



VILLAGE OF ESTERO ZONING STAFF REPORT

CASE TYPE: TEMPORARY USE PERMIT
CASE NUMBER: APPLICATION #4253949
NAME: MIROMAR OUTLETS FARMERS MARKET
PLANNING & ZONING BOARD DATE: OCTOBER 20, 2020

REQUEST AND STAFF RECOMMENDATION

This is a request to permit the use of a "Seasonal Farmers Market" for the sale of farm produce and goods, to be held weekly at Miromar Outlets Mall on each Friday from October 2, 2020 to April 30, 2021 from 9 am to 1pm. Staff recommends **APPROVAL** with conditions of the applicant's request.

Please note that this is the same location as the Farmers Market that was recently approved by the Planning and Zoning Board to operate from June 26 to September 25, 2020.

APPLICATION SUMMARY

Applicant: Local Ladies Social Network, Inc.

Request: Requesting to use a portion of Miromar Outlets parking area shown as Lot M-6 on the Miromar Outlets Parking Exhibit (Attachment B) for the sale of farm produce and goods.

Location: The subject property is located in the northeast corner of the Miromar Outlets Mall, South of Miromar Outlets Boulevard and west of Ben Hill Griffin Parkway.

The applicant indicates the Miromar Outlets administrative office address as 10801 Corkscrew Road, Suite 305, Estero FL and the STRAP number to be:
25-46-25-E4-270M6.0000

PROJECT HISTORY

The proposed Temporary Use is located within the ±790 acre commercial property known as Miromar Outlets Mall. The entire Miromar Outlets Mall is part of the Timberland and Tiburon Development of Regional Impact (DRI), which was originally approved by Lee County in 1985 (Z-85-072 & Z-85-072/1). In 1996 the property was rezoned from agriculture, AG-2, to the Commercial Planned Development (CPD) zoning district. 790,000 square feet of commercial space was added in 1997 to the CPD comprising the current regional shopping mall (Z-96-072).

PROJECT DESCRIPTION

The proposed Temporary Use will be located in a parking area identified as Lot M-6 on the Miromar Outlets Mall Parking Exhibit previously referenced. Pursuant to the Land Development Code Section 34-3048(a) Farmers Markets are allowed in parking lots of developed commercial

properties. The market when operating will occupy less than half of the 243 parking spaces available within Lot M-6.

The Farmers Market is proposing to operate on Fridays between 9 am and 1 pm. There are between 30-40 vendors operating sales from tented stands. The tents are set up only for the hours of operation, have open sides (without walls) and only tents of a 100 square feet (10 feet x 10 feet) are allowed.

Parking for the Farmers Market is provided directly adjacent to the tents in the remaining portion of Lot M-6.

Sanitary facilities are available for the patrons of the Farmers Market at the mall. The restroom facilities are directly across from the Farmers Market and are shown on the Miromar Outlets Store/Restaurant Location Map (Attachment C). Use of the facilities are mentioned as part of the Miromar Development Corporation approval letter granting the Temporary Use for a period of 3 months. (Attachment D).

Social media is traditionally used for advertising of the Farmers Market. However, during the scheduled times of the event temporary signs will be placed internally to direct customers and maintain traffic flow.

STAFF ANALYSIS

On July 21, 2020, the Planning and Zoning Board approved a temporary use permit and variance for this Farmers Market which operated from June 26 to September 25, 2020. In an effort to continue the open air market, the applicant is requesting a Temporary Use Permit for a Farmers Market as allowed for in Section 34-3048 of the Land Development Code. The requested operational times are from October 2, 2020 to April 30, 2021 from 9 am to 1pm.

The designated area for the Farmers Market is in a prominent location with sight lines from the mall's secondary entrance off of Ben Hill Griffin Parkway. The market area is located in a parking lot a distance from the mall's main entrance (Corkscrew Road). Traffic flow and parking demands for the mall stores and food court will not be affected by the Farmers Market operation. Miromar Outlets Boulevard, the road encircling the mall stores, will not be blocked during the operation of the market and traffic flow throughout the mall will be maintained as designed.

Sanitary facilities at the mall will be available for the customers. The mall management has approved the use of the property for the Farmers Market and has stated in its approval that the mall's sanitary facilities are available for the market's customers.

The type of goods sold will vary by each individual vendor. The objective of the market is to offer unprocessed and processed agricultural products such as fruits, vegetables, jams, cheeses and baked goods. The vendors, in accordance with LDC Section 34-3048(d), shall be responsible for securing and displaying all necessary licenses, including but not limited to any license/approval required when offering prepared foods for consumption.

As stated in the LDC Section 34-3048(e), prohibited items and vendors are listed as used goods, antiques, collectibles and all other goods and services not expressly set forth in Sections 34-3048(d). (Attachment E)

RECOMMENDATION

Staff recommends approval of the Temporary Use Permit with conditions as contained in the draft PZB Resolution 2020-06.

ATTACHMENTS:

- A. Application
- B. Farmers Market Location in Miromar Outlets Mall (Lot-M6)
- C. Store/Restaurant Location Map (Restrooms)
- D. Miromar Development Corporation Mall Management Approval
- E. Land Development Code Section 34-3048 Seasonal Farmers Market