

## **ORDINANCE 21-13**

**AN ORDINANCE OF THE CITY OF PORT ST. LUCIE, FLORIDA, TO REZONE 2.81 ACRES OF PROPERTY LOCATED WEST OF SW GATLIN BOULEVARD AND SW FONDURA ROAD INTERSECTION, ABUTTING SW DOMINA ROAD, LEGALLY DESCRIBED AS PARCELS 1 AND 2, GATLIN BOULEVARD CENTER AS WELL AS LOTS 26-28, BLOCK 1711 PORT ST. LUCIE SECTION THIRTY-ONE, FROM PUD (PLANNED UNIT DEVELOPMENT) AND CS (SERVICE COMMERCIAL) TO PUD (PLANNED UNIT DEVELOPMENT) CLASSIFICATION, FOR A PROJECT KNOWN AS GATLIN BOULEVARD CENTER PUD (P20-109); PROVIDING FOR THE APPROVAL AND ADOPTION OF A CONCEPTUAL DEVELOPMENT PLAN AND PUD DOCUMENT; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

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**WHEREAS**, Kiwi Land Holdings, LLC, and Agree Stores, LLC, the owner(s) of parcels legally described as Parcels 1 and 2, Gatlin Boulevard Center as well as Lots 26-28, Block 1711 Port St. Lucie Section Thirty-One, seeks to rezone a 2.81 acre property, located West of SW Gatlin Blvd and SW Fondura Rd intersection, abutting SW Domina Road, and more particularly described in the attached Exhibit "A", from the zoning designation of PUD (Planned Unit Development) and CS (Service Commercial) to PUD (Planned Unit Development); and

**WHEREAS**, the proposed zoning is consistent with all applicable elements of the City's adopted Comprehensive Plan and complies with the City's Code of Ordinances, including Section 158.170, et seq.; and

**WHEREAS**, Kiwi Land Holdings, LLC, and Agree Stores, LLC, has submitted a PUD document and PUD Conceptual plan to the City; and

**WHEREAS**, the Kiwi Land Holdings, LLC, and Agree Stores, LLC, PUD document is consistent with all applicable elements of the City's adopted Comprehensive Plan and complies with the City's Code of Ordinances, including Section 158.170, et seq.; and

**WHEREAS**, the PUD conceptual plan is consistent with all applicable elements of the City's adopted Comprehensive Plan and complies with the City's Code of Ordinances, including Section 158.170,

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et seq.; and

**WHEREAS**, the City of Port St. Lucie Planning and Zoning Board held a public hearing on January 5, 2021 to consider the rezoning application (P20-109), notice of said hearing to adjoining property owners for a radius of seven hundred fifty (750) feet having been given and advertising of public hearing having been made; and

**WHEREAS**, the City Council held a public hearing on February 22, 2021 to consider the rezoning application (P20-109), advertising of the public hearing having been made; and

**WHEREAS**, the City Council has considered the rezoning application (P20-109) based on substantial and competent evidence, including the recommendations of the Planning and Zoning Board, and the City Council has determined to rezone the property legally described in the attached composite Exhibit “A” as provided herein and approve the Kiwi Land Holdings, LLC, and Agree Stores, LLC PUD document and conceptual plan, attached as composite Exhibit “B”.

### **NOW, THEREFORE, THE CITY OF PORT ST. LUCIE HEREBY ORDAINS:**

Section 1. Ratifications of Recitals. The foregoing recitals are hereby ratified and confirmed as true and correct and are hereby made a part of this Ordinance.

Section 2. That the property legally described in the composite Exhibit “A”, is rezoned from PUD (Planned Unit Development) and CS (Service Commercial) to PUD (Planned Unit Development), as described in the Gatlin Boulevard Center PUD document and depicted on the conceptual plan which is hereby formally adopted and attached as composite Exhibit “B”.

Section 3. Conflict. If any ordinances, or parts of ordinances, are in conflict herewith this Ordinance shall control to the extent of the conflicting provisions.

Section 4. Severability. The provisions of this Ordinance are intended to be severable. If any provision of this Ordinance is determined to be void or is declared illegal, invalid, or unconstitutional by a

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Court of competent jurisdiction, the remainder of this Ordinance shall remain in full force and effect.

Section 6. Effective Date. This Ordinance shall become effective ten (10) days after its final adoption on second reading.

