

**COMMUNITY
REDEVELOPMENT PLAN
FOR
THE CAPE CORAL
DOWNTOWN
REDEVELOPMENT AREAS
CAPE CORAL, FLORIDA**



THE CITY OF CAPE CORAL, FLORIDA

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Prepared by:

The Cape Coral Community Redevelopment Agency

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PER FLORIDA STATUTES 163.362**

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1. Introduction/History

Cape Coral began as a land-sales subdivision in the late 1950's. The City was incorporated in 1971 and by 1986 had grown to approximately 53,000 residents. Cape Coral expected to continue to enjoy a high rate of growth but unfortunately, the original developers failed to provide adequate space for commercial development. The commercial areas of the city are characterized by small lots, poor layout, and inadequate drainage and parking. The downtown business section along Cape Coral Parkway was planned in a time before "big box" supermarkets, retail centers or shopping malls. Renewed commercial development in the downtown area is hindered by the difficulty of assembling large land parcels, poor layout, and inadequate parking.

These deficiencies in the downtown area became apparent during the 70's and early 80's with the lack of the normal increase of professional and retail development one might expect in comparison to the overall accelerated growth of the City. Originally commercial and professional expansion grew along Del Prado Blvd., currently large commercial developments are taking place along Pine Island Road and Veteran's Parkway.

In 1972, the City Council authorized the preparation of a study by the firm of Black, Crown & Eidsness, Inc. for a comprehensive analysis of the lack of adequate and deteriorating storm sewers in the downtown sector. In 1984 the firm of Zuchelli, Hunter & Associates was retained by the City to develop an economic development strategy. In 1985 the City Staff prepared its Downtown Improvement Program based on the data gathered through these prior studies. The program cited the need for drainage improvements, additional curb and sidewalk construction, lack of appropriate parking, need to expand Cape Coral Parkway capacity and recommended the formation of a Community Redevelopment Agency.

In 1986, the City Council passed resolution No. 38-86 finding the existence of blighted areas in the City of Cape Coral. The elements of blight identified were:

- (a) Lot Size/Diversity of Ownership
- (b) Sewer System
- (c) Sidewalks, curbs and gutters
- (d) Defective or inadequate street layout
- (e) Unpaved parking areas
- (f) Low property values

The City Council determined that the rehabilitation, conservation, or redevelopment, or a combination thereof, of the blighted areas within the City was necessary in the interest of public health, safety, morals, and welfare of the residents of The City of Cape Coral. Resolution No. 39-86 established the City Council as the Community Redevelopment Agency. In 1987 Ordinance No. 49-87 adopted the first Redevelopment Area Plan and Ordinance No. 51-87 established the Redevelopment Trust Fund.

In 1994 the City Council created an appointed Board of Commissioners as the Community Redevelopment Agency. Over the past 18 years projects have been

implemented, such as the Cape Coral Streetscape, a pocket/alley park, a bus transfer station, and parking lot improvements. These projects have improved property values but many blighting conditions such as diversity of ownership, incidents of crime, poor sidewalks, sanitary sewer, and storm and water improvements still plague the area. In 2003 the Board recommended to the City Council an expansion of the boundaries of the Redevelopment Area and adoption of the Community Redevelopment Area Master Plan.

Resolution No. 11-03 of the City Council of Cape Coral found additional blighted areas existed in the City of Cape Coral and expanded the boundaries of the existing Community Redevelopment Area. The elements of blight identified were:

- a) Lot Size/Diversity of Ownership
- b) Sewer System
- c) Sidewalks, curbs and gutters
- d) Defective or inadequate street layout
- e) Unpaved parking areas
- f) Low property values
- g) Incidence of Crime in the area is higher than the remainder of the municipality.

In this same resolution, the City Council amended the Redevelopment Plan to incorporate "Design Downtown, Community Redevelopment Area Master Plan."

Ordinance 126-05 of the City of Cape Coral modified the Community Redevelopment Plan for the original and expanded boundaries to include the development and implementation of community policing innovations, to establish the goals, objectives and policies for the redevelopment areas and to extend the time to 30 years after the fiscal year in which the plan is approved or 2035.

The purpose of this modification of the Community Redevelopment Plan is to establish that a separate policy and procedure for the economic analysis, risk assessment, evaluation criteria, documentation, fees, and costs for Tax Increment Financing Agreements shall be adopted and to clarify and add additional policies, goals and objectives.

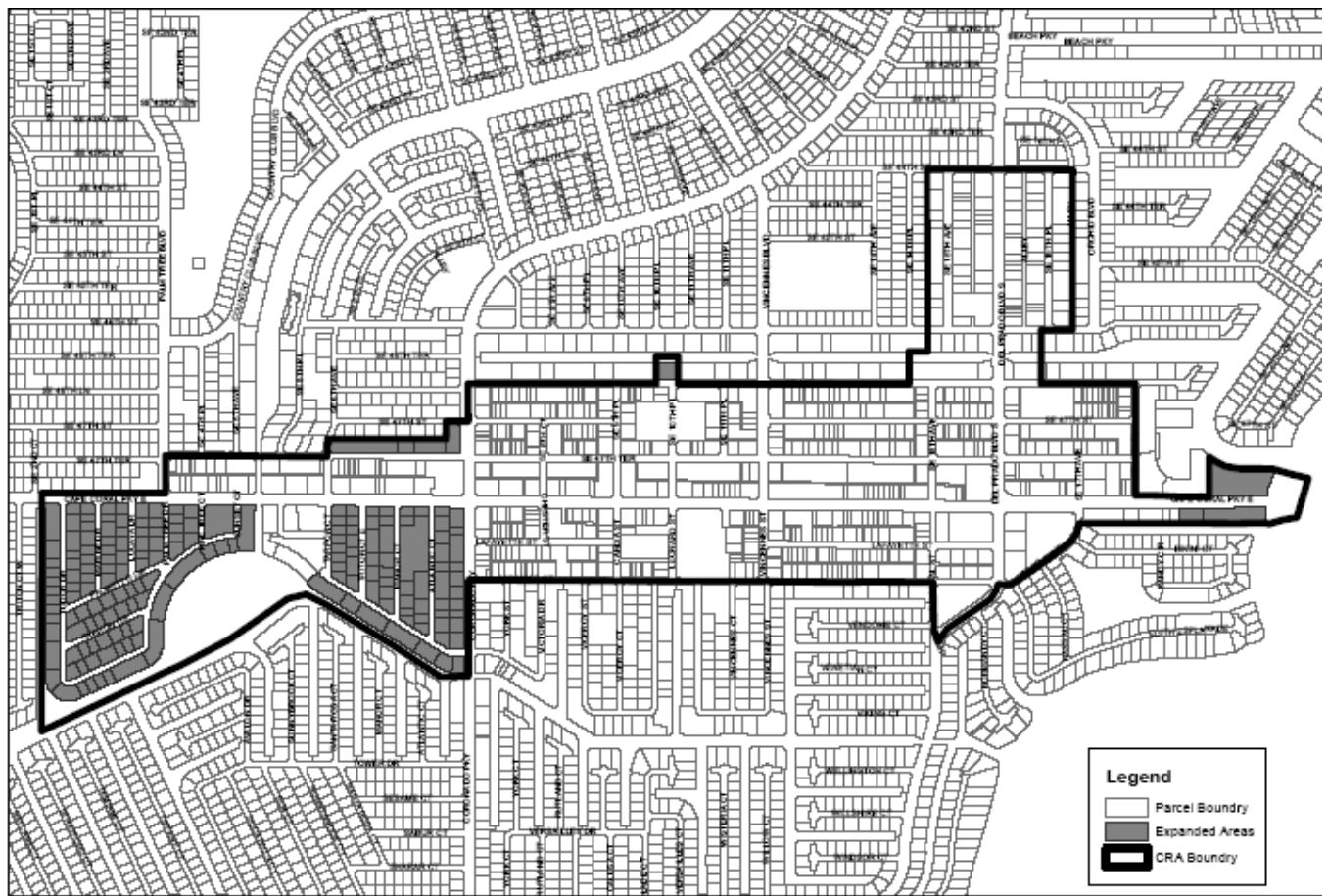
All undertakings and activities within the area shall conform to the provisions of this Redevelopment Plan and any amendments thereto. In addition, all such undertaking and activities shall conform to the City's Comprehensive Plan as it exists now or as it may be amended from time to time.

