

RESOLUTION NO. ____

A RESOLUTION OF THE CITY OF PORT ST. LUCIE, FLORIDA, GRANTING A SPECIAL EXCEPTION USE PROVIDED FOR IN SECTION 158.124(C)(4) TO PERMIT A CAR WASH WITHIN A PUD (PLANNED UNIT DEVELOPMENT) WHICH ALLOWS FOR CG (GENERAL COMMERCIAL) SPECIAL EXCEPTION USES, FOR A PROJECT KNOWN AS GATLIN BOULEVARD CENTER (P20-198), LOCATED UPON PARCEL 1, GATLIN BOULEVARD CENTER, AS WELL AS LOTS 26-28, BLOCK 1711 PORT ST. LUCIE SECTION THIRTY-ONE; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Port St. Lucie, Florida, has been requested by Kiwi Land Holdings, LLC and Agree Stores, LLC, property owners of the subject property more particularly described on Exhibit “A” which is attached hereto and incorporated herein by specific reference, to grant a special exception to permit a car wash within a PUD (Planned Unit Development) which allows for CG (General Commercial) special exception uses, pursuant to section 158.124(c)(4) of the Code of Ordinances of the City of Port St. Lucie; and

WHEREAS, the subject application has been reviewed in accordance with Section 158.260 of the Code of Ordinances of the City of Port St. Lucie, and meets the special exception use requirements as stipulated; and

WHEREAS, the Planning and Zoning Board held a public hearing on January 5, 2021 to review the special exception use application (P20-198) and made a recommendation of approval on said application (P20-198); and

WHEREAS, the City Council held a public hearing on _____, 2021 to consider the special exception use application (P20-198), advertising of the public hearing having been made; and

WHEREAS, the City Council has considered the special exception use application (P20-198) 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)(4), of the Code of Ordinances of the City of Port St. Lucie, and further that the granting of this special exception use will not adversely affect the public interest.

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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 to Kiwi Land Holdings, LLC and Agree Stores, LLC, property owners of the subject property to grant a special exception to permit a car wash within a PUD (Planned Unit Development) which allows for CG (General Commercial) special exception uses, as depicted on the conceptual plan attached hereto as Exhibit “B”, and pursuant to Sections 158.255 through 158.262, and Section 158.124(c)(4), of the Code of Ordinances of the City of Port St. Lucie, said special exception use legally described within Exhibit “A.”

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 _____ 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

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EXHIBIT A

**LEGAL
DESCRIPTION**

Parcel 1, Gatlin Boulevard Center, according to 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 plat thereof as recorded in Plat Book 14, Page 22 of the Public Records of St. Lucie County, Florida.

EXHIBIT B

