

Tarpon Point Conference Center PDP 15-0011

Planning Division
Final Project Staff Report

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PROJECT SUMMARY

The Developer, Freeman and Hasselwander Resort Properties, LLC, seeks Planned Development Project (PDP) approval to amend the Tarpon Point Project. Tarpon Point is a mixed-use project consisting of 148 acres of land and an additional 13.5 acres of submerged lands. This development is located at Silver King Boulevard, Black Marlin Lane, and Tarpon Estates Boulevard in southern Cape Coral. The Tarpon Point PDP has been approved for 929 multi-family units, 47 single-family units, 45,000 square feet of retail/office space, 500 restaurant seats, and 268 hotel rooms. Within this PDP amendment, the Developer seeks approves a three-story conference center on Marina Village 1, and a rezoning of Village "A" to support the development of a parking lot and accompanying access road located on the Phase I area of Village "A", and the development of 170 multi-family units on the Phase II area of Village "A". Three landscaping deviations have also been requested. Lastly, the Developer seeks to increase the number of hotel rooms located on Marina Village 1 from 268 to 308, and eliminate an off-site paving requirement involving Pelican Boulevard. Except for eliminating the aforementioned paving requirement, this PDP amendment is confined to Marina Village 1 and Village "A" Tracts of the Tarpon Point Development. Staff finds that this project is consistent with the City's LUDRs, Engineering and Design Standards, and Comprehensive Plan. Staff recommends approval of this project subject to the conditions contained in the development order associated with this project.

PURPOSE

This document provides a single, consolidated review from the Planning Division concerning a Planned Development Project (PDP) entitled "Tarpon Point Conference Center." Within this report the following topics are addressed:

- Description of the subject property;
- Previously granted entitlements associated with the project;
- Need for the PDP;
- Description of the proposed project;
- Summary of applicant requests;
- Consistency with the City's Comprehensive Plan;
- Public notification; and,
- Project recommendation.

DESCRIPTION OF THE SUBJECT PROPERTY

Tarpon Point is a mixed-use Planned Development Project (PDP). Tarpon Point was originally approved by Ordinance 14-01, and has subsequently been amended by Ordinances 131-02, 1-07, and 77-11. This development consists of five multi-family village tracts (Villages "A," "B," "D," "E" and "F"), 47 single-family residential building sites, a common area tract (Village "C"), two commercial tracts (Marina Villages 1 and 2), two conservation tracts, and three tracts utilized for private streets. Tarpon Point has been approved for 929 multi-family units, 47 single-family units, 45,000 square feet of retail/office space, 500 restaurant seats, and 268 hotel rooms. The conversion of the hotel located in Marina Village 1 to a compound use building allowing both hotel/motel and multi-family uses in the same building was approved by Ordinance 77-11.

This PDP amendment approves a three-story conference center on Marina Village 1, a parking lot and accompanying access road located on the Phase I area of Village "A", and the development of 170 multi-family units located on the Phase II area of Village "A" (see Figure 1 below). This PDP amendment also approves an increase in the number of hotel rooms located on Marina Village 1 from 268 to 308, and eliminates an off-site paving requirement pertaining to Pelican Boulevard.

Figure 1. The Tarpon Point Development highlighting the location of the Marina Village 1 and Village "A" Tracts that are involved with this PDP Amendment.



PREVIOUSLY GRANTED ENTITLEMENTS ASSOCIATED WITH THE PROJECT

The Tarpon Point Development was originally approved by Ordinance 14-01. Subsequently, this project has been amended three times by Ordinances 131-02, 1-07, and 77-11. Entitlements granted associated with each of these four ordinances are briefly summarized below.

Ordinance 14-01 approved a mixed-use project entitled "Tarpon Point." This PDP approved a subdivision with five multi-family village tracts (Villages A, B, C, D, and E), 44 single-family residential building sites (Village C), two commercial tracts (Marine Villages 1 and 2), three preservation area tracts (Conservation Areas 1, 2a, and 2b), and common areas for ingress and egress, drainage, and buffers. The project consisted of 148.07 acres located between Rose Garden Road and the Caloosahatchee/Glover Bight and was granted a 10-year build-out period. Within this PDP, the following approvals were granted:

- Subdivision;
- Rezonings;
- Special exceptions uses;
- Deviations to the City's Land Use and Development Regulations (LUDRs);
- Deviations to the City's Engineering and Design Standards (EDS); and,
- Development Plan.

This project was approved with the following residential densities and commercial intensities with respect to certain tracts as indicated below:

- Village "A": a maximum of 220 multi-family units;
- Village "B": a maximum of 120 multi-family units;
- Village "C": a maximum of 44 single family units;
- Village "D": a maximum of 128 multi-family units;
- Village "E": a maximum of 232 multi-family units;
- Village "F": a maximum of 232 multi-family units;
- Marina Village 1: approval of a marina use; and,
- Marina Village 2: approval of a maximum of 230 resort hotel units, two restaurants of not more than 200 seats each, and 45,000 sq. ft. of retail space.

Ordinance 131-02 granted the following approvals:

- Rezonings;
- Special exception uses;
- Deviations to the LUDRs;
- Repeal of a deviation of 82 feet that allowed a building height of 120 feet in Village "A"; and,
- Amending the Development Plan with respect to locations of densities of uses as follows:
 - Village "A": a maximum of 132 multi-family units;
 - Village "B": a maximum of 120 multi-family units;
 - Village "C": a maximum of 47 single family units;
 - Village "D": a maximum of 210 multi-family units;
 - Village "E": a maximum of 326 multi-family units; and,
 - Village "F": a maximum of 140 multi-family units.

Ordinance 131-02 also approved allowing the number of multi-family units within the five multi-family village tracts to be reallocated without incurring a substantial deviation from the terms of the

development order provided that the number of multi-family units within any such village was not increased by more than 5%, and that in no event would the total number of dwelling units within the project area for the Tarpon Point PDP exceed 976 dwelling units.

Ordinance 1-07 granted the following approvals:

- Relocating the previously approved hotel from Marina Village 2 to Marina Village 1;
- Increasing the maximum resort hotel units from 230 to 268;
- Allowing restaurants previously approved for Marina Village 2 to be located in Marina Village 1 or Marina Village 2;
- Eliminating a maximum of two restaurants;
- Increasing the maximum seating for all restaurants to 500 seats with one restaurant having at least 150 seats; and,
- Allowing the maximum of 45,000 sq. ft. of retail space previously approved in Marina Village 2 to be the maximum allowed as retail or office space in both Marina Village 1 and Marina Village 2, with at least 50% of such space located in Marina Village 1.

Ordinance 77-11 granted the following approvals:

- Increasing the project area by 13.5 acres by including submerged lands;
- Special exception uses;
- Deviations to the LUDRs involving parking standards; and,
- Conversion of the hotel in Marina Village 1 to a compound use building to allow multi-family dwelling units within a portion of the building.

NEED FOR THE PDP AMENDMENT

Once a development plan has been approved, any owner-initiated rezoning for any property within the approved development plan requires a PDP amendment. In addition, any substantial deviation from an approved development plan requires a PDP amendment as well (refer to LUDR, Section 4.2.5.A.3).

DESCRIPTION OF THE PROPOSED PROJECT

Except for eliminating an off-site street improvement, this PDP amendment involves only the Marina Village 1 and Village "A" of the Tarpon Point Project.

Within Marina Village 1, changes to the master development plan are proposed to expand the existing hotel to include a conference center on an existing parking lot near the northern end of this Village. Two foundation landscaping deviations are sought from planting requirements associated with the conference center. Within this Village, the Developer also requests increasing the number of hotel rooms from 268 to 308.

The Developer seeks to rezone the 7.71-acre Village "A" Tract from the Multi-Family Residential (R-3) to the Pedestrian Commercial (C-1) District. Proposed changes to the Master Site Plan involving Village "A" show two separate phases. Phase 1 involves developing the western 3.25 acres of this Village into a parking lot containing 105 parking stalls for supporting hotel, including conference center activities and events. A landscape deviation is sought from a buffer yard requirement for allowing an existing hedge to remain in place that would be augmented with additional plantings.

SUMMARY OF APPLICANT REQUESTS

Developer requests associated with this project along with the accompanying staff recommendation is summarized in Table 1. A thorough analysis of each request is provided later within a separate section of this report.

Table 1. Summary of applicant requests and staff recommendations for the Tarpon Point PDP Amendment.

Category	Request	Recommendation
Rezoning	Rezone Tract "A" from R-3 to C-1.	Approve
Deviation #1, LUDR, Section 5.2.13.C.1	Deviation of 1,309 sq. ft. to the minimum foundation planting area requirement of 3,239 sq. ft. for the Marina Village 1 Tract	Approve
Deviation #2, LUDR, Section 5.2.13.C.1	Deviation of 1.5 feet to the minimum spacing requirement of three feet on centers for shrubs planted in a foundation landscaped area to allow shrubs to be planted 4.5 feet apart within Marina Village 1	Approve
Deviation #3, LUDR, Section 5.2.13.C.5, Table 5	Deviation to waive all buffer requirements for the west property line of Village "A" adjacent to Silver King Boulevard.	Approve with conditions
PDP Amendment	Eliminate an off-site paving requirement for Pelican Boulevard	Approve
PDP Amendment	Increase the number of hotel rooms for Marina Village 1	Approve
PDP Amendment	Amend the Master Development Plan	Approve with conditions

A) Rezoning

Request

The Developer requests rezoning Tract "A" from the R-3 to the C-1 District. This rezoning is sought to allow the construction of a drive isle and commercial parking lot on the western side of this parcel for an area identified as Phase 1 as shown on the Master Site Plan (Parking Lot). These parking facilities will support activities occurring at the hotel and conference center. Located on the eastern side of Tract "A," the Phase 2 area is envisioned to be developed with one or more residential or compound use buildings.

Analysis

The Planning Division has reviewed this application based on the ten (10) General Standards provided within LUDR, Section 8.7.3.B and offers the following analysis for consideration:

1. *The extent to which the value of the property is diminished by the proposed zoning of the property;*
While difficult to quantify, the requested rezoning should increase the value of the subject parcel as the C-1 District supports a variety of office, retail, and commercial service uses. Over 90 nonresidential uses are allowed either as permitted or as special exception uses in this district. In addition, with the Mixed Use Future Land Use (FLU) Classification of the subject property, the C-1 District allows multi-family development at a maximum density

greater than that allowed under the current R-3 Zoning. Generally, commercial properties command a greater price per square foot than residential lands, and property values tend to increase as the number of uses that can be utilized on a property increase.

2. *The extent to which the removal of a proposed change in zoning depreciates the value of other property in the area;*

The subject parcel is located within the Tarpon Point Development that is a mixed-use community. This project has been approved for 929 multi-family units, 47 single-family units, 45,000 sq. ft. of retail/office space, 500 restaurant seats, and 268 hotel rooms. Residents that live in Tarpon Point that would likely be the most affected by the subject rezoning based on their proximity to this parcel, have presumably bought property in this community with the knowledge that this project supports both residential and commercial uses. Within the development, the nearest residential units are located to the north of the subject parcel across Silver King Boulevard about 100 feet from Tract "A." Besides the physical separation that exists between these residences and the subject tract that is afforded by Silver King Boulevard, a mature, six-foot tall hedge exists along the north property line of Tract "A" that follows this street. The western part of Tract "A" will be developed as a parking lot to support the hotel and the proposed conference center. The eastern portion of this tract, located farthest from the residential community could be developed with residential or commercial uses or a combination of these two categories. Given the history and nature of Tarpon Point, the development proposed for Tract "A", and the type and proximity of the surrounding uses, the proposed C-1 Zoning and the corresponding removal of the R-3 Zoning of the subject parcel should not result in a depreciation in the value of other properties in the area.

3. *The suitability of the property for the zoning purpose;*

The subject property has a FLU Classification of Mixed Use. Based on Policy 1.15c of the FLU Element of the City's Comprehensive Plan, the proposed C-1 District is consistent with this FLU classification. The subject parcel is 7.71 acres, and based on the area and configuration of this property, could support a quality development as adequate area exists for supporting one or more buildings in addition to parking, landscaping, and stormwater facilities.

The proposed C-1 Zoning provides the Developer with a high degree of flexibility in developing this tract. While the current R-3 District supports residential development, this District allows a limited number of nonresidential uses. In contrast, the proposed C-1 District, with the Mixed Use FLU Classification allows multi-family and compound use development. This District also allows a wide array of commercial uses including retail, restaurant, and office uses – uses that are not allowed in the R-3 District.

4. *The character of the neighborhood, existing uses, zoning of nearby and surrounding properties, and compatibility of the proposed zoning;*

The subject property is surrounded on three sides with parcels with R-3 Zoning while the fourth property located to the east has Preserve Zoning (see Table 2). However, of these three R-3 properties, only the parcel to the immediate west is developed with residential uses, and those dwelling units are separated from the subject property by Silver King Boulevard. The R-3 Zoned parcel to the immediate north of the subject property supports a

ROW tract that includes the gate house at the entrance to Tarpon Point. The R-3 Zoned parcel to the immediate south of the subject property is a lake tract located between the subject parcel and the conference center site. The Developer’s plan includes constructing a pedestrian bridge for providing access from the parking lot proposed for the subject property to the hotel conference center. The Phase 2 area of the subject parcel could be developed with a maximum of 170 residential units and this use would be compatible with the surrounding properties.

Table 2. Zoning, FLU, and Existing Uses of the Subject Parcel and Adjacent Lands.

<i>Subject Property:</i>	<i>Zoning</i>	<i>Future Land Use</i>	<i>Existing Uses</i>
<i>Current:</i>	Multi-Family Residential (R-3)	Mixed Use	Vacant
<i>Proposed:</i>	Pedestrian Commercial (C-1)	No proposed change	Parking lot
	<i>Surrounding Zoning</i>	<i>Surrounding Future Land Use</i>	<i>Surrounding Uses</i>
<i>North:</i>	Multi-Family Residential (R-3)	Mixed Use	Private ROW Tract
<i>South:</i>	Multi-Family Residential (R-3)	Mixed Use	Lake Tract
<i>East:</i>	Preserve	Natural Resources/Preservation	Water and open space
<i>West:</i>	Multi-Family Residential (R-3)	Mixed Use	Silver King Boulevard ROW/multi-family units

In consideration of the above analysis, based on the current FLU and zoning patterns near the subject site, established uses in this area, and the area of the parcel proposed for rezoning, staff finds that the requested rezoning will be compatible with the neighboring properties.

- The relative gain to the community as compared to the hardship, if any imposed, from rezoning said property;*

Staff does not envision any hardship experienced by the surrounding neighborhood as this rezoning will support uses that are consistent with the vision and current development of Tarpon Point as a mixed-use community.

- The community need for the use proposed by the zoning;*

This rezoning will support the development of a commercial parking lot for providing over 100 parking spaces for the hotel and the proposed conference center. The C-1 District will also provide greater flexibility in developing the remainder of Tract “A” as this zoning designation will support residential, commercial, and compound use development compared to the more limited development options available with the current R-3 Zoning.

- Length of time the property proposed to be rezoned has been vacant, as zoned, when considered in the context of the City of Cape Coral Comprehensive Land Use Plan for the development of the proposed property and surrounding property;*

The subject property has not been previously developed and to this point has had R-3 Zoning.

8. *The extent to which the proposed zoning promotes the health, safety, morals, or general welfare of this community;*

The proposed rezoning will support the development of a commercial parking lot on Tract "A" that will provide parking to the hotel and adjoining conference center. The conference center should be an asset to the City as the Cape Coral currently lacks a facility of this size for accommodating conferences and large meeting functions.

9. *The extent to which the proposed zoning will impact the level of service standards for public facilities as specified in the Comprehensive Plan;*

The full suite of centralized utilities (potable water, sewer, and irrigation) is available to the subject parcel. Besides supporting parking for the Tarpon Point Development, while this PDP amendment approves the development of a maximum of 170 residential units for Tract "A", since the total number of multi-family units for the Tarpon Point Development remains unchanged at 929 units, transportation level of service standards and school concurrency will be unaffected by this rezoning.

10. *Whether the proposed zoning is consistent with the City of Cape Coral's Comprehensive Land Use Plan.*

Both the current R-3 Zoning as well as the proposed C-1 Zoning of the subject parcel is consistent with the City's FLU classification of Mixed Use.

Recommendation

Based on the above analysis, the Planning Division recommends **approval** of this rezoning request.

B) Landscaping Deviations Requested to the LUDRs

Background

LUDR, Section 5.2.19 addresses deviations requested to the City's landscaping regulations. Such requests may be approved by the City Council provided the deviation will not be contrary to the public interest and will be in harmony with the general intent and purpose of this section and where either of the following applies:

1. Conditions exist that are not the result of the applicant and which are such that a literal enforcement of the regulations involved would result in unnecessary or undue hardship; or,
2. Literal conformity with the regulations would inhibit innovation or creativity in design.

LUDR, Section 5.2.19.B states *"In determining whether a particular deviation request should be approved as the result of unnecessary or undue hardship, factors the ... City Council ... shall consider include, but are not limited to, the following: site constraints such as shape, topography, dimension, and area of the property, the effect other regulations would have on the proposed development, or other locational factors*

that may make compliance with this section impossible or impracticable, and the effect the requested deviation would have on the community appearance. Additionally, the ... the City Council ... shall find that the approval of the deviation(s) would serve the intent of this section to protect the health, safety, and welfare of the public while ensuring a high level of overall aesthetic appeal and visual interest in the City."

LUDR, Section 5.2.19.C states *"In determining whether a particular deviation request should be approved because literal conformity with the regulations would inhibit innovation or creativity in design, the ... City Council ... may approve the request for deviation(s) if the applicant demonstrates that the design of the landscaping for which one or more deviations is sought is unique and innovative and, further, that the approval of the deviation(s) would enhance such unique and innovative design. Additionally, ... the City Council ... shall find that the approval of the deviation(s) would serve the intent of this section to protect the health, safety, and welfare of the public while ensuring a high level of overall aesthetic appeal and visual interest in the city. For purposes of this section, indicia of unique and innovative design may include, but are not limited to, the following:*

- 1. Landscape details that are unique or that are exceptional in quality by virtue of artistic composition, quality of materials, dimensional attributes, or any combination thereof;*
- 2. Plant massing that evokes exceptional expression through use of angularity, curvature, or other means;*
- 3. Design elements or other forms that achieve dynamic or symmetric aesthetic balance; or*
- 4. Other details or forms that preclude visual monotony and are pleasing in aesthetic character."*

Request

The applicant has requested a total of three landscaping deviations. Two deviations have been requested on the basis that the literal conformity with the regulations would inhibit innovation or creativity in project design. Staff has analyzed these two requests together, identified below, since both requests pertain to foundation landscaped areas, involve the same project area, and the justification provided by the applicant is the same.

1. A deviation of 1,309 sq. ft. to the minimum foundation landscaped area requirement of 3,239 sq. ft. pursuant to LUDR, Section 5.2.13.C.1, for the Marina Village 1.
2. A deviation of 1.5 feet to the minimum spacing requirement of 3 feet on centers for shrubs planted in a foundation landscaped area pursuant to LUDR, Section 5.2.13.C.1, to allow shrubs in foundation landscaped areas to be planted 4.5 feet apart within Marina Village 1.

Analysis

Are landscaping details present that are unique or that are exceptional in quality by virtue of artistic composition, quality of materials, dimensional attributes, or any combination thereof?

Based on a conversation with the applicant, the approaches to the conference center have been intentionally designed to provide for expansive, open areas for encouraging gathering and socializing that will provide a seamless transition as one enters the interior of the conference center. Flexibility in incorporating foundation landscaped areas into this redevelopment project is also somewhat limited, particularly to the west of the conference center as much of this area will be occupied by a drive isle that includes a porte cochere.

Most importantly, the current project intends to build on an earlier landscaping theme established when the hotel was constructed in 2009. The existing landscaping has a tropical theme with an emphasis on palms, and including flowering plants and ground covers. The utilization of palms integrated with flowering plants, ground covers, as well as shrubs is evident in the landscaped center of the existing round-about located to the west of the proposed conference center. The Developer intends to provide palms, flowering plants, and ground covers within the foundation landscaped areas for providing consistency in landscaped areas. However, changes to the City's landscaping regulations that did not exist at the time Tarpon Point was originally approved in 2001, include requiring shrubs in foundation landscaped areas, spaced at a maximum of three feet on centers. To provide continuity between the landscaping installed several years ago with the newly proposed landscaping, the Developer seeks to install a combination of palms, shrubs, flowering plants, and ground covers in these foundation areas. Since the desired palms, flowering plants, and ground covers can occur only at the expense of the required shrubs, a deviation has been sought. Staff finds that the extension of the landscaping theme that has a tropical emphasis, will provide a combination of plantings that are exceptional by virtue of the variety of the landscaping materials employed, adding color by incorporating flowering plants into foundation areas, and providing plants with a variety of heights, ranging from groundcovers to palms.

Is plant massing present that evokes exceptional expression through use of angularity, curvature, or other means?

The utilization of plants exhibiting a wide range of heights occupying the foundation landscaped areas that will include groundcovers, shrubs, flowering plants, and palms that will create a visual, vertical "layering" effect that incorporates an exceptional landscaping expression into the project.

Design elements or other forms present that achieve dynamic or symmetric aesthetic balance?

Dynamic or symmetric aesthetic balance will be achieved in two ways. First, the deviation will allow for a good balance of a variety of different types of plants as opposed to foundation landscaped areas that feature mainly shrubs. Secondly, the height of the palms juxtaposed against the height of the three-story conference center will provide landscaping that is more visually balanced, given the height of this building.

Are other details or forms present that preclude visual monotony and are pleasing in aesthetic character?

The proposed landscaping plan that continues an existing landscaping theme for the Tarpon Point Development emphasizing tropical plantings, will contribute to a visually interesting project. Aesthetic interest will be created by providing a wide variety of different plantings in the foundation areas, the incorporation of color in these areas through the utilization of flowering plants, and incorporating plantings with a wide range of heights. The reduction in the area of the foundation landscape beds will contribute to a more expansive, open atmosphere anticipated to be experienced by visitors approaching the conference center.

Recommendation

Staff recommends approval of both requested deviations.

Request

A deviation to LUDR, Section 5.2.13.C.5, Table 5, that provides minimum requirements for a Buffer "C" to waive all buffer requirements for the west property line of the Village "A" adjacent to Silver King Boulevard.

Analysis

Staff has analyzed this request on the basis of a hardship.

Are there site constraints such as shape, topography, dimensions and area of the property?

A Buffer "C" requires a 15-foot wide landscaped area with a wall, or a 25-foot wide landscaped area with no wall required. Tract "A" consists of 7.71 acres and has an existing landscaped area that contains a buttonwood hedge with a height of about six feet. Several sabal palms are also present.

The Developer proposes to leave the existing hedge in place and plans to add about 34 canopy trees to this buffer. The buffer will have a width ranging from 25 feet to about 45 feet. However, this buffer will lack accent trees and will likely be deficient in the number of shrubs to comply fully with the Buffer "C" requirements.

This hedge was originally approved and installed under a set of landscaping requirements that were later substantially revised in 2009. The width of the landscaped area is sufficient to comply with the current landscaping regulations. While some trees are present within this buffer, the majority of the landscaping consists of a hedge comprised of green buttonwoods. This hedge is dense, appears healthy, and has a uniform height of about six feet. Compliance with the existing landscaping regulations would require accent trees to be integrated into the buffer at prescribed intervals that could prove difficult without affecting the integrity of the existing hedge or altering the aesthetics of this mature landscaping.

Are other regulations present in this situation that would affect the proposed development or other locational factors that may make compliance with this section impossible or impractical?

Other factors are present that make compliance with the required buffer yard impractical. Landscaping to the immediate east of Silver King Boulevard was installed on Village "A" about ten years ago. When this area of Tarpon Point was developed, Village "A" and the lands to the immediate west of the subject tract all had R-3 Zoning, and therefore no buffer yard was required. However, the C-1 zoning proposed for Village "A" now requires a Buffer "C" along the western property line of the Tract that is occupied by the existing hedge. The requested change in zoning is triggering the new buffer requirement for Tract "A" despite the presence of the hedge that is already present and has reached maturity.

What effect would the requested deviations would have on community appearance?

The requested deviation should have a negligible effect on community appearance. The existing row of shrubs is being maintained at a height of about six feet. This hedge is dense and provides good screening. Thirty-four additional canopy trees will be planted within this buffer area to provide added height and canopy cover along this area adjacent to Silver King Boulevard.

Would the deviation protect the health, safety, and welfare of the public while ensuring a high level of overall aesthetic appeal and visual interest in the City?

The existing row of shrubs is mature and is being maintained at a height of six feet. This hedge is dense and provides little, if any opacity. The residential development located across Silver King Boulevard to the west is located within a gated community and therefore is somewhat isolated from other development activities occurring within Tarpon Point. This existing hedge should be adequate for screening activities on the subject property in the short term that will consist of surface parking supporting the hotel and new conference center. Additional trees will be added along this buffer to provide a greener, more layered appearance to this landscaped area.

Recommendation

Staff recommends approval of this deviation. A condition appears in the development order of this project requiring the existing hedge to be maintained at a height of six feet for the life of this project.

C) Amendments to the Project

Request

Eliminating an off-site paving requirement for Pelican Boulevard.

Background

Ordinance 14-01 included a condition requiring the Developer to overlay Pelican Boulevard from El Dorado West to Cape Coral Parkway West with asphalt at least one inch in thickness and to re-stripe this same area as a four-lane roadway at the end of the construction period. Resolution 209-15, adopted by the City Council on December 14, 2015, released the Developer from this paving obligation to assist in supporting the development of a conference center at Tarpon Point. A related Economic Development Incentive Agreement between the City and the Developer required the Developer to amend the PDP to remove the paving requirement from the project development order.

Analysis

The development order associated with this PDP amendment contains a provision under Section III., B. Transportation, which eliminates the repaving requirement previously borne by the Developer. The language contained within this PDP amendment is consistent with both Resolution 209-15 and the Economic Development Incentive Agreement regarding the elimination of this off-site improvement.

Recommendation

Staff recommends approval of this request.

Request

Increasing the number of hotel rooms approved for the Marina Village 1 Tract.

Background

The applicant seeks increasing the number of rooms in the hotel from 268 to 308. The hotel currently includes several floors that have two suites that are internally connected with a door. These suites are typically utilized by groups of people, like families, traveling together that wish to share hotel space but require separate sleeping areas. These “joined” suites were originally counted as single rooms during the review and permitting process and apparently have only one door leading to a common hallway. The Developer plans to renovate these rooms by eliminating the internal door connecting these two living areas and provide a second, separate door leading to the hallway. These renovations will result in each room having access to the hallway with the internal connection no longer existing between these adjacent rooms.

Analysis

The parking schedule provided to staff shows that the increased parking demand associated with the increased number of hotel rooms has been accounted for and incorporated into the project by the Developer. The increase in the number of rooms will not result in an increase to the building footprint of the hotel nor a change in the area of any existing floors. Changing the configuration of the existing rooms to increase the overall numbers of rooms in the hotel will assist this establishment in providing more rooms for visitors attending events held at the conference center.

Recommendation

Staff recommends approval of this request.

Request

Amend the Master Development Plan for the Tarpon Point Project.

Background

The Developer proposes to amend the master development plan by seeking approval of the following:

1. The expansion of the hotel on Marina Village 1 to include a conference center;
2. The development of Village “A” in two phases with the Phase I area supporting the construction of a surface parking lot to support the hotel facilities; and,
3. The development of a maximum of 170 residential units within the Phase II area of Village “A.”

Analysis

The Developer seeks approval of a conference center, with an estimated area of 40,000 sq. ft., which will be located on Marina Village 1. This facility will be located to the immediate northwest of the hotel. Parking for the hotel and conference center will be provided in the existing parking garage also located on Marina Village 1, with additional surface parking to be constructed on Tract “A.” Staff has reviewed the parking calculations provided by the Developer for the hotel and conference center and has found the parking proposed by the Developer complies with the LUDRs for the planned mix of uses.

The rezoning of Village “A” will also support the development of a multi-family residential or mixed-use development on the Phase 2 area. A maximum of 170 residential units could be constructed on this Tract, however, the total number of multi-family units (929) previously approved for the entire Tarpon Point

Development will not be exceeded. When the Phase 2 area is developed, parking will need to be provided to support those uses occupying the Phase 2 area.

Recommendation

Staff recommends approval of all requested changes to the master development plan. The Economic Development Incentive Agreement between the Developer and the City requires the Developer to provide a conference center of no less than 35,000 sq. ft., and a surface parking lot at Tarpon Point. Staff has included a condition in the development order requiring the conference center to have a minimum gross floor area of 35,000 sq. ft.

CONSISTENCY WITH THE CITY'S COMPREHENSIVE PLAN

This project is consistent with the following goals, objectives, and policies contained within the City's Comprehensive Plan:

Housing Element

GOAL: *"To provide good quality housing in safe, clean neighborhoods, offering a broad choice of options in both type (single family and multi-family) and tenure (owner and renter occupied) to meet the needs of present and future residents of the City, regardless of age or income status."*

Staff comment: The Tarpon Point Development offers a variety of different housing options including single-family and multi-family units. This development supports multi-family units in both free-standing residential buildings, and compound use buildings where these residential units may occur in conjunction with nonresidential uses.

Future Land Use Element

Policy 1.15.c *"...The Pedestrian Commercial (C-1) District is designed to facilitate a broad variety of large or small commercial uses. Uses allowed in the C-1 District range from a variety of small or neighborhood-based commercial uses to larger retail or service uses, which may serve a relatively large trade area and, which may be developed as major shopping facilities..."*

Staff comment: A rezoning from R-3 to C-1 is sought and recommended for Village "A." This parcel has sufficient depth and area (7.71 acres) for supporting commercial uses. Since this parcel has a Mixed-Use FLU, this property can also support multi-family development.

Policy 1.20: *"The City will promote the development of identifiable residential neighborhoods and commercial districts through the encouragement of more compact development patterns, the use of shared design and landscaping characteristics, and the development of landmarks and gateways."*

Staff comment: Tarpon Point is a mixed-use waterfront community. This development has entry features and fountains that provide distinctiveness to this project. Landscaping within this

development features tall palms and a variety of flowering plants that contribute to a tropical atmosphere within the community.

Economic Development Element

Policy 2.6: The City of Cape Coral shall develop and implement financial incentives designed to support the retention and expansion of existing businesses.

Staff comment: Through the Economic Development Incentive Agreement that the City has executed with Freeman and Hasselwander Resort Properties, LLC, the City has agreed to remove an off-site paving requirement previously required of the Developer, and has agreed to pay a maximum of \$200,000 for the impact fees related to the development of the conference center.

PUBLIC NOTIFICATION

This case was publicly noticed as required by LUDR, Section 8.3 as further described below.

Publication: A legal ad was prepared and sent to the New Press for scheduled publication on May 8, 2016 and May 29, 2016.