**PASSED AND ADOPTED** by the City Council of the City of Port St. Lucie, Florida, this

\_\_\_\_\_ day of \_\_\_\_\_ 2021.

CITY COUNCIL  
CITY OF PORT ST. LUCIE

BY: \_\_\_\_\_  
Gregory J Oravec, Mayor

ATTEST:

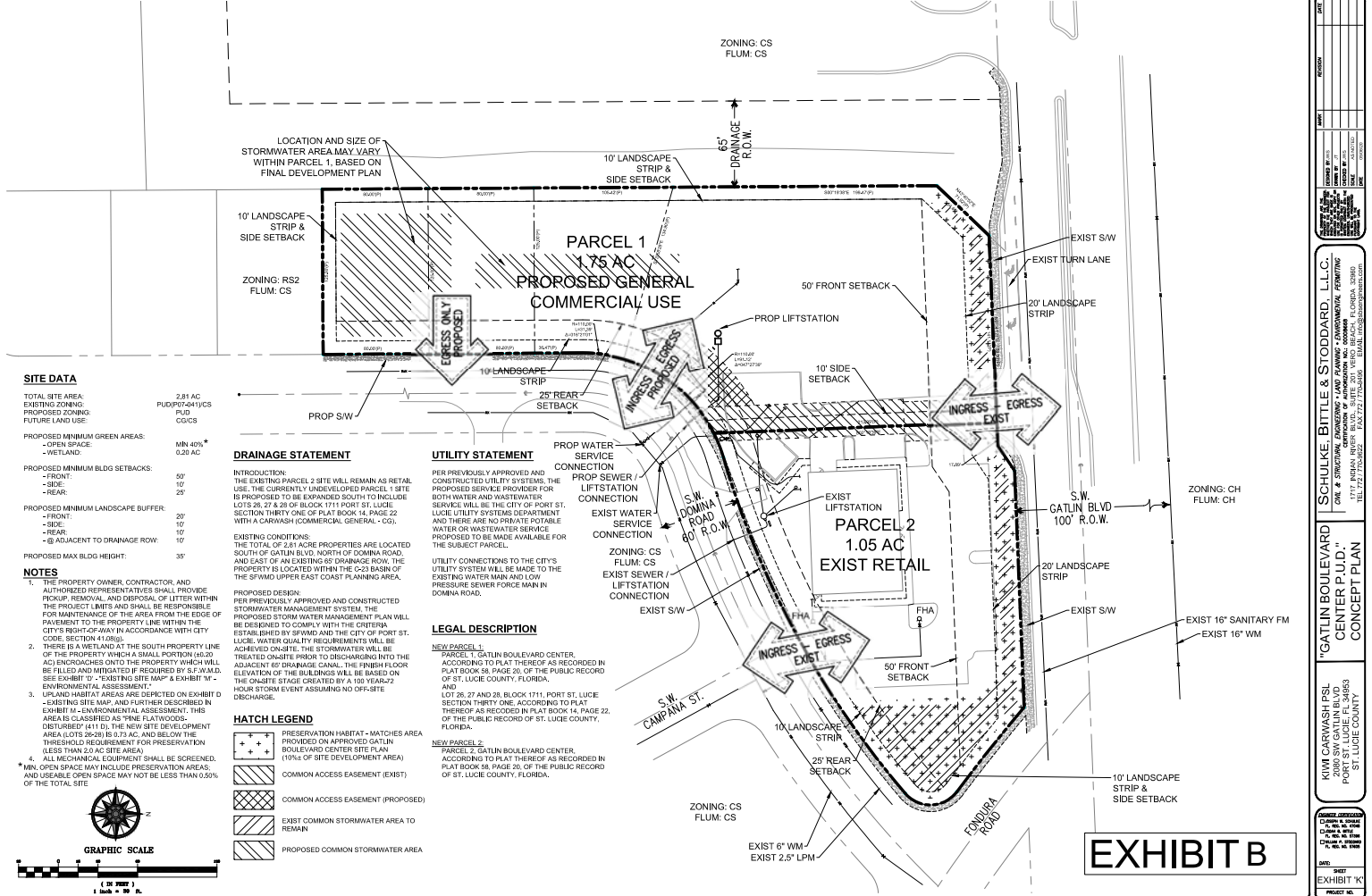
\_\_\_\_\_  
Karen A. Phillips, City Clerk

APPROVED AS TO FORM: \_\_\_\_\_  
James D. Stokes, City Attorney

## **LEGAL DESCRIPTION**

Parcels 1 and 2, Gatlin Boulevard Center, according to the plat thereof as recorded in Plat Book 58, Page 20, of the Public Records of St. Lucie County, Florida.

