

RESOLUTION NO. 21-R

A RESOLUTION GRANTING A SPECIAL EXCEPTION USE PROVIDED FOR IN SECTION 158.124 (C) (13) TO ALLOW DRIVE THRU SERVICE IN THE CG (GENERAL COMMERCIAL) ZONING DISTRICT FOR ST. LUCIE ENTERPRISES, LLC (P20-248); LOCATED ON THE NORTHEAST CORNER OF PORT ST. LUCIE AND DARWIN BOULEVARDS AT 3095 SW PORT ST LUCIE BOULEVARD, LEGALLY DESCRIBED AS LOT 3, DARWIN PLAZA; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Port St. Lucie, Florida, has been requested by Mathew Mattison of Commercial Contracting Division, acting as agent for St. Lucie Enterprises, LLC, owners, to grant a special exception use for drive-through service on property presently zoned CG (General Commercial); and legally described as Lot 3, Darwin Plaza, according to the Plat thereof, as recorded in Plat Book 38, Page 31 of the Public Records of St. Lucie County, Florida; 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 hearing on May 4, 2021 and made a recommendation of approval with the condition that the landscaping is brought into conformity with the approved landscape plan prior to any permits being issued; and

WHEREAS, the City Staff made a recommendation of the condition that additional striping and delineators be added to require traffic from Yale Street entrance to circle the building around the north side in order to gain access to the drive thru lane; and

WHEREAS, the City Council held a public hearing on May 24, 2021 to consider the special exception use application (P20-248), advertising of the public hearing having been made; and

WHEREAS, the City Council has considered the special exception use application (P20-248) based on substantial and competent evidence and the City Council has determined that the granting of this special exception use is authorized by sections 158.255 through 158.262, and section 158.124 (C) (13), Code of Ordinances, City of Port St. Lucie, and further that the granting of this special exception use will not adversely affect the public interest.

RESOLUTION NO. 21-R

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. That the City of Port St. Lucie hereby grants a special exception use with the condition that the landscaping is brought into conformity with the approved landscape plan prior to any permits being issued to St. Lucie Enterprises, LLC, owner, to grant a special exception use for drive-through service on property presently zoned CG (General Commercial), pursuant to Sections 158.255 through 158.262, and Section 158.124 (C) (13) of the Code of Ordinances, City of Port St. Lucie, to be located at 3095 SW Port St. Lucie Boulevard and legally described as Lot 3, Darwin Plaza, as recorded in Plat Book 38, Page 31 of the Public Records of St. Lucie County, Florida.

Section 3. The intent of this special exception approval is to grant a special exception use for drive-through service on property presently zoned CG (General Commercial).

Section 4. Conflict. If any resolutions, or parts of resolutions, are in conflict herewith, this Resolution shall control to the extent of the conflicting provisions.

Section 5. 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 6. Effective Date. This Resolution shall become effective immediately upon adoption.

RESOLUTION NO. 21-R

PASSED AND ADOPTED by the City Council of the City of Port St. Lucie,
Florida, this ____ day of _____, 2020.

CITY COUNCIL
CITY OF PORT ST. LUCIE

By: _____
Gregory J. Oravec, Mayor

ATTEST:

Sally Walsh, City Clerk

APPROVED AS TO FORM:

James D. Stokes, City Attorney