Written notice: Property owners located the Tarpon Point project as well as individuals owning property within 500 feet of the project were mailed letters during the week of May 2, 2016 advertising the project and public hearing dates. A total of 133 individuals owning property within the Tarpon Point Development received letters. An additional 334 individuals owning property outside, but within 500 feet of the Tarpon Point project area also received letters.

Posting of a Sign: Signs were scheduled to be posted within the Tarpon Point project during the week of May 2, 2016.

PROJECT RECOMMENDATION

Staff finds that this PDP amendment, described within this report, is consistent with the City's LUDRs and Comprehensive Plan. Staff supports all requests made by the applicant and recommends approval of this PDP amendment subject to the conditions contained within the development order of this project.

Staff Contact Information

Mike Struve, AICP, LEED Green Associate, Planning Team Coordinator

PH: 239-242-3255

Email: mstruve@capecoral.net



Avalon Engineering, Inc.

2503 Del Prado Boulevard South, Suite 200
Cape Coral, Florida 33904
Phone: (239) 573-2077 Fax: (239) 573-2076
#AA C001936 #EB 0003128

March 28, 2016

Mr. Vince Cautero, Director
Department of Community Development
City of Cape Coral
1015 Cultural Park Boulevard
Cape Coral, Florida 33990

PROJECT: TARPON POINT
CONFERENCE CENTER & VILLAGE A DEVELOPMENT

SUBJECT: REVISED PDP AMEMDMENT LETTER OF INTENT

Dear Mr. Cautero:

On behalf of the property owner, Freeman and Hasselwander Resort Properties, LLC, we request approval of an Amendment to a portion of the Planned Development Project for Tarpon Point. The PDP Amendment area includes a portion of the Marina Village 1 and the Village A Tracts.

The PDP Amendment is being requested in order to develop a 40,071 square foot Conference Center within the Marina Village 1 Tract along with surface parking for the Conference Center and a multi-story Multi-family development within the Village A Tract.

Tarpon Point was approved by Ordinance 14-01 and has been amended by Ordinances 131-02, 01-07, and 77-11 and is a Mixed Use Planned Development Project consisting of a subdivision with five (5) multi-family villages (Villages A, B, D, E, and F), forty-seven (47) single-family residential building sites (Village C), two (2) commercial tracts (Marina Villages 1 and 2), two (2) preservation area tracts (Wetland Areas 1 and 2), a marina, and common areas for ingress and egress, drainage, buffers and miscellaneous uses. This development consists of 161.57 acres of land and submerged lands located between Rose Garden Road and the Caloosahatchee River/Glover Bight. This PDP Amendment is modifying 9.31 acres within Tarpon Point.

The subject parcels within this amendment are currently zoned C-1 (Pedestrian Commercial) and R-3 (Multi-Family Residential), and have a Land Use designation of MX (Mixed Use).

This PDP Amendment will request approval of the following:

❖ **A rezoning of the Village A Tract, 7.71 acres, from R-3 to C-1.**

❖ **Modifications to the Tarpon Point Master Development Plan:**

- a. An increase in the number of Hotel Rooms from 268 to 308 on the Marina Village 1 Tract.
- b. The development of a 40,071 square foot Conference Center on 1.6 acres of the Marina Village 1 Tract.

- c. The Village A Tract developed as a commercial zoned tract with two (2) Phases of development.

Phase 1 - the development of an access drive and 109 parking spaces on 3.25 acres of the Village A to support the Hotel and Conference Center at the time of it's opening.

Phase 2 - the construction of a Multi-family development consisting of up to 170 units, 18 residential floors over four (4) levels of parking and amenities, along with the existing surface parking and access drive for the conference center use.

❖ **Deviation to the City of Cape Coral's Land Use and Development Regulations for the Marina Village 1 Tract with a C-1 Zoning:**

- a. Two landscape deviations from Section 5.2.13.C.1 (Foundation Landscaping) of the City's Land Use and Development Regulations:

- 1) A deviation of one thousand three hundred and nine (1,309) square feet to the required three thousand two hundred and thirty nine (3,239) square feet of foundation green space required by Section 5.2.13.C.1 (Foundation Landscaping) between the Conference Center and the access drive areas, in order to provide one thousand nine hundred and thirty (1,930) square feet of green space. This deviation request is for a forty one (41) percent reduction to the required foundation planting area.
- 2) A one and one half (1.5) foot deviation to the required foundation green space shrub spacing of three (3) feet on center required by Section 5.2.13.C.1 (Foundation Landscaping), in order to plant shrubs at a spacing of four and one half (4.5) feet on center within these planting areas. This would reduce the amount of shrubs provided within the reduced foundation green space from 251 shrubs (1,930 square feet X 0.13) to 116 shrubs (1,930 X 0.06), a reduction of 135 shrubs.

The reduction to the amount of foundation green space required is being requested so we can provide the maximum amount of conference center square footage within the remaining undeveloped portion of this tract. Even though the site has two frontages the building is placed along the slope of an existing lake where there is limited areas which are flat and that are wide enough to meet the five (5) foot planting area requirement.

The reduction to the amount of shrubs planted in the foundation green space area is being requested in order to allow the landscaping/maintenance team for Tarpon Point to include flowering plants, ground cover and palm trees in these green areas in lieu of a specific type and a specific number of shrubs as required for Section 5.2.13.C.1. The number of shrubs required and to be planted is calculated on the reduced green space of 1,930 square feet, and the planting of the shrubs at four and one half (4.5) feet on center within these foundation planting areas.

TARPON POINT'S UNIQUE AND INNOVATIVE DESIGN

The following demonstrates unique and innovative design which would be enhanced by the approval of the deviations being requested for the Marina Village 1 Tract within Tarpon Point. The intent of the City's regulations is to protect the health, safety and welfare of the public which would continued to be served by the approval of the deviations.

- The Tarpon Point Development is one of the only public enclave in a private resort area within the City of Cape Coral. The construction of a Conference Center will expand the public interest in this development.
- Tarpon Point is a mixed-use community, providing a variety of housing options, as well as resort amenities that are not found in any other part of the Cape.
- The Conference Center will provide a unique venue for the City of Cape Coral. This amenity will increase the City's business related visitors and provide a local venue to host large events that previously had to seek a venue outside of the City.
- Tarpon Point has developed a unified landscaping theme around the hotel and within the community. This landscape theme is tropical resort. The amenity areas and public spaces have lush tropical landscaping which provides the residents and guests a very unique resort atmosphere.
- Approving the landscape deviations being requested will provide the necessary flexibility for the landscaping design and maintenance team at Tarpon Point to utilize flowering plants within the planting beds, and be able to change these plants during different times of the years or to meet the requirements of a special event being held at the Hotel.
- The conference center was placed on the tract after extensive consideration to the needs and interest of the public and to provide proper connection to the hotel, parking garage and the other services already established with the Marina Village 1 Tract.
- This development will exceed the City's tree planting requirement by providing a total of 37 trees (25 Palm and 12 canopy) in lieu of the 24 trees that are required.

❖ **Deviation to the City of Cape Coral's Land Use and Development Regulations for the Village A Tract with a C-1 Zoning:**

- a. A deviation to replace the buffer yard requirement in Section 5.2.13.C.5.a Table 4 (Table of Minimum Buffer Yard Requirements), which requires a Type "C" Buffer Yard, with a minimum buffer width of 25 feet, 100 Canopy Trees, 50 Accent Trees, and 66 shrubs to be planted every 100 linear feet with the landscaping required along roads, which is a 10' foot green space, a continuous hedge row of shrubs and a tree every 30 linear feet.

A buffer yard containing the above mentioned landscaping is required along the western property line of the Village A Tract, lying along Silver King Boulevard, in order to separate a C-1 zoned parcel (Village A Tract) from the R-3 (Multi-family) parcel across the road. A buffer yard is required due to the rezoning of the Village A Tract to C-1.

In lieu of installing the specified buffer yard, the applicant requests approval to install the landscaping required adjacent to roads (Right-of-Way plantings).

This deviation is being requested in order for this development to maintain the existing 6' tall hedge of buttonwood shrubs that already create a visibility screen along Silver King Boulevard.

HARDSHIP JUSTIFICATIONS

Removing the existing 6' high hedge of shrubs that currently exist within the Village A Tract in order to plant what is required within a Type C buffer yard would create a hardship to this development. The following justifications are provided to demonstrate the hardship and to also demonstrate that the intent of the City's regulations to protect the health, safety and welfare of the public will continue to be served by the approval of this deviation:

- The entire perimeter of the Village A Tract is currently maintained with a existing 6' high shrub hedge of buttonwood trees. The landscape deviation being requested will allow for the preservation of this existing hedge. The preservation of this shrub hedge will more than double the City's height requirement of 32 inches for shrubs planted to meet the buffer yard requirement.
- The purpose of a buffer yard is to provide a visibility screen from two different types of uses, which are only separated by a two-lane road. The Village A tract right now with the existing 6' high hedge provides a wonderful screen from the residential development across the road. In addition, the proposed trees that will be planted to meet the City's landscaping required along roads will add an additional layer of screening to what currently exists.

- The Village A Tract, even though the zoning is being amended to C-1, the tract will be mainly developed as Multi-family, as originally proposed for this tract. The commercial uses will only be provided within the southern corner of the site, within 1/3 of the site area after the development of the Condominium project within Phase 2.
- The amount of trees required for the development of the Village A Tract will not be reduced by not installing a Type C Buffer Yard. After the Multi-family development is constructed within Phase 2, this tract will provide the number of trees required for this Tract of 1 per 1000 square feet or 337 trees.

❖ **ELIMINATE TRANSPORTATION CONDITION WITHIN ORDINANCE 77-11**

As required by Resolution 209-15, approved on December 14, 2015, and the Economic Development Incentive Agreement, Section 3, Paragraph (d), Freeman and Hasselwander Resort Properties, LLC requiring the property owner to submit a modification to the existing Tarpon Point PDP in order to remove the transportation condition which requires the developer to overlay Pelican Boulevard from El Dorado Parkway West to Cape Coral Parkway West.

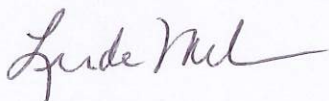
The applicant requests approval to modify Ordinance 77-11, to eliminate the transportation's condition that the developer will overlay Pelican Boulevard.

Tarpon Point, from its conception, has been and still is the leader in the City of Cape Coral efforts towards providing quality mixed use, sustainable development. We believe that with the addition of the Conference Center, Tarpon Point will be providing another element that will enhance public use opportunities and showcase the quality of life in our City.

We respectfully request approval of this PDP Amendment.

Sincerely,

AVALON ENGINEERING, INC.



Linda Miller, AICP
Senior Planner

ORDINANCE 21 - 16

AN ORDINANCE AMENDING ORDINANCE 14-01, AS AMENDED, WHICH APPROVED A PLANNED DEVELOPMENT PROJECT IN THE CITY OF CAPE CORAL, FLORIDA ENTITLED "TARPON POINT" FOR CERTAIN PROPERTY DESCRIBED AS A REPLAT OF A PORTION OF UNIT 77, CAPE CORAL, FLORIDA, AS PER THE PLAT RECORDED IN PLAT BOOK 34, PAGES 54 THROUGH 65, INCLUSIVE, PUBLIC RECORDS OF LEE COUNTY, FLORIDA AND A PARCEL OF SUBMERGED LAND LOCATED IN SECTION 22, TOWNSHIP 45 SOUTH, RANGE 23 EAST, AS MORE PARTICULARLY DESCRIBED HEREIN; PROPERTY LOCATED AT SILVER KING BOULEVARD, BLACK MARLIN LANE, AND TARPON ESTATES BOULEVARD; BY APPROVING REZONING OF TRACT "A" FROM MULTI-FAMILY RESIDENTIAL (R-3) TO PEDESTRIAN COMMERCIAL (C-1); GRANTING DEVIATIONS FROM THE CITY OF CAPE CORAL LAND USE AND DEVELOPMENT REGULATIONS, SECTION 5.2, LANDSCAPING; ELIMINATING AN OFF-SITE PAVING REQUIREMENT FOR PELICAN BOULEVARD; APPROVING AN INCREASE IN THE NUMBER OF HOTEL ROOMS FOR THE PROJECT; AMENDING THE MASTER DEVELOPMENT PLAN; GRANTING DEVELOPMENT PLAN APPROVAL PURSUANT TO SECTION 4.2 OF THE CITY OF CAPE CORAL LAND USE AND DEVELOPMENT REGULATIONS; PROVIDING FOR FINDINGS OF FACT AND CONCLUSIONS OF LAW; PROVIDING FOR ACTION ON REQUEST AND CONDITIONS OF APPROVAL; PROVIDING FOR LEGAL EFFECT AND LIMITATIONS OF THIS PDP DEVELOPMENT ORDER AND ADMINISTRATIVE REQUIREMENTS; PROVIDING SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the "Tarpon Point" Planned Development Project was approved by the City Council of the City of Cape Coral by Ordinance 14-01, as amended by Ordinance 131-02, Ordinance 1-07, and Ordinance 77-11; and

WHEREAS, an application from Freeman and Hasselwander Resort Properties, LLC, has been received requesting amendment of the "Tarpon Point" Planned Development Project (PDP), including a rezoning of Tract "A," deviations to the Land Use and Development Regulations, and elimination of off-site paving improvements required in Ordinance 14-01; and

WHEREAS, said application received is by parties holding title to ownership of one hundred percent (100%) of the property included in the requested amendment; and

WHEREAS, the request has been reviewed by the Cape Coral Planning and Zoning Commission/Local Planning Agency; and

WHEREAS, the City Council has considered the recommendations of the Planning and Zoning Commission/Local Planning Agency.

NOW, THEREFORE, THE CITY OF CAPE CORAL, FLORIDA, HEREBY ORDAINS PURSUANT TO THE LAWS OF FLORIDA, AND OTHER APPLICABLE LAWS, THIS ORDINANCE:

SECTION I. PDP APPROVAL, DEVIATION, REZONING, AMENDMENT TO DEVELOPMENT ORDER CONDITIONS, REVISIONS TO THE MASTER DEVELOPMENT PLAN.

Having reviewed the application requesting approval of a Planned Development Project amendment for "Tarpon Point" PDP, requesting the following:

The rezoning of Tract "A" from Multi-Family Residential (R-3) to Pedestrian Commercial (C-1); and

A deviation of 1,309 square feet to the minimum foundation planting area requirement of 3,239 square feet pursuant to Section 5.2.13.C.1 of the City of Cape Coral Land Use and Development Regulations for the Marina Village 1 Tract to allow a foundation planting area of 1,930 square feet; and

A deviation of 1.5 feet to the minimum spacing requirement of 3 feet on centers for shrubs planted in a foundation landscaped area pursuant to Section 5.2.13.C.1 of the Cape Coral Land Use and Development Regulations to allow shrubs in this area to be planted 4.5 feet apart within the Marina Village 1 Tract; and

A deviation to Section 5.2.13.C.5, Table 5, of the City of Cape Coral Land Use and Development Regulations that provides minimum requirements for a Buffer "C" to waive all buffer requirements for the for the west property line of Village "A" Tract adjacent to Silver King Boulevard;

Eliminating a condition in Ordinance 14-01, Section III.M.6, requiring the Developer to overlay Pelican Boulevard from El Dorado West to Cape Coral Parkway West with asphalt not less than one-inch in thickness and re-stripe said area as a four-lane roadway at the end of the construction period;

Increasing the number of hotel rooms previously approved for the Marina Village 1 Tract from 268 to 308;

Amending the Master Development Plan to approve the expansion of the hotel on Marina Village Tract 1 to include a conference center with a minimum area of 35,000 square feet;

Amending the Master Development to approve the development of the Village "A" Tract in two phases, with the Phase I area approved for the development of a parking lot for supporting activities occurring at the Conference Center, and the Phase II area approved for a maximum of 170 residential units, including parking and related improvements;

and having considered the recommendations of the Planning and Zoning Commission and the Local Planning Agency, the City Council of the City of Cape Coral, Florida, does hereby grant the aforesaid PDP approval, and approve development plan in accordance with plan set, Sheets 1-10, dated November 18, 2015, and also bearing a revision date of March 28, 2016, prepared by Avalon Engineering, Inc., Sheets LA-1 and LA-2, and LA-3, dated February 23, 2016, prepared by Urban Green Studio, and Boundary and Topographic Survey, dated June 17, 2015, prepared by Stouten Cramer Professional Surveyors, dated June 17, 2015. All aforementioned sheets appear in composite Exhibit A for purposes of development plan approval pursuant to Section 4.2 of the City of Cape Coral Land Use and Development Regulations from the date of adoption of this ordinance. Approval of the PDP shall be subject to the terms and conditions set forth below.

SECTION II. FINDING OF FACT/CONCLUSION OF LAW

A. The "Tarpon Point" development is a Mixed-Use Planned Development Project (PDP). This development consists of five multi-family Village tracts (Villages "A," "B," "D," "E" and "F"), 47 single-family residential building sites, a common area tract (Village "C"), two commercial tracts (Marina Villages 1 and 2), and two conservation tracts, and three tracts utilized for private streets. The Tarpon Point PDP approved 929 multi-family units, 47 single-family units, 45,000 square feet of retail/office space, 500 restaurant seats, and 268 hotel rooms. The hotel located in Marina Village 1 is approved for both hotel/motel and multi-family uses in the same building.

This PDP amendment approves expanding the existing hotel on Marina Village I to include a three-story conference center, and increasing the number of hotel rooms within the existing hotel from 268 to 308. The conference center will include, but is not limited to, banquet and meeting rooms, and kitchen and storage facilities. This amendment also approves a parking lot and accompanying access road located on the Phase I area of the Village "A" Tract, and the future development of a maximum of 170 multi-family units located on the Phase II area of the Village "A" Tract. This PDP amendment extends the buildout date for the Tarpon Point project for ten years from the date of adoption of this PDP amendment. Project phasing for the Village "A" Tract is depicted on Sheet 6 of 10, entitled "Master Site Plan (Parking Lot)" and is summarized below.

Phase I shall include:

1. Constructing the parking lot on Village "A" Tract for supporting the hotel and conference center located on Marina Village 1; and
2. Constructing the access road associated with the parking lot off Silver King Boulevard.

Phase II shall include:

1. Constructing the multi-family development consisting of a maximum of 170 dwelling units with structured parking on Village "A" Tract; and
2. Completing the planting of any remaining trees needed to meet minimum landscaping requirements for the entire 7.71-acre Village "A" Tract.

The construction of the parking lot and access road associated with Phase I of this project shall occur prior to the construction of Phase II or concurrently with the construction of Phase II. In no event shall a certificate of occupancy be issued by the City for a building located on the Phase II area prior to the completion of all Phase I improvements.

- B. The name(s) of the legal and equitable owner(s) are Freeman and Hasselwander Resort Properties, LLC.
- C. The legal description of the property subject to the extant PDP Development Order, that includes the submerged lands, is described in attached Exhibit B.
- D. The legal description of the portion of the property for which the Planned Development Project is being amended is described as follows:

Tract MV-1 and Tract A, Block 7025, Tarpon Point, a replat of a portion of Unit 77, Cape Coral, Florida, as per the plat recorded in Plat Book 73, Pages 70 through 79, inclusive, Public Records of Lee County, Florida.

- E. The City of Cape Coral Official Zoning District Map of all of the property within the limits of the City of Cape Coral is hereby amended with respect to real property described as follows:

Tract A, Block 7025, Tarpon Point, a replat of a portion of Unit 77, Cape Coral, Florida, as per the plat recorded in Plat Book 73, Pages 70 through 79, inclusive, Public Records of Lee County, Florida.

by rezoning said property from MULTI-FAMILY RESIDENTIAL (R-3) to PEDESTRIAN COMMERCIAL (C-1) ZONE, and the City administrative office shall amend the City of Cape Coral Official Zoning District Map to reflect this zoning change.

That the amendment to the City of Cape Coral Official Zoning District Map as prescribed herein is consistent with the City of Cape Coral Comprehensive Plan.

- F. The "Tarpon Point" PDP property has 18.29 acres zoned Pedestrian Commercial (C-1), 61.32 acres zoned Multi-Family Residential (R-3), 29.21 acres zoned Residential Development (RD), and 39.24 acres zoned Preservation (PRES) pursuant to the authority of Chapter 166, Florida Statutes, and the Land Use and Development Regulations, Cape Coral, Florida, as same may hereafter be amended. The subject property has approximately 108.82 acres with a Future Land Use designation of Mixed-Use (MX) and 39.24 acres with a future land use designation of Natural Resources/Preservation.

The Tarpon Point development contains tracts of land that total 148.06 acres. In addition, the development contains an additional 13.5 acre parcel of submerged lands for a total project area of 161.56 acres.

- G. All existing and future structures and uses, population density, building intensity, and building height shall conform to the respective provisions of the Pedestrian Commercial (C-1), Multi-Family Residential (R-3), Residential Development (RD), and Preservation (PRES) zoning districts of the Land Use and Development Regulations, Cape Coral, Florida, as same may hereafter be amended. In addition, the development shall obtain all local development permits from the City of Cape Coral, Florida, and other governmental jurisdictions. Failure of this agreement to address a particular permit, condition, term, restriction, or zoning regulation shall not relieve the Developer of the necessity of complying with the law governing said permitting requirements, conditions, terms, restrictions, or zoning regulations.
- H. The proposed development does not unreasonably interfere with the achievement of the objectives of the adopted State Land Development Plan applicable to the area.

- I. The "Tarpon Point" PDP, as noted, is consistent with the adopted City of Cape Coral Comprehensive Plan, and the City of Cape Coral Land Use and Development Regulations.
- J. The term Developer for purposes of this development order shall mean and refer to Freeman and Hasselwander Resort Properties, LLC, its successors in interest, lessees, and/or assigns.

SECTION III. ACTION ON REQUEST AND CONDITIONS OF APPROVAL

NOW, THEREFORE, be it ordained by the City Council of Cape Coral, Florida, in public meeting duly advertised, constituted and assembled, that the Planned Development Project application for development approval submitted by Freeman and Hasselwander Resort Properties, LLC, is hereby ordained approved, subject to the following conditions, restrictions, and limitations deemed necessary for the public health, safety, and welfare.

A. WETLANDS, VEGETATION, AND WILDLIFE

In the event all or a portion of the subject property is located within an Eagle Nest Management Zone, the developer shall comply with all City laws, regulations, and guidelines that are currently in effect or that may be hereafter adopted by the City concerning the protection and management of bald eagle nests including, but not limited to Chapter 23 of the City Code of Ordinances. No development shall occur on any portion of the subject property that is within an Eagle Nest Management Zone except in accordance with a Bald Eagle Management Plan that has been approved by the City. Once an Eagle Management Plan has been approved by the City for all or a portion of the property, the Developer's ability to develop in accordance with such Plan shall not be affected by any amendment to the City's regulations concerning eagle nests, so long as no additional or "new" eagle nest need to be accommodated. In the event, however, that one or more eagle nests are hereafter established or determined to be active in locations that result in all or a portion of the subject property being located in a new or expanded Eagle Nest Management Zone, then no development shall occur in such new zone except in accordance with an Eagle Management Plan that has been approved by the City for such zone.

B. TRANSPORTATION

This PDP amendment eliminates a provision in Ordinance 14-01 requiring the Developer to overlay Pelican Boulevard from El Dorado Parkway West to Cape Coral Parkway West with asphalt not less than one-inch in thickness and to re-stripe said area as a four-lane roadway at the conclusion of construction activities.

C. GENERAL CONSIDERATIONS

- 1. All provisions and conditions contained in the "Tarpon Point" PDP as approved by Ordinance 14-01 and amended by Ordinances 131-02, 1-07, and 77-11, shall remain in full force and effect, except as otherwise stated in this Development Order.
- 2. Prior to issuance of a permit, the Developer shall enter into an agreement, in a form acceptable to the City Attorney, regarding obligations resulting from landscaping located in utility easements.
- 3. The Developer shall maintain the existing landscape buffer along the northern property line of Village "A" Tract, adjacent to and south of Silver King Boulevard. The shrubs within this buffer shall be maintained at a minimum height of six feet for the life of the project. Shrubs that die or are removed shall be replaced with a shrub of the same species having a minimum height of 32 inches. Trees that die or are removed shall be replaced with a canopy tree having a minimum caliper at least equal to that of the removed tree; however, if the caliper of the removed tree is greater than four inches (measured at a height of 12 inches above the ground), the replacement tree shall be required to have a minimum caliper of four inches.
- 4. The Phase 2 area of the Village "A" Tract as depicted on Sheet 6 of 10 entitled "Master Site Plan (Parking Lot)" may be developed with a maximum of 170 multi-family residential units without requiring a PDP amendment unless the project contains a request that necessitates a PDP.

5. The conference center associated with the hotel located on Marina Village I shall have a minimum gross floor area of 35,000 square feet. Besides meeting rooms and conference facilities, this area may include space devoted to food preparation and storage, and other ancillary purposes.

D. CONCURRENCY

The "Tarpon Point" PDP is concurrent for roads, sewer, water, drainage, solid waste, and parks based on the analysis of the proposed development and specific mitigation programs specified herein.

SECTION IV. LEGAL EFFECT AND LIMITATIONS OF THIS DEVELOPMENT ORDER, AND ADMINISTRATIVE REQUIREMENTS

- A. This Development Order shall constitute an ordinance of the City of Cape Coral, adopted by this Council in response to the Planned Development Project Application filed for the "Tarpon Point" PDP.
- B. This Development Order shall be binding on the Developer. Those portions of this Development Order which clearly apply only to the project Developer, shall not be construed to be binding upon future owners of the project lots. It shall be binding upon any builder/developer who acquires any tract of land within the PDP.
- C. The terms and conditions set out in this document constitute a basis upon which the Developer and City may rely in future actions necessary to implement fully the final development contemplated by this Development Order.
- D. All conditions, restrictions, stipulations, and safeguards contained in this Development Order may be enforced by either party hereto by action at law or equity, and all costs of such proceedings, including reasonable attorney's fees, shall be paid by the defaulting party.
- E. Any references herein to any governmental agency shall be construed to mean to include any future instrumentality which may be created and designated as successor in interest to or which otherwise possesses any of the powers and duties of any referenced governmental agency in existence on the effective date of this Development Order.
- F. The approval granted by this Development Order is limited. Such approval shall not be construed to obviate the duty of the Developer to comply with all applicable local or state review and permitting procedures, except where otherwise specifically provided. Such approval shall also not obviate the duty of the Developer to comply with any City Ordinance or other regulations adopted after the effective date of this Development Order.
- G. Subsequent requests for local development permits shall not require further review, unless it is found by the City Council, after due notice and hearing, that one or more substantial deviation(s), or other changes to the approved development plans which create a reasonable likelihood of adverse impacts which were not evaluated in the review by the City have occurred. Substantial deviations include but are not limited to:
 1. Any change which requires a variance to code and above those specifically incorporated herein.
 2. An increase of more than five (5) percent in density, parking requirements, trip generation rates, water or sewer usage, or building square footage.
 3. An expiration of the period of effectiveness of this Development Order as herein provided.
 4. If development order conditions and applicant commitments incorporated within the Development Order to mitigate impacts are not carried out as indicated to the extent or in accordance with the Development Order, then this shall be presumed to be a substantial deviation from the Development Order.

Upon a finding that any of the above is present, the City Council may order a termination of all development activity until such time as a new PDP Application for Development Approval has been submitted, reviewed and approved, and all local approvals have been obtained.

- H. The physical development authorized under this Development Order shall terminate in ten years from the date of adoption of this Development Order, unless an extension is approved by this Council. The Council may grant an extension if the project has been developing substantially in conformance with the original plans and approved conditions, and if no substantial adverse impacts not known to Cape Coral at the time of their review and approval, or arising due to the extension, have been identified. For purposes of determining when the buildout date has been exceeded, the time shall be tolled during the pendency of administrative and judicial proceedings relating to development permits. All conditions imposed on the subject development shall remain in full force and effect throughout the life of the development unless rescinded or amended by the City and shall not be affected by any termination of the authorization for physical development.
- I. The Director of the Cape Coral Department of Community Development or his/her designee, shall be the local official responsible for assuring compliance with this Development Order. Upon reasonable notice by the City and at all reasonable times, the Developer shall allow the City of Cape Coral, its agents, employees, and/or representatives, access to the project site for the purpose of assuring compliance with this Development Order.
- J. This Development Order shall be recorded with the Office of the Lee County Clerk of Court by the City of Cape Coral. The Developer shall be responsible for reimbursing the City for all recording fees within 30 days of being notified by the City that the Development Order has been recorded.

SECTION V. SEVERABILITY.

In the event that any portion or section of this Ordinance is determined to be invalid, illegal, or unconstitutional by a court of competent jurisdiction, such decision shall in no manner affect the remaining portions or sections of this Ordinance which shall remain in full force and effect.

SECTION VI. EFFECTIVE DATE.

This Ordinance shall take effect immediately upon its adoption by the Cape Coral City Council. Permits issued prior to or after the effective date of this Ordinance are obtained solely at the risk of the Developer.

ADOPTED BY THE COUNCIL OF THE CITY OF CAPE CORAL AT ITS REGULAR SESSION THIS _____ DAY OF _____, 2016.

MARNI L. SAWICKI, MAYOR


VOTE OF MAYOR AND COUNCILMEMBERS:

SAWICKI	_____	LEON	_____
BURCH	_____	ERBRICK	_____
CARIOSCIA	_____	WILLIAMS	_____
STOUT	_____	COSDEN	_____

ATTESTED TO AND FILED IN MY OFFICE THIS _____ DAY OF _____, 2016.