2. Downtown Cape Coral Boundaries And Reasons For Establishment/History

The boundaries of the original and expanded Redevelopment Areas are generally described as being bounded on the north by SE 44th Street and SE 46th Lane, on the East by SE 17th Place and the Caloosahatchee River, on the South by Miramar Street and Bimini Basin and on the West by Tudor Canal and Palm Tree Blvd. The entire Redevelopment Area consists of 432.2 acres.

The reasons for establishing such boundaries were based on the 1972 original findings in comprehensive analysis of the lack of adequate and deteriorating storm sewers in the downtown sector and the 1984 study on an economic development strategy of the original commercial zoning of the area at the intersection the major north-south arterial, Del Prado Blvd. and the major east-west arterial of the Cape Coral Bridge/Cape Coral Parkway. The river and waterways also provided natural boundaries.

(The legal description of the Redevelopment Area boundaries is to be found in Appendix "A".)



3. Redevelopment Goals, Objectives and Policies

In 2001 the Community Redevelopment Agency held a number of public workshops to develop the Master Plan for the existing and expanded Redevelopment Areas. The Downtown consists primarily of commercial single story strip center structures. The mission statement for the agency is that it “will facilitate the emergence of a vibrant urban village where people of all ages will live, work, shop and be entertained.” The vision of the area recognizes the unique social and economic factors that are compressed in a relatively small area of the City. The master plan adopted by the CRA and City Council designed the Downtown as a compact urban village addressing a number of redevelopment goals as follows.

Once adopted by the Community Redevelopment Agency (CRA) and the City Council, program objectives provide general direction for the CRA and City staff in pursuing the purpose of revitalizing the Redevelopment Areas. In addition, the program objectives provide the private sector with information necessary to make appropriate development decisions.

3.1 Open Space and Street Layout

Goal: To create a high-intensity pedestrian friendly urban area that provide enhanced open spaces and a system of both pedestrian and traffic circulation to ensure that visitors, employees, and residents alike can easily find their way, park, and enjoy their walk to their destinations.

Objective: Plan and build a system of open spaces, traffic circulation, public and private parking, and pedestrian walkways that implement the Downtown Master Plan.

- Policy 3.1.1** Provide an enhanced and interconnected transportation network that focuses on improving the pedestrian and bicycle environments throughout the area, provides better commercial traffic circulation and overall evacuation.
- Policy 3.1.2** Seek to optimize the capacity of on-street parking where appropriate.
- Policy 3.1.3** Evaluate all viable means of alternative transportation including development of a trolley and water taxi systems.
- Policy 3.1.4** Establish a Parking Development Program for the District.
- Policy 3.1.5** Utilize incentive regulations and the developer negotiation process to create plaza areas aesthetically and functionally related to adjacent uses and the pedestrian and open space network.
- Policy 3.1.6** Ensure that all new development participates in cross easements, when appropriate, to minimize driveways cuts.
- Policy 3.1.7** Encourage and provide incentives for new projects to use structured parking to optimize green and open space.
- Policy 3.1.8** Provide that all residential and commercial development will optimize its views and connections to the river and waterways. Adopt appropriate regulations to encourage and provide incentives that all projects will enhance view corridors to important public vistas.
- Policy 3.1.9** Seek to optimize every opportunity to improve the tree canopy on public and private property throughout the redevelopment area.

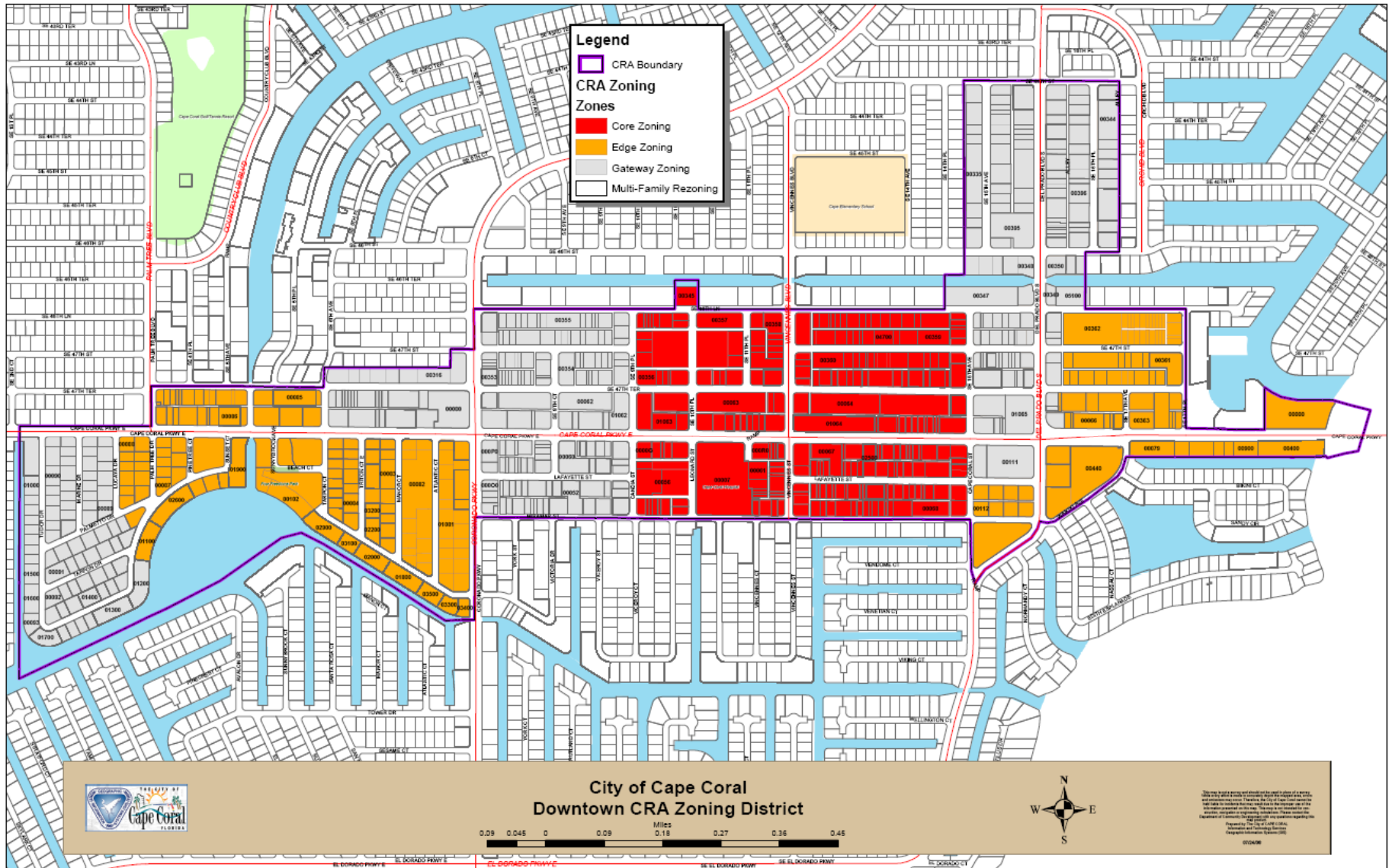
3.2 Limitations on Size, Height, Number and Use of Buildings

