

RESOLUTION NO. 24-R51

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORT ST. LUCIE, FLORIDA, GRANTING A SPECIAL EXCEPTION USE TO ALLOW A DRIVE-THROUGH, ASSOCIATED WITH A RESTAURANT, IN THE GENERAL COMMERCIAL (CG) ZONING DISTRICT PER SECTION 158.124(C)(13) OF THE PORT ST. LUCIE CODE OF ORDINANCES FOR A PROJECT KNOWN AS 7 BREW DRIVE-THRU COFFEE (P24-043); PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

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**WHEREAS**, the City of Port St. Lucie, Florida, has been requested by Zach Middlebrooks of Metro Group Development II, LLC, on behalf of Gatlin Blvd Ventures, LLC, the property owner, to grant a special exception to allow a drive-through, associated with a restaurant, in the General Commercial (CG) zoning district per Section 158.124(C)(13) of the Port St. Lucie Code of Ordinances, on property legally described as Port St. Lucie Section 31, Block 1704, Lots 25, 26, and 27 (the “Property”); 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 August 6, 2024, to review the special exception use application (P24-043) to determine the suitability of the proposed use at the Property and has submitted its recommendation to the City Council; and

**WHEREAS**, the City Council held a public hearing on August 26, 2024, to consider the special exception use application (P24-043), advertising of the public hearing having been made; and

**WHEREAS**, the City Council has considered the special exception use application (P24-043) and, based on substantial and competent evidence, 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 property owner’s application for a special exception use is hereby approved to allow a drive-through, associated with a restaurant in the General Commercial (CG) Zoning District as set forth in Exhibit “A”, Conceptual Site Plan, attached hereto, with the condition that the special exception use is granted

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solely for the proposed conceptual plan. Should any changes be made to the conceptual plan, the special exception use will be automatically voided.

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 26<sup>th</sup> day of August, 2024.

CITY COUNCIL  
CITY OF PORT ST. LUCIE

By: \_\_\_\_\_  
Shannon M. Martin, Mayor

ATTEST:

\_\_\_\_\_  
Sally Walsh, City Clerk

APPROVED AS TO FORM:

By: \_