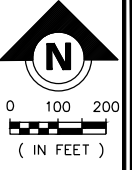
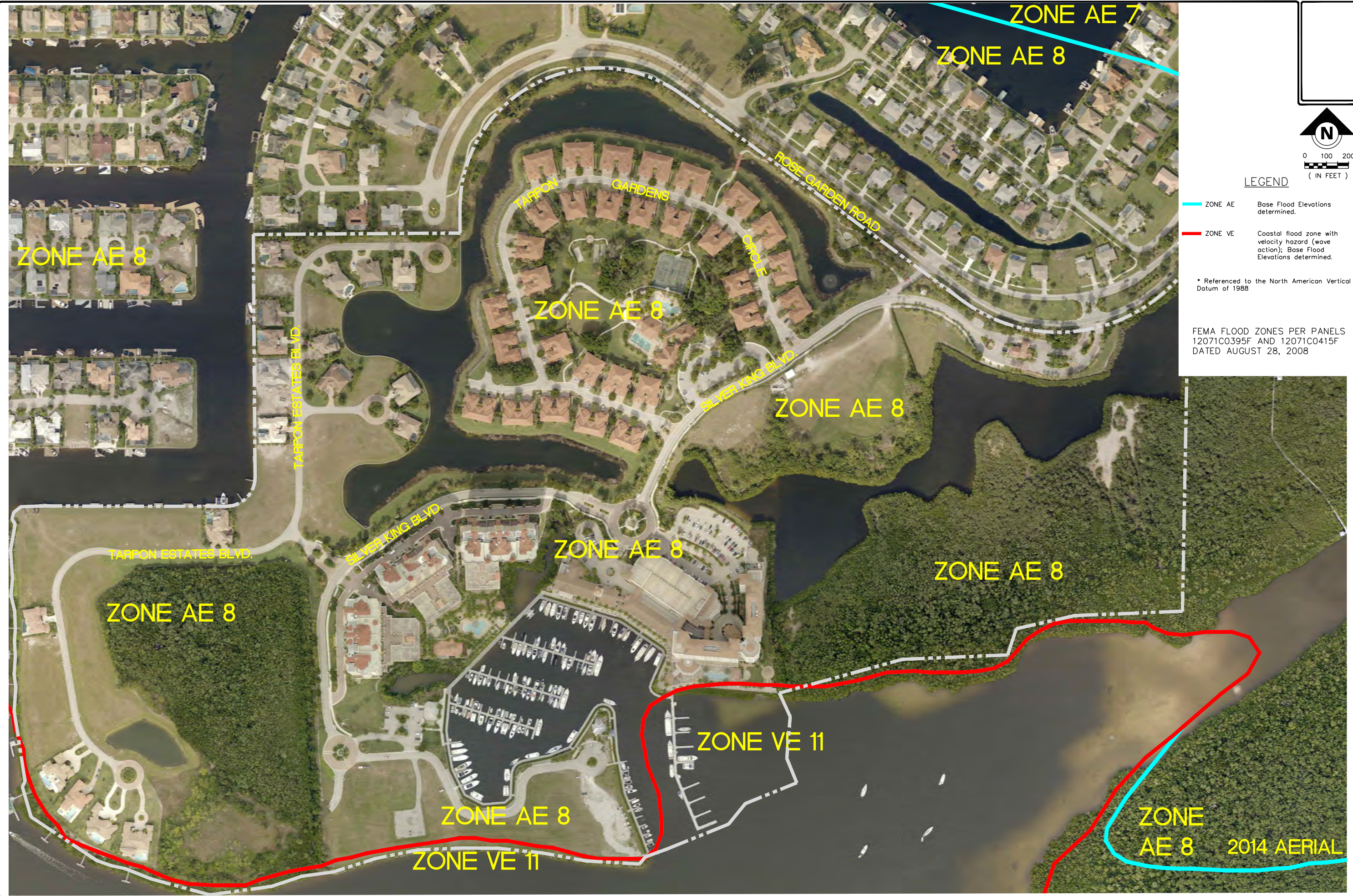
REBECCA VAN DEUTEKOM,
CITY CLERK

APPROVED AS TO FORM:



BRIAN R. BARTOS
ASSISTANT CITY ATTORNEY
ord/PDP15-0011 Tarpon Point Amendment

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LEGEND

- ZONE AE Base Flood Elevations determined.
- ZONE VE Coastal flood zone with velocity hazard (wave action); Base Flood Elevations determined.

* Referenced to the North American Vertical Datum of 1988

FEMA FLOOD ZONES PER PANELS 12071C0395F AND 12071C0415F DATED AUGUST 28, 2008

Joseph W. Edwards, P.E.
FL. LICENSE # 38615

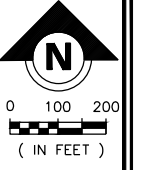
DATE	BY	REVISION DESCRIPTION
11/18/15	EE	PDP AMENDMENT INITIAL SUBMITTAL
07/13/16	EE	REVISE PARKING PER CLIENT
02/17/16	EE	FL CITY PDP COMMENTS
02/29/16	EE	COORDINATION W/ CONSTRUCTION PLANS

AVALON ENGINEERING, INC.
 2503 DEL PRADO BLVD. #200
 CAPE CORAL, FLORIDA 33904
 FBPE#3128 (239) 573-2077

Provan & Associates LLC
Resort Properties LLC
 5860 Silver King Blvd
 Cape Coral, Florida 33914
 PHONE: (239) 945-3056

PDP 2015
AMENDMENT

AERIAL PHOTO
(2015)



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LEGEND
 REZONING AREA
 CONSTRUCTION/BUILDING SITE AREA

EXISTING "VILLAGE A": 7.71 AC± (R-3)
PDR AMENDMENT REZONE 7.71 AC± TO C-1
W/ PROP. CONSTRUCTION AREA: 3.25 AC±
INCLUDE PARKING LOT AND ACCESS ROAD

EXISTING "MARINA VILLAGE 1": 7.66 AC± (C-1)
BUILDING SITE AREA: 1.60 AC±
W/PROPOSED 3 STORY 40,071 SQ.FT. CONFERENCE CENTER

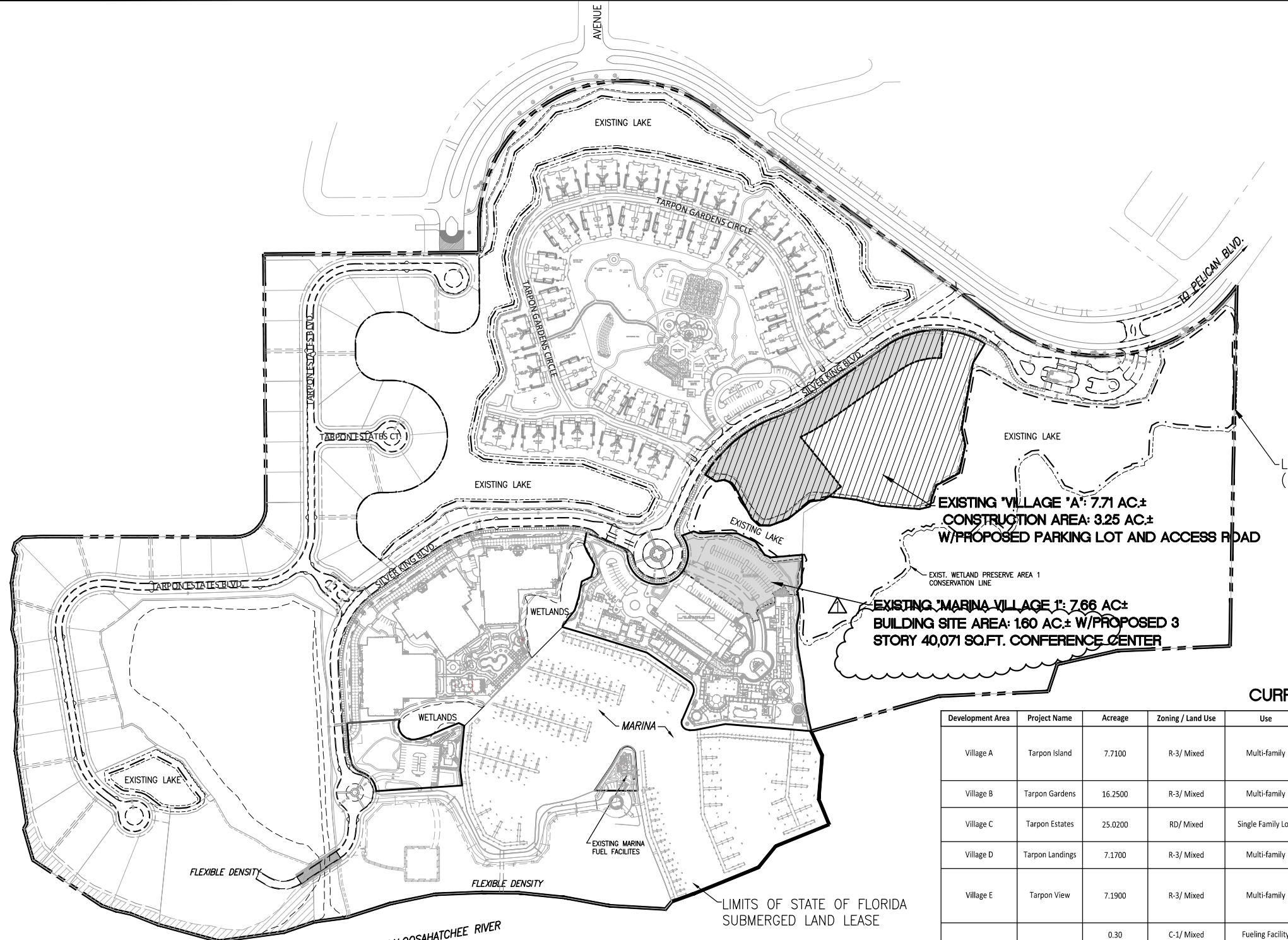
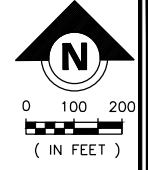
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ZONING AND LAND USE



EXISTING 'VILLAGE A': 7.71 AC±
CONSTRUCTION AREA: 3.25 AC±
W/PROPOSED PARKING LOT AND ACCESS ROAD

EXISTING 'MARINA VILLAGE 1': 7.66 AC±
BUILDING SITE AREA: 1.60 AC± W/PROPOSED 3
STORY 40,071 SQ.FT. CONFERENCE CENTER

LEGEND
 REZONING AREA
 CONSTRUCTION/BUILDING SITE AREA
 * AREA INCLUDED IN THE CURRENT STATE OF FLORIDA SUBMERGED LAND LEASE.

CURRENT PROJECT ENTITLEMENTS

Development Area	Project Name	Acreage	Zoning / Land Use	Use	Density / Intensity	Building Height / # of floors	Special Exception Uses Obtained	Development / Deviation Approvals
Village A	Tarpon Island	7.7100	R-3/ Mixed	Multi-family	132 units or Tract Density is unestablished. Tracts A, E, F, and MV-1 will not exceed 599 units. Project Density will not exceed 976 residential units	107 feet / 8 residential floors over parking (3 Buildings)	Essential Service Facilities - Group I, Gate Houses, Clubs, Private	Height Deviation- Density Flexibility - Development Flexibility - Allow for Amenities prior to Tract Development
Village B	Tarpon Gardens	16.2500	R-3/ Mixed	Multi-family	120 Units	30 Resident buildings with 4 units each	Essential Service Facilities - Group I, Gate Houses, Clubs, Private	
Village C	Tarpon Estates	25.0200	RD/ Mixed	Single Family Lots	47.0000		Guest/Staff Quarters, Essential Service Facilities - Group I, Gate Houses	Height Deviation 45' - Setback Deviation 10' Front, 15' Rear
Village D	Tarpon Landings	7.1700	R-3/ Mixed	Multi-family	210 Units	170 feet / 12 residential floors over parking (3 buildings)	Essential Service Facilities - Group I, Gate Houses, Clubs, Private	Height Deviation - Tree Deviation: 1 tree per 3000 sq. ft.
Village E	Tarpon View	7.1900	R-3/ Mixed	Multi-family	326 units or Tract Density is unestablished. Tracts A, E, F, and MV-1 will not exceed 599 units. Project Density will not exceed 976 residential units	320 feet / 24 residential floors over parking (2 buildings)	Essential Service Facilities - Group I, Gate Houses, Clubs, Private	Height Deviation - Tree Deviation: 1 tree per 3000 sq. ft. - Density Flexibility - Development Flexibility - Allow for Amenities prior to Tract Development
		0.30	C-1/ Mixed	Fueling Facility			Self Service Pumps/Fuel Pump Station	Tree Deviation: 1 tree per 3000 sq. ft.
Village F	Tarpon View	3.8800	R-3/ Mixed	Multi-family	140 units or Tract Density is unestablished. Tracts A, E, F, and MV-1 will not exceed 599 units. Project Density will not exceed 976 residential units	320 feet / 24 residential floors over parking (1 Building)	Essential Service Facilities - Group I, Gate Houses, Clubs, Private	Height Deviation - Tree Deviation: 1 tree per 3000 sq. ft. - Density Flexibility - Development Flexibility - Allow for Amenities prior to Tract Development
Marina Village 1		7.6600	C-1/ Mixed	Mixed Use (Residential & Commercial or all Commercial)	Hotel with 268 Rooms, 500 total Restaurant Seats in MV1 & MV2 (excluding those within the hotel), 45,000 square feet of office/retail (in MV1 and MV2 with 50% on MV 1). Tract Density is unestablished. Tracts A, E, F, and MV-1 will not exceed 599 units. Project Density will not exceed 976 residential units.		Business Office - Group III, Recreation, Commercial - Group III, Rental Establishments - Group III, Storage - Enclosed	Setback Deviations: 15' Front, 0 Rear, Tree Deviation: 1 tree per 3000 sq. ft., Use Flexibility - Hotel or Hotel with residential units within a compound use building, Parking Deviation for Residential units within the compound use building, allow for density to be transferred from Village A, E and or F or any combination of these tracts, establish the maximum restaurant seats allowed within the compound use building, provide for special exception uses.
Marina Village 2		1.6200	C-1/ Mixed	Commercial	500 Total Restaurant Seats (in MV1 & MV2) (excluding those within the hotel), 45,000 square feet of office/retail (in MV1 and MV2, with 50% in MV1)		Business Office - Group III, Recreation, Commercial - Group III, Rental Establishments - Group III, Storage - Enclosed	Setback Deviations: 15' Front, 0 Rear, Tree Deviation: 1 tree per 3000 sq. ft. Special Exception Uses
Marina		13.50		Marina				Add the Marina Area into the Tarpon Point PDP, establish that the number of boat slips shall be regulated by the Lee County Manatee Protection Plan

PROPOSED AMENDMENTS TO CURRENT ENTITLEMENTS

Development Area	Project Name	Acreage	Zoning / Land Use	Use	Density / Intensity	Building Height / # of floors	Special Exception Uses Obtained	Requested in this Amendment
Village A	Tarpon Island	7.71	C-1/Mixed	Multi-family / Commercial Parking	Up to 170 Units. Tract Density is flexible. Tracts A, E, F, and MV-1 will not exceed 599 units. Project Density will not exceed 976 residential units.	Undetermined/unlimited within the Commercial Zoning District	Essential Service Facilities - Group I, Gate Houses, Clubs, Private	1. Rezoning Tract from R-3 to C-1 2. Development Flexibility to combine the 170 MF units with commercial parking proposed 3. Landscaping Deviation 4. Development in 2 phases
Marina Village 1	Marina Village 1	7.66	C-1/ Mixed	Mixed Use (Residential & Commercial or all Commercial)	Hotel with 308 Rooms, 40,071 of Conference Center, 500 total Restaurant Seats in MV1 & MV2 (excluding those within the hotel), 45,000 square feet of office/retail (in MV1 and MV2 with 50% on MV 1). Tract Density is unestablished. Tracts A, E, F, and MV-1 will not exceed 599 units. Project Density will not exceed 976 residential units.	Undetermined / Unlimited	Business Office - Group III, Recreation, Commercial - Group III, Rental Establishments - Group III, Storage - Enclosed	1. Development of a 40,071 of Conference Center 2. Hotel Room increased to 308. 3. Deviation to Landscaping requirements

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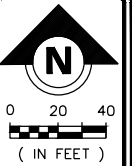
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AVALON ENGINEERING, INC.
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 FBPE#3128 (239) 573-2077

Provario & Associates LLC
 5860 Silver King Blvd
 Cape Coral, Florida 33914
 PHONE: (239) 945-3056

PDP 2015 AMENDMENT

CURRENT DEVELOPMENT



**MARINA VILLAGE '1'
CONSTRUCTION AREA:**

BUILDING SITE:			
CONSTRUCTION AREA:	69,681 SF	1.60 AC±	100%
BUILDING COVERAGE:	32,045 SF	0.73 AC±	46%
(CONFERENCE CENTER COVERAGE: 28,114 SF, PORTE COCHERE 2,388 SF AND BALCONY 1,856 SF.)			
BRICK PAVEMENT:	12,676 SF	0.29 AC±	18%
CONC. APRON:	3,376 SF	0.08 AC±	5%
CONC. WALKS:	3,405 SF	0.08 AC±	5%
GREEN SPACE:	18,179 SF	0.42 AC±	26%
(INCL. EX. DETENTION AREAS)			
TOTAL IMPERVIOUS:	51,502 SF	1.18 AC±	74%
TOTAL PERVIOUS:	18,179 SF	0.42 AC±	26%

PARKING SUMMARY

PARKING REQUIRED: 664 SPS.

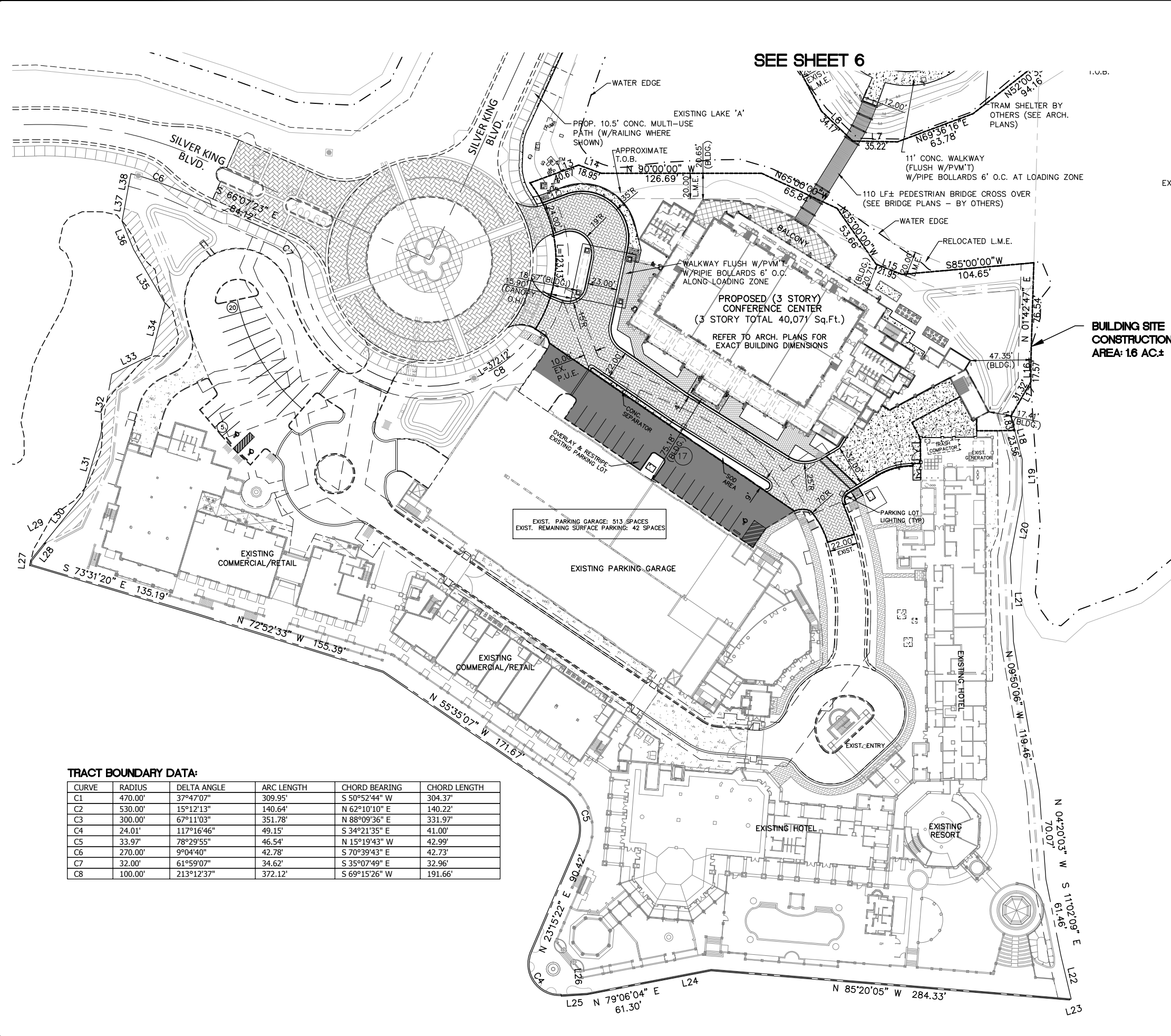
PARKING PROVIDED: 664 SPS. (INCL. 21 H/C)
EXIST. 513 SPACES PARKING GARAGE INCL. 12 H/C
EXIST. 42 SPACES SURFACE LOT INCL. 3 H/C
PROP. 109 SPACES SURFACE LOTS INCL. 6 H/C (VILLAGE "A")

TRACT BOUNDARY DATA:

LINE	BEARING	DISTANCE
L1	N 20°18'24" E	42.41'
L2	N 12°23'42" E	31.79'
L3	S 76°55'32" W	35.18'
L4	N 84°46'34" W	48.36'
L5	N 57°38'51" E	19.53'
L6	N 82°17'24" E	45.03'
L7	N 88°59'43" W	35.22'
L8	N 46°28'32" W	34.17'
L9	N 36°07'33" W	19.35'
L10	N 68°53'59" W	26.62'
L11	S 80°05'53" W	28.20'
L12	S 58°00'50" E	40.67'
L13	N 69°54'52" E	40.94'
L14	N 70°07'09" W	18.95'
L15	S 68°21'37" E	21.95'
L16	S 00°07'29" W	17.57'
L17	N 30°10'59" E	31.32'
L18	S 14°38'54" E	35.39'
L19	N 00°09'18" E	28.48'
L20	N 10°53'49" E	49.83'
L21	N 02°09'00" W	66.77'
L22	S 13°26'14" E	35.31'
L23	N 74°41'03" E	1.17'
L24	N 79°08'24" E	38.56'
L25	S 86°28'20" W	20.52'
L26	N 02°59'58" W	1.00'
L27	S 05°38'56" W	3.08'
L28	S 38°42'47" W	18.41'
L29	S 62°15'58" W	2.50'
L30	S 38°42'47" W	49.38'
L31	N 16°46'03" E	48.12'
L32	N 10°33'10" E	50.57'
L33	N 64°17'30" E	34.71'
L34	N 14°57'55" E	42.08'
L35	S 30°15'57" E	49.50'
L36	S 22°23'00" E	24.21'
L37	N 10°34'39" E	26.81'
L38	S 10°47'11" W	11.39'

TRACT BOUNDARY DATA:

CURVE	RADIUS	DELTA ANGLE	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	470.00'	37°47'07"	309.95'	S 50°52'44" W	304.37'
C2	530.00'	15°12'13"	140.64'	N 62°10'10" E	140.22'
C3	300.00'	67°11'03"	351.78'	N 88°09'36" E	331.97'
C4	24.01'	117°16'46"	49.15'	S 34°21'35" E	41.00'
C5	33.97'	78°29'55"	46.54'	N 15°19'43" W	42.99'
C6	270.00'	9°04'40"	42.78'	S 70°39'43" E	42.73'
C7	32.00'	61°59'07"	34.62'	S 35°07'49" E	32.96'
C8	100.00'	213°12'37"	372.12'	S 69°15'26" W	191.66'



SEE SHEET 6

BUILDING SITE
CONSTRUCTION
AREA: 16 AC±

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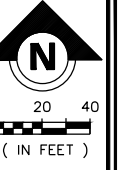
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01/13/16	EE	REVISE PARKING PER CLIENT
02/17/16	EE	REVISE CITY PDP COMMENTS
02/29/16	EE	COORDINATION W/ CONSTRUCTION PLANS

AVALON ENGINEERING, INC.
2503 DEL PRADO BLVD. #200
CAPE CORAL, FLORIDA 33904
PHONE: (239) 573-2077

**Provan & Hasselmeier
Resort Properties LLC**
5860 Silver King Blvd
Cape Coral, Florida 33914
PHONE: (239) 945-3056

**PDP 2015
AMENDMENT**

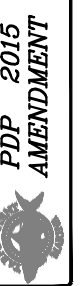
**MASTER SITE PLAN
(CONFERENCE CENTER)**



DATE	BY	REVISION DESCRIPTION
11/18/15	BE	PDP AMENDMENT INITIAL SUBMITTAL
01/13/16	BE	REVISE PARKING PER CLIENT
02/17/16	BE	CITY PDZ COMMENTS
02/29/16	BE	COORDINATION W/ CONSTRUCTION PLANS

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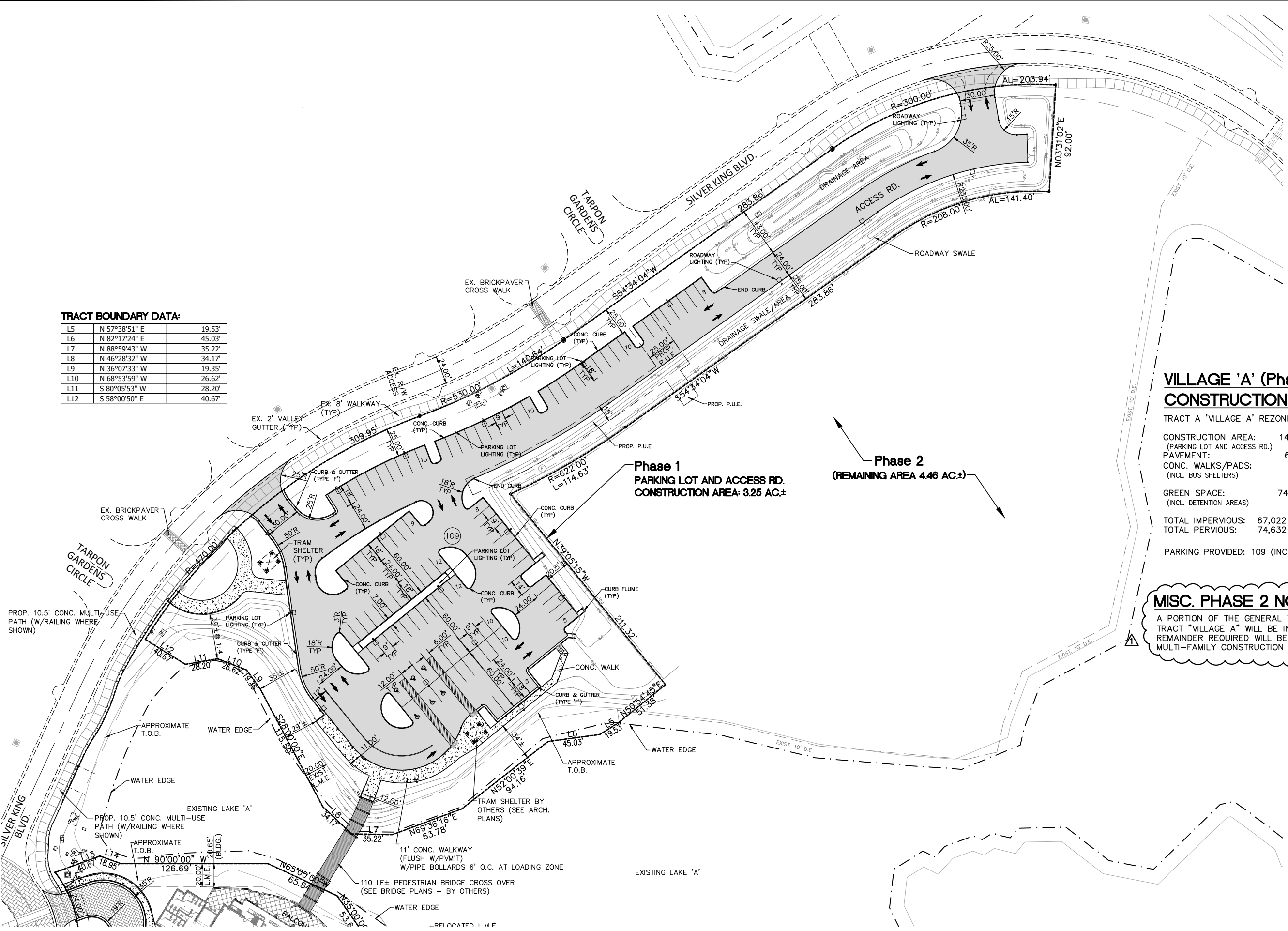


**PDP 2015
AMENDMENT**

#15-491/PDP

TRACT BOUNDARY DATA:

L5	N 57°38'51" E	19.53'
L6	N 82°17'24" E	45.03'
L7	N 88°59'43" W	35.22'
L8	N 46°28'32" W	34.17'
L9	N 36°07'33" W	19.35'
L10	N 68°53'59" W	26.62'
L11	S 80°05'53" W	28.20'
L12	S 58°00'50" E	40.67'



**VILLAGE 'A' (Phase 1)
CONSTRUCTION AREA:**

TRACT A 'VILLAGE A' REZONING AREA: 7.71 AC±

CONSTRUCTION AREA: (PARKING LOT AND ACCESS RD.)	141,654 SF	3.25 AC±	100%
PAVEMENT:	62,298 SF	1.43 AC±	44%
CONC. WALKS/PADS: (INCL. BUS SHELTERS)	4,724 SF	0.11 AC±	3%
GREEN SPACE: (INCL. DETENTION AREAS)	74,632 SF	1.71 AC±	53%
TOTAL IMPERVIOUS:	67,022 SF	1.54 AC±	47%
TOTAL PERVIOUS:	74,632 SF	1.71 AC±	53%
PARKING PROVIDED:	109 (INCL. 6 H/C)		

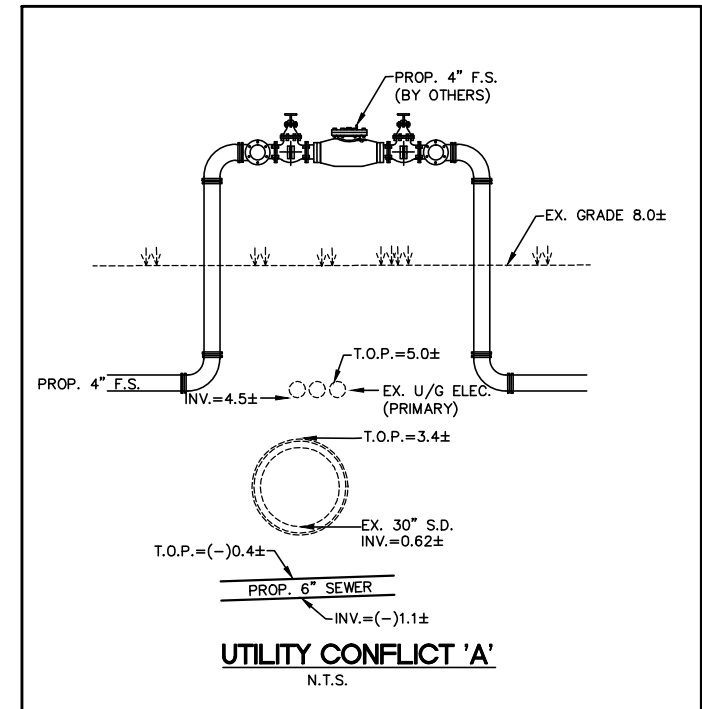
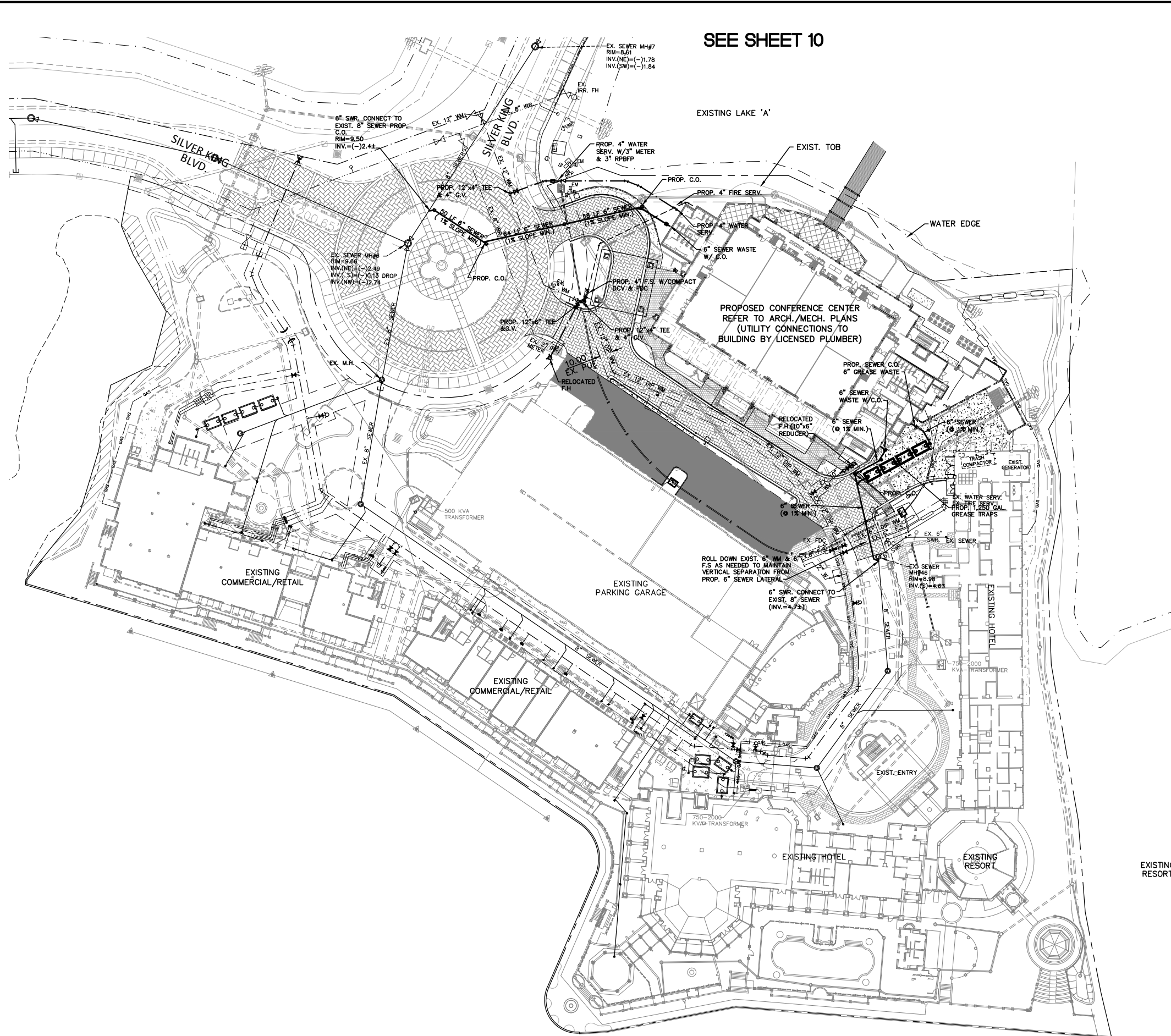
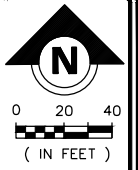
MISC. PHASE 2 NOTE:

A PORTION OF THE GENERAL TREES REQUIRED FOR THIS TRACT "VILLAGE A" WILL BE INSTALLED IN PHASE 1, AND THE REMAINDER REQUIRED WILL BE INSTALLED AT THE TIME OF THE MULTI-FAMILY CONSTRUCTION WITHIN PHASE 2.

