit, any subsequent development or change of use for the parcel must comply with the regulations in effect at that time.

**EXPIRATION OF PLANNING COMMISSION ACTION:** In accordance with Land Development Code Section 82-424(f) Action on Application. When a development order is approved with conditions imposed thereon, such conditions shall be satisfied within the time limit specified in the development order issued by the Planning Commission. When such conditions specify requirements to be completed before a development permit is issued, and no particular time limit is specified for satisfaction of the conditions, such conditions must be satisfied within six months after issuance of the development order. Failure to satisfy a condition imposed upon the approval of a development permit, within the time limit specified therefor, or such extended time period as the Planning Commission may approve upon timely application of the permittee, shall cause the development order approving the development permit to be null and void and of no further force or effect.

**EFFECTIVE DATE OF PLANNING COMMISSION ACTION:** In accordance with Land Development Code Section 82-97. All actions of the Planning Commission, including those which constitute final decisions, shall be effective upon the date of filing of the adopted Resolution with the City Manager, or at a later date if provided in the Resolution. However, permits authorized by final decisions shall not be issued until one of the following has occurred: 1) The time for filing an appeal to City Council has elapsed; 2) The applicant and all other persons having appeal rights have filed a written waiver of appeal rights; or 3) If an appeal has been timely filed, the City Council has finally disposed of the matter.

**RIGHT TO APPEAL PLANNING COMMISSION ACTION:** In accordance with Land Development Code Section 82-98. Appeals. The applicant is hereby advised that the following persons have the right to appeal a final decision of the Planning Commission adverse to their interests: 1) The applicant; 2) The owner of the property proposed for development; 3) The developer of the property proposed for development; and 4) Any other person residing upon, or owning property within the City, or owning or operating a business within the City, who participated

by written comment before or at the Planning Commission hearing or who participated in person or through an authorized agent at the Planning Commission hearing. The appeal shall be filed within 15 days after the date that the Planning Commission decision was filed. The appeal shall be filed with the City manager, and the filing fee shall be paid as a prerequisite to filing.

**DISCLAIMER & PERMIT CONDITION (APPLICABLE ONLY IF FEDERAL OR STATE PERMITS ARE REQUIRED):** Issuance of a development permit by the City does not create any right to obtain a permit from a State or Federal agency and does not create any liability on the part of the City for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a State or Federal agency or undertakes actions that result in a violation of State or Federal law. If applicable, all other State or Federal permits must be obtained before commencement of the project.

**PASSED IN OPEN AND REGULAR SESSION OF THE PLANNING COMMISSION OF THE CITY OF SANIBEL, FLORIDA, THIS 14TH DAY OF APRIL 2026.**

Attest:

\_\_\_\_\_  
Scotty Lynn Kelly, City Clerk

\_\_\_\_\_  
Paul Nichols, Chair

Approved as to form and legality:

\_\_\_\_\_  
John D. Agnew, City Attorney

Date filed with City Clerk: \_\_\_\_\_

Vote of Commission Members:

Nichols	_____
Steiner	_____
Burns	_____
Colter	_____
Schopp	_____
Sergeant	_____
Welch	_____