Goal: Through regulatory controls and incentives provide appropriate limitations on the type, size, height, number and use of buildings to stimulate and attract private investment in real property and property improvements in the redevelopment area that will eliminate blighting factors, improve the economic health of the City and the County, increase employment opportunities, better serve residents, businesses, and tourists, and improve the tax base.

Objective: Develop zoning districts to create an urban pedestrian friendly downtown with interesting architectural elements, recognizing those areas that are distinct in terms of uses, location and their built and natural environment. All development, redevelopment, and rehabilitation activities carried out within the Cape Coral Redevelopment Area shall conform to the City's Comprehensive Plan (adopted pursuant to the Local Comprehensive Planning Act of 1975) and the City's Land Use and Development Regulations as they exists now or as it may be amended from time to time.

- Policy 3.2.1** Assemble property necessary where conditions of title, diverse ownership, lot layouts or other conditions prevent proper development in strategic areas where the City's redevelopment efforts can be successfully and effectively leveraged.
- Policy 3.2.2** Identify and recommend land uses and zoning that support the City's Comprehensive Plan Future Land Use Districts and encourage the high quality development consistent with the adopted Master Plan.
- Policy 3.2.3** Provide incentives for all new developments to implement the architectural criteria for the area.
- Policy 3.2.4** Identify and implement incentives to encourage the redevelopment and revitalization of the area in accordance with the specific master plan for each zoning district.
- Policy 3.2.5** The Community Redevelopment Agency and The City of Cape Coral shall be responsible for the implementation and administration of the objectives outlined in the redevelopment plan.
- Policy 3.2.6** Encourage the revitalization of all properties as high quality mixed-use or commercial projects as provided in the City's Land Use and Development Regulations.
- Policy 3.2.7** Encourage and provide incentives for the development of mixed-use buildings that include restaurants, outdoor cafes, specialty retail, and entertainment complexes to create attractive pedestrian oriented streets.

- Policy 3.2.8** Brand the *Redevelopment Area* as a well managed and organized urban destination for the purpose of drawing both visitors and residents to a broader market.
- Policy 3.2.9** The Community Redevelopment Agency shall assist in the development review process, including but not limited to the site plan review process.
- Policy 3.2.10** Continue to study possible amendments to the City's Land Use and Development Regulations with the view of improving the quality of development through application of design principles and incentives.
- Policy 3.2.11** Encourage and provide incentives for all new construction to be appropriately scaled and compatible in design consistent with reasonable efforts to vary heights and massing and reflect a high standard of design.
- Policy 3.2.12** Evaluate and update regulatory measures as needed in order to provide the flexibility required to encourage mixed use and planned development projects that incorporate quality design standards consistent with the Redevelopment Plan.
- Policy 3.2.13** Provide tax increment funding to assist in the development of meeting rooms and public spaces for hotels and condo-hotels
- Policy 3.2.14** Provide tax increment funding to assist in the development of marinas and waterfront improvements.



3.3 Approximate Number of Dwelling Units/Affordable Housing

Goal: Have more people living and working downtown to provide more personal convenience, create a sustainable economy and lessen the dependence on the automobile in daily life.

Objective: Support a variety of housing types, costs and incentives in the development of dwelling units where people of all ages and incomes have a safe and clean environment.

Policy 3.3.1 Utilize incentives, regulations and the developer negotiation process to encourage residential projects that are aesthetically and functionally related to adjacent uses.

Policy 3.3.3 Seek to provide assistance for the acquisition and development of affordable and mixed-income multi-family properties.

Policy 3.3.4 Seek to adopt development regulations that may provide for smaller living units consistent with the goals of the master plan.

3.4 Property intended for use as public parks and recreation areas

Goal: Optimize every opportunity to create a system of green spaces, parks and recreation areas throughout the Redevelopment Area.

Objective: To increase the acreage currently dedicated to green space, parks and recreation in the Community Redevelopment Area.

Policy 3.4.1 Encourage the development of pocket parks and/or plazas for redevelopment projects.

Policy 3.4.2 Create a system of bicycle and pedestrian trails within the Redevelopment Areas.

Policy 3.4.3 Through development incentives, assist in the development of plazas and covered pedestrians walkways that improve the access to waterways and the Riverfront.

Policy 3.4.4 As funds become available; seek to provide yearly operational funding for the continued maintenance and enhancement of neighborhood parks and recreational venues.

Policy 3.4.5 Seek to encourage the development of retail and restaurant operations that have access to waterways.

3.5 Property intended for use as streets, public utilities and public improvements of any nature.

Goal: Redevelop the Downtown area as envisioned in the Master Plan with pedestrian friendly and functional streets, underground utilities, public plazas and waterway connections.

Objective: Through public-private partnerships optimize every opportunity to improve the infrastructure and public domain within the redevelopment areas.

Policy 3.5.1 Coordinate infrastructure and capital improvements according to the City of Cape Coral's and CRA's Asset Improvement Program.

Policy 3.5.2 Use development opportunities and tax increment funds to assist in placing all utilities underground and maintain water, sewer, and electrical capacity for expanded growth.

Policy 3.5.3 Create an environment in which private investment will follow infrastructure improvements.

Policy 3.5.4 Develop coordinated streetscaping, relocation of all utilities, public and private signs, park development, and beautification.

Policy 3.5.5 Design and install an overall way-finders signage program for area identification and visitor information.

Policy 3.5.6 Identify and secure diverse sources of funding, including tax increment finance revenue, bonds, and grants to aid infrastructure improvements.

Policy 3.5.7 As funds become available; seek to provide yearly operational funding for the continued maintenance and enhancement of median improvements, landscaping, and pedestrian amenities.

4. Neighborhood Impact

The purpose of redevelopment activities is to protect, preserve, improve, and enhance the built and natural environments characterizing this community. These activities, including the construction of new residential, commercial, and mixed-use development cannot be accomplished without affecting existing housing, transportation systems, public facilities, and services and environmental systems. The intent is to ensure that those impacts have an overall beneficial effect to the residents, property owners, and business owners within the area as well as the larger community of Cape Coral. This plan is not intended to remedy a shortage of housing for residents of low or moderate income.