SEE SHEET 5

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SEE SHEET 10



LEGEND

- EXIST. SEWER MAIN AND MANHOLE
- PROP. SEWER MAIN (SDR 26 PVC) AND MANHOLE
- EXIST. SEWER LATERAL W/ CLEANOUT
- PROP. SEWER LATERAL W/ CLEANOUT
- PROP. METER AND BACK FLOW DEVICE
- PROP. FIRE HYDRANT ASSEMBLY
- EXIST. WATER MAIN & G.V.
- PROP. WATER MAIN & G.V.
- POWER POLE W/OVERHEAD LINES
- TRANSFORMER PAD (BY OTHERS, COORDINATE W/ELEC. COMPANY)
- PHONE/CABLE BOX (BY OTHERS)
- CONCRETE
- TYPICAL ASPHALT PAVEMENT OR OVERLAY (SEE SECTION)

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**PDP 2015
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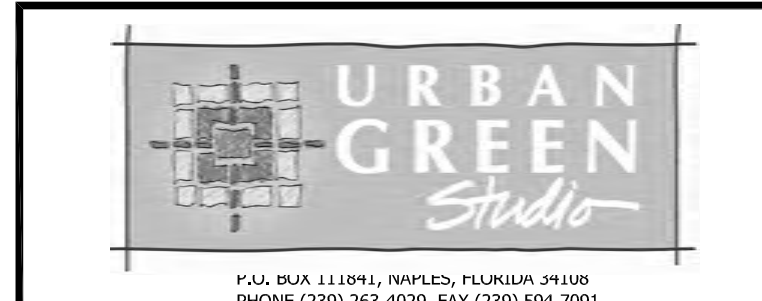
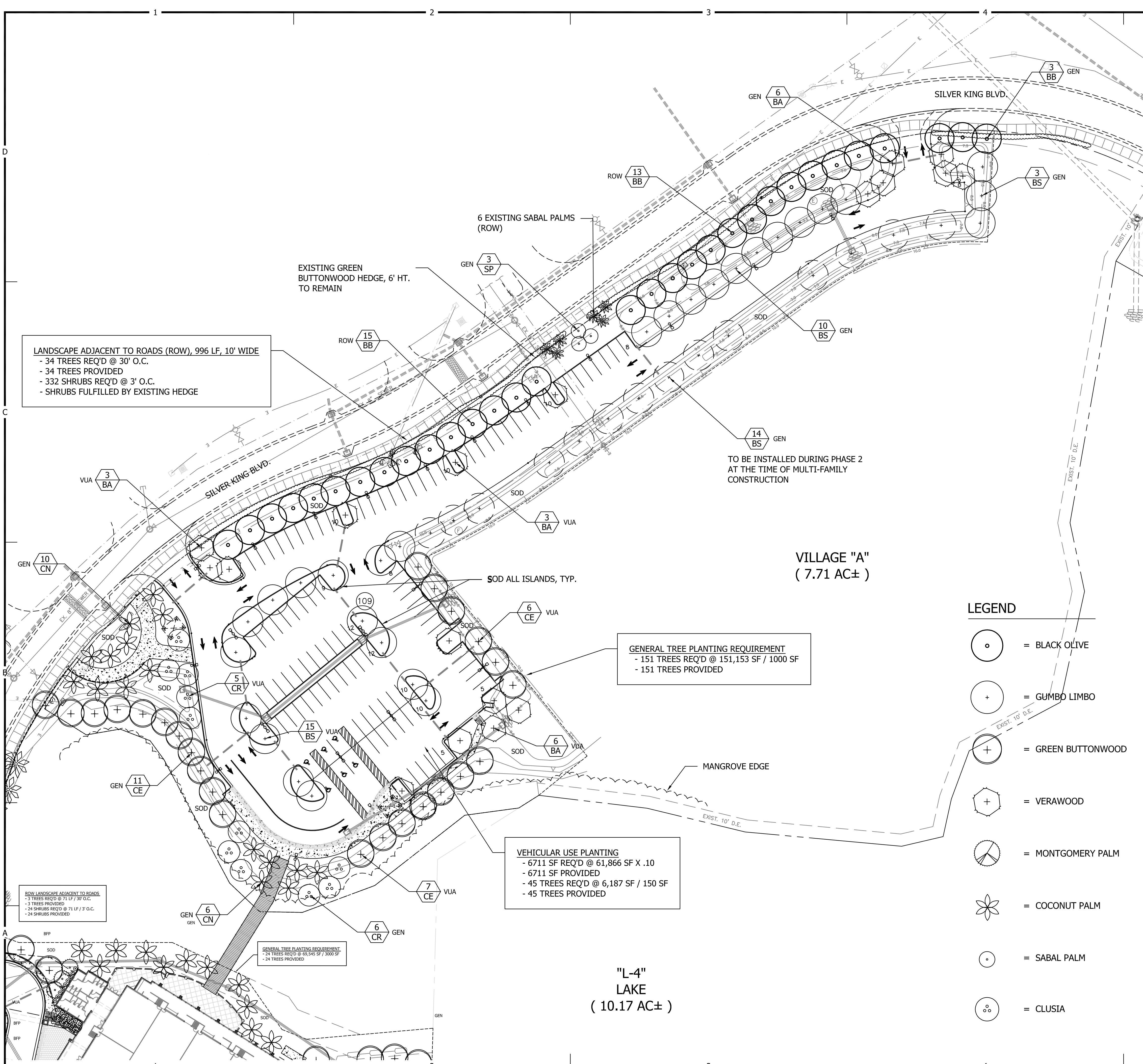
**MASTER UTILITY PLAN
(CONFERENCE CENTER)**

PLANT & MATERIALS SCHEDULE

KEY	BOTANICAL NAME	COMMON NAME	SPECIFICATION	CREDITS	QUANTITY	NATIVE
Existing Trees & Palms						
	Sabal palmetto	Cabbage Palm (ROW 1:1 ratio)	15-25' oa ht, staggered heights, clean trunks	6	6	Yes
Total Existing Trees & Palms				6	6	Yes
Proposed Trees & Palms						
BA	Bulnesia arborea	Verawood	30 gal, 10' ht, 5-6' spr, 2" cal, 4' ct	18	18	No
BB	Bucida buceras 'Shady Lady'	Shady Lady Black Olive	30 gal, 10' ht, 5-6' spr, 2" cal, 4' ct	31	31	No
BS	Bursera simaruba	Gumbo Limbo	30 gal, 10' ht, 5-6' spr, 2" cal, 4' ct	42	42	Yes
CE	Conocarpus erectus	Green Buttonwood	30 gal, 10' ht, 5-6' spr, 2" cal, 4' ct	24	24	Yes
CN	Cocos nucifera 'Maypan'	Maypan Coconut Palm (GEN 1:1 ratio)	3-4' gw, 10' c.t., 16' oa ht, full head, heavy trunk	16	16	No
CR	Clusia rosea	Pitch Apple	10-12' ht, 5-6' spr, 2 1/2" cal, 4' ct, multi-trk specimen	11	11	Yes
SP	Sabal palmetto	Cabbage Palm (GEN 1:1 ratio)	10' - 15' ct, staggered heights, clean trunks	3	3	Yes
Total Proposed Trees				145	145	
Miscellaneous						
SOD	Stenotaphrum secundatum	St. Augustine Floratam sod	solid sod, free of weeds & pests, sand-grown, laid & rolled	XX SF	N/A	N/A
Edging		Black Diamond landscape edging	Provide where landscape materials are on a slope between sod and mulch to prevent mulch displacement	XX LF	N/A	N/A
Gravel		Brookstone 1-1/2" by Superior Stone	3" depth over filter cloth	XX CY	N/A	N/A
Mulch	Pro-Euc Mulch	Pro-Euc Mulch by Forestry Resources	3" depth, all planting bed areas and tree rings. Note: No mulch to be used around planting in retention areas.	XX CY	N/A	N/A
NOTE: Alternative plant species may be substituted subject to availability in the nursery industry, as long as the minimum native percentage requirements are met.						

CITY OF CAPE CORAL LANDSCAPE REQUIREMENTS

REQUIREMENTS	REQUIRED	PROVIDED
5.2.13.A. TREE PLANTING REQUIREMENTS 1 Tree / 1000 sf of gross area, including requirements of other areas **Deviation Requested to install a portion of the trees at the time the MF parcel is constructed** Site Area 151,153 sf / 1000 sf = General Site Trees provided in addition to Buffer Yards, ROW and Vehicular Use Areas =	151 Trees Total	151 Trees Total 72 Trees provided
5.2.13.C. TYPES OF LANDSCAPE DESIGN FEATURES		
1.0 FOUNDATION LANDSCAPING (BLDG) 10% of Bldg ground level floor area, 9' width, shrubs 3' o.c.	N/A	N/A
2.0 LANDSCAPING ADJACENT TO ROADS (ROW) 10' width, Shrubs 3' o.c., Canopy Trees 30' o.c., 996 LF Trees: 996 LF / 30' o.c. = Shrubs: 996 LF / 3' o.c. =	34 Trees 332 Shrubs	28 Trees provided 6 Existing Palms 0 Shrubs - Existing Hedge fulfill
3.0 SURFACE PARKING AND VEHICLE USE AREAS (VUA) 10% of VUA, 1 tree / 150 sf, 9' min width islands VUA 61,866 sf x .10 = Landscape Area 6187 sf / 150 sf =	6,187 sf Landscape Area 45 Trees	6,187 sf Landscape Area 45 Trees
4.0 RETENTION / DETENTION AREAS Encouraged, no specific quantity required	N/A	N/A
5.0 BUFFER YARDS Type C Buffer, 25' width	N/A	N/A
TOTALS	151 Trees 332 Shrubs	151 Trees/Credits 0 Existing Hedge
5.2.10.C.4. TREE SPECIES MIX 31+ Required Trees =	5 Species	5 Species
5.2.10.B. PLANT SPECIES AND GRADE Minimum 50% Native Trees (151 x .50) Minimum 30% Native Shrubs (332 x .30)	76 Trees 100 Shrubs	76 Trees (50% Native) 100+ Exist Hedge Native



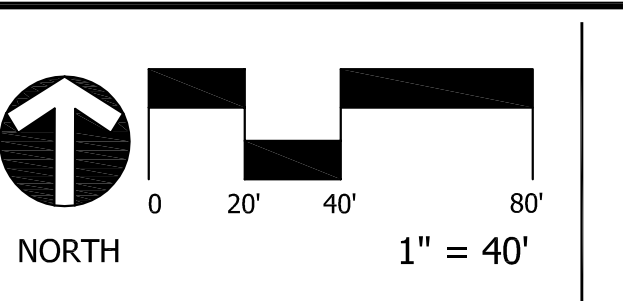
IN CONJUNCTION WITH:
AVALON ENGINEERING, INC.
2503 DEL PRADO BLVD.
CAPE CORAL, FL 33904

PREPARED FOR:
**FREEMAN & HASSELWANDER
RESORT PROPERTIES, LLC**
5850 SILVER KING BLVD.
CAPE CORAL, FLORIDA 33914

TARPON POINT
CAPE CORAL, FLORIDA
CONFERENCE CENTER AND SURFACE PARKING LOT

REV	DATE	DESCRIPTION

SCALE: 1" = 40'
DATE: 02/23/16
PROJECT #:



LANDSCAPE PLAN

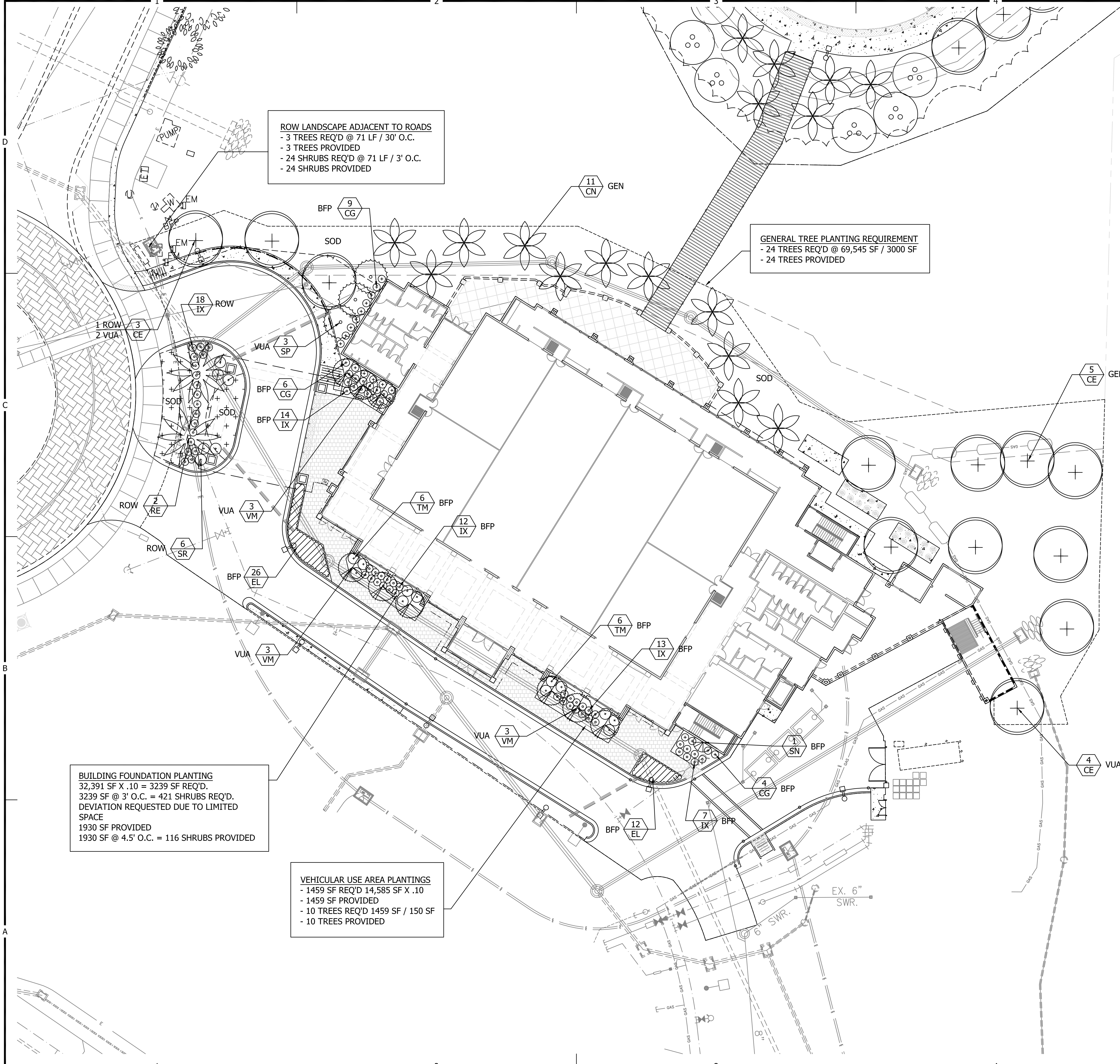
SHEET #
LA-1

PLANT & MATERIALS SCHEDULE

KEY	BOTANICAL NAME	COMMON NAME	SPECIFICATION	CREDITS	QUANTITY	NATIVE
Proposed Trees & Palms						
CE	Conocarpus erectus	Green Buttonwood	30 gal, 10' ht, 5-6' spr, 2" cal, 4' ct	12	12	Yes
CN	Cocos nucifera "Maypan"	Maypan Coconut Palm	3-4' gw, 10' c.t., 16' oa ht, full head, heavy trunk	11	11	No
RE	Roystonea elata	Florida Royal Palm	5-6' gw, 10-12' ct, 20' oa ht, full head, heavy trunk	2	2	Yes
SP	Sabal palmetto	Cabbage Palm (VUA 3:1 ratio)	10' - 15' ct, staggered heights, clean trunks	1	3	Yes
VM	Veitchia montgomeryana	Montgomery Palm (VUA 3:1 ratio)	16' ht oa, 10' ct, heavy trunk, full head	3	9	No
				Total Proposed Trees	29	37
				Native	15	52%
				Canopy Trees	12	50% of Req'd
ROW Proposed Shrubs						
IX	Ixora "Nora Grant"	Ixora Nora Grant	3 gal, 18" ht x 18" spr, full, 36" o.c.	18	No	
SR	Sereoa repens "Silver"	Silver Saw Palmetto	3 gal, 15" ht x 15" spr, full, 36" o.c.	6	Yes	
				Total Proposed ROW Shrubs	24	
				Native	6	25%
BUILDING FOUNDATION PLANTINGS Proposed Shrubs						
CG	Clusia guttifera	Small Leaf Clusia	3 gal, 24" ht x 24" spr, full, 36" o.c.	19	No	
EL	Emodea littoralis	Golden Beach Creeper	3 gal, 18" ht x 18" spr, full, 36" o.c.	38	Yes	
IX	Ixora "Nora Grant"	Ixora Nora Grant	3 gal, 18" ht x 18" spr, full, 36" o.c.	46	No	
SN	Strelitzia nicolai	White Bird of Paradise	10 gal, 6' ht x 4' spd, full	1	No	
TM	Thrinax morrisii	Key Thatch Palm	7 gal, 30" ht x 30" spr, full, 48" o.c.	12	Yes	
				Total Proposed Building Foundation Shrubs	116	
				Native	50	43%
Miscellaneous						
SOD	Stenotaphrum secundatum	St. Augustine Floratam sod	solid sod, free of weeds & pests, sand-grown, laid & rolled	XX SF	N/A	
Edging		Black Diamond landscape edging	Provide where landscape materials are on a slope between sod and mulch to prevent mulch displacement	XX LF	N/A	
Gravel		Brookstone 1-1/2" by Superior Stone	3" depth over filter cloth	XX CY	N/A	
Mulch		Pro-fuc Mulch by Forestry Resources	3" depth, all planting bed areas and tree rings. Note: No mulch to be used around planting in retention areas.	XX CY	N/A	
NOTE: Alternative plant species may be substituted subject to availability in the nursery industry, as long as the minimum native percentage requirements are met.						

CITY OF CAPE CORAL LANDSCAPE REQUIREMENTS

5.2.13.A. TREE PLANTING REQUIREMENTS	REQUIRED	PROVIDED
1 Tree / 3000 sf of gross area, including requirements of other areas Site Area 69,545 sf / 3000 sf = General Site Trees provided in addition to Buffer Yards, ROW and Vehicular Use Areas =	24 Trees Total	29 Trees Total 16 Trees
5.2.13.C. TYPES OF LANDSCAPE DESIGN FEATURES		
1.0 FOUNDATION LANDSCAPING (BLDG) 10% of Bldg ground level floor area, 5' width, shrubs 3' o.c. **Devation Requested due to Site Constraints** Building Area 32,391 sf x .10 = Shrubs 3' o.c. 3239 sf x .13 = Shrubs 4.5' o.c. 1930 sf x .06 =	3239 sf Landscape Area 421 Shrubs	1930 sf Landscape Area 116 Shrubs - Devation Req.
2.0 LANDSCAPING ADJACENT TO ROADS (ROW) 10' width, Shrubs 3' o.c., Canopy Trees 30' o.c. 71 LF along Silver King Blvd Shrubs: 71 LF / 3' o.c. = Trees: 71 LF / 30' o.c. =	24 Shrubs 3 Trees	24 Shrubs 3 Trees
3.0 SURFACE PARKING AND VEHICLE USE AREAS (VUA) 10% of VUA, 1 tree / 150 sf, 9' min width islands VUA 14,585 sf x .10 = Landscape Area 1485 sf / 150 sf =	1459 sf Landscape Area 10 Trees	1459 sf Landscape Area 10 Trees
4.0 RETENTION / DETENTION AREAS Encouraged, no specific quantity required	N/A	N/A
5.0 BUFFER YARDS	N/A	N/A
TOTALS	24 Trees 445 Shrubs	29 Trees/Credits 140 Shrubs
5.2.10.C.4. TREE SPECIES MIX 21 - 30 Required Trees =	4 Species	5 Species
5.2.10.B. PLANT SPECIES AND GRADE Minimum 50% Native Trees (24 x .50) Minimum 30% Native Shrubs (140 x .30)	12 Trees 42 Shrubs	12 Trees (50% Native) 42 Shrubs (30% Native)

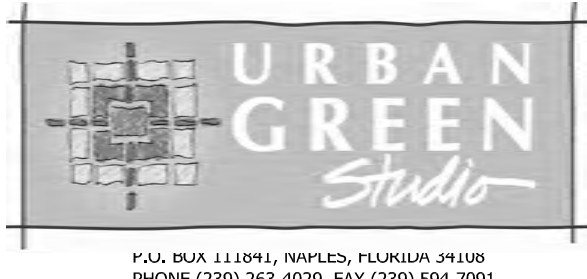


ROW LANDSCAPE ADJACENT TO ROADS
 - 3 TREES REQ'D @ 71 LF / 30' O.C.
 - 3 TREES PROVIDED
 - 24 SHRUBS REQ'D @ 71 LF / 3' O.C.
 - 24 SHRUBS PROVIDED

GENERAL TREE PLANTING REQUIREMENT
 - 24 TREES REQ'D @ 69,545 SF / 3000 SF
 - 24 TREES PROVIDED

BUILDING FOUNDATION PLANTING
 32,391 SF X .10 = 3239 SF REQ'D.
 3239 SF @ 3' O.C. = 421 SHRUBS REQ'D.
 DEVIATION REQUESTED DUE TO LIMITED SPACE
 1930 SF PROVIDED
 1930 SF @ 4.5' O.C. = 116 SHRUBS PROVIDED

VEHICULAR USE AREA PLANTINGS
 - 1459 SF REQ'D 14,585 SF X .10
 - 1459 SF PROVIDED
 - 10 TREES REQ'D 1459 SF / 150 SF
 - 10 TREES PROVIDED



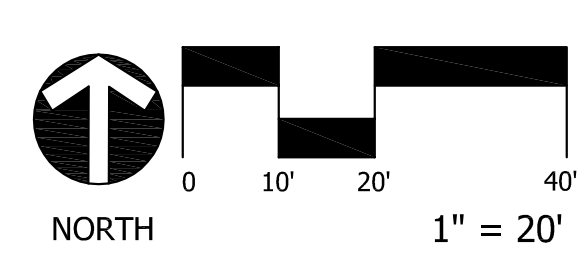
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TARPON POINT
 CAPE CORAL, FLORIDA
 CONFERENCE CENTER AND SURFACE PARKING LOT

REV	DATE	DESCRIPTION

SCALE: 1" = 20'
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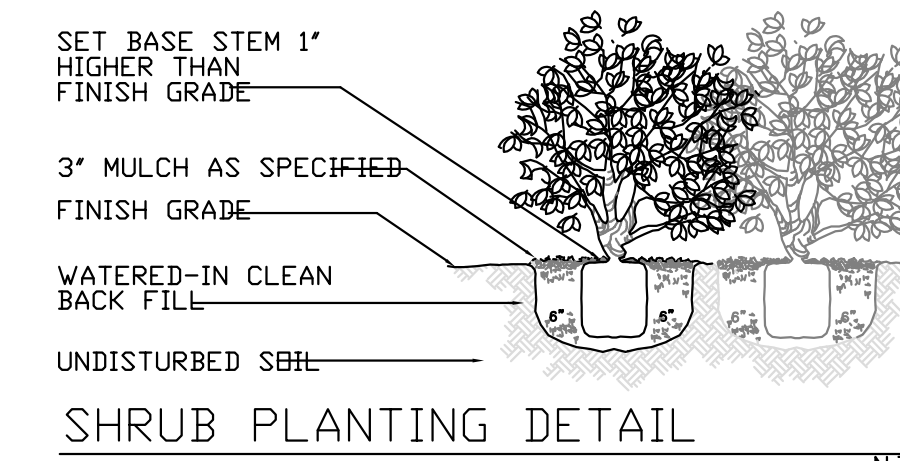