Lots 26, 27, and 28, Block 1711, Port St. Lucie Section Thirty-One, according to the plat thereof as recorded in Plat Book 14, Page 22, of the Public Records of St. Lucie County, Florida.



**SITE DATA**

TOTAL SITE AREA: 2.81 AC  
 EXISTING ZONING: PUD(P07-041)CS  
 FUTURE LAND USE: PUD  
 COCS

PROPOSED MINIMUM GREEN AREAS:  
 - OPEN SPACE: MIN 40%\*  
 - WETLAND: 0.23 AC

PROPOSED MINIMUM BLDG SETBACKS:  
 - FRONT: 50'  
 - SIDE: 10'  
 - REAR: 25'

PROPOSED MINIMUM LANDSCAPE BUFFER:  
 - FRONT: 20'  
 - SIDE: 10'  
 - REAR: 10'

PROPOSED MAX BLDG HEIGHT: 35'

**DRAINAGE STATEMENT**

INTRODUCTION:  
 THE EXISTING PARCEL 2 SITE WILL REMAIN AS RETAIL USE. THE CURRENTLY UNDEVELOPED PARCEL 1 SITE IS PROPOSED TO BE EXPANDED SOUTH TO INCLUDE LOTS 26, 27 & 28 OF BLOCK 1711 PORT ST. LUCIE SECTION THIRTY ONE OF PLAT BOOK 14, PAGE 22 WITH A CARWASH (COMMERCIAL, GENERAL - CO).

EXISTING CONDITIONS:  
 THE TOTAL OF 2.81 ACRE PROPERTIES ARE LOCATED SOUTH OF GATLIN BLVD, NORTH OF DONNA ROAD, AND EAST OF AN EXISTING 65' DRAINAGE ROW. THE PROPERTY IS LOCATED WITHIN THE C-23 BASIN OF THE SFVMD (UPPER EAST COAST PLANNING AREA).

PROPOSED DESIGN:  
 PER PREVIOUSLY APPROVED AND CONSTRUCTED STORMWATER MANAGEMENT SYSTEM THE PROPOSED STORM WATER MANAGEMENT PLAN WILL BE DESIGNED TO COMPLY WITH THE CRITERIA ESTABLISHED BY SFVMD AND THE CITY OF PORT ST. LUCIE. WATER QUALITY REQUIREMENTS WILL BE ACHIEVED ON-SITE. THE STORMWATER WILL BE TREATED ON-SITE PRIOR TO DISCHARGING INTO THE ADJACENT 65' DRAINAGE CANAL. THE FINISH FLOOR ELEVATION OF THE BUILDINGS WILL BE BASED ON THE ON-SITE STAGE CREATED BY A 100 YEAR/2 HOUR STORM EVENT ASSUMING NO OFF-SITE DISCHARGE.

**UTILITY STATEMENT**

PER PREVIOUSLY APPROVED AND CONSTRUCTED UTILITY SYSTEMS, THE PROPOSED SERVICE PROVIDER FOR BOTH WATER AND WASTEWATER SERVICE WILL BE THE CITY OF PORT ST. LUCIE UTILITY SYSTEMS DEPARTMENT AND THERE ARE NO PRIVATE POTABLE WATER OR WASTEWATER SERVICE PROPOSED TO BE MADE AVAILABLE FOR THE SUBJECT PARCEL.

UTILITY CONNECTIONS TO THE CITY'S UTILITY SYSTEM WILL BE MADE TO THE EXISTING WATER MAIN AND LOW PRESSURE SEWER FORCE MAIN IN DONNA ROAD.