While acres of land within the residential zoning district of the redevelopment area are zoned for single and multi-family use, implementation of the plan is expected to increase the residential population by increasing number of multifamily units per acre in all the

Districts. Multifamily development shall promote traditional pedestrian-oriented development and community appropriate products and services. By providing housing close to commercial districts, the City is able to offer unique opportunity to its current and future residents. That opportunity is the ability to work within a safe walking distance to one's residence, to bicycle to recreational areas and the river, and to patronize shops and restaurants within one's own neighborhood. These opportunities are likely to attract persons of various ages, incomes, and backgrounds to the Redevelopment Area.

4.1 Relocation

Relocation of residents and businesses displaced as result of property acquisition by the Community Redevelopment Agency will follow procedures that fulfill the intent of Florida Statutes 421.55 and all other applicable laws and regulations.

4.2 Traffic Circulation

The Evaluation Appraisal Report (EAR) of the City of Cape Coral's Comprehensive Plan, pursuant to Section 163.3191 of the Florida Statutes, was approved for transmittal to the Florida State Department of Community Affairs in January of 2005. The report summarized changes that have occurred in the City since the last review conducted in 1997. The report discussed the City's compliance with Comprehensive Plan and other state statutes and identified major issues that may be the basis for future amendments to the Comprehensive Plan. The adopted Comprehensive Plan and the EAR have identified improvements in the CRA that include bikeway/pedestrian facilities, alleyway resurfacing, and the traffic study (currently funded and underway). Funding has been established in the Capital Improvements Program (2004-08) for implementation of improvements recommended by the traffic study

As the EAR amendment states: "This traffic circulation study will address improvements needed within the CRA transportation network in order to accommodate future increases in density and intensities per the CRA Master Plan. The CRA Traffic Circulation Report will provide recommendations that may require amendments and additions to the Goals, Objectives and Policies of the Transportation Element."

As projects are developed over the next 30 years, further study will be undertaken of transportation facilities to determine any additional roadways configurations that might be implemented to improve circulation and reduce evacuation time. Additionally, efforts will be ongoing to offer alternate means of public transportation to include trolley service, bicycle trails, and water taxis.

4.3 Environmental Quality

Environmental quality shall be improved by the projects outlined in this plan. The planting of additional shade trees, decreasing the number of paved surface lots, stormwater, water and sewer improvements all address a number of public issues and concerns. All redevelopment projects shall comply with city, state and federal regulations designed to mitigate any potential environmental impacts.

4.4 Availability of Community Facilities and Services

This Plan provides a coordinated approach to improving and providing additional public facilities in accordance with the vision established. The Plan promotes the enhancement of public recreation facilities within the district. The impacts to any existing community facilities and services should be entirely positive resulting in the provision of more facilities, better maintenance, and better access.

The City and County impact fee regulations will also serve to provide additional capacity for any impacts to the water and sewer, traffic, and school systems that may result from redevelopment.

4.5 Effect of School Population

The City of Cape Coral has been proactive in accommodating the needs of school age children throughout the City with its own Charter School System. Over the next 30 years accommodations shall be made to serve students in accordance with any population increases that might result on land use decisions to promote redevelopment in the area.

4.6 Physical and Social Quality of the Neighborhood

It is anticipated that physical and social conditions in the area will improve through the Community Policing Program and dedicated Code Enforcement funding through the Tax Increment Fund. It is also anticipated that physical and social conditions in the area will improve with the elimination of very low-rent motels, hotels, and apartments that are substandard, not suitable for rehabilitation, and that cater to a criminal and transient population.

5. Community Policing Innovations Development and Implementation

The Cape Coral Community Redevelopment Agency (CRA) and the Cape Coral Police Department share common interests and goals toward identifying long term solutions for crime suppression and community revitalization in areas targeted by the CRA for development. The Cape Coral Redevelopment Community Policing initiative will be a partnership effort to effectively offer proactive law enforcement services via traditional and non-traditional methods with the objective of facilitating the enduring solutions required to maintain a safe community in which to reside and visit. As shown in the blight study for the Cape Coral Redevelopment Area, redevelopment is currently hampered by social problems created by the high incidence of personal and property crimes, drugs, prostitution, and the concentration of transients and others at the social and legal margins. The City's Police Department has developed an innovative comprehensive program to improve the actual and perceived security of the redevelopment district residents, customers, visitors and business people through the implementation of a Community Policing Program that the CRA wishes to reinforce and sustain as follows:

5.1 Staffing

As funds become available, the Community Policing initiative ~~will~~ may be subsidized by Cape Coral Redevelopment Tax Increment and will consist of not less than one police officer with other law enforcement personnel assigned as circumstances dictate and as agreed by the Police Department and the CRA. The Police Department will assign officers to areas of responsibility within the redevelopment area, but will maintain the authority and flexibility to initiate operations and allocate personnel as needed. The hours of operation and scheduling for this initiative will also be dynamic to properly and effectively address concerns.

5.2 Program Initiatives

There are many facets to the initiatives that will be undertaken by officers assigned to the Cape Coral Redevelopment area. To address the concerns of the community and in an effort to reduce crime and the fear of crime, these initiatives may include, but are not limited to:

- Officers working out of offices in the redevelopment area
- Meeting with stake holders
- Hotel / Motel initiatives
- Training specific to area concerns and initiatives
- Vehicle use

5.3 Operations

Officers assigned to the Cape Coral Redevelopment Community Policing Unit will utilize office space that is located within the boundaries of the redevelopment area. An office location will be identified and secured by the Police Department and house Community Policing Officers, police department volunteers and Neighborhood Watch initiatives. Utilizing offices within the redevelopment area will place those officers and services directly in the area for which they are responsible and give more accessibility to the community they are serving.

5.4 Community Involvement

A Community Policing Advisory Committee may be established by the Board of the Community Redevelopment Agency. Members of a Community Policing Advisory Committee will either reside in or own businesses within the redevelopment area. The Committee will meet with the Community Policing Unit with on a monthly basis to discuss concerns from within this area. Additionally, officers assigned to this program will regularly meet with other property owner groups and business associations.

5.5 Hotel / Motel Initiatives

Members of the Community Policing Unit and Criminal Investigations Unit will initiate and provide intelligence training and seminars to the Hotel/Motel Association. This program will be designed to share information and crime prevention methods with

businesses associated with tourism. Intelligence meetings will be held with local hotels.

5.6 Training

Officers assigned to the redevelopment area will be afforded the opportunity of attending advanced training. Training in areas such as Crime Prevention Through Environmental Design (CPTED), Tourist Oriented Policing Services (TOPS), and Advanced Community Policing will enable officers assigned to this area the ability to effectively address concerns and initiate new and innovative solutions to problems. The Attorney General's Office provides training in areas such as CPTED. Colleges, educational companies, and private individuals provide advanced training in Community Policing and TOPS.

6. Publicly Funded Capital Projects to be undertaken Within the Redevelopment Areas

The Community Redevelopment Agency is authorized to install and construct or to cause to be installed or constructed the public improvements and the public utilities that may be necessary to carry out the provisions of the Redevelopment Plan and any amendments thereto.