LANDSCAPE PLAN

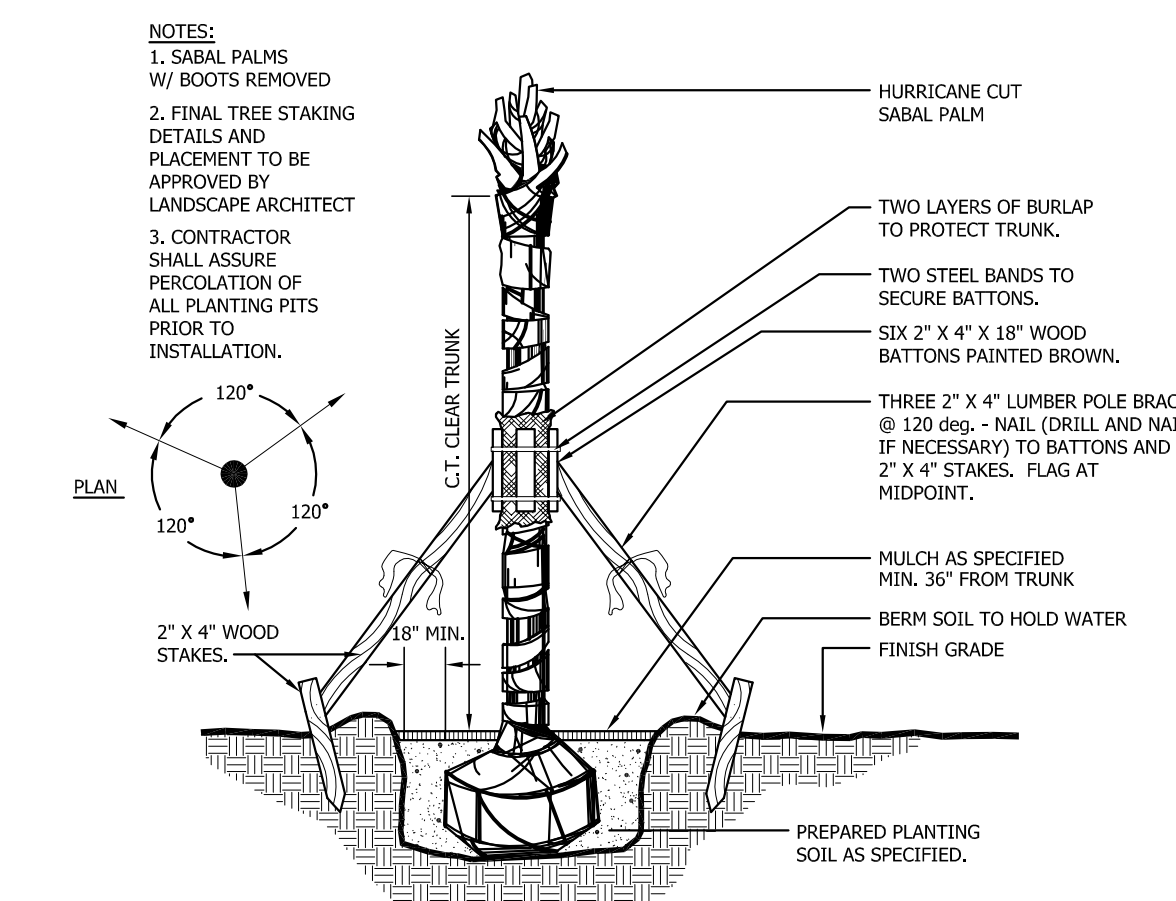
DAYNA L. FENDRICK, RLA #0001224

PLANTING NOTES

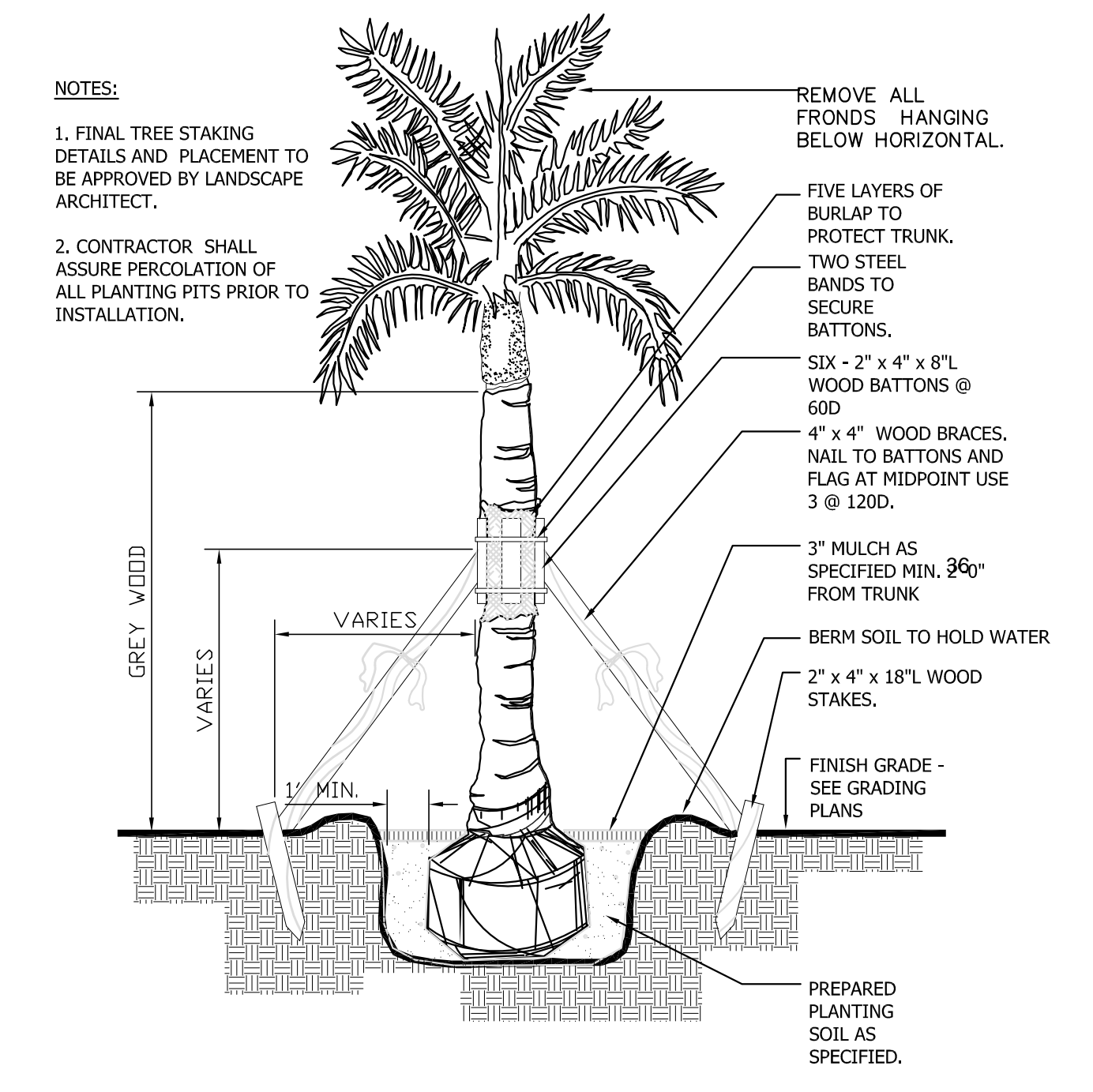
1. ALL PLANTS MUST BE HEALTHY, VIGOROUS MATERIAL, FREE OF PESTS AND DISEASES. ALL PLANT MATERIAL SHALL BE IN FULL AND STRICT ACCORDANCE TO FLORIDA NO. 1 GRADE, ACCORDING TO THE "GRADES AND STANDARDS FOR NURSERY PLANTS", PUBLISHED BY FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES. PLANT MATERIALS IN SOME INSTANCES EXCEED NO. 1 GRADE IN ORDER TO MEET THE MINIMUM REQUIREMENTS OF THIS PROJECT.
2. THE OWNER, AGENT TENANT OR PARTY IN CONTROL OF THE PROPERTY IS TO MAINTAIN THE SITE LANDSCAPING IN ACCORDANCE WITH THE CITY OF CAPE CORAL LANDSCAPE CODE. FAILURE TO COMPLY WITH THIS REQUIREMENT SHALL CONSTITUTE A VIOLATION OF CITY OF CAPE CORAL CODE OF ORDINANCES, AND WOULD SUBJECT THE AFORMENTIONED PARTY TO ANY PENALTY IMPOSED BY LAW.
3. CONTRACTOR SHALL BE RESPONSIBLE FOR PLANTS MEETING SPECIFICATION AS NOTED PRIOR TO INSTALLATION. CONTRACTOR SHALL IMMEDIATELY REMOVE ALL PLANT MATERIAL THAT DOES NOT CONFORM TO SPECIFICATIONS.
4. ALL ROOTBALLS SHALL CONFORM TO THE SIZE STANDARDS SET FORTH IN "AMERICAN STANDARDS FOR NURSERY STOCK".
5. ALL PLANT MATERIAL SHALL BE PROTECTED DURING TRANSPORT AND DELIVERY TO JOB SITE WITH SHADE CLOTH OR OTHER ACCEPTABLE MEANS OF WINDBURN PREVENTION.
6. CONTRACTOR SHALL FIELD VERIFY ALL INFORMATION PRIOR TO INITIATING PLANTING INSTALLATION. ALL EXISTING PLANTING SHALL REMAIN INTACT AND UNDISTURBED UNLESS OTHERWISE NOTED ON THE PLANS.
7. ALL TREES MUST BE STRAIGHT TRUNKED, FULL HEADED, AND MEET ALL REQUIREMENTS SPECIFIED.
8. PRIOR TO CONSTRUCTION, THE LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR LOCATING ALL UNDERGROUND UTILITIES AND SHALL AVOID DAMAGE TO ALL UTILITIES DURING CONSTRUCTION. SHOULD THE LANDSCAPE CONTRACTOR CAUSE DAMAGE TO ANY UTILITIES, NECESSARY REPAIRS SHALL BE MADE AS QUICKLY AS PRACTICABLE, AT LANDSCAPE CONTRACTORS EXPENSE.
9. INSTALLATION - ALL PLANT MATERIAL SHALL BE INSTALLED IN A SOUND, WORKMANLIKE MANNER AND ACCORDING TO ACCEPTED GOOD PLANTING PROCEDURES WITH THE QUALITY OF PLANT MATERIALS AS HEREINAFTER DESCRIBED. ALL ELEMENTS OF LANDSCAPING SHALL BE INSTALLED SO AS TO MEET ALL APPLICABLE ORDINANCES AND CODE REQUIREMENTS.
10. TYPICALLY, SHRUB AND GROUND COVER PLANTINGS ARE SHOWN AS MASS PLANTING BEDS. PLANTS SHALL BE PLACED ON A TRIANGULAR SPACING CONFIGURATION (STAGGERED SPACING) AS SHOWN IN THE PLANTING DETAILS. PLANT CENTER TO CENTER DIMENSIONS (O.C.) ARE LISTED ON THE PLANT LIST.
11. CONTRACTOR SHALL ASSURE DRAINAGE AND PERCOLATION OF ALL PLANTING PITS PRIOR TO INSTALLATION OF PLANT MATERIAL. CONTRACTOR SHALL FILL ALL TREE PITS WITH WATER BEFORE PLANTING TO ASSURE THAT PROPER DRAINAGE AND PERCOLATION IS AVAILABLE. CORRECT IF REQUIRED TO ASSURE PERCOLATION. CONTRACTOR IS RESPONSIBLE FOR REPLACEMENT OF ALL PLANTS LOST DUE TO INADEQUATE DRAINAGE CONDITIONS.
12. TREES GROWN IN GROW BAGS OR GROW BAG TYPE MATERIAL MUST HAVE THE GROW BAG REMOVED ENTIRELY PRIOR TO PLANTING .
13. BALLED AND BURLAPPED MATERIAL SHALL HAVE THE TOP ONE HALF (1/2) OF THE BURLAP AROUND THE BASE OF THE TRUNK CUT AND PULLED BACK. DO NOT REMOVE BURLAP. WIRE CAGES, STRAPS, ETC. MUST BE CUT AND REMOVED PRIOR TO INSTALLATION. ALL PLASTIC WRAPPING SHALL BE REMOVED PRIOR TO INSTALLATION.
14. CONTRACTOR TO REPLACE REJECTED PLANT MATERIAL WITHIN ONE (1) WEEK OF NOTICE FROM THE OWNER OR LANDSCAPE ARCHITECT.
15. CONTRACTOR SHALL REFER TO THE LANDSCAPE PLANTING DETAILS, PLANTS LIST, GENERAL NOTES AND THE PLANTING SPECIFICATIONS FOR COMPLETE LANDSCAPE PLANTING INSTRUCTIONS.
16. FERTILIZATION
 PALMS 13-3-13 PLUS MINOR ELEMENTS - SLOW RELEASE 1/2 LB FERTILIZER PER 1/2 INCH CALIPER
 SHRUBS AND GROUNDCOVERS 8-10-10 PLUS MINOR ELEMENTS - SLOW RELEASE 1/2 LB FERTILIZER PER 100 FT2
 TREES 8-6-6 PLUS MINOR ELEMENTS - SLOW RELEASE 1/2 LB FERTILIZER PER 1/2 INCH CALIPER
 TURF 16-4-8 PLUS MINOR ELEMENTS - SLOW RELEASE 1 LB FERTILIZER PER 1000 FT2
 * THE COST FOR LANDSCAPE FERTILIZER AS DESCRIBED ABOVE SHALL BE INCLUDED IN THE PER PLANT PRICE.
17. SOIL PREPARATION AND SOIL MIX
 - A. APPLY ROUNDUP (MANUFACTURED BY MONSANTO CORP.) OR APPROVED HERBICIDE EQUAL ACCORDING TO MANUFACTURER'S RATE AND SPECIFICATION WITHIN LIMITS OF ALL AREAS TO BE PLANTED. PROTECT EXISTING PLANTS TO REMAIN FROM OVERSPRAY OR SPRAY WITHIN ROOT ZONE. CONTRACTOR TO ENSURE TOTAL WEED ERADICATION.
 - B. BEFORE REPLACING TOPSOIL, RAKE SUBSOIL SURFACE CLEAR OF STONES (1 INCH DIAMETER AND LARGER), DEBRIS, RUBBISH, AND REMAINING FROM REMOVED PLANT MATERIAL.
 - C. SCARIFY SUBSOIL TO A DEPTH OF 3 INCHES.
 - D. CONTRACTOR TO APPLY "RONSTAR" OR APPROVED PRE-EMERGENT HERBICIDE IN ACCORDANCE WITH MANUFACTURER'S RATE AND SPECIFICATIONS.
 - E. PLANTING SOIL MIX FOR TREES, SHRUBS, AND GROUNDCOVERS SHALL CONSIST OF A THOROUGHLY BLENDED MIXTURE OF:
 1. ROYAL PALMS
60% CLEAN D.O.T. SAND 40% APPROVED TOPSOIL/COMPOST
 2. ALL OTHER PALMS
90% CLEAN D.O.T. SAND 10% APPROVED TOPSOIL/COMPOST
 3. TREES, SHRUBS, AND GROUND COVERS/SOD
70% CLEAN D.O.T. SAND 30% APPROVED TOPSOIL/COMPOST.
 - F. CONTRACTOR TO SUBMIT LABORATORY SOIL TESTS OF THE SOIL MIXTURE FOR TEST RESULT REVIEW AND APPROVAL BY LANDSCAPE ARCHITECT. THE CONTRACTOR SHALL BE RESPONSIBLE TO AMEND THE SOILS PER THE TESTING RESULTS AS DIRECTED BY THE LANDSCAPE ARCHITECT.
 - G. COMPOST MIX SHALL BE FREE OF DELETERIOUS MATERIALS THAT WOULD BE HARMFUL TO PLANT GROWTH, SHALL BE FREE OF NEMATODES, SHALL BE OF UNIFORM QUALITY AND SHALL HAVE A PH VALUE BETWEEN 5.5 AND 6.5 (AS DETERMINED IN ACCORDANCE WITH ASTM E70). FLORIDA PEAT SHALL BE STERILIZED TO MAKE FREE OF ALL VIABLE NUT GRASS AND OTHER UNDESIRABLE WEEDS.
 - H. TOPSOIL SHALL BE NATURAL, FERTILE, AGRICULTURAL SOIL CAPABLE OF SUSTAINING VIGOROUS PLANT GROWTH. IT SHALL BE OF UNIFORM COMPOSITION THROUGHOUT, WITH ADMIXTURE OF SUBSOIL. IT SHALL BE FREE OF STONES, LUMPS, LIVE PLANTS AND THEIR ROOTS, STICKS, AND OTHER EXTRANEIOUS MATTER. SPREAD TOPSOIL MIXTURE TO MINIMUM DEPTH OF 3 INCHES THROUGHOUT ALL AREAS AND 6 INCHES IN ALL SHRUB AND GROUND COVER BEDS. REMOVE ALL ROCKS AND OTHER OBJECTS OVER 1 INCH IN DIAMETER.
 - I. SMOOTH ALL PREPARED TOPSOIL TO FOUR (4) INCHES BELOW TOP OF SURROUNDING PAVEMENT EDGES. FINISH GRADE ALL PREPARED TOPSOIL AREAS TO A SMOOTH, EVEN SURFACE ASSURING POSITIVE DRAINAGE AWAY FROM THE STRUCTURES AND AND ELIMINATE ANY LOW AREAS NOT REQUIRED BY THE DOCUMENTS WHICH MAY COLLECT WATER.
 - J. SMOOTH TOPSOIL MIXTURE TO 6 INCHES BELOW GRADE IN AREAS TO BE SODDED.
 - K. TOPSOIL SHALL NOT BE EXTREMELY ACIDIC OR ALKALINE, NOR CONTAIN TOXIC SUBSTANCES WHICH MAY BE HARMFUL TO PLANT GROWTH. THE PH SHALL BE IN THE RANGE OF 5.5 TO 6.5. IF NECESSARY, THE CONTRACTOR TOPSOIL PH SHALL APPLY THE APPROPRIATE SOIL AMENDMENTS ADJUSTING SOIL PH TO ASSURE A PH RANGE OF 5.5 TO 6.5.
18. GUYING / STAKING PRACTICES SHALL NOT PERMIT NAILS, SCREWS, WIRES ETC., TO PENETRATE OUTER SURFACE OF TREE OR PALM. TREES OR PALMS REJECTED DUE TO THIS PRACTICE SHALL BE REPLACED.
19. CONTRACTOR SHALL MULCH ALL PLANT MATERIAL THROUGHOUT AND COMPLETELY TO A THREE (3) INCH DEPTH WITH CLEAN, WEED FREE MULCH AS SPECIFIED.
20. THE CONTRACTOR IS RESPONSIBLE FOR MAINTAINING, IN FULL ALL PLANTING AREAS (INCLUDING WATERING, SPRAYING, MULCHING, MOWING, FERTILIZING, ETC.) UNTIL THE JOB IS ACCEPTED BY THE OWNER.
21. CONTRACTOR TO GUARANTEE PLANT MATERIAL FOR A 12 MONTH PERIOD. THE CONTRACTOR SHALL VISIT THE SITE ONCE A MONTH TO REVIEW THE STATUS OF MAINTENANCE BY THE OWNER AND ADVISE IN WRITING ANY ACTIVITIES OR DISCREPENCIES THAT ARE POTENTIALLY DETRIMENTAL TO THE LANDSCAPE INSTALLATION OR MAY VOID WARRANTY.
22. ALL PLANT MATERIAL SHALL BE OF FLORIDA NO. 1 OR BETTER QUALITY AT TIME OF INSTALLATION AND SHALL BE MAINTAINED IN THIS SAME CONDITION UNTIL FINAL ACCEPTANCE. DECLINE IN CONDITION OF PLANT MATERIAL DURING THE MAINTENANCE PERIOD SHALL BE GROUNDS FOR REJECTION AND REPLACEMENT.
23. XERISCAPE PRINCIPLES AS OUTLINED IN THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT XERISCAPE PLANT GUIDE 2 SHALL BE APPLIED THROUGHOUT LANDSCAPE INSTALLATION AND MAINTENANCE.



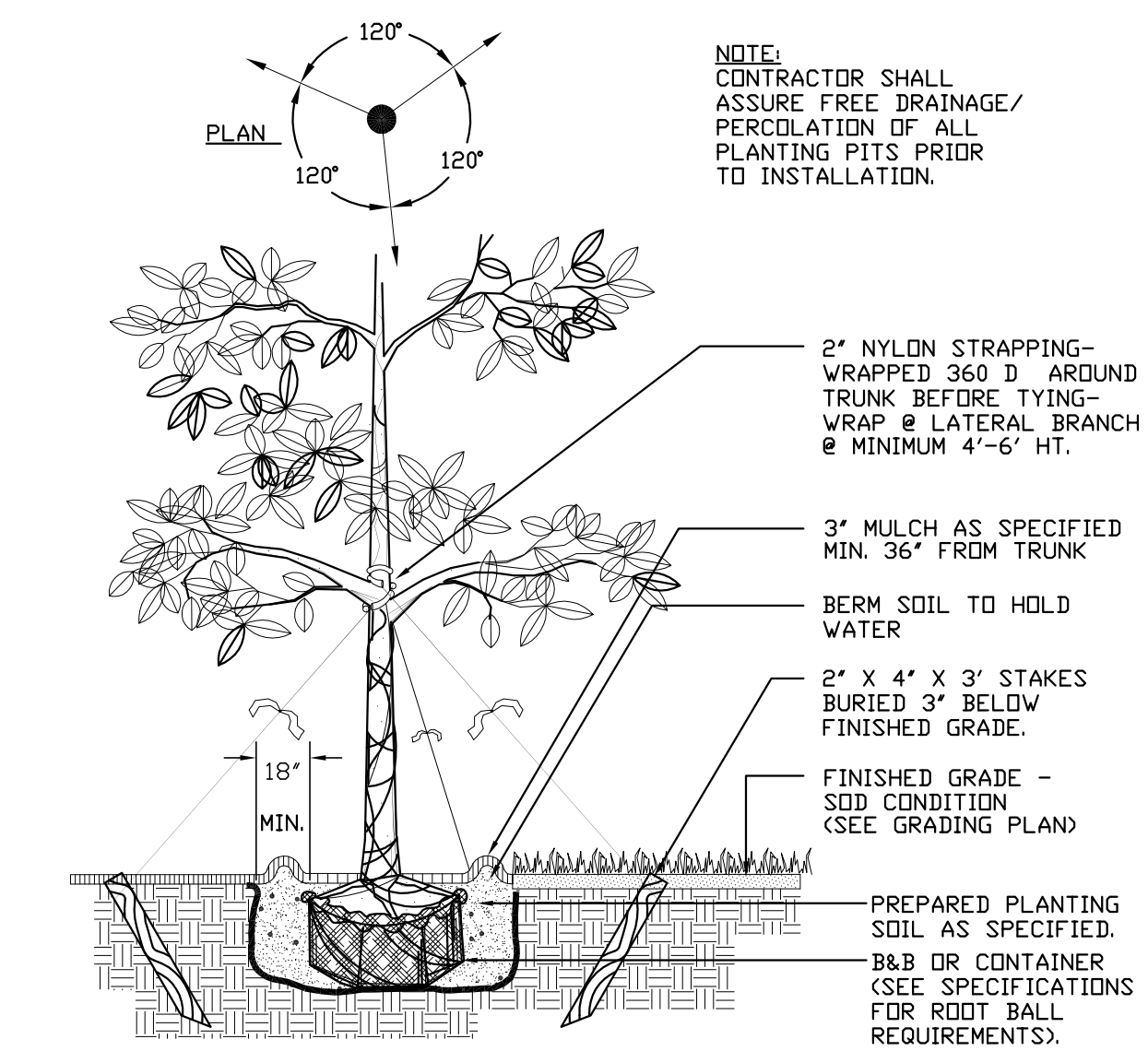
SHRUB PLANTING DETAIL N.T.S.



SABAL PALM DETAIL N.T.S.



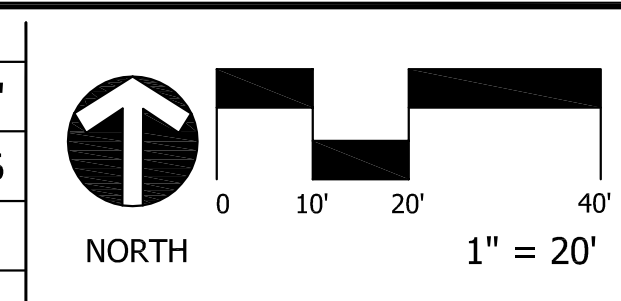
ROYAL PALM PLANTING DETAIL N.T.S.



TREE PLANTING DETAIL N.T.S.

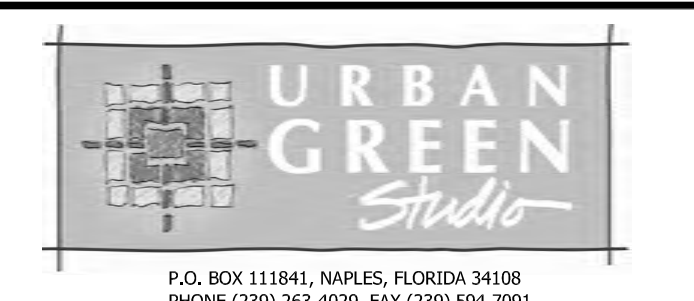
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PLANTING DETAILS & NOTES

DAYNA L. FENDRICK, RLA #0001224



IN CONJUNCTION WITH:
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 2503 DEL PRADO BLVD.
 CAPE CORAL, FL 33904

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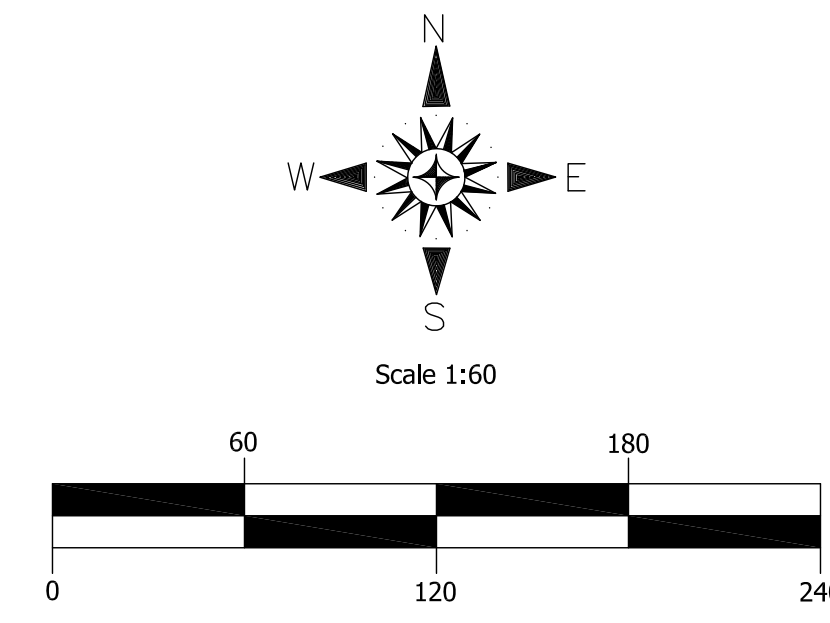
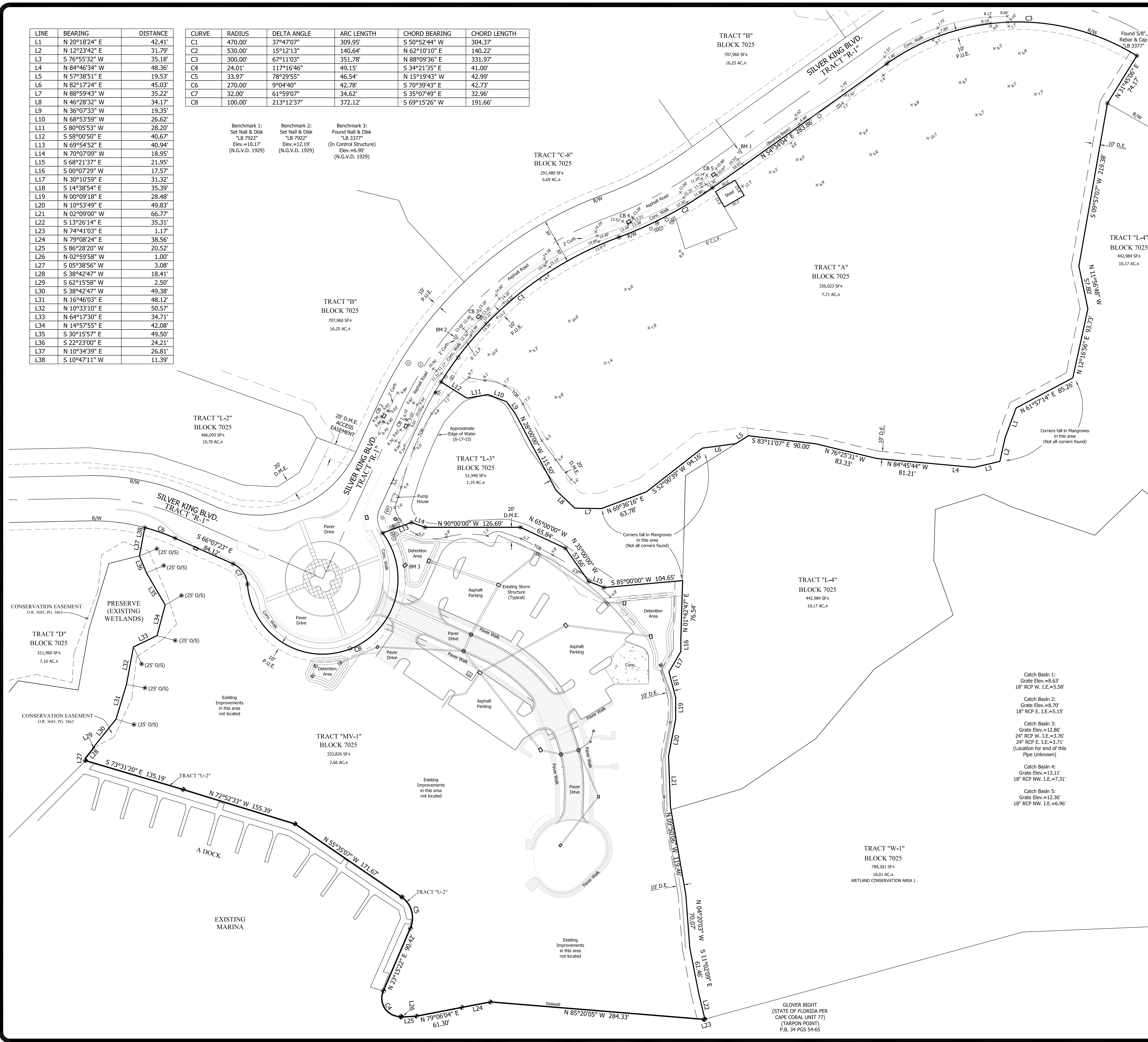
TARPON POINT
 CAPE CORAL, FLORIDA
 CONFERENCE CENTER AND SURFACE PARKING LOT

LINE	BEARING	DISTANCE	CURVE	RADIUS	DELTA ANGLE	ARC LENGTH	CHORD BEARING	CHORD LENGTH
L1	N 20°18'24" E	42.41'	C1	470.00'	37°47'07"	309.95'	S 50°52'44" W	304.37'
L2	N 12°23'42" E	31.79'	C2	530.00'	15°12'13"	140.64'	N 62°10'10" E	140.22'
L3	S 76°55'32" W	35.18'	C3	300.00'	67°11'03"	351.78'	N 88°09'36" E	331.97'
L4	N 84°46'34" W	48.36'	C4	24.01'	117°16'46"	49.15'	S 34°21'35" E	41.00'
L5	N 57°38'51" E	19.53'	C5	33.97'	78°29'55"	46.54'	N 15°19'43" W	42.99'
L6	N 82°17'24" E	45.03'	C6	270.00'	9°04'40"	42.78'	S 70°39'43" E	42.73'
L7	N 88°59'43" W	35.22'	C7	32.00'	61°59'07"	34.62'	S 35°07'49" E	32.96'
L8	N 46°28'32" W	34.17'	C8	100.00'	213°12'37"	372.12'	S 69°15'26" W	191.66'
L9	N 36°07'33" W	19.35'						
L10	N 68°53'59" W	26.62'						
L11	S 80°05'53" W	28.20'						
L12	S 58°00'50" E	40.67'						
L13	N 69°54'52" E	40.94'						
L14	N 70°07'09" W	18.95'						
L15	S 68°21'32" E	21.95'						
L16	S 00°07'29" W	17.57'						
L17	N 30°10'59" E	31.32'						
L18	S 14°38'54" E	35.39'						
L19	N 00°09'18" E	28.48'						
L20	N 10°53'49" E	49.83'						
L21	N 02°09'00" W	66.77'						
L22	S 13°26'14" E	35.31'						
L23	N 74°41'03" E	1.17'						
L24	N 79°08'24" E	38.56'						
L25	S 86°28'20" W	20.52'						
L26	N 02°59'58" W	1.00'						
L27	S 05°38'56" W	3.08'						
L28	S 38°42'47" W	18.41'						
L29	S 62°15'58" W	2.50'						
L30	S 38°42'47" W	49.38'						
L31	N 16°46'03" E	48.12'						
L32	N 10°33'10" E	50.57'						
L33	N 64°17'30" E	34.71'						
L34	N 14°57'55" E	42.08'						
L35	S 30°15'57" E	49.50'						
L36	S 22°23'00" E	24.21'						
L37	N 10°34'39" E	26.81'						
L38	S 10°47'11" W	11.39'						

Benchmark 1:
Set Nail & Disk
"LB 7922"
Elev.=10.17'
(N.G.V.D. 1929)

Benchmark 2:
Set Nail & Disk
"LB 7922"
Elev.=12.19'
(N.G.V.D. 1929)

Benchmark 3:
Found Nail & Disk
"LB 7922"
(In Control Structure)
Elev.=6.90'
(N.G.V.D. 1929)



Parcel Description:
Tract MV-1 and Tract A, Block 7025, Tarpon Point, a replat of a portion of Unit 77, Cape Coral, Florida, as per the plat recorded in Plat Book 73, Pages 70 through 79, inclusive, Public Records of Lee County, Florida.