PROP WATER SERVICE CONNECTION  
 PROP SEWER / LIFTSTATION CONNECTION  
 EXIST WATER SERVICE CONNECTION  
 EXIST SEWER / LIFTSTATION CONNECTION

ZONING: CS  
 FLUM: CS  
 EXIST SEWER / LIFTSTATION CONNECTION

**LEGAL DESCRIPTION**

NEW PARCEL 1:  
 PARCEL 1, GATLIN BOULEVARD CENTER, ACCORDING TO PLAT THEREOF AS RECORDED IN PLAT BOOK 58, PAGE 20, OF THE PUBLIC RECORD OF ST. LUCIE COUNTY, FLORIDA, AND LOT 26, 27 AND 28, BLOCK 1711, PORT ST. LUCIE SECTION THIRTY ONE, ACCORDING TO PLAT THEREOF AS RECORDED IN PLAT BOOK 14, PAGE 22, OF THE PUBLIC RECORD OF ST. LUCIE COUNTY, FLORIDA.

NEW PARCEL 2:  
 PARCEL 2, GATLIN BOULEVARD CENTER, ACCORDING TO PLAT THEREOF AS RECORDED IN PLAT BOOK 84, PAGE 20, OF THE PUBLIC RECORD OF ST. LUCIE COUNTY, FLORIDA.

**HATCH LEGEND**

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|--|---|
|  | PRESERVATION HABITAT - MATCHES AREA PROVIDED ON APPROVED GATLIN BOULEVARD CENTER SITE PLAN (10% OF SITE DEVELOPMENT AREA) |
|  | COMMON ACCESS EASEMENT (EXIST)  |
|  | COMMON ACCESS EASEMENT (PROPOSED)   |
|  | EXIST COMMON STORMWATER AREA TO REMAIN  |
|  | PROPOSED COMMON STORMWATER AREA   |

**NOTES**

1. THE PROPERTY OWNER, CONTRACTOR, AND AUTHORIZED REPRESENTATIVES SHALL PROVIDE PICKUP, REMOVAL AND DISPOSAL OF LITTER WITHIN THE PROJECT LIMITS AND SHALL BE RESPONSIBLE FOR MAINTENANCE OF THE AREA FROM THE EDGE OF PAVEMENT TO THE PROPERTY LINE WITHIN THE CITY'S RIGHT-OF-WAY IN ACCORDANCE WITH CITY CODE SECTION 41.08(9).

2. THERE IS A WETLAND AT THE SOUTH PROPERTY LINE OF THE PROPERTY WHICH A SMALL PORTION (0.20 AC) ENDOUCHES ON TO THE PROPERTY WHICH WILL BE FILED AND MITIGATED IF REQUIRED BY SFVMD. SEE EXHIBIT "D", "EXISTING SITE MAP" & EXHIBIT "E" - ENVIRONMENTAL ASSESSMENT.

3. UPLAND HABITAT AREAS ARE DEPICTED ON EXHIBIT D - EXISTING SITE MAP, AND FURTHER DESCRIBED IN EXHIBIT "E" - ENVIRONMENTAL ASSESSMENT. THIS AREA IS CLASSIFIED AS "FINE FLATWOODS, DISTURBED" (411 D). THE NEW SITE DEVELOPMENT AREA (LOTS 26, 27, 28) IS 0.73 AC, AND BELOW THE THRESHOLD REQUIREMENT FOR PRESERVATION (LESS THAN 1% OF SITE AREA).

4. ALL MECHANICAL EQUIPMENT SHALL BE SCREENED.

\*MIN. OPEN SPACE MAY INCLUDE PRESERVATION AREAS, AND USEABLE OPEN SPACE MAY NOT BE LESS THAN 0.50% OF THE TOTAL SITE.

**GRAPHIC SCALE**  
 1" = 100' (IN FEET)  
 1" = 1000' (IN FEET)

**EXHIBIT B**

SCHULKE, BITTLE & STOODARD, L.L.C.  
 ONE & STRUCTURAL ENGINEERING AND ARCHITECTURE  
 1717 INDIAN WATERS BLVD., SUITE 201, WINDY BEACH, FLORIDA 33414  
 TEL: 772-770-0222 FAX: 772-770-0222 EMAIL: info@schulkebittle.com

"GATLIN BOULEVARD CENTER P.U.D." CONCEPT PLAN

KIM CARWASH PSL  
 2080 SW GATLIN BLVD  
 PORT ST. LUCIE, FLORIDA 33483  
 ST. LUCIE COUNTY

EXHIBIT "K"  
 PROJECT NO. 19-109