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Zoning cleared for retail center

Last residents reach deal with developer

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After months of friction and years of haggling, the last property owners at a location where developers want a retail center are selling their home.

Jack and Jackie Sell reached a deal with Garrison Development Group to sell their NE 17th Street home for \$240,000 and make room for the Shoppes at Diplomat at Del Prado Boulevard and Diplomat Parkway.

"We are very glad that it's over," said Jackie Sell.

Developers say the retail center will get built in the next 12 to 18 months. While no tenants have been announced, brokers at Market America say they already have letters of intent from some "household names."

"The interest in the Shoppes at Diplomat has been very high," said broker Gregg Fous.

He said a lot of large retailers want to be in north Cape Coral but can't find good locations on Pine Island Road any more. Having a new retail location, which is being designed as a neighborhood-based retail and restaurant center, will provide a new spot for businesses to take advantage of growth in north Cape Coral.

Now that the Cape Coral City Council has approved zoning for the center, an action taken late Monday night, Fous said leases can get signed.

Council members Monday indicated they might not approve the zoning request until a deal was reached with the Sells. A contract was negotiated in a back room at City Hall during a council meeting recess.

Garrison officials had drawn up a site plan that worked around the Sells' home. The plan included a retention pond on the east side of the house and a barrier between parking spaces and the house.

Council members made it clear they did not want a mall built around the home because that would devalue the property.

"I've never done something like this to someone before," said District 6 Councilman Tim Day.

Mayor Eric Feichthaler took the Sells and Garrison officials to a conference room and mediated a final contract.

"My goal was to make sure the homeowner was protected," Feichthaler said. "I saw the level of frustration, emotion and anger on both parties' side, and thought it would be good to get them together and focus on the issues."

Rey Ortega, Garrison president, said the couple had been difficult in prior negotiations, at one point demanding \$750,000 for the home.

But the Sells said the most recent offer from Garrison was for just \$220,000. They said they had offered to sell their home in recent months for \$350,000, but that Garrison had stopped answering their calls.

Fous said the council went beyond its role in pushing for the deal.

Feichthaler disagrees, and noted Day had helped connect Market America other property owners in the area for less contentious negotiations.

"Our job is keep the best interests of the community in mind," Feichthaler said.

The mayor said he would likely have voted in favor of the zoning even if no deal had been reached, but said every measure needed to be taken to protect the Sells.

Broker Stephen Luta, who represented Garrison in the room during negotiations, said Feichthaler helped cut through some major sticking points in negotiations.

"He was very level-headed, not emotional at all," Luta said of Feichthaler.

Jackie Sell said she was grateful the council had come to her and her husband's support.

"Helping us make this work was phenomenal," she said.

The couple plans to move into another home in Cape Coral after everything with the sale is settled.

"We're adjusting to the situation," she said. "But my husband and I are spirited Christians, and said going into this, we would accept the council's decision."