- SURVEY NOTES:**
- MEASUREMENTS SHOWN ARE IN FEET AND DECIMALS THEREOF.
 - SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.
 - UNDERGROUND STRUCTURES AND UTILITIES, IF ANY, ARE NOT INCLUDED, UNLESS OTHERWISE SHOWN.
 - NOT VALID WITHOUT SIGNATURE AND RAISED SEAL OF FLORIDA LICENSED SURVEYOR AND MAPPER (P.S.M.)
 - ELEVATIONS SHOWN HEREON ARE IN REFERENCE TO THE NATIONAL GEODETIC VERTICAL DATUM OF 1929 (N.G.V.D. 29).
 - THE NATIONAL FLOOD INSURANCE INFORMATION: COMMUNITY NUMBER: 125095; PANEL NUMBER: 12071 C 0415; SUFFICIENT; EFFECTIVE DATE: 08/28/2008; FIRM ZONE: AE; BASE FLOOD ELEVATION: 8' (FROM PANEL LISTED ABOVE SHOULD BE CONSULTED FOR VERIFICATION OF ALL FLOOD RELATED INFORMATION)
 - BEARINGS ARE BASED ON THE SOUTHEASTERLY RIGHT OF WAY LINE OF SILVER KING BOULEVARD BEING N 54°34'04" E.
 - DATE OF LAST FIELD WORK: JUNE 17, 2015.
 - RECORDING INSTRUMENTS LISTED HEREON SHOULD BE CONSULTED AND REVIEWED FOR ADDITIONAL INFORMATION.
 - THIS SURVEY WAS COMPLETED WITHOUT BENEFIT OF AN UP-TO-DATE TITLE COMMITMENT.
 - ADDITIONS TO OR DELETIONS FROM SURVEY OR REPORTS BY OTHER THAN THE SIGNING SURVEYOR AND MAPPER ARE PROHIBITED BY LAW WITHOUT THE EXPRESS WRITTEN CONSENT OF THE SIGNING SURVEYOR AND MAPPER. COPYRIGHT 2015, STOUTENCRAMER, INC., ALL RIGHTS RESERVED. DO NOT COPY WITHOUT THE WRITTEN CONSENT OF STOUTENCRAMER, INC.
 - THIS SURVEY WAS PREPARED ONLY FOR THE CLIENTS AS NAMED HEREON AND NO THIRD OR OTHER PARTY CERTIFICATION IS EXPRESSED OR IMPLIED.

Exhibit A

SURVEY LEGEND		SURVEY ABBREVIATIONS	
FOUND NAIL & DISK "LB 43"	CONC. CONCRETE	(D)	DENOTES DEED
SET NAIL AND DISK "LB 7922"	(D.E.)	DRAINAGE EASEMENT	
FOUND 5/8" REBAR (NO CAP)	(E.P.)	EDGE OF PAVEMENT	
SET 5/8" REBAR AND CAP "LB 7922"	ELEV.	ELEVATION	
SANITARY MANHOLE	INSTR.	INSTRUMENT NUMBER	
CATCH BASIN	TRAC.	TRAIL ROD AND CAP	
CENTERLINE	(M)	DIOTHS MEASURED	
ELECTRIC BOX	O.R.	OFFICIAL RECORDS BOOK	
BURIED CABLE MARKER	PG.	PAGE	
FIRE HYDRANT	P.U.E.	PUBLIC UTILITY EASEMENT	
POWER POLE (WOOD)	D.M.E.	DRAINAGE MAINTENANCE EASEMENT	
SIGN	RCP.	REINFORCED CONCRETE PIPE	
ELECTRIC METER	R/W.	RIGHT OF WAY	
STORM DRAIN MANHOLE	U.E.	UTILITY EASEMENT	
UTILITY RISER	SF.	SQUARE FEET	
BACK FLOW PREVENTER	AC.	ACRES	
WATER METER	C.L.F.	CHAIN LINK FENCE	
WATER VALVE	O/S.	OFFSET	
MONITORING WELL	BM.	BENCHMARK	
LIGHT POLE	-TOB-	TOP OF BANK	

STOUTENCRAMER
PROFESSIONAL SURVEYORS

Jeffery D. Stouten

FLORIDA PROFESSIONAL SURVEYOR & MAPPER NO. 694

Jeffery D. Stouten (FOR THE FIRM)

FLORIDA PROFESSIONAL SURVEYOR & MAPPER NO. 694

CERTIFICATE OF AUTHORIZATION: LB7922
324 Nicholas Parkway West, Suite F, Cape Coral, FL 33991
Phone: (239) 673-9541 Fax: (239) 424-8181
www.seisurvey.com

Boundary & Topographic Survey
of a Portion of Section 22, Township 45
South, Range 23 East, City of Cape Coral,
Lee County, Florida.

SECTION 22, TOWNSHIP 45S, RANGE 23E
Prepared for: Freeman & Haiselwelder Resort

DATE:	
REVISION:	
DRAWN BY:	C.A.M.
CHECKED BY:	J.D.S.
JOB No:	15-1287

Exhibit "B"

TARPON POINT LEGAL DESCRIPTION:

A REPLAT OF A PORTION OF UNIT 77, CAPE CORAL, TARPON POINT ACCORDING TO PLAT BOOK 34, PAGES 54 THROUGH 65, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, SITUATED IN SECTION 22, TOWNSHIP 45 SOUTH, RANGE 23 EAST, CITY OF CAPE CORAL, LEE COUNTY, FLORIDA.

TRACTS 1, 2, 3, 4, 5, 6, 8, 9 AND 10, CAPE CORAL UNIT 77, TARPON POINT, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 34, PAGES 54 THROUGH 65 OF THE PUBLIC RECORDS OF LEE COUNTY, CITY OF CAPE CORAL, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF TRACT 9 OF SAID CAPE CORAL UNIT 77, BEING ALSO THE SOUTHWEST CORNER OF LOT 8, BLOCK 3443 OF CAPE CORAL UNIT 67 ACCORDING TO PLAT BOOK 25, PAGES 57 THROUGH 65, AND A POINT ON THE EAST RIGHT OF WAY LINE OF CASABA CANAL (200 FOOT RIGHT OF WAY); THENCE RUN N89°34'47"E ALONG THE NORTH LINE OF SAID CAPE CORAL UNIT 77, BEING ALSO THE SOUTH LINE OF SAID CAPE CORAL UNIT 67, FOR 530.00 FEET TO THE SOUTHEAST CORNER OF LOT 1 OF SAID BLOCK 3443 AND THE SOUTHWEST CORNER OF ROSE GARDEN ROAD RIGHT OF WAY; THENCE CONTINUE RUNNING N89°34'47"E ALONG SAID NORTH LINE OF SAID CAPE CORAL UNIT 77, BEING ALSO THE SOUTH LINE OF SAID ROSE GARDEN ROAD RIGHT OF WAY, FOR 180.00 FEET; THENCE RUN ALONG THE LINE COMMON TO SAID CAPE CORAL UNIT 77 AND SAID ROSE GARDEN ROAD RIGHT OF WAY FOR THE FOLLOWING FOUR COURSES: N00°25'13"W FOR 83.59 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHEAST, THEN RUN ALONG SAID CURVE HAVING A RADIUS OF 480.00 FEET AND A CENTRAL ANGLE OF 126°43'55" (CHORD=N62°56'44"E, 858.13 FEET) FOR 1061.71 FEET TO THE POINT OF TANGENCY, THEN RUN S53°41'18"E FOR 1195.41 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHWEST, THEN RUN ALONG SAID CURVE HAVING A RADIUS OF 550.00 FEET AND A CENTRAL ANGLE OF 90°53'32" (CHORD=N80°51'56"E, 783.85 FEET) FOR 872.50 FEET TO THE NORTHEASTERLY CORNER OF SAID TRACT 6 OF SAID CAPE CORAL UNIT 77, BEING ALSO THE NORTHWESTERLY CORNER OF TRACT 7 (CITY PARK) OF SAID CAPE CORAL UNIT 77; THENCE RUN S01°03'10"W ALONG THE LINE COMMON TO SAID TRACT 6 AND SAID TRACT 7 FOR 1189.01 FEET TO AN INTERSECTION WITH THE MEAN HIGH WATER LINE AS DETERMINED BY THE WILSON MILLER SURVEY DATED 6-19-01; THENCE RUN ALONG SAID MEAN HIGH WATER LINE THE FOLLOWING FIVE COURSES: S87°40'41"W FOR 370.36 FEET, S77°19'11"W FOR 205.00 FEET, S18°26'06"W FOR 94.87 FEET, S87°36'51"W FOR 360.31 FEET, S74°41'03"W, FOR 438.56 FEET TO A POINT ON THE EAST END OF AN EXISTING SEAWALL, THENCE RUN ALONG SAID EXISTING SEAWALL THE FOLLOWING TEN COURSES: N85°20'05"W FOR 284.33 FEET, S79°08'24"W FOR 38.56 FEET, S79°06'04"W FOR 61.30 FEET, S86°28'20"W FOR 20.52 FEET TO THE NON-TANGENT POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHEAST, THEN RUN ALONG SAID CURVE HAVING A RADIUS OF 25.01 FEET AND A CENTRAL ANGLE OF 117°16'46" (CHORD=N34°21'45"W, 42.71 FEET) FOR 51.19 FEET TO A POINT, THEN RUN N23°15'22"E FOR 90.41 FEET TO THE POINT OF CURVATURE OF A NON-TANGENT CURVE CONCAVE TO THE SOUTHWEST, THEN RUN ALONG SAID CURVE HAVING A RADIUS OF 32.97 FEET AND A CENTRAL ANGLE OF 78°29'55" (CHORD=N15°19'43"W, 41.72 FEET) FOR 45.17 FEET TO A POINT, THEN RUN N55°35'07"W FOR 171.52 FEET, N72°52'33"W FOR 155.24 FEET, N73°31'20"W FOR 136.02 FEET TO THE NORTHWESTERLY END OF SAID SEAWALL; THENCE RESUME RUNNING ALONG SAID MEAN HIGH WATER LINE FOR THE FOLLOWING SEVENTEEN COURSES: N05°38'56"E FOR 4.20 FEET, N38°42'47"E FOR 65.79 FEET, N16°46'03"E FOR 48.12 FEET, N10°33'10"E FOR 50.57 FEET, N64°17'30"E FOR 34.71 FEET, N14°57'55"E FOR 42.08 FEET, N30°15'57"W FOR 49.50 FEET, N22°23'00"W FOR 24.21 FEET, S76°05'50"W FOR 41.77 FEET, S16°50'57"W FOR 91.57 FEET, S09°58'51"W FOR 81.54 FEET, N81°15'17"W FOR 80.80 FEET, S38°50'01"W FOR 42.56 FEET, S05°48'39"W FOR 72.55 FEET, S12°41'35"E FOR 77.99 FEET, S21°16'03"W FOR 16.87 FEET, S44°37'14"E FOR 15.08 FEET TO A POINT ON THE NORTHEASTERLY END OF AN EXISTING SEAWALL; THENCE RUN ALONG SAID SEAWALL S44°37'19"W FOR 221.79 FEET TO THE SOUTHWESTERLY END OF SAID SEAWALL; THENCE RESUME RUNNING ALONG SAID MEAN HIGH WATER LINE THE FOLLOWING TEN COURSES: N76°48'25"W FOR 37.16 FEET, N83°05'48"W FOR 25.59 FEET, N87°57'41"W FOR 73.23 FEET, S85°48'27"W FOR 44.89 FEET, S66°53'43"W FOR 79.59 FEET TO THE POINT OF CURVATURE OF A NON-TANGENT CURVE CONCAVE TO THE NORTHEAST, THEN RUN ALONG SAID CURVE HAVING A RADIUS OF 47.49 FEET AND A CENTRAL ANGLE OF 176°40'27" (CHORD=S20°02'11"E, 94.94 FEET) FOR 146.44 FEET TO A POINT, THEN RUN N72°50'13"E FOR 44.74 FEET, N65°28'26"E FOR 47.24 FEET, N68°33'18"E FOR 53.41 FEET, S63°53'24"E FOR 21.11 FEET TO A POINT ON THE NORTHERLY END OF AN EXISTING SEAWALL; THENCE RUN ALONG SAID EXISTING SEAWALL THE FOLLOWING TWENTY SIX COURSES: S05°11'45"W FOR

145.69 FEET, S07°29'52"E FOR 75.37 FEET, S11°03'12"E FOR 65.78 FEET, S26°12'49"E FOR 99.86 FEET, S62°27'36"E FOR 79.11 FEET, N85°09'30"E FOR 81.04 FEET, N50°42'38"E FOR 34.82 FEET, N03°20'45"E FOR 90.29 FEET TO THE POINT OF CURVATURE OF A NON-TANGENT CURVE CONCAVE TO THE SOUTHEAST, THEN RUN ALONG SAID CURVE HAVING A RADIUS OF 38.95 FEET AND A CENTRAL ANGLE OF 75°10'51" (CHORD=N47°09'57"E, 47.52 FEET) FOR 51.11 FEET TO A POINT, THEN RUN N78°38'48"E FOR 85.24 FEET, N68°36'03"E FOR 80.41 FEET, N33°48'49"E FOR 100.02 FEET, N30°26'59"E FOR 60.40 FEET TO THE POINT OF CURVATURE OF A NON-TANGENT CURVE CONCAVE TO THE SOUTHWEST, THEN RUN ALONG SAID CURVE HAVING A RADIUS OF 24.92 FEET AND A CENTRAL ANGLE OF 145°12'18" (CHORD=S78°19'08"E, 47.56 FEET) FOR 63.15 FEET TO A POINT, THEN RUN S04°16'53"E FOR 126.71 FEET, S10°23'38"E FOR 151.26 FEET, S22°00'35"E FOR 161.44 FEET, S19°52'52"E FOR 71.54 FEET, S40°07'45"W FOR 32.06 FEET, N86°35'08"W FOR 185.19 FEET, N79°40'25"W FOR 150.42 FEET, N84°00'47"W FOR 150.59 FEET, N89°19'44"W FOR 122.39 FEET, S87°33'15"W FOR 155.37 FEET, S78°23'57"W FOR 150.95 FEET, S72°24'29"W FOR 148.99 FEET TO A POINT ON THE WEST END OF SAID EXISTING SEAWALL; THENCE RESUME RUNNING ALONG SAID MEAN HIGH WATER LINE THE FOLLOWING TWENTY-THREE COURSES: S82°04'05"W FOR 110.46 FEET, S71°22'24"W FOR 107.75 FEET, S82°10'15"W FOR 215.40 FEET, N74°46'25"W FOR 209.20 FEET, N68°18'15"W FOR 94.94 FEET, N77°49'12"W FOR 49.98 FEET, N70°20'58"W FOR 51.75 FEET, N56°24'51"W FOR 270.63 FEET, N16°07'50"W FOR 107.60 FEET, N27°36'52"E FOR 20.72 FEET, N08°55'38"W FOR 243.31 FEET, N03°45'00"E FOR 83.16 FEET, N06°33'53"W FOR 45.47 FEET, N03°34'46"E FOR 60.52 FEET, N03°18'41"W FOR 54.07 FEET, N04°26'13"E FOR 39.08 FEET, N01°36'06"W FOR 62.38 FEET, N13°25'39"W FOR 56.44 FEET, N05°27'35"E FOR 57.95 FEET, N04°06'41"W FOR 98.05 FEET, N10°09'27"E FOR 90.11 FEET, N32°03'20"W FOR 21.07 FEET, N16°16'13"E FOR 23.79 FEET TO THE WESTERLY END OF AN EXISTING SEAWALL; THENCE RUN ALONG SAID SEAWALL THE FOLLOWING FIVE COURSES: N52°23'11"E FOR 31.12 FEET, N87°47'12"E FOR 70.02 FEET, S89°52'33"E FOR 633.18 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHWEST, THEN RUN ALONG SAID CURVE HAVING A RADIUS OF 100.00 FEET AND A CENTRAL ANGLE OF 90°32'40" (CHORD=N44°51'07"E, 142.09 FEET) FOR 158.03 FEET TO THE POINT OF TANGENCY, THEN RUN N00°25'13"W FOR 832.53 FEET TO THE POINT OF BEGINNING.

SAID TRACT CONTAINS 6,450,035 SQUARE FEET (148.07 ACRES), MORE OR LESS.

SUBMERGED LANDS LEGAL DESCRIPTION:

O.R. BOOK 3659, PAGE 1147

A PARCEL OF SUBMERGED LAND LOCATED IN SECTION 22, TOWNSHIP 45 SOUTH, RANGE 23 EAST, LEE COUNTY, FLORIDA, AS RECORDED IN O.R. BOOK 3659, PAGE 1147 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FROM THE PLATTED P.R.M. AT LOT 1, BLOCK 3483A, CAPE CORAL UNIT 67, ACCORDING TO PLAT BOOK 25, PAGE 59 OF THE PUBLIC RECORD OF LEE COUNTY, FLORIDA RUN S20°21'23"E, 1977.69 FEET TO A DRILL HOLE IN AN EXISTING SEAWALL AND THE POINT OF BEGINNING, SAID POINT OF BEGINNING ALSO BEING A POINT OF CUSP AT THE BEGINNING OF AN UNEQUAL RADIUS CURVE CONCAVE TO THE SOUTHWEST; THENCE NORTHWESTERLY AND WESTERLY ALONG SAID SEAWALL AND ALONG THE ARC OF SAID CURVE 61.3 FEET THROUGH A CENTRAL ANGLE OF 145°16'08", (CHORD BEARING N78°19'08"W, CHORD 47.56 FEET) TO A POINT OF TANGENCY; THENCE CONTINUE ALONG SAID SEAWALL THE FOLLOWING THIRTEEN COURSES: S30°26'59"W, 60.40 FEET; S33°48'49"W, 100.02 FEET; S68°36'03"W, 80.41 FEET; S78°38'48"W, 85.24 FEET; TO THE BEGINNING OF AN UNEQUAL RADIUS CURVE CONCAVE TO THE SOUTHEAST; THENCE ALONG THE ARC OF SAID CURVE 51.0 FEET THROUGH A CENTRAL ANGLE OF 75°18'03", (CHORD BEARING S47°09'57"W, CHORD 47.52 FEET) TO A POINT OF TANGENCY; THENCE S03°20'45"W, 90.29 FEET; S50°42'38"W, 34.82 FEET; S85°09'30"W, 81.04 FEET; N62°27'36"W, 79.11 FEET; N26°12'49"W, 99.86 FEET; N11°03'12"W, 65.78 FEET; N07°29'52"W, 75.37 FEET; N05°11'45"E, 145.69 FEET TO THE END OF SAID PORTION OF SEAWALL; THENCE N44°43'53"E, 93.47 FEET TO THE BEGINNING OF AN EXISTING SEAWALL; THENCE N44°37'19"E, 221.79 FEET TO ITS TERMINUS; THENCE N44°50'19"E, 143.00 FEET TO THE BEGINNING OF AN EXISTING SEAWALL; THENCE ALONG SAID SEAWALL THE FOLLOWING SIX COURSES: S73°31'20"E, 136.02 FEET; S72°52'33"E, 155.24 FEET; S55°35'07"E, 171.52 FEET TO THE BEGINNING OF AN UNEQUAL RADIUS CURVE CONCAVE TO THE WEST; THENCE ALONG THE ARC OF SAID CURVE 46.0 FEET THROUGH A CENTRAL ANGLE OF 78°50'29", (CHORD BEARING S15°19'43"E, CHORD 41.72 FEET) TO A POINT OF TANGENCY; THENCE S23°15'22"W, 90.41 FEET TO THE BEGINNING OF AN UNEQUAL RADIUS CURVE CONCAVE TO THE NORTHEAST; THENCE ALONG THE ARC OF SAID CURVE 51.5 FEET THROUGH A CENTRAL ANGLE OF 117°10'00", (CHORD BEARING S34°26'19"E, CHORD 42.67 FEET); THENCE LEAVING SAID SEAWALL ALONG THE FOLLOWING SIX COURSES: S67°44'52"W, 141.71 FEET; S04°16'53"E, 137.56

FEET; S10,23'38"E, 146.12 FEET; S22°00'35"E, 157.28 FEET; S19°52'52"E, 72.47 FEET; THENCE S70°07'08"W, 50.00 FEET TO AN EXISTING SEAWALL; THENCE ALONG SAID SEAWALL THE FOLLOWING FOUR COURSES: N19°52'52"W, 71.54 FEET; N22°00'35"W, 161.44 FEET; N10°23'38"W, 151.26 FEET; THENCE N04°16'53"W, 126.71 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH:

A PARCEL OF SUBMERGED LAND LOCATED IN "GLOVER BIGHT" WATERBODY, SECTION 22, TOWNSHIP 45 SOUTH, RANGE 23 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHERN MOST CORNER OF TRACT MV-1, BLOCK 7025 OF TARPON POINT AS RECORDED IN PLAT BOOK 73, PAGES 70-79 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, SAID POINT LYING 1.17 FEET FROM THE EASTERN LINE OF SAID TRACT; RUN S24°22'05"E FOR 89.58 FEET; THENCE RUN S04°39'55"W FOR 142.70 FEET; THENCE RUN S22°00'35"E FOR 91.25 FEET; THENCE RUN S67°59'25"W FOR 190.00 FEET; THENCE RUN S39°13'07"W FOR 91.27 FEET; THENCE RUN S67°59'25"W FOR 231.66 FEET; THENCE RUN S70°07'08"W FOR 25.00 FEET TO A POINT ON THE SOUTHERN END OF AN EXISTING SUBMERGED LAND LEASE PARCEL RECORDED IN O.R. BOOK 3659, PAGE 1147 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE RUN THE FOLLOWING FIVE (5) COURSES ALONG THE BOUNDARY OF SAID SUBMERGED PARCEL, 1) N19°52'52"W FOR 72.47 FEET; 2) N22°00'35"W FOR 157.28 FEET; 3) N10°23'38"W FOR 146.12 FEET; 4) N04°16'53"W FOR 137.56 FEET; 5) N67°44'52"E FOR 141.71 FEET TO A POINT ON THE SOUTHERN LINE OF ABOVE DESCRIBED TRACT MV-1; THENCE THE FOLLOWING FOUR (4) COURSES ALONG THE SOUTHERLY BOUNDARY OF SAID PARCEL, 1) N86°28'20"E FOR 20.52 FEET; 2) N79°06'04"E FOR 61.30 FEET; 3) N79°08'24"E FOR 38.56 FEET; 4) S85°20'05"E FOR 284.33 FEET TO THE POINT OF BEGINNING.

CONTAINING 588,101 SQUARE FEET, MORE OR LESS (13.5± ACRES).

NOTICE OF PUBLIC HEARING

YOU ARE HEREBY NOTIFIED that the City of Cape Coral, Florida, proposes to adopt ORDINANCE 21-16: AN ORDINANCE AMENDING ORDINANCE 14-01, AS AMENDED, WHICH APPROVED A PLANNED DEVELOPMENT PROJECT IN THE CITY OF CAPE CORAL, FLORIDA ENTITLED "TARPON POINT" FOR CERTAIN PROPERTY DESCRIBED AS A REPLAT OF A PORTION OF UNIT 77, CAPE CORAL, FLORIDA, AS PER THE PLAT RECORDED IN PLATBOOK 34, PAGES 54 THROUGH 65, INCLUSIVE, PUBLIC RECORDS OF LEE COUNTY, FLORIDA AND A PARCEL OF SUBMERGED LAND LOCATED IN SECTION 22, TOWNSHIP 45 SOUTH, RANGE 23 EAST, AS MORE PARTICULARLY DESCRIBED HEREIN; PROPERTY LOCATED AT SILVER KING BOULEVARD, BLACK MARLIN LANE, AND TARPON ESTATES BOULEVARD; BY APPROVING REZONING OF TRACT "A" FROM MULTI-FAMILY RESIDENTIAL (R-3) TO PEDESTRIAN COMMERCIAL (C-1); GRANTING DEVIATIONS FROM THE CITY OF CAPE CORAL LAND USE AND DEVELOPMENT REGULATIONS, SECTION 5.2, LANDSCAPING; ELIMINATING AN OFF-SITE PAVING REQUIREMENT FOR PELICAN BOULEVARD; APPROVING AN INCREASE IN THE NUMBER OF HOTEL ROOMS FOR THE PROJECT; AMENDING THE MASTER DEVELOPMENT PLAN; GRANTING DEVELOPMENT PLAN APPROVAL PURSUANT TO SECTION 4.2 OF THE CITY OF CAPE CORAL LAND USE AND DEVELOPMENT REGULATIONS; PROVIDING FOR FINDINGS OF FACT AND CONCLUSIONS OF LAW; PROVIDING FOR ACTION ON REQUEST AND CONDITIONS OF APPROVAL; PROVIDING FOR LEGAL EFFECT AND LIMITATIONS OF THIS PDP DEVELOPMENT ORDER AND ADMINISTRATIVE REQUIREMENTS.

FURTHER that an application has been received from **Freeman and Hasselwander Resort Properties, LLC**.

FURTHER that said request will be reviewed by the Cape Coral Planning and Zoning Commission/Local Planning Agency on **Wednesday, May 18, 2016 at 9:00 A.M. in the Council Chambers at City Hall.**

FURTHER that said request will be reviewed by the Cape Coral City Council on **Monday, June 13, 2016 at 4:30 P.M. in the Council Chambers at City Hall.**

FURTHER any person may appear at the public hearings and be heard, subject to proper rules of conduct. Written comments filed with the Director will be entered into the record. The hearings may be continued from time to time as necessary.

FURTHER any person deciding to appeal any decision made at these hearings may need to insure that a verbatim record includes the testimony and evidence upon which the appeal is to be based.

FURTHER in accordance with the Americans with Disabilities Act, persons needing special accommodations to participate in this proceeding should contact the City Clerk's office which is located at Cape Coral City Hall, 1015 Cultural Park Boulevard, Cape Coral, Florida; telephone 1-239-574-0411 for assistance; if hearing impaired,

FURTHER You are allowed sufficient time to write or appear at the public hearing to voice your objections or approval. Please reference the case number below within your correspondence and mail to: **Department of Community Development, Planning Division, P. O. Box 150027, Cape Coral, FL 33915-0027;** or email **comdev@capecoral.net**. For further information, please call **Mike Struve at 239-242-3255** or email at **mstruve@capecoral.net**.

by order of
Rebecca van Deutekom, MMC
City Clerk

REF # PDP15-0011

PUBLISH AD:
May 8, 2016 & May 29, 2016

PROOF O.K. BY: _____ O.K. WITH CORRECTIONS BY: _____

PLEASE READ CAREFULLY • SUBMIT CORRECTIONS ONLINE

ADVERTISER: CITY OF CAPE CORAL_DEPT PROOF CREATED AT: 5/3/2016 11:20 AM
SALES PERSON: Legal Display PROOF DUE: - NEXT RUN DATE: 05/08/16
PUBLICATION: NP-CAPE SUN PRESS SIZE: 1 col X 10 in

NP-0000894402.INDD


CITY OF CAPE CORAL

Department of
Community Development
Planning Division

CURRENT ZONING MAP
500 Proximity Boundary

Case No. PDP15-0011

Legend

 Subject Parcel


Zoning

 C1

 PRES

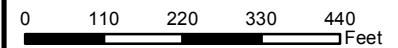
 R1B

 R3

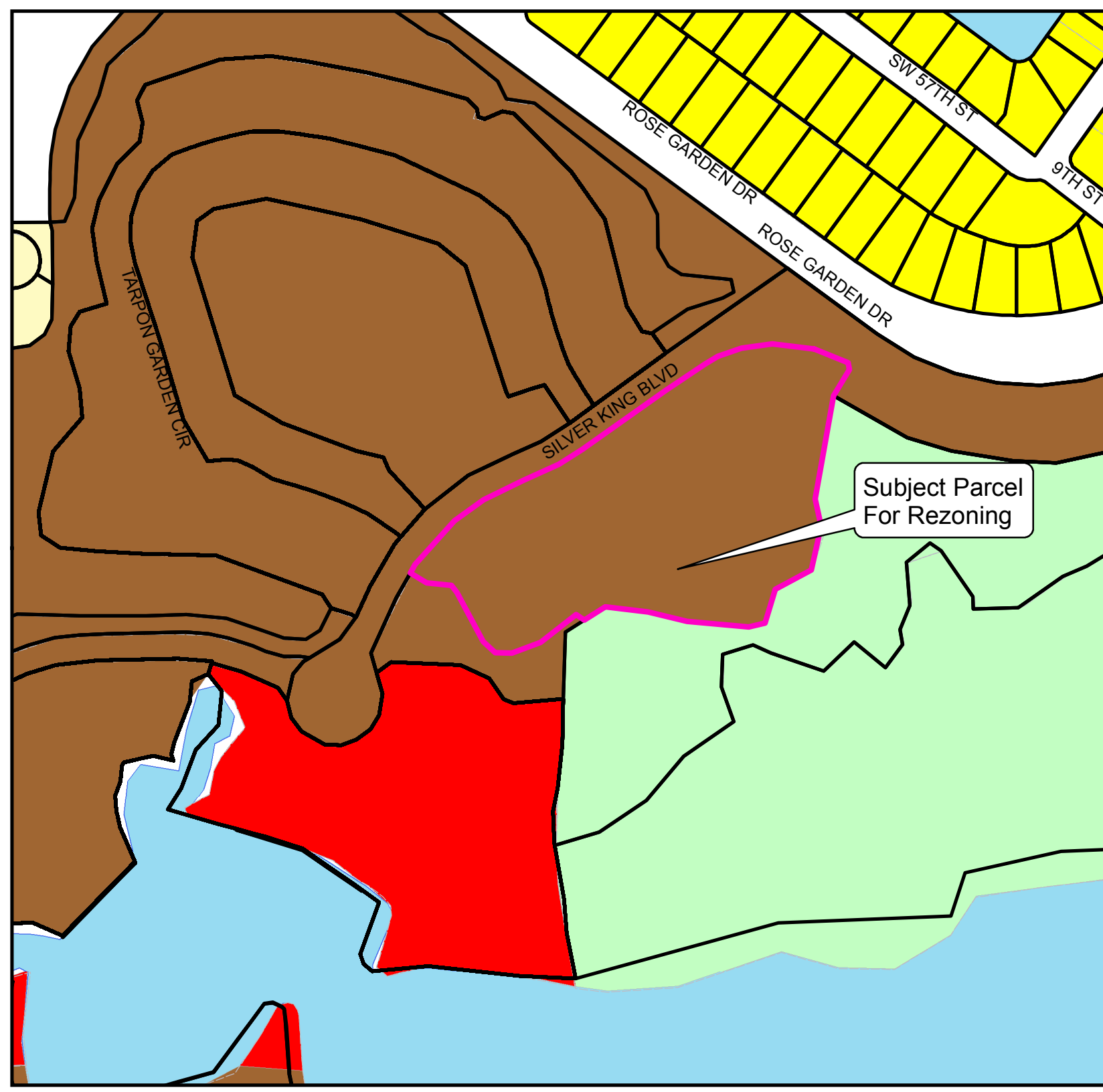
 RD



APRIL 28, 2016



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 Community Development with any questions regarding this map product.




