



**STAFF REPORT**  
**MIROMAR FACTORY OUTLET III**  
*Re-plat*  
**Planning & Zoning Board**

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PROJECT NAME: Miromar Factory Outlet III

CASE TYPE: Re-Plat of Recorded Plat

CASE NUMBER: PKT2018-E001

PLANNING AND ZONING BOARD DATE: May 21, 2019

**REQUEST**

The applicant has requested Council approval for the re-plat of Miromar Factory Outlet Lot M-7 and a portion of Tract L, to combine the lots for a 135-room hotel on a 2-acre site in the parking lot of the Miromar Outlet Mall.

**ZONING**

**Commercial Planned Development**

The Village Council approved Zoning Ordinance No. 2018-24 on October 24, 2018 to allow a 135-room hotel on the subject property (2.3 acres). The subject property (and the Miromar Outlet Mall) is part the Timberland and Tiburon DRI originally approved by Lee County in 1985 (Resolutions Z-85-072 and Z-85-072/1) which approved an outlet mall area but did not approve the zoning at that time. The property was rezoned in 1996 from Agricultural to Commercial Planned Development by Lee County by Resolution Z-95-094. On January 6, 1997, Lee County approved an amendment to the planned development and the 4<sup>th</sup> amendment to the DRI Development Order to add 790,000 square feet of commercial space composed of a regional shopping mall.

**FUTURE LAND USE DESIGNATION**

Urban Community

**SCHEDULE OF USES FOR SUBJECT PROPERTY**

***Community Commercial (CC) Uses***

Resolution Z-95-094 includes all uses permitted by right, Special Permit, and Special Exception within the CC district including the two (2) additional uses listed in Z-95-094 but excluding eight

(8) uses also listed in Z-95-094. Village Council added hotel as a permitted use in Ordinance No. 2018-24. A copy of the uses in Resolution Z-95-094 are provided in Exhibit A. A copy of the hotel/motel use approved in Village Ordinance No. 2018-24 is provided as Exhibit B.

### **TAXES**

The taxes have been paid for the calendar year 2018 and confirmed by the Village attorney.

### **EASEMENTS**

There is a 10-foot wide public utility easement along the frontage of the lot on Miromar Outlet Drive dedicated on the plat. There is also an existing utility easement for the benefit of Gulf Environmental Services, now Lee County Utilities (see OR 3023, PG 4080) as well as an existing utility easement for the benefit of Florida Power and Light Company (see OR 3308, PG 1776).

### **STAFF ANALYSIS**

The engineering firm Hole Montes Associates submitted the re-plat documents for the reconfiguration of the subdivision to the Village of Estero on August 30, 2018. The Village reviewed the re-plat for planning and engineering conformance with the Land Development Code, Florida Statutes, and the Administrative Code 13-19. In addition, the Village Surveyor/Mapper and the Village attorney reviewed the re-plat for consistency with the Florida Statutes and the Village of Estero Administrative Code. After several resubmittals, staff and the Village Surveyor/Mapper deemed the re-plat application to be complete on February 1, 2019 (see Exhibit C) and the Village attorney deemed the application complete on April 16, 2019 (see Exhibit D). A copy of the re-plat is included as Exhibit E.

**The Village attorney and staff confirm that the re-plat meets the requirements of Chapter 177, Part 1, Florida Statutes, and the requirements of Administrative Code Section 13-19 for final re-plat.**

### **EXHIBITS**

- A. Schedule of Uses/Resolution Z-95-094
- B. Schedule of Uses/Ordinance No. 2018-24
- C. Professional Surveyor and Mapper Memorandum dated February 1, 2019
- D. Village Attorney Memorandum dated April 16, 2019
- E. Miromar Factory Outlet III Replat of Lot M-7 and Tract L