

RESOLUTION NO. 23-R42

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORT ST. LUCIE, FLORIDA GRANTING A SPECIAL EXCEPTION USE APPLICATION (P23-032) PURSUANT TO SECTION 158.135(C)(5) TO ALLOW AN EXPANSION OF THE EXISTING ENCLOSED ASSEMBLY AREA OVER 3,000 SQUARE FEET, IN THE WI (WAREHOUSE INDUSTRIAL) ZONING DISTRICT FOR A PROJECT KNOWN AS UP ON TOP VOLLEYBALL; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Port St. Lucie, Florida, has been requested by Alejandro Toro of Engineering Design & Construction, Inc., on behalf of Rocco Romanelli (TR), property owner, to grant a special exception to allow an expansion of the existing enclosed assembly area over 3,000 square feet at 561 NW Interpark PL, Port St. Lucie, on property zoned WI (Warehouse Industrial) pursuant to section 158.135(C)(5) of the Code of Ordinances, City of Port St. Lucie; and on property legally described as St. Lucie West Plat #14 Commerce Park Phase 2, Block 6, Lot 4; and

WHEREAS, the subject application has been reviewed in accordance with Section 158.260, and meets the special exception use requirements as stipulated; and

WHEREAS, the Planning and Zoning Board held a public hearing on April 4, 2023, to review the special exception use application (P23-032) to determine the suitability of the proposed use at the Property and has submitted its recommendation to City Council; and

WHEREAS, City Council held a public hearing on April 24, 2023, to consider the special exception use application (P23-032), advertising of the public hearing having been made; and

WHEREAS, City Council has considered the special exception use application (P23-032) based on substantial and competent evidence and has determined that all of the criteria set forth in Section 158.260 have been met.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF PORT ST. LUCIE, FLORIDA:

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

Section 2. Approval of Application for Special Exception Use. The Owners' application for a special exception use is hereby approved to allow an expansion of the existing enclosed assembly area over 3,000 square feet in the Warehouse (WI) Zoning District as set forth in Exhibit "A" Conceptual Site Plan attached hereto with the following conditions: 1. A parking agreement shall be approved by the City Attorney's Office prior to the issuance of any building

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permits or occupancy of the additional 3,654 sq. ft. of enclosed assembly area, whichever occurs first. 2. The SEU shall expire if there is not a valid parking agreement, that has been approved by the City Attorney's Office, in effect at any time after the issuance of any building permits or occupancy of the additional 3,654 sq. ft of enclosed assembly area.

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

Section 4. Severability. The provisions of this Resolution are intended to be severable. If any part of this Resolution is determined to be void or is declared illegal, invalid, or unconstitutional by a Court of competent jurisdiction, the remainder of this Resolution shall remain in full force and effect.

Section 5. Effective Date. This Resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED by the City Council of the City of Port St. Lucie, Florida, this 24th day of April 2023.

CITY COUNCIL
CITY OF PORT ST. LUCIE

By: _____
Shannon M. Martin, Mayor

ATTEST:

Sally Walsh, City Clerk

APPROVED AS TO FORM:

By: _____
James D. Stokes, City Attorney