CITY OF CAPE CORAL

Department of
Community Development
Planning Division

FUTURE LAND USE MAP

500 Proximity Boundary
Case No. PDP15-0011

Legend

 Subject Parcel

Future Land Use

 SF

 MX

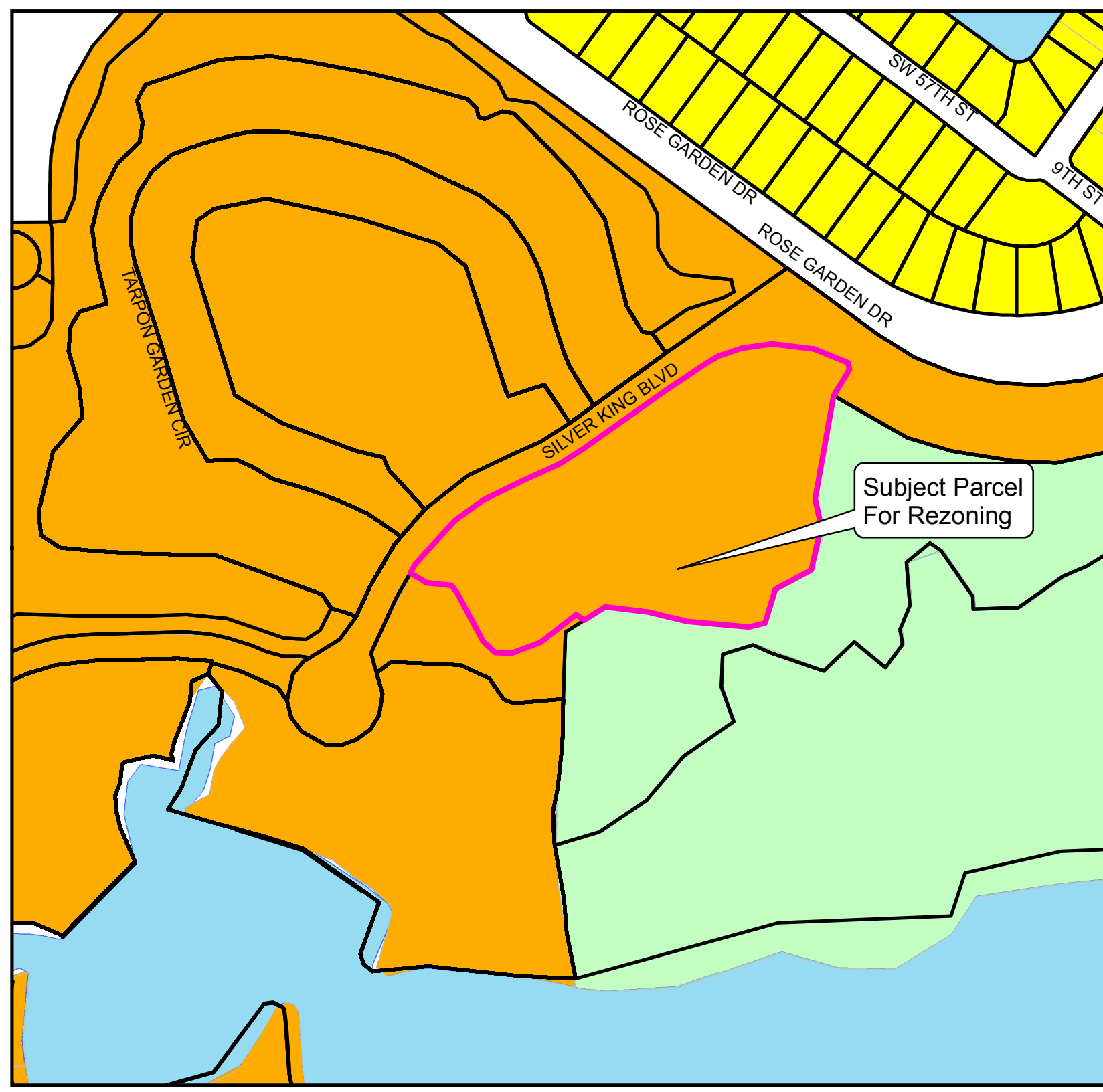
 PR



APRIL 28, 2016

0 110 220 330 440
Feet

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 Community Development with any questions regarding this map product.




CITY OF CAPE CORAL

Department of
Community Development
Planning Division

PROPOSED ZONING MAP
500 Proximity Boundary

Case No. PDP15-0011

Legend

 Subject Parcel


Zoning

 C1

 PRES

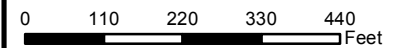
 R1B

 R3

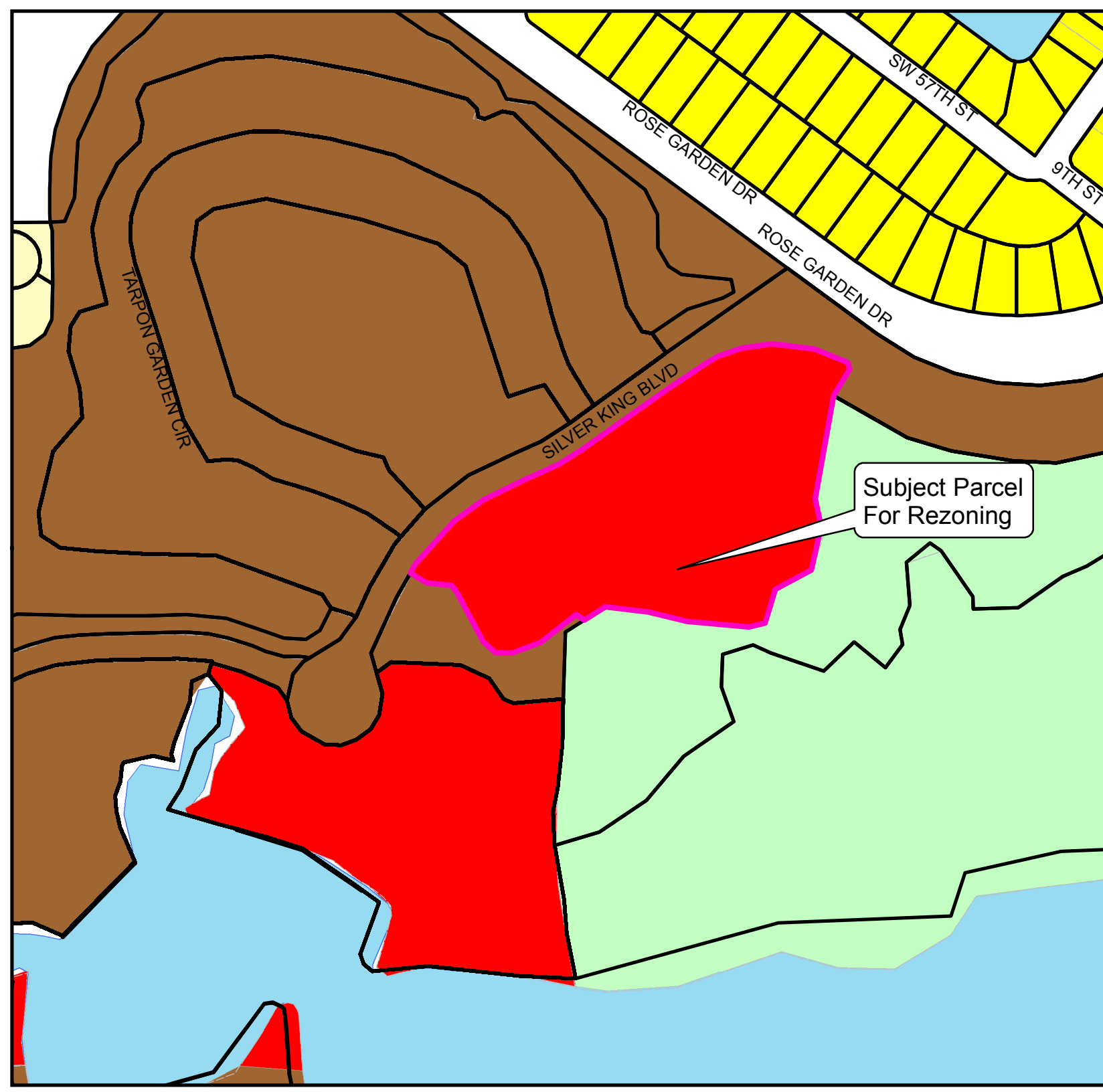
 RD



APRIL 28, 2016



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SW 58TH TER

TARPON GARDEN CIR

SILVER KING BLVD

ROSE GARDEN DR

SW 57TH ST

SW 9TH CT
9TH ST

ROSE GARDEN RD

CITRUS CANAL

CASABA CANAL

TARPON ESTATES BLVD

SOUTH SPREADER WATERWAY


Subject Parcels

BLACK MARLIN LN

CITY OF CAPE CORAL

Department of
Community Development

Case # PDP15-0011

 Subject Parcel



Map Date: April 19, 2016
Aerial Date: May 2015

0 200 400 Feet

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 Community Development with any questions regarding this map product.

FAIRHOMES FLORIDA OCEANSIDE PRO	139 MAIN ST UT 203	UNIONVILLE	ON L3R 2G6;CA	Y	;CANADA
FLETCHER LAWRENCE C + FLETCHER M	37 HERSEY CRES	BARRIE	ON L4N 8P7;CA	Y	CANADA
OSULLIVAN KAREN	1-1735 THE COLLEGEWAY	MISSISSAUGA	ON L5L 3S7;CA	Y	CANADA
TROTHEN NATALIE TR FOR NATALIE TR	103 ORKNEY CRES	LONDON	ON M5X 3R8;C/	Y	CANADA
VAN MINNEN HENRY + PATRICIA L	175-PINEWAY DR	KINGSVILLE	ON N9Y 2J1	Y	CANADA
CHAMULAK IVAN	VYCHODNI 485	25301 CHYNE	CZECH REPL	N	CZECH REPUBLIC
BONNET FRANCOIS + ROSELYNE L/E	714 CHEMIN DU MALVAN	06570 SAINT PAUL	CZECH REPL	Y	CZECH REPUBLIC
DEJA GUENTER + SABINE	WEINBERGSTRASSE 25	ANGELBACHTAL 74918	GERMANY	Y	GERMANY
LINDENBAUM RALF + BEATRIX	LAARSTRASSE 12	45889 GELSENKIRCHEN	GERMANY	Y	GERMANY
MAJER DIRK + KARIN + SAEED ZEYNAB	BARENKAMPALLEE 27	46535 DINSLAKEN	GERMANY	Y	GERMANY
DELLENBACH BRUNO + GERDA	GIBUEL 4 CH	8239 DOERFLINGEN	SWITZERLAI	Y	SWITZERLAND
YOUNG IAN + JAN + YOUNG GEMMA L	27 BROOKFIELD HIGHWORTH	WILTSHIRE SN6 7HY	UNITED KIN	Y	UNITED KINGDOM
AGYBE LLC	5708 SW 10TH AVE	CAPE CORAL	FL 33914	Y	
ALLEN ROSEANN	2 BERRY AVE W	STATEN ISLAND	NY 10312	N	
ANTAR BILL + DIMA	3306 DEL PRADO BLVD S	CAPE CORAL	FL 33904	Y	
ARNOLD ELIZABETH E	1061 ROSE GARDEN RD	CAPE CORAL	FL 33914	Y	
AZOURY LAWRENCE O	1033 ROSE GARDEN RD	CAPE CORAL	FL 33914	Y	
B + B FREY INVESTMENTS LLP	10951 BONITA BEACH RD SE	BONITA SPRINGS	FL 34135	N	
BALZANO GULIO + PATRICIA	1215 ROSE GARDEN RD	CAPE CORAL	FL 33914	Y	
BARLETTA E WALTER + DEANN	1206 SW 57TH ST	CAPE CORAL	FL 33914	Y	
BARRIOS AUGUSTO + MARIA T	1041 ROSE GARDEN RD	CAPE CORAL	FL 33914	Y	
BATTAGLIA ANTHONY P + ISABEL	1166 SW 57TH ST	CAPE CORAL	FL 33914	Y	
BERG JEROME + KATHLEEN TR FOR BEI	1514 HERMITAGE LN	CAPE CORAL	FL 33914	N	
BERGMAN BRUNO + SARAH	7380 LAMBTON PARK RD	NEW ALBANY	OH 43054	Y	
BLAESING JOSEPH G + GAIL A	1226 SW 57TH ST	CAPE CORAL	FL 33914	Y	
CALAMELA ANTHONY + CALAMELA PA	3010 NW 43RD PL	CAPE CORAL	FL 33993	Y	
CALAMELA ANTHONY M + DANIELLE	2662 WINDWOOD PL	CAPE CORAL	FL 33991	N	
CANNAMELA ANTHONY + KIMBERLY	1042 SW 57TH ST	CAPE CORAL	FL 33914	Y	
CANZANO DANIEL A + MARY K	150 MILES CUTTING LN	PITTSFORD	NY 14534	Y	
CATES STEVE	5707 ROSE GARDEN RD	CAPE CORAL	FL 33914	Y	
CICALE DOMINICK A + ELIZABETH	1186 SW 57TH ST	CAPE CORAL	FL 33914	Y	
CLEVENGER MICHAEL D	1057 ROSE GARDEN RD	CAPE CORAL	FL 33914	Y	
CONTRACTOR ORIENTATION LLC	6021 SILVER KING BLVD # 506	CAPE CORAL	FL 33914	Y	
CORONADO DREAM INC	3665 BONITA BEACH RD STE 3	BONITA SPRINGS	FL 34134	Y	
CORRAL FRANK J + ELSA P	1442 SW 58TH TER	CAPE CORAL	FL 33914	Y	
CROSS RITA L	1081 ROSE GARDEN RD	CAPE CORAL	FL 33914	Y	
CURTIS CHARLES + TERRI	1515 HERMITAGE LN	CAPE CORAL	FL 33914	Y	
DAUM STEVE J + SUSAN A	22 LINCOLN ST	NORTH HAVEN	CT 06473	Y	
DECICCO MICHAEL + ARLENE E	1725 WESTOVER RESERVE BLVD	WINDERMERE	FL 34786	Y	
DEHAVEN DAVID + MELISSA A	1434 SW 58TH ST	CAPE CORAL	FL 33914	Y	
DR DRACKER ASSET MANAGEMENT	1222 SE 47TH ST	CAPE CORAL	FL 33904	Y	
ECK KEVIN J + VIVIAN L	1523 HERMITAGE LN	CAPE CORAL	FL 33914	Y	
ENGELHARD CLARISSA MARIA	1195 ROSE GARDEN RD	CAPE CORAL	FL 33914	Y	
FAMBA PROPERTIES LLC	1450 SW 58TH TER	CAPE CORAL	FL 33914	Y	
FATICA ALAN A + LYNN M	1034 SW 57TH ST	CAPE CORAL	FL 33914	Y	
FENECH PETER	2053 CHANNEL DR	BRIGHTON	MI 48114	Y	
FERRETTI MARK R + ERIKA E	61 MARGIL FARM DR	DOWNINGTOWN	PA 19335	Y	
FINDLEY JOHN W	PO BOX 485	OCONOMOWOC	WI 53066	N	
FOSSETT ANNA L L/E	1085 ROSE GARDEN RD	CAPE CORAL	FL 33914	Y	
FREDERICK LEONARD + ESTHER	1441 SW 57TH ST	CAPE CORAL	FL 33914	Y	
GAFF ROBERT E JR + KAREN	54729 STREETER LN	ELKHART	IN 46514	Y	
GARCIA DELIO + ELVIRA	1430 SW 57TH ST	CAPE CORAL	FL 33914	Y	
GARDNER JOYCE C + GARDNER GARRE	1500 SW 58TH ST	CAPE CORAL	FL 33914	Y	
GARSON JASON PER REP FOR CYNTHIA	3929 BEECHMONT TRL	BEACHWOOD	OH 44122	N	
GRACHEK RANDALL M + GRACHEK BR	PO BOX 120150	NEW BRIGHTON	MT 55112	Y	
GROEPL CHRISTIAN + JENNIFER L	1053 ROSE GARDEN RD	CAPE CORAL	FL 33914	Y	
HAAG KEVIN D + KIMBERLY M	1531 HERMITAGE LN	CAPE CORAL	FL 33914	Y	
HALL JAMES P + DONNA C	1526 HERMITAGE LN	CAPE CORAL	FL 33914	Y	
HERMITAGE AT CAPE CORAL COMMUN	26530 MALLARD WAY	PUNTA GORDA	FL 33950	N	
HINKLE THOMAS W + ROBERTA TR FOR	5703 ROSE GARDEN RD	CAPE CORAL	FL 33914	Y	
HOLZHAUER MATILDA G TR FOR MATI	5605 SW 10TH AV	CAPE CORAL	FL 33914	N	
INTERNATIONAL CAPITAL INVESTMEN	1336 BASSWOOD RD	SCHAUMBURG	IL 60173	Y	
JAMA ASCH CONSULTING INC	2308 SW 49TH TER	CAPE CORAL	FL 33914	Y	
KAMINSKI VERA	1025 ROSE GARDEN RD	CAPE CORAL	FL 33914	Y	
KEENER WILLIAM R JR + LINDA F	5706 SW 9TH CT	CAPE CORAL	FL 33914	Y	
KING SCOTT E + MARGARET G	5702 SW 9TH CT	CAPE CORAL	FL 33914	Y	
KIRBY KAREN F	1503 HERMITAGE LN	CAPE CORAL	FL 33914	Y	
KIRKWOOD WAYNE R + MARY E	1503 SW 58TH LN	CAPE CORAL	FL 33914	Y	
KIRSTE DONALD + MARILYN	1444 SW 57TH ST	CAPE CORAL	FL 33914	Y	
MARTINDALE ERIC S SR + JOYCE A	1174 SW 57TH ST	CAPE CORAL	FL 33914	Y	
MENKE AXEL	1610 CENTRAL AVE	SAINT PETERSBURG	FL 33712	Y	
MERSBACH WILLIAM R + PATRICIA	1446 SW 58TH TER	CAPE CORAL	FL 33914	Y	
MILES LAWRENCE + JULIA	2975 HOLIDAY PARK DR	MERRICK	NY 11566	N	
MILLER GEORGE P + PATRICIA	1073 ROSE GARDEN RD	CAPE CORAL	FL 33914	Y	
MUTO SUSAN A	1436 SW 58TH TER	CAPE CORAL	FL 33914	Y	
NEWBURY JAMES T + JUDITH K	15 PETERSEN WAY	SOUTH WINDSOR	CT 06074	Y	
ODIERNA JOSEPH D + RENEE J	6 LOCKWOOD DR	CHARLESTON	SC 29401	Y	
OTTEN PHILIP + ALYS	40 EDGEWOOD DR	HILTON HEAD ISLAND	SC 29926	Y	
PALINCSAR JOHN E	4559 SPRINGBROOK LN	JACKSON	MI 49201	N	
PAPST DANIEL GREGOR + TIBERI ANGE	1219 ROSE GARDEN RD	CAPE CORAL	FL 33914	N	
PENZ DANIEL L	123 CARLTON ST SW	ROCHESTER	MT 55902	N	
PETERS RONALD A + KATHLEEN M	2804 BELKNAP BEACH RD	PROSPECT	KY 40059	Y	

BRODMANN HENRY + FAUBERT DANIE	322 LAUGHLIN CIR	KANATA	ON K2T 0E1;CAI
CHA JAMES + WALL CHRISTINE J/T	203-300 KING ST W	OSHAWA	ON L1J 2K1;CAN
CLAVETTE RAYMOND + LINDA	333 CORONADO DR	TECUMSEH	ON N8N 2E5;CA
FERLAND YVETTE	670 MISTASSINI	TERREBONE	QC J6W 5H2;CA
HALL RONALD + HALL BARBARA +COU	638 LANSDOWNE AVE		ON N4S 1R6;CA
KKW HOLDINGS LLC	726 CLONSILLA AVE	PETERBOROUGH	ON K9J 5Y3;CAN
LEBLANC REGINALD + WENDY TR FOR	65 TALWOOD DR	TORONTO	ON M3B 2P6;CA
MEYERS LARRY D +MIREILLE 1/2 + ME'	PO BOX 120	CAMPBELLFORD	ON K0L 1L0;CAN
SAINT-DENIS ORANE + SIMARD FRANC	175 DE SERIGNAN	GATINEAU	QC J8V 3V1;CAI
TODD-WALLACE KELLI	231 SHEARSON CRESCENT STE 310	CAMBRIDGE	ON N1T 1J5;CAI
WALLACE KIM R + KAREN	726 CONSILLA AVE	PETERBOROUGH	ON K9J 5Y3;CAN
DANERS JUERGEN + RANA	KATHARIEN STR 27	41352 KORSCHEN BROICH	GERMANY
RUNGE ALFRED + MONIKA + RUNGE P.	HEISKAMP 15	NIENHAGEN 29336	GERMANY
SCHMIDT CLAUS GOTTFRIED ADOLF	WOLFSKERNSTRASSE 8	63755 ALZENAU	GERMANY
SOMSAKUL AM	FLORAGATAN 10	11431 STOCKHOLM	SWEDEN
STEINER GABRIELE	ADOLPH-SAURER-QUAI 15	9320 ARBON	SWITZERLAI
A AND B HOLDING COMPANY	18355 BENT TREE LN	CHAGRIN FALLS	OH 44023
ACKLEY HERMAN G + KAY M	3649 71ST STREET CT	MOLINE	IL 61265
ACTIVE INVEST SOUTH CORP	5205 SARASOTA CT	CAPE CORAL	FL 33904
AHRENS ROGER A + CHRISTINE	1614 BEACH PKWY PH 11	CAPE CORAL	FL 33904
AILERON RE OPPORTUNITIES FUND	3401 W CYPRESS ST	TAMPA	FL 33607
ALBRIGHT TAMARA R TR + ALBRIGHT C	49515 REGATTA ST	CHESTERFIELD	MI 48047
ALSUP JAMES R + CHERYL L	4778 PARKSTONE LN	AVON	IN 46123
ANDRE ALLEN BILL TR + ANDRE GEORC	6061 SILVER KING BLVD # 505	CAPE CORAL	FL 33914
AQUA SUPPLIES EXPORT INC	6112 TARPON ESTATES BLVD	CAPE CORAL	FL 33914
ARTH GARY J	5920 TARPON GARDENS CIR #102	CAPE CORAL	FL 33914
ATTALLA DENNIS + SHARON L/E	143 SW 53RD ST	CAPE CORAL	FL 33914
AVALON 39TH STREET TPT LLC	3 KEMPER CT	SAINT JAMES	NY 11780
BACHELOR BARBARA J LOWRY TR FOR	5924 TARPON GARDENS CIR #101	CAPE CORAL	FL 33914
BAIBON DEVELOPMENT LLC	2560 SUNDANCE LN	OKEMOS	MI 48864
BAKER SHARYN P TR FOR SHARYN P B/	6081 SILVER KING BLVD # 601	CAPE CORAL	FL 33914
BALLARD DENNIS A + CYNTHIA J	6021 SILVER KING BLVD #405	CAPE CORAL	FL 33914
BARKER CURTIS H III + LOIS TR FOR CU	831 SANTA BARBARA BLVD APT 221	CAPE CORAL	FL 33991
BASSETT DEBBRA M TR + BASSETT RIC	6021 SILVER KING BLVD #905	CAPE CORAL	FL 33914
BATTLE CLINTON C	PO BOX 171618	ARLINGTON	TX 76003
BEAUDREAULT SUSAN + JAMES E	6021 SILVER KING BLVD UNIT 404	CAPE CORAL	FL 33914
BELEW CECILIA M TR FOR CECILIA M B	542 BRANDON AVE # 2	MILFORD	OH 45150
BENOIT MARIE J	5953 TARPON GARDENS CIR # 101	CAPE CORAL	FL 33914
BFH PROPERTY HOLDINGS LLC	28 HARTFORD AVE	MADISON	CT 06443
BIANCHETTA FAMILY TRUST B	4045 OVLEY LN	FAIRFAX	VA 22032
BIANCHETTA PETER JAY TR + BIANCHE	4045 OLLEY LANE	FAIRFAX	VA 22032
BILIN MICHAEL	6061 SILVER KING BLVD #705	CAPE CORAL	FL 33914
BITTERLICH TERRY R TR BITTERLICH KR	6021 SILVER KING BLVD # 506	CAPE CORAL	FL 33914
BLANK ANNE M + SCOTT A	5753 GARFIELD AVE S	MINNEAPOLIS	MN 55419
BOJAN RICHARD N + MARY A	6081 SILVER KING BLVD UNIT 502	CAPE CORAL	FL 33914
BOLAY CHESTER F + BARBARA H	6081 SILVER KING BLVD #1004	CAPE CORAL	FL 33914
BOSS JOHN R + JULIE P L/E	6021 SILVER KING BLVD # 1003	CAPE CORAL	FL 33914
BOWDISH RITA F TR FOR RITA F BOWD	280 MELROSE LANE	VILLAGE OF LAKEWOOD	IL 60014
BOWEN PETER C + JANE W	6021 SILVER KING BLVD #1002	CAPE CORAL	FL 33914
BOYD BRYANT C	28 HARTFORD AVE	MADISON	CT 06443
BRAEUNING MARY PATRICIA TR FOR 2	3012 LOWER BELLBROOK RD	SPRING VALLEY	OH 45370
BRICCO RANDALL J + JILLENE A	N3131 REILAND RD	APPLETON	WI 54913
BRICKNER PAULA D TR FOR PAULA D B	6021 SILVER KING BLVD #902	CAPE CORAL	FL 33914
BROSTOFF GEORGE	6029 TARPON ESTATE CT	CAPE CORAL	FL 33914

BRUNS KIMBERLY L/E	5941 TARPON GARDENS CIR # 202	CAPE CORAL	FL 33914
BRYANT ROBERT + BRENDA	107 SW 56TH TER	CAPE CORAL	FL 33914
BURNS MICHAEL C + ROBIN A	6021 SILVER KING BLVD # 303	CAPE CORAL	FL 33914
CAPACCIO NICHOLAS J TR FOR NICHOLAS	6081 SILVER KING BLVD #503	CAPE CORAL	FL 33914
CAPACCIO RONALD P TR FOR RONALD	6081 SILVER KING BLVD UNIT 404	CAPE CORAL	FL 33914
CARAVELLO JOSEPH + HALINA E	101 PENN LYLE RD	PRINCETON JUNCTION	NJ 08550
CARLA J BAKER TRUST NO 1	6021 SILVER KING BLVD #302	CAPE CORAL	FL 33914
COBB LEE + DOREEN	6021 SILVER KING BLVD UNIT 402	CAPE CORAL	FL 33914
COLE HARLEY J + BRENDA V	PO BOX 101674	CAPE CORAL	FL 33910
COLLINS MICHAEL F TR + COLLINS DEB	6061 SILVER KING BLVD UNIT 206	CAPE CORAL	FL 33914
COMRIE DOUGLAS C + CAROLYN A	2830 SW 43RD ST	CAPE CORAL	FL 33914
COMRIE PROPERTY LLC	PO BOX 1309	BOCA GRANDE	FL 33921
CONNELL JAMES V JR + MARY E	3652 INVERNESS RD	WATERLOO	IA 50701
COOPER BERNARD K + KINGEN-COOPER	5949 TARPON GARDENS CIR # 202	CAPE CORAL	FL 33914
COTTLE NED A + JANET C	6061 SILVER KING BLVD # 1106	CAPE CORAL	FL 33914
COTTRELL NANCY H	6061 SILVER KING BLVD #706	CAPE CORAL	FL 33914
COURTENAY WHITLEY H	5909 TARPON GARDENS CIR #201	CAPE CORAL	FL 33914
CURRAN PAUL J TR + CURRAN KATHLEEN	1577 CRESCENT HILLS DR	LA CRESCENT	MN 55947
DANIEL DENNIS ANN	6081 SILVER KING BLVD # 902	CAPE CORAL	FL 33914
DARNELL GARY M + SANDRA R	6008 TARPON ESTATES BLVD	CAPE CORAL	FL 33914
DAUM RICHARD + DEBRA	6061 SILVER KING BLVD #1003	CAPE CORAL	FL 33914
DAVID I ANDERSON 2003 TRUST	6021 SILVER KING BLVD #901	CAPE CORAL	FL 33914
DAVIS ROBERT W + DEANNA L	6030 TARPON ESTATES CT	CAPE CORAL	FL 33914
DAY KENNETH + CINDY	4001 GARTH RD STE 109	BAYTOWN	TX 77521
DEFINO JACK F TR FOR JACK F DEFINO	5941 TARPON GARDENS CIR #101	CAPE CORAL	FL 33914
DENISON LARRY W + SANDRA K	5957 TARPON GARDENS CIR #101	CAPE CORAL	FL 33914
DESANTIS J MARK + JUDITH A	3015 S US HWY 41	TERRE HAUTE	IN 47802
DIFEDE FAMILY LTD PARTNERSHIP	15 CARLETON AVE	EAST ISLIP	NY 11730
DOCTER GLENN J + DONNA R	3031 SUNSET HILLS BLVD S	EDWARDSVILLE	IL 62025
DODGE MARIANNE SIGRID	6061 SILVER KING BLVD # 1204	CAPE CORAL	FL 33914
DONALDSON EDWARD A + PASCHA S	2522 SW 35TH LN	CAPE CORAL	FL 33914
DRAKE STUART + DIANA	6081 SILVER KING BLVD # 606	CAPE CORAL	FL 33914
DYER JUSTIN + NICOLE G	1251 N BOSWORTH AVE # 1	CHICAGO	IL 60642
EAST GEORGE + DONNA	5912 TARPON GARDENS CIR #102	CAPE CORAL	FL 33914
EISEMAN MARC R + LOIS M	5965 TARPON GARDENS CIR #201	CAPE CORAL	FL 33914
ERICKSON LON M	5921 TARPON GARDENS CIR # 102	CAPE CORAL	FL 33914
ESHENAUER DORIS J TR FOR DORIS J ESHENAUER	5901 TARPON GARDENS CIR #101	CAPE CORAL	FL 33914
EVANS MICHAEL + REGINA	6061 SILVER KING BLVD #504	CAPE CORAL	FL 33914
EVERITT TIMOTHY J + CHINNICI-EVERITT	6021 SILVER KING BLVD # 602	CAPE CORAL	FL 33914
FANG WEI	6061 SILVER KING BLVD #704	CAPE CORAL	FL 33914
FENSTERBUSCH MARK TR FOR MARK S	6061 SILVER KING BLVD #604	CAPE CORAL	FL 33914
FENTRESS SCOTT	5932 TARPON GARDENS CIR #201	CAPE CORAL	FL 33914
FICKLIN RICKY W + BARBARA A	6021 SILVER KING BLVD UNIT 606	CAPE CORAL	FL 33914
FINMAN SHELDON E	11271 JACANA CT # 1701	FORT MYERS	FL 33908
FISKE DANA R TR + FISKE NANCY L TR FOR FISKE	5 CULLEN BAY RD	DOVER	NH 03820
FMIRE INC	5000 GRAND ARBRE TRL	PORTAGE	MI 49024
FOURNIER DONAT + ROSEMARY	6081 SILVER KING BLVD #602	CAPE CORAL	FL 33914
FRANCIS JOE C + SUSAN K	6081 SILVER KING BLVD #806	CAPE CORAL	FL 33914
FRANCIS JOE C TR FOR JOE C FRANCIS	529 HALSEY AVE SE	BUFFALO	MN 55313
FRANCO JOSEPH W TR + FOR JOSEPH W FRANCO	5777 W 3000N RD	KANKAKEE	IL 60901
FREEMAN + HASSELWANDER RESORT	5902 SILVER KING BLVD	CAPE CORAL	FL 33914
FREEMAN FRANCIS B JR + SUSAN L	6021 SILVER KING BLVD #1201	CAPE CORAL	FL 33914
FREEMAN JEFFREY C + REGINA A	6021 SILVER KING BLVD #903	CAPE CORAL	FL 33914
FREEMAN SCOTT F + KARA L	6021 SILVER KING BLVD #1202	CAPE CORAL	FL 33914