Such public improvements and public utilities may include, but are not limited to the following:

- Street and Alley improvements: completely new and widening or resurfacing existing streets, curbs, gutters and sidewalks
- Street light improvements
- Sanitary sewer systems upgrades
- Storm sewer systems upgrades
- Water distribution systems upgrades
- Parking lots or structures acquisition and development
- Pedestrian walk installations
- Parks, playgrounds, and landscaped area improvements
- Public buildings and facilities development and maintenance
- Improved waterfront access
- Bridges and underpasses

The Community Redevelopment Agency may also pay the costs associated with the acquisition of public rights-of-way, the ownership of which shall be dedicated to The City of Cape Coral or other public corporation as appropriate. The City Council shall approve the specific details as to type, size, location, purpose, cost, timing and real property acquisition for public rights-of-way. All public improvements and facilities to be installed or constructed by the Agency shall be coordinated with any public improvements or projects undertaken in the redevelopment area by the City or other public corporation.

All public improvements and facilities installed or constructed by the Agency, the City or others shall conform to the Comprehensive Plan of The City of Cape Coral.

7. Safeguards to Ensure That the Work of Redevelopment Will be Carried Out Pursuant to the Plan

All real property in the Redevelopment Area is hereby made subject to the controls and requirements of this Plan or any other plans adopted by the Agency to carry out this Plan.

No real property shall be developed, rehabilitated, or otherwise changed after the date of adoption of this Plan except in conformance with the provisions of this Plan, the City of Cape Coral's Land Use and Development Regulations and Code of Ordinances.

7.1 Land Use Plan

Properties located within the Redevelopment Area shall be developed in conformance with the objectives, policies, and land use designations of the City's Comprehensive Plan as it exists now or as it may be amended from time to time. The provisions of the appropriate City zoning districts will govern specific densities and/or intensities within the land use categories as they exist or as they may be amended. The City's Comprehensive Plan anticipates a mixed-use urban downtown that promotes office, retail, and residential development.

7.2 General Urban Design Guidelines

7.2.1 Street Layout

A network of streets allows pedestrians, cyclists, and motorists to move safely and comfortably throughout the area. Having small blocks on a grid of streets provides multiple routes. Different routes are important whether you are walking, biking, or driving. If there is congestion, and there is only one road, automobiles are forced to remain in the congestion. With a complete network, multiple routes are always available. Downtown Cape Coral has interconnected streets, but many of the blocks are too large. Although Cape Coral has a grid of streets, waterways and bridges, such as the Cape Coral Bridge limit the options for alternate routes.

In addition to a mix of uses and properly scaled streets, other details are necessary to generate pedestrian friendly streets. Safety, interest, and comfort are three basic components of pedestrian friendly streets. Having people on the street is beneficial because it provides another customer base without adding a tremendous amount of traffic to the roads.

Pedestrians need to feel safe from personal crime and also from automobiles passing on the road. Separating the sidewalk from the roadway is a key factor for promoting the needed feeling of safety. On-street parking and street trees provide the simplest barrier.

Feeling safe at night is a matter of lighting, activity on the street, and being able to see into stores. Boarded up windows or metal shutters do not communicate the idea that this place is safe. More activity on the street will also add to feelings of security.

An interesting setting is crucial to keep people walking, and also to encourage people to make purchases at stores. A continuous row of shops and restaurants that have clear views to what is inside, or intriguing window displays helps keep pedestrians on the street.

Comfort, especially in Florida, is important. In the hot days of summer, walking without shade is not a viable option for most people. Mature shade trees help add shade, provide beauty, and benefit the environment. Awnings and arcades are more permanent, and offer protection from the daily rain showers that occur in the summer season. Benches and resting places can make places more people friendly too. Unfortunately, small sidewalks cannot accommodate these necessary ingredients; so wide sidewalks are a necessity.

7.2.2 Limitations on the Type, Size, Height, Number, and Proposed Use of Buildings

Where the building sits on the land and how tall it is are vital elements of urban form. Streets should be thought of as three-dimensional public rooms where the buildings serve as the walls. When buildings are set far back from one another, pedestrians may feel psychologically lost or ill at ease. When buildings are too close and too tall, there is a feeling of constraint. This proportion of “streetwall height” to “road width” must feel comfortable to the pedestrian. The prevalence of single story buildings is not conducive to a comfortable street proportion and scale when the roadway width is large.

Deep building setbacks with large parking lots in front are devastating to the street space and overall pedestrian environment. The most effective way to ameliorate this condition is to replace the suburban notion of a “front setback” for buildings, which implies that anything goes as long as the building is somewhere behind the line. Instead, the “build-to line,” where one must build up to a certain alignment, should be used.

The type, size, height, number, and use of buildings in the redevelopment areas shall be limited in accordance with the City’s Comprehensive Plan, the Land Use and Development Regulations, and other regulations, and Codes of the City and further regulated by the Agency.

7.3 Development Controls

Within the limits, restrictions, and controls established in the Redevelopment Plan or subsequent plans, the Community Redevelopment Agency, working collaboratively with the Department of Community Development, may propose amendments to the Comprehensive Plan and the Land Use and Development Regulations, including design criteria, building heights, land coverage, setback requirements, traffic circulation, traffic access, and other development and design controls necessary for proper development of both public and private projects.

7.4 Retention of Controls and the Establishment of Restrictions or Covenants Running with Land Sold or Leased for Private Use.

For properties acquired and disposed to a private developer, development controls shall include the City's Regulations and Codes. In addition, the Agency may establish any restrictions or covenants to run with the land sold or leased for private use for such periods of time and under such conditions as the Community Redevelopment Agency deems necessary to effectuate the purpose of the Redevelopment Plan.

Zoning and Building Permits within the Redevelopment Area will not be issued on properties until the applicant has received written approval that the proposed development is in compliance with the Redevelopment Plan, the City of Cape Coral's Land Use and Development Regulations and Code of Ordinances.

7.5 Program Management

Pursuant to the Community Redevelopment Act (Ch. 163 F.S.), the Cape Coral City Council created an appointed Board of Commissioners of the Community Redevelopment Agency (Ordinance 2-94). The City Council appoints the Board of Commissioners. Staff functions for the Community Redevelopment Agency will be performed by the Executive Director of the Community Redevelopment Agency and other City of Cape Coral departments as needed. Subject to approval by the Cape Coral City Council, the CRA Executive Director, in conjunction with the Board, will develop the management policies and functions.

7.6 Management Functions

The Community Redevelopment Agency will be responsible for the following functions:

- A. Preparing budgets for operating and capital expenses.
- B. Reviewing and making recommendations to the Local Planning Agency, and or the City Council on private development proposals in accordance with the plan.
- C. Assisting developers, property owners, and business owners in obtaining necessary public approvals.
- D. Monitoring private development for conformance to redevelopment plan requirements.
- E. Participating in the design and construction of public projects and improvements.
- F. Managing property acquisition and disposition programs.
- G. Assisting in the relocation of businesses and residents.
- H. Coordinating redevelopment activities with all public agencies.
- I. Developing and coordinating promotional and marketing programs.