FRY JAMES M + ANGELA A	14800 SHORELINE DR W	THORNVILLE	OH 43076
GALIOTO WILLIAM	6081 SILVER KING BLVD #801	CAPE CORAL	FL 33914
GALLAGHER ROBERT F + BONNIE S	1528 MERGANSER BLVD	SWANSEA	IL 62226
GANTT MICHAEL EUGENE + DEANGELI	6061 SILVER KING BLVD #203	CAPE CORAL	FL 33914
GARDENIA GEM LLC	573 S BROADWAY	YONKERS	NY 10705
GEIGER JOHN W + VICKI L	6021 SILVER KING BLVD #102	CAPE CORAL	FL 33914
GERARD TINA	683 25TH NW	NAPLES	FL 34120
GIANNONI GARY D + MARTHA P	6021 SILVER KING BLVD 501	CAPE CORAL	FL 33914
GIFFORD MARCIA C	6021 SILVER KING BLVD #802	CAPE CORAL	FL 33914
GLEN E + SUSAN E TELLOCK TRUST	4550 THUNDER RD	WHITELAW	WI 54247
GOETZ RANDAL R + JULIE A	408 HOLT ST	ANAMOSA	IA 52205
GONZALEZ ROGELIO + NANCY D	5956 TARPON GARDENS CIR #101	CAPE CORAL	FL 33914
GORDON DAVID G + MONICA C	21340 GUNTHER GROVE	SAN ANTONIO	TX 78266
GOULD J ROBERT	5904 TARPON GARDENS CIR #201	CAPE CORAL	FL 33914
GRADSTEIN MURRAY	24 FROSTFIELD PL	MELVILLE	NY 11747
GRANI SALVATORE J + MARY C	6061 SILVER KING BLVD	CAPE CORAL	FL 33914
GREEN KENNETH D JR + GREEN MARIA	5945 TARPON GARDENS CIR # 201	CAPE CORAL	FL 33914
GRIPPE THOMAS + ROBIN LEE	6021 SILVER KING BLVD #702	CAPE CORAL	FL 33914
GROSS GARY L + PATRICIA A	14027 KINGSWOOD ST	RIVERVIEW	MI 48193
GUEKE WAYLON + CHRISTI	6381 STAGHORN RIDGE RD	CASPER	WY 82601
GUPTA CHAKRAPANI D	21621 PARK ST	ALVA	FL 33920
GUYAN ERNEST G	5941 TARPON GARDENS CIR # 201	CAPE CORAL	FL 33914
GUZMAN ANA	5925 TARPON GARDENS CIR #201	CAPE CORAL	FL 33914
GUZMAN ELISCER	27 CASTLEWALK	SCARSDALE	NY 10583
HACKENBERG DAVID S TR + HACKENBI	10096 IDLE PINE LN	BONITA SPRINGS	FL 34135
HALL RICHARD F + VALERIE A	77 ROYAL DR	BRICK	NJ 08723
HAMLET + SMITH INC 401K SAVINGS P	1216 CAVALIER DR	WAUKESHA	WI 53186
HAPPE THOMAS M + CHARISSE B	5901 TARPON GARDENS CIR #201	CAPE CORAL	FL 33914
HARAKAL KEVIN S + GENA M	6061 SILVER KING BLVD # 403	CAPE CORAL	FL 33914
HARDWICK JO R TR FOR JO R HARDWIK	6081 SILVER KING BLVD UNIT 506	CAPE CORAL	FL 33914
HARELIK STUART ALLEN TR + HARELIK	6021 SILVER KING BLVD # 706	CAPE CORAL	FL 33914
HARRINGTON JOHN F TR FOR JOHN F I	5936 TARPON GARDENS CIR #101	CAPE CORAL	FL 33914
HART JOAN D TR FOR JOAN D HART TR	6081 SILVER KING BLVD #402	CAPE CORAL	FL 33914
HASSELWANDER BRADLEY L + LANI	571 MALLARD POINT CIR	MOUNTAIN HOME	AR 72653
HAYES CHARLES + ROSE	5961 TARPON GARDENS CIR # 201	CAPE CORAL	FL 33914
HEISLER DONALD A + CREAMER JANET	6061 SILVER KING BLVD # 702	CAPE CORAL	FL 33914
HELD DONALD J + JANET L	6081 SILVER KING BLVD #201	CAPE CORAL	FL 33914
HESKETH MARIE REGELIN	7205 LIEBLER RD	COLDEN	NY 14033
HESS JURGEN G + LORENZ-HESS MONI	5925 TARPON GARDENS CIR APT 202	CAPE CORAL	FL 33914
HESSAMI M SULEIMAN + SORAYA Z	6061 SILVER KING BLVD #1102	CAPE CORAL	FL 33914
HILLIARD BROTHERS OF FL LLLP	5500 FLAGPOLE RD	CLEWISTON	FL 33440
HISLE WILLIAM E JR	5303 BUCK CREEK RD	FINCHVILLE	KY 40022
HOLZAPFEL ANGELIKA + HERBERT F	5928 TARPON GARDENS CIR # 202	CAPE CORAL	FL 33914
HOLZHAUER DAVID M + LAURA S	5917 TARPON GARDENS CIR #101	CAPE CORAL	FL 33914
HORLOCK PHILIP	6061 SILVER KING BLVD # 1005	CAPE CORAL	FL 33914
HUIE JOSEPH A	1910 S 30TH ST	QUINCY	IL 62301
HUSTON JANICE TR FOR JANICE HUSTC	6054 TARPON ESTATES BLVD	CAPE CORAL	FL 33914
HWA PROPERTIES INC	5000 GRAND ABRE TRL	PORTAGE	MI 49024
IRVING KAREN A TR FOR KAREN A IRVI	103 NORTH COMMON RD	WESTMINSTER	MA 01473
ISAAC PAUL + PHYLLIS	845 GLENGATE PL	ATLANTA	GA 30328
JACKSON JEANINE C	3 WESCOTT CT	RIVERSIDE	CT 06878
JMORETON LLC	709 CAPE CORAL PKWY W	CAPE CORAL	FL 33914
JONES SAMUEL JR + DEBRA A	6021 SILVER KING BLVD UNIT 701	CAPE CORAL	FL 33914
KAISER KENNETH R + SHERYL J	1611 MULBERRY DR	LIBERTYVILLE	IL 60048

KEMPE JUDITH F TR FOR JUDITH F KEN	5933 TARPON GARDENS CIR # 101	CAPE CORAL	FL 33914
KEPHART GLEN G	808 BARTON CREEK BLVD	AUSTIN	TX 78746
KISER TERRY	1754 RIVER MILL RD	OSHKOSH	WI 54901
KLUFAN EDUARDO A + LILIANA R	5924 TARPON GARDENS CIR # 102	CAPE CORAL	FL 33914
KNOX LINDSAY + ELIZABETH	5925 TARPON GARDENS CIR #101	CAPE CORAL	FL 33914
KOLLEVOLL KRISTAN G + GITTE N	601 PAXINOSA RD E	EASTON	PA 18040
KOLPACKE VINCENT A + ANNA M	5929 TARPON GARDENS CIR # 202	CAPE CORAL	FL 33914
KOON DENNIS R	6061 SILVER KING BLVD APT 1202	CAPE CORAL	FL 33914
KOTAS KEN TR 75% + KOTAS ELIZABET	194 N SHERIDAN RD	WINNETKA	IL 60093
KOUT DONALD M + ELAINE R	PO BOX 668	LONE TREE	IA 52755
KRASNER DEIRDRE K	7 N COLUMBUS BLVD	PHILADELPHIA	PA 19106
KREULEN THOMAS + ROSALIE	6061 SILVER KING BLVD #802	CAPE CORAL	FL 33914
KRUGER JANE A TR FOR JANE A KRUGER	1 PRAIRIE VISTA CT	BLOOMINGTON	IL 61704
KUTCHEID ROBERT + JOY	46646 APPLE LN	MACOMB	MI 48044
LACASSE KEVIN + THOMPSON STACY J	6021 SILVER KING BLVD # 502	CAPE CORAL	FL 33914
LADD KAREN L	5850 HARBOUR PRESERVE CIR	CAPE CORAL	FL 33914
LAGINESS JOSEPH L + LAGINESS KATHE	4431 SAINT ANDREWS ST	HOWELL	MI 48843
LAKE HOMES AT TARPON GARDENS	9411 CYPRESS LAKE DR STE 2	FORT MYERS	FL 33919
LANDER LORRAINE A + BRUCE S TR	1 CULLEN BAY	DOVER	NH 03820
LARKEN EUGENE A JR TR FOR LANIGAN	3111 W 167TH ST	HAZEL CREST	IL 60429
LAROSA LEE A	8 ANCHOR LN	MOUNT SINAI	NY 11766
LAU DAVID S TR FOR DAVID LAU TRUS	15762 CLAIRE CT	MACOMB	MI 48042
LAW FAMILY REAL ESTATE HOLDINGS	1007 N WATER ST	BAY CITY	MI 48708
LAWRENCE KURT I	6081 SILVER KING BLVD UNIT 704	CAPE CORAL	FL 33914
LENTZ CAROL A	3602 SENATE CT	VALENCIA	PA 16059
LEWIS ROBERT J	1344 FIFTH AVE	PITTSBURGH	PA 15219
LIBERTY LINDA M	1114 SW 48TH TER # B102	CAPE CORAL	FL 33914
LIEBERMAN HOWARD TR + KASS LINDY	5920 TARPON GARDENS CIR # 201	CAPE CORAL	FL 33914
LOCASCIO JAMES + KAREN	5936 TARPON GARDENS CIR APT 102	CAPE CORAL	FL 33914
LONGO JOHN + JANET	715 BLOOMFIELD AVE	NUTLEY	NJ 07110
LOWDEN JEROME B + BRENDA J	925 N 3RD AVE	SAINTE CHARLES	IL 60174
LUKASZEWSKI CARL MICHAEL + LUKAS	5952 TARPON GARDENS CIR # 102	CAPE CORAL	FL 33914
LYNN LETTY G TR FOR LETTY G LYNN T	349 GUNDRY DR	FALLS CHURCH	VA 22046
MACDONALD DANIEL E + VACCARI PAI	20 KAY ST	WESTBOROUGH	MA 01581
MACTAGGART ROBERT J + MACTAGGART	6021 SILVER KING BLVD #904	CAPE CORAL	FL 33914
MALONE MICHEAL J + SUSAN H	990 CENTER OAK DR	PITTSBURGH	PA 15237
MALTBY RALPH D + DONNA D	6021 SILVER KING BLVD #703	CAPE CORAL	FL 33914
MASTROPIETRO LAWRENCE N + JOAN	6021 SILVER KING BLVD #304	CAPE CORAL	FL 33914
MCCARTHY BRIAN J + ERIN W	9390 OLD SOUTHWICK PASS	ALPHARETTA	GA 30022
MCGARRY BENJAMIN L + THEODA TR	13119 SE 22ND PL	CAPE CORAL	FL 33904
MCGRATH MICHAEL J + JODEE E	6061 SILVER KING BLVD # 1203	CAPE CORAL	FL 33914
MCKINSEY THOMAS M + CONSTANCE	14212 31ST AVE	MARYSVILLE	WI 53562
MCMAHON JANICE + MICHAEL	4307 ROCK CREST RD	MIDDLETON	WI 53562
MCQUAID LAWRENCE J TR + FOR LAW	6061 SILVER KING BLVD UNIT 405	CAPE CORAL	FL 33914
MEG HOLDINGS GROUP LLC	573 S BROADWAY	YONKERS	NY 10705
MELNICK BARRY S + JANICE	PO BOX 532	TREXLETTOWN	PA 18087
MENARD JAMES R + ROBIN E	5995 TARPON ESTATES BLVD	CAPE CORAL	FL 33914
MENGES JANIS + MATTHEW TR FOR JANIS	145 CLOVER HILL LN	BARRINGTON	IL 60010
MERL REALTY LLC	3350 METRO PARKWAY	FORT MYERS	FL 33916
MESSINA MICHAEL A + JENNA M	6081 SILVER KING BLVD # 706	CAPE CORAL	FL 33914
MILLER DOUGLAS O	5936 TARPON GARDENS CIR APT 202	CAPE CORAL	FL 33914
MILLER FRANK J + MARY J	311 E ERIE ST UNIT 308	MILWAUKEE	WI 53202
MIRSKY MARVIN K TR FOR MARVIN K	16081 SILVER KING BLVD #104	CAPE CORAL	FL 33914
MORRIS ANDREW + LINDA S	237 GRAPEVINE RD	DUNBARTON	NH 03046

MORRISON KEVIN M + SUN FANG H/W	6061 SILVER KING BLVD #501	CAPE CORAL	FL 33914
MORTELLITI MEIKE	6021 SILVER KING BLVD #306	CAPE CORAL	FL 33914
MROWCZYNSKI WALTER + EMILY	PO BOX 814833	DALLAS	TX 75381
MUELLER THEODORE L TR FOR THEOD	PO BOX 101385	CAPE CORAL	FL 33910
MULBERRY PETER D	420 N FULTON AVE	MOUNT VERNON	NY 10552
MULVANEY PROPERTIES FLORIDA LLC	4 CHRISTOPHER COLUMBUS AVE	DANBURY	CT 06810
MUNOZ MARIA L TR FOR MARIA MUN	6081 SILVER KING BLVD UNIT 903	CAPE CORAL	FL 33914
MURRAY KATHLEEN	5961 TARPON GARDENS CIR #102	CAPE CORAL	FL 33914
NANCE STEPHEN J + CAROLYN S	6021 SILVER KING BLVD #104	CAPE CORAL	FL 33914
NELSON WILLIAM E + ERICKA B	6021 SILVER KING BLVD #305	CAPE CORAL	FL 33914
NEWBORN DEBRA A	5920 TARPON GARDENS CIR #202	CAPE CORAL	FL 33914
NICHOLS ROBERT E JR + FRANCES	5150 W WHITELAND RD	GREENWOOD	IN 46143
NITSCHKE BRUCE G	6061 SILVER KING BLVD #901	CAPE CORAL	FL 33914
OAKMAN LOUIS D + LINDA J	153 DAN RIVER CT	MARCO ISLAND	FL 34145
OBER ARTHUR V TR FOR ARTHUR V OE	5925 TARPON GARDENS CIR # 102	CAPE CORAL	FL 33914
OBRIEN THOMAS L TR FOR THOMAS O	317 HAMBLETONIAN DR	OAK BROOK	IL 60523
OLIVA ANTONIO L + GLORIA L/E	5965 TARPON GARDENS CIR #202	CAPE CORAL	FL 33914
OLL VENTURES	1400 MIDDLEFORD RD	SEAFORD	DE 19973
ONSRUTH CEDRIC + ZOE	PO BOX 880	MERRIMACK	NH 03054
ORTIZ ROBERT + CIMINELLI LORI T/C	5905 TARPON GARDENS CIR #202	CAPE CORAL	FL 33914
ORTON ROBERT C + MARILYN A	6021 SILVER KING BLVD # 403	CAPE CORAL	FL 33914
PALAZZOLO JOSEPH P + TABOR ROBER	14094 VILLAGE LN	WYANDOTTE	MI 48193
PALEY KEVIN J + CASTRO HERMAN R T,	305 E CENTRAL AVE	SPRINGBORO	OH 45066
PALMER DANIEL F + SHERI L	6225 N BRADY ST	DAVENPORT	IA 52806
PALMER DOUGLAS F + MARY G	2455 EAGLE CIR	BETTENDORF	IA 52722
PALMER ROBERT TR + PALMER BREND	6081 SILVER KING BLVD # 206	CAPE CORAL	FL 33914
PARK HOMES AT TARPON GARDENS A	PO BOX 100831	CAPE CORAL	FL 33910
PARRILLA JOSEPH J TR FOR JOSEPH J P.	6081 SILVER KING BLVD #702	CAPE CORAL	FL 33914
PASCHKE WILLIAM	5932 TARPON GARDENS CIR #101	CAPE CORAL	FL 33914
PERNETTI JOHN A	6081 SILVER KING BLVD #904	CAPE CORAL	FL 33914
PETERSON THOMAS M + DEBORAH S	6021 SILVER KING BLVD #505	CAPE CORAL	FL 33914
PHILLIPS GREGORY	6908 ANGEL FARM DR	ODESSA	FL 33556
PILLAR CAPE CORAL I LLC	580 N 4TH ST	COLUMBUS	OH 43215
PINDER NANCY S + PINDER LEO MARV	1944 SE 31ST ST	CAPE CORAL	FL 33904
POCHMARA PAUL A L/E	6021 SILVER KING BLVD # 406	CAPE CORAL	FL 33914
POLITO VINCENT J + JANICE E	6061 SILVER KING BLVD #1103	CAPE CORAL	FL 33914
PRICE LINDA L TR + FOR LINDA L PRICE	16 TRILLIUM LANE	MOUNT LAUREL	NJ 08054
RANDLETT ROBERT RAY + RANDLETT C	5917 TARPON GARDENS CIR APT 202	CAPE CORAL	FL 33914
RAY WILLIAM D + MARY J	5900 TARPON GARDENS CIR #101	CAPE CORAL	FL 33914
RAZNY STANLEY R + INGRID	3819 NOTTINGHAM DR	LONG GROVE	IL 60047
RAZUMICH JOHN + CYNTHIA L	6021 SILVER KING BLVD #801	CAPE CORAL	FL 33914
REDDINGTON JAMES F + REDDINGTON	6021 SILVER KING BLVD #1102	CAPE CORAL	FL 33914
RETI ALDO M + ERIKA M	5917 TARPON GARDENS CIR APT 201	CAPE CORAL	FL 33914
RICHARDS GEORGE L	5929 TARPON GARDENS CIR #201	CAPE CORAL	FL 33914
RICHARDS WILLIAM	6061 SILVER KING BLVD #502	CAPE CORAL	FL 33914
RICHLAND DEVELOPMENT COMPANY	6081 SILVER KING BLVD # 706	CAPE CORAL	FL 33914
RICHTER GAIL I TR + RICHTER MICHAEL	5949 TARPON GARDENS CIR #102	CAPE CORAL	FL 33914
RISSER FAMILY LP	6061 SILVER KING BLVD #1101	CAPE CORAL	FL 33914
RIVADENEIRA WASHINGTON	6112 TARPON ESTATES BLVD	CAPE CORAL	FL 33914
RIZZO JAMES + RUBINETTI SUZANNE H	60 LANE AVE	CALDWELL	NJ 07006
ROSENBAUM THOMAS S + CHERYL C	5952 TARPON GARDENS CIR #201	CAPE CORAL	FL 33914
RUTTER W JOSEPH + JOYCE ANN	6061 SILVER KING BLVD #402	CAPE CORAL	FL 33914
SABELLICO ALEX + TERESA E	5961 TARPON GARDENS CIR #101	CAPE CORAL	FL 33914
SAND FORTRESS LLC	1 PPG PL	PITTSBURGH	PA 15272

SANDONE ANTHONY J III + EVELYN	5956 TARPON GARDENS CIR #202	CAPE CORAL	FL 33914
SAUL DANIEL T + CAROL I	5905 TARPON GARDENS CIR #101	CAPE CORAL	FL 33914
SCACCIO JOSEPH R + PADULA JOHN R	2914 VONCENT RD	SILVER LAKE	OH 44224
SCHETELICH THOMAS J TR FOR FITZG	100 S CHARLES ST STE 1401	BALTIMORE	ME 21201
SCHIFKOVITZ DAVID + DIANE	6061 SILVER KING BLVD # 905	CAPE CORAL	FL 33914
SCHRODER CHRISTOPHER B TR FOR CH	2610 SW 46TH TER	CAPE CORAL	FL 33914
SCHUSTER JESSICA V	6021 SILVER KING BLVD #301	CAPE CORAL	FL 33914
SHAMIEH FREDRIC A + VERONICA A	6021 SILVER KING BLVD # 1005	CAPE CORAL	FL 33914
SHEINFELD SHEILA J	1014 S WATERFORD WAY	MECHANICSBURG	PA 17050
SHERMAN JAMES L + JENNIFER M	6061 SILVER KING BLVD #804	CAPE CORAL	FL 33914
SILADI RICHARD J + HILDEGARD P	1095 AUBURN DR	BROOKFIELD	WI 53045
SILVER KING BLVD LLC	6337 S KIMBARK AVE	CHICAGO	IL 60637
SILVER KING OF SWFL LLC	122 ANDERSON HILLS RD	ENFIELD	NH 03748
SIMMONS LORRAINE S	6081 SILVER KING BLVD #906	CAPE CORAL	FL 33914
SMITH HERBERT W + JAYNE M L/E	6081 SILVER KING BLVD # 705	CAPE CORAL	FL 33914
SODHI JAGDEEP S + KAMALDEEP K	3465 WEATHERWOOD LN	GREEN BAY	WI 54311
SPILE RICHARD J + ROCHELLE M	6061 SILVER KING BLVD #401	CAPE CORAL	FL 33914
STAIRSTEP INVESTMENTS LLC	PO BOX 081672	RACINE	WI 53408
SWANSON JANA	5917 TARPON GARDENS CIR #102	CAPE CORAL	FL 33914
TABOR ROBERT + PALAZZOLO JOSEPH	14094 VILLAGE LN	RIVERVIEW	MI 48193
TACKETT ALEC R + PAMELA 1/2 + SCHF	3281 IVY HILLS BLVD	CINCINNATI	OH 45244
TARPON GARDENS LLC	1400 WILLIAMS DR	MARIETTA	GA 30066
TARPON LAKE INVEST CORPORATION	5953 TARPON GARDENS CIR #202	CAPE CORAL	FL 33914
TARPON LANDINGS CONDO ASSN INC	6061/6081 SILVER KING BLVD	CAPE CORAL	FL 33914
TARPON POINT 28 LLC	1000 E 8TH PL STE 700N	MERRILLVILLE	IN 46410
TARPON POINT ESTATES HOMEOWNE	5902 SILVER KING BLVD	CAPE CORAL	FL 33914
TAUB MICHAEL + BARBARA	6088 TARPON ESTATES BLVD	CAPE CORAL	FL 33914
TECHNICAL PROPERTIES LLC	2375 VENTURA DR STE A	SAINT PAUL	MN 55125
THOMAS MICHAEL + NICOLE	4505 KESTING CT	ELLCOTT CITY	ME 21043
THORNTON CHARLES D W + HEIDRUN	5905 TARPON GARDENS CIR #201	CAPE CORAL	FL 33914
TIMMONS JAY + OLSON RICHARD T/C	1608 CRESTWOOD LN	MCLEAN	VA 22101
TIMONEY PATRICK T + CYNTHIA A	6021 SILVER KING BLVD #203	CAPE CORAL	FL 33914
TL FL INC	6021 SILVER KING BLVD UNIT 1001	CAPE CORAL	FL 33914
TOLLES ANNA C	PO BOX 151285	CAPE CORAL	FL 33915
TOMLINSON GLENN A TR + TOMLINSON	5916 TARPON GARDENS CIR # 102	CAPE CORAL	FL 33914
TONKOVICH JOSEPH T + ELIZABETH	621 OCEAN VIEW RD	BRIELLE	NJ 08730
TORRES RICHARD R + DIANE	43 CEDAR COVE LN	SWANSEA	MA 02777
TRAKHTENBERG MIKHAIL	6061 SILVER KING BLVD # 602	CAPE CORAL	FL 33914
TRIPLE PINE PROPERTIES LLC	6000 TARPON ESTATES BLVD	CAPE CORAL	FL 33914
TUMIATI WALTER + PATRICIA L/E	6081 SILVER KING BLVD #102	CAPE CORAL	FL 33914
TURNER DONALD E JR + KAREN L	6081 SILVER KING BLVD #501	CAPE CORAL	FL 33914
TURNER ROBERT D TR + TURNER LORE	5901 TARPON GARDENS CIR # 202	CAPE CORAL	FL 33914
TURNER WILLARD D + DALIAH C	6081 SILVER KING BLVD #603	CAPE CORAL	FL 33914
ULRICH BRUCE E	6081 SILVER KING BLVD #805	CAPE CORAL	FL 33914
UNKNOWN HEIRS OF BURKE DOLORES	5940 TARPON GARDENS CIR # 101	CAPE CORAL	FL 33914
VANCE RUSSELL L + KATHLEEN	6021 SILVER KING BLVD #204	CAPE CORAL	FL 33914
VANDEBOSSCHE JUDITH J TR FOR JUI	48640 HARBOR DR	CHESTERFIELD	MI 48047
VAUGHAN JAMES F + SUSAN K	5913 TARPON GARDENS CIR #201	CAPE CORAL	FL 33914
VILLA THALASSO 304 AT TARPON POIN	3557 CHARTER OAK WAY	KNOXVILLE	TN 37922
VILLA THALASSO 601 AT TARPON POIN	3557 CHARTER OAK WAY	KNOXVILLE	TN 37922
VINCE NANCY L	6061 SILVER KING BLVD #301	CAPE CORAL	FL 33914
VINJE LAURA	6061 SILVER KING BLVD #701	CAPE CORAL	FL 33914
VST HOLDINGS LLC	4851 BONITA BAY BLVD APT 2004	BONITA SPRINGS	FL 34134
WAGNER SANDRA J TR FOR SANDRA J	284 S TRADEWINDS AVE	LAUDERDALE BY THE SEA	FL 33308

WALLACE KIM ROBERT +KAREN LYNN	1727 SE 39TH TER	CAPE CORAL	FL 33914
WAPPLER CHRISTOPHER J	5948 TARPON GARDENS CIR #101	CAPE CORAL	FL 33914
WAPPLER SCOTT M + MITCHELL PAIGE	153 PEMBROOKE LANE	BUTLER	PA 16002
WASCHKE KENNETH D JR	6081 SILVER KING BLVD #1003	CAPE CORAL	FL 33914
WHALEN LYLE + ANN	6081 SILVER KING BLVD #203	CAPE CORAL	FL 33914
WICKERT NEAL TR FOR NEAL WICKERT	5900 TARPON GARDENS CIR #102	CAPE CORAL	FL 33914
WILCOXEN HAROLD D + MARLYN	6021 SILVER KING BLVD # 804	CAPE CORAL	FL 33914
WILSON DOUGLAS P TR FOR DOUGLAS	6021 SILVER KING BLVD #1106	CAPE CORAL	FL 33914
WRIGHT PAMELIA K TR FOR PAMELA K	5928 TARPON GARDENS CIR #101	CAPE CORAL	FL 33914
YOUNG DAISLEY + MARY JANE L/E	5940 TARPON GARDENS CIR # 102	CAPE CORAL	FL 33914

PETTY THOMAS R + PATRICIA G	1530 HERMITAGE LN	CAPE CORAL	FL 33914	Y
PICCIANO LINDA	1027 VELASKO RD	SYRACUSE	NY 13207	Y
POPE TODD + LAUREN	5804 SW 11TH PL	CAPE CORAL	FL 33914	Y
RAFFERTY ANDREW + HELEN	1182 SW 57 ST	CAPE CORAL	FL 33914	Y
RHODES DONALD R TR + RHODES H JE	1429 SW 57TH ST	CAPE CORAL	FL 33914	Y
RHONE GREGORY W + INEZ W	5710 SW 9TH CT	CAPE CORAL	FL 33914	Y
RIFENBURG JOHN K + DENISE L	68 SHELDON DR	MECHANICVILLE	NY 12118	Y
RILEY LEONARD II	1434 SW 57TH ST	CAPE CORAL	FL 33914	Y
RIVERA JUAN C + ANA M	1066 SW 57TH ST	CAPE CORAL	FL 33914	Y
RODRIGUEZ JEFF + SHERRY	1198 SW 57TH ST	CAPE CORAL	FL 33914	Y
ROPER GEORGE M + CINDY A	1418 SW 57TH ST	CAPE CORAL	FL 33914	Y
SCHUITEMA ROBERT J TR + SCHUITEM	5701 SW 9TH CT	CAPE CORAL	FL 33914	Y
SCHUMANN RICHARD V TR + SCHUMA	1050 SW 57TH ST	CAPE CORAL	FL 33914	Y
SELVEY LEO J TR FOR LEO J SELVEY	1437 SW 58TH LN	CAPE CORAL	FL 33914	Y
SHARP ANNA MAE TR FOR ANNA M SF	237 LAWRENCE AVE	MIAMISBURG	OH 45342	N
SHEA JAMES P TR FOR JAMES P SHEA	T PO BOX 210279	AUBURN HILLS	MI 48321	Y
SKEOCH GORDON D + SUE A TR FOR G	1065 ROSE GARDEN RD	CAPE CORAL	FL 33914	Y
SKY HOMES INC	PO BOX 101149	CAPE CORAL	FL 33910	Y
STADLER JOHN A + MICHAEL	1437 SW 58TH ST	CAPE CORAL	FL 33914	Y
SWIERKOWSKI C A + CECILIA E	3440 S PAULINA ST	CHICAGO	IL 60608	N
TIBERI ANGELIQUE M	1219 ROSE GARDEN RD	CAPE CORAL	FL 33914	Y
TIITF/REC + PARKS CHARLOTTE HARBO	3900 COMMONWEALTH BLVD	TALLAHASSEE	FL 32399	N
TRAUTMANN GEORGE J + LUZ M	1441 SW 58TH TERR	CAPE CORAL	FL 33914	Y
TURNER MARIA GARCIA + ANTHONY	1194 SW 57TH ST	CAPE CORAL	FL 33914	Y
US MORTGAGE FINANCE III LLC	1007 N ORANGE AVE STE 1200	WILMINGTON	DE 19801	Y
UTUK JOHN A + MARIA L	1190 SW 57TH ST	CAPE CORAL	FL 33914	Y
WATSON PAUL J + MAUREEN A	1038 SW 57TH ST	CAPE CORAL	FL 33914	Y
WILLETT GREGORY	PO BOX 2190	EDGARTOWN	MA 02539	Y
WILTSHIRE WARREN B JR TR	PO BOX 1020	FORT MYERS	FL 33902	N
WITTER STEVEN G TR FOR STEVEN G V	5715 ROSE GARDEN RD	CAPE CORAL	FL 33914	Y
ZHANG AMY AI-MING + CHU TED HAO	1053 SW 57TH ST	CAPE CORAL	FL 33914	Y