- J. Participating in continuous planning services for the redevelopment area.
- K. Participating in property management programs.

7.7 Owner Participation

Current owners of property in the Redevelopment Area shall have the opportunity to submit proposals to the Agency to carry out redevelopment activities on property they own or control. The proposals may be for new development or redevelopment, for rehabilitation or expansion of structures, or to eliminate a substandard or detrimental building condition.

The Agency shall consider all proposals submitted including plans and specifications, financial and legal ability, time schedules, terms and conditions, and any other information as may be required by the Agency. The Agency may accept any such proposal as the Agency deems to be in the public interest, in furtherance of the purposes of the Redevelopment Plan, and in conformance with all applicable development regulations.

Two or more property owners who separately own or control adjacent properties and also propose to carry out a redevelopment activity under a joint participation arrangement may also submit proposals.

Proposals by any current property owner or owners which involve the acquisition of adjacent properties not currently owned or controlled by the owner or owners submitting the proposal may be accepted by the Agency contingent on the legal control of such adjacent properties from the owner(s) or the adjacent properties to the person(s) submitting the proposal.

At such time that specific properties are designated for development, redevelopment, or rehabilitation, and in the event a mutually acceptable agreement cannot be negotiated with the current owner or owners of the property or properties involved, the Agency may acquire the property by any lawful means for the purposes of resale or lease for development, redevelopment, or rehabilitation in accordance with the Redevelopment Plan.

7.8 Property Acquisition

Florida's Community Redevelopment Act authorizes Redevelopment Agencies to acquire real property in designated redevelopment project areas. Acquisition of real property may be by negotiated purchase, condemnation (upon approval by City Council), gift, exchange (either inside or outside the redevelopment area), or by other lawful means. The Community Redevelopment Agency may acquire fee simple title or any other interest less than fee simple.

The Community Redevelopment Agency, shall acquire real property within the Redevelopment Areas as may be necessary for public improvements, to provide sites for public facilities, to eliminate unsafe conditions, remove non-conforming uses, eliminate title restrictions, or to overcome diversity of ownership and faulty lot layout which prevents redevelopment and contributes to the perpetuation of blight in the area.

Whenever possible, the designated property will be acquired through negotiation with the current owners. The basis for negotiation will be the fair market value of the property as determined by competent appraisers and approved by the City Council. In those instances where negotiation does not result in a mutually satisfactory agreement, the properties may be acquired by eminent domain proceedings and just compensation awarded in accordance with the law as per Section 163.375, Florida Statutes.

7.9 Property Management

Property purchased by the Community Redevelopment Agency for the purposes of the public improvements, public facilities, right-of-way or other permanent public uses shall be owned and controlled by the City of Cape Coral or other public entity as appropriate.

Property acquired by the Community Redevelopment Agency with the intent of resale or lease shall be under the management and control of the Agency during such time that the property is owned by the Agency. Such property may be rented or leased by the Agency pending its disposition for redevelopment purposes.

7.10 Demolition, Clearance and Site Preparation

The Community Redevelopment Agency is authorized to demolish, clear, or move buildings, structures, and other improvements from any real property acquired in the redevelopment project area, subject to approval by the City Council and obtaining necessary permits.

The Community Redevelopment Agency is authorized to prepare or cause to be prepared as building and development sites any property acquired by the Agency for use as either a public or private redevelopment project, subject to obtaining necessary permits.

The Community Redevelopment Agency is authorized to install and construct or cause to be installed or constructed the public improvements and public utilities necessary to carry out the Redevelopment Plan, subject to obtaining necessary permits.

7.11 Property Disposition and Development

The Community Redevelopment Agency is authorized to transfer ownership, or any other interest in any real property acquired, by sale, lease, exchange, or any other legal means. The transfer of real property or interest therein may be to any private or public entity for development, redevelopment, or use in accordance with the Redevelopment Plan. The purchasers or lessees and their successors and assigns shall be obligated to devote such real property only to the uses specified in the Redevelopment Plan, and any amendment thereto.

Such real property or interest shall be sold, leased, or otherwise transferred for its fair value. In determining the fair value, the Community Redevelopment Agency will take into account and give consideration to the uses provided in the Plan, the restrictions upon, and the covenants, conditions, and obligations assumed by the purchaser or lessee, and the objectives of the Plan.

Prior to the disposition of any real property, the Community Redevelopment Agency shall give public notice of its intent to sell, lease, or otherwise transfer such property as per Section 163.380, Florida Statutes. The Agency shall invite proposals from, and make all pertinent information available to private developers, redevelopers, or any person interested in undertaking a development, redevelopment, or rehabilitation activity within the redevelopment project area.

The Community Redevelopment Agency shall consider all proposals submitted including plans and specifications, financial and legal ability, time schedules, purchase or lease terms and conditions, and any other information as may be required by the Agency. Upon adequate investigation of each proposal, the Agency may negotiate with any or all parties involved and may accept such proposal as the Agency deems to be in the public interest and in furtherance of the purposes of the Plan.

7.12 Disposition and Development Documents

The Community Redevelopment Agency shall reserve such powers and controls through disposition and development documents with purchasers and lessees as may be necessary to prevent transfer, retention, or use of property for speculative purposes and to ensure that development or rehabilitation begins within a period of time, which the Agency fixes as reasonable.

In order to provide adequate safeguards that the provisions of this Plan or its amendments will be carried out and to prevent the recurrence of blight, all real property sold, leased, or conveyed by the Agency, as well as all property subject to owner participation agreements, shall be made subject to the provisions of this Plan by leases, deeds, contracts, agreements, restriction, or other means.

The leases, deeds, contracts, or other forms of agreement may contain restrictions, covenants running with the land, rights of reverter, conditions subsequent, equitable servitudes, or any other provision necessary to carry out this Plan.

All property purchased by the Agency in the redevelopment area is subject to the restriction that there be no discrimination or segregation based upon race, religion, sex, age, or national origin in the sale, lease, sublease, transfer, use, occupancy, tenure, or enjoyment of property in the area.

8. Replacement Housing for the Relocation of Persons Temporarily or Permanently Displaced from Housing Facilities.

Redevelopment efforts are expected to encourage the development of mixed-use residential and commercial projects that will increase the overall number of residential units where none exist today. Once replacement housing is established (see Section 4.1 – Relocation) every provision will be made to provide replacement housing for the relocation of persons temporarily or permanently displaced from housing facilities, Florida Statutes 421.55, and all other applicable laws and regulations.

9. Residential Use in the Redevelopment Area

Within the core of the CRA, there are virtually no residential dwelling units. Immediately to the north, east, and west, of the core there are condominiums and condominium-style apartments. To the south, there are single-family homes. It appears that many of these homes are renter-occupied as shown by a prevalence of For Rent signs. Also, the lots are not as well kept compared to the sections of Cape Coral that are characterized by large, higher-end suburban homes.

Apartments are fully leased. Existing apartment and condominium stock is fairly shallow. There are few condominiums with three or more stories. The majority are one and two story, suburban style apartment buildings. There do not appear to be any luxury, high-end apartments/condominiums available. There is also no significant stock of row-houses or townhouses.

The demographic characteristics are changing. The population is getting younger, as families with children and younger people move to the Cape. Household size is increasing, meaning that people with families are moving into Cape Coral. Similarly, the average age (41.6) is on a downward trend according to the 2000 Census.

9.1 Existing Affordable Housing Program

The City of Cape Coral provides a variety of housing programs to assist very low to moderate-income property owners. The programs are funded by two federal and one state program: From the Federal government, the City receives Community Development Block Grant (CDBG) and Home Investment Partnership (HOME) funds. From the state, the City receives State Housing Initiatives Partnership (SHIP) funds. These programs are made available to Cape Coral property owners directly from the City or through non-profit partners, to which the City provides funds for specific projects. Loans are provided to homeowners for rehabilitation, down payments and closing costs, land acquisition, and replacement housing. Grants are available for emergency repairs and to social services agencies that provide services.

10. Projected Costs of Redevelopment

10.1 Publicly Funded Capital Projects and Public Indebtedness to be Repaid With Increment Revenues

Redevelopment of the Redevelopment Area will require a substantial financial investment on the part of the City's Community Redevelopment Agency. As provided for by Florida's Community Redevelopment Act, the principal source of funding for the Community Redevelopment Agency will be through the Tax Increment Trust Fund. In addition, the Agency and the City will utilize other city, county, state, and federal funding sources as appropriate and available to carry out the provisions of this Plan, and its amendments.

Furthermore, the Community Redevelopment Agency recognizes that from time to time the various private entities, which participate in a redevelopment project, may require assistance in arranging financing for a redevelopment activity. For such activities approved

as part of the redevelopment program, the CRA shall provide technical program assistance as deemed appropriate by the Community Redevelopment Agency (CRA).

As required by s. 163.362(10), Florida Statutes (2005), this Plan provides a time certain for completing all redevelopment financed by increment revenues, which is 30 years after the fiscal year (FY 2004-2005) in which this plan was amended pursuant to s. 163.361(1), Florida Statutes (2005).

Following is a general description of the major funding sources, criteria, and programs that the Community Redevelopment Agency proposes to use in financing the Redevelopment Plan.

10.2 Tax Increment Financing

The principal source of revenue for use by the Community Redevelopment Agency will be the Tax Increment Trust Fund. Ordinance No. 51-87 dated June 29, 1987 established the Redevelopment Trust Fund. For each taxing year since adoption of the Plan, ad valorem taxes generated by the assessed taxable real property value in excess of the redevelopment area's base year assessment total was deposited into the Trust Fund to the credit of each redevelopment area. The methodology for determining the amount of the tax increment to be contributed to the Trust Fund each year is provided in F.S. 163.387.

All funds deposited into the Trust Fund are available to the CRA for any lawful purpose as defined in Chapter 163.370(1)(c) F.S. in fulfillment of the provisions of the Redevelopment Plan, and any amendments thereto.

10.3 Use of Tax Increment Funds

The governing board of the CRA may from time to time adopt policies and procedures for the use of tax increment funds on deposit in the Redevelopment Trust Fund, including the creation of obligations of the CRA to repay loans or other indebtedness or to make any payment pursuant to a project assistance agreement or other agreement by whatever name known. Such policies and procedures shall be in accordance with applicable provisions of the Community Redevelopment Act of 1969, Chapter 163, Florida Statutes and authorized by the Act and/or the community redevelopment plan adopted by the CRA to implement the Act.

The Community Redevelopment Agency shall implement a policy and procedure for the economic analysis, risk assessment, evaluation criteria, documentation, fees, and costs for Tax Increment Financing Agreements. Tax increment funds as a source of financial assistance for any private project, shall be limited to the provisions of 163.370 Florida Statutes as follows:

- 1- Acquisition of a slum area or a blighted area or portion thereof.
- 2- Demolition and removal of buildings and improvements.

3. Installation, construction, or reconstruction of streets, utilities, parks, playgrounds, public areas of major hotels that are constructed in support of convention centers, including meeting rooms, banquet facilities, parking garages, lobbies, and passageways, and other improvements necessary for carrying out in the community redevelopment area the community redevelopment objectives of this part in accordance with the community redevelopment plan.
4. Disposition of any property acquired in the community redevelopment area at its fair value for uses in accordance with the community redevelopment plan.
5. Carrying out plans for a program of voluntary or compulsory repair and rehabilitation of buildings or other improvements in accordance with the community redevelopment plan.
6. Acquisition of real property in the community redevelopment area which, under the community redevelopment plan, is to be repaired or rehabilitated for dwelling use or related facilities, repair or rehabilitation of the structures for guidance purposes, and resale of the property.
7. Acquisition of any other real property in the community redevelopment area when necessary to eliminate unhealthful, unsanitary, or unsafe conditions; lessen density; eliminate obsolete or other uses detrimental to the public welfare; or otherwise to remove or prevent the spread of blight or deterioration or to provide land for needed public facilities.

10.4 Redevelopment Trust Fund Earned Interest

Any interest earned from savings institutions from deposits of Trust Fund monies shall become a part of the redevelopment monies available to the Community Redevelopment Agency for use in financing redevelopment projects.

10.5 Sale or Lease of Acquired Property

All monies received from the sale of real property acquired by the Community Redevelopment Agency shall be deposited into the Trust Fund. Property, which is acquired and held by the Agency pending resale, may from time to time be leased with such lease payments to be deposited in the Trust Fund.

10.6 Enterprise Fund Revenue Bonds

The City Council may issue revenue bonds for specific enterprise purposes, including, but not limited to, such projects as the construction of marinas or parking structures, with the intent of having the revenues generated from such enterprises used to retire the revenue bonds. The Community Redevelopment Agency may pledge Redevelopment Trust Fund monies not otherwise obligated as additional security for such revenue bonds.

10.7 Water and Sewer Improvement Fund

To the extent possible, the Water and Sewer Improvement Fund of The City of Cape Coral may fund needed water and sewer improvements within the redevelopment project area as deemed appropriate.

10.8 Federal, State and Regional Grants

The Community Redevelopment Agency and The City of Cape Coral will seek to utilize Federal, State and regional grant programs as are applicable and available for any approved use within the redevelopment area. Trust Funds can be used as the match when needed.

10.9 Technical Program Assistance

The Community Redevelopment Agency and its staff will provide technical program assistance to private entities participating in redevelopment activities when required to allow the private entity to take advantage of federal or state loan assistance or tax credit programs.

11. Plan Amendments.

11.1 Amendments

This plan may be amended from time to time as provided in the Community Redevelopment Act. Plan amendments may be initiated by the Community Redevelopment Agency, the City of Cape Coral, or any person.

11.2 Amendment Process

Plan amendments shall be presented to the Board of Commissioners of the Community Redevelopment Agency for its initial consideration. The Board may, in its discretion, change any proposed amendment. Following the initial consideration of the plan amendment by the Board, the proposed amendment shall be submitted to the local planning agency of the City for review to determine if the plan amendment is consistent with the City's comprehensive plan. The local planning agency shall have up to 60 days to complete its review and send its recommendations to the Board of the Community Redevelopment Agency. The Board shall then consider the proposed plan amendment and, if it approves the amendment, then the Board shall forward the proposed amendment to the City Council with its recommendation. The City Council shall conduct a public hearing after publication and mailing of the notices required by the Community Redevelopment Act. Following the public hearing, the City Council may adopt a resolution approving the plan amendment or return the plan amendment to the Board of Commissioners of the Community Redevelopment Agency

12. Plan Implementation

12.1. Annual Work Program

Prior to the beginning of each fiscal year, the Board of Commissioners of the Community Redevelopment Agency shall adopt a work program for the succeeding fiscal year setting forth the projects and other activities to be undertaken and establish a ranking of priorities.

Attachment A

Description of the Community Redevelopment Area (CRA)

A parcel of land lying within the City of Cape Coral, Florida, hereby designated the Proposed Expanded Community Redevelopment Area, and being more particularly described as follows:

Commencing at the intersection of the centerlines of SE 46th Lane and SE 17th Place, according to CAPE CORAL SUBDIVISION, UNIT 7, as recorded in Plat Book 12 at Pages 101 through 128, of the Public Records of Lee County, Florida, and the Point of Beginning; Thence southerly along the centerline of SE 17th Place to the northerly right of way line of Cape Coral Parkway East; Thence easterly along said right of way line to the line between Tract 2 and Tract 3 in said Unit 7 Part 1; Thence northerly along said line and leaving said right of way line to the southerly right of way line of the Mandolin Canal; Thence southeasterly and easterly along said right of way line to the Caloosahatchee River; Thence continuing easterly along the waterline of the Caloosahatchee River to a point on a line 300 feet easterly from and parallel with the Bulkhead Line (BHL) 1-N and BHL 1-S, as shown on a map entitled Revised And Updated Boundary Map of The City of Cape Coral, Lee County, Florida by Ronald R. Stevenot and Associates, Inc., and dated May 16, 1989; Thence southerly along said parallel line, crossing Cape Coral Parkway East, to the waterline of the Caloosahatchee River; Thence westerly along said waterline to the northerly right of way line of the Norfolk Canal, according to CAPE CORAL SUBDIVISION, UNIT 6 PART 4, as recorded in Plat Book 12 at Page 44, of the Public Records of Lee County, Florida; Thence along said right of way line to the line between Lot 1, Block 79 in said Unit 6 Part 4, and Lot 1 Block 77, according to CAPE CORAL SUBDIVISION, UNIT 6 PART 3, as recorded in Plat Book 11 at Pages 70 through 79, of the Public Records of Lee County, Florida; Thence westerly along said lot line, and a westerly extension of said line to the centerline of Waikiki Avenue; Thence southwestery and westerly along said centerline

to the centerline of Del Prado Boulevard South; Thence southwesterly along said centerline to the centerline of Cape Coral Street; Thence northerly along said centerline to the centerline of Miramar Street, still in said Unit 6 Part 3; Thence westerly along the centerline of Miramar Street to the centerline of Coronado Parkway, according to CAPE CORAL SUBDIVISION, UNIT 6 PART 1, as recorded in Plat Book 11 at Pages 45 through 47, of the Public Records of Lee County, Florida; Thence southerly along the centerline of said Coronado Parkway to the intersection of the centerlines of Coronado Parkway and the Bimini Canal, according to CAPE CORAL SUBDIVISION, UNIT 5, as recorded in Plat Book 11 at Pages 80 through 90, of the Public Records of Lee County, Florida; Thence westerly and northwesterly along said centerline of the Bimini Canal; Thence southwesterly along said centerline of the Bimini Canal across the Bimini Basin and continuing southwesterly to the centerline of the Tudor Canal, according to CAPE CORAL SUBDIVISION, UNIT 2 PART 3, as recorded in Plat Book 11 at Pages 37 through 41, of the Public Records of Lee County, Florida; Thence northerly along the centerline of the Tudor Canal to the line between Lot 1, Block 94, and Lot 93, Block 95, still in said Unit 2 Part 3; Thence northerly along said lot line, and a northerly extension of said lot line to the northerly right of way line of Cape Coral Parkway East; Thence easterly along said right of way line, and an easterly extension of said right of way line, to the centerline of Palm Tree Boulevard; Thence northerly along said centerline to the centerline of SE 47th Terrace; Thence easterly along the centerline of SE 47th Terrace to the centerline of SE 6th Avenue, according to CAPE CORAL SUBDIVISION, UNIT 9, as recorded in Plat Book 13 at Pages 7 through 18, of the Public Records of Lee County, Florida; Thence northerly along the centerline of SE 6th Avenue to a westerly extension of the north line of Lot 49, Block 316, still in said Unit 9; Thence easterly along said westerly extension and the north line of Lots 28 through 49, Block 316, to the northeasterly corner of Lot 28 and a point on the westerly line of Lot 24, still in said Block 316; Thence northerly along the westerly line of Lots 22 through 24, Block 316, and a northerly extension of said line to the centerline of SE 47th Street; Thence easterly along said centerline to the centerline of Coronado Parkway; Thence northerly along the centerline of Coronado Parkway to the centerline of SE 46th Lane, according

to CAPE CORAL SUBDIVISION, UNIT 8, as recorded in Plat Book 13 at Pages 1 through 6, of the Public Records of Lee County, Florida; Thence easterly along the centerline of the said SE 46th Lane to a southerly extension of the line between Lots 39 and 40, Block 345; Thence northerly along said lot line to the centerline of the Malaga Canal; Thence easterly along said centerline to a northerly extension of the line between Lots 44 and 45, Block 345; Thence southerly along said lot line and a southerly extension of said lot line to the centerline of the aforesaid SE 46th Lane; Thence easterly along the centerline of SE 46th Lane across Vincennes Boulevard to a southerly extension of the line between Lots 30 and 31, Block 347, according to CAPE CORAL SUBDIVISION, UNIT 7, as recorded in Plat Book 12 at Pages 101 through 128, of the Public Records of Lee County, Florida; Thence northerly said extension and the line between said Lots 30 and 31 and along a northerly extension of said line across the Malaga Canal to the northerly right of way line of said Malaga Canal; Thence easterly along said right of way line to the line between Lots 34 and 35, Block 348, still in said Unit 7; Thence northerly along said lot line to the southerly right of way line of SE 46th Street; Thence northerly across SE 46th Street to the northerly right of way line and the centerline of the alley in Block 335; Thence northerly along said centerline and a northerly extension of said centerline to the centerline of SE 44th Street; Thence easterly along the centerline of SE 44th Street across Del Prado Boulevard South to a northerly extension of the centerline of the alley in Block 344, still in said Unit 7; Thence southerly along said extension and the centerline of said alley and a southerly extension of said centerline to the centerline of SE 46th Street; Thence westerly along the centerline of SE 46th Street to a northerly extension of the line between Lots 8 and 9, Block 350, still in said Unit 7; Thence southerly along said extension and lot line to the northerly right of way line of the Malaga Canal; Thence southerly across the Malaga Canal to the lot line between Lots 8 and 9, Block 349, still in said Unit 7; Thence southerly along said lot line, and a southerly extension of said lot line to the centerline of SE 46th Lane; Thence easterly along the centerline of SE 46th Lane to the centerline of SE 17th Place and the Point of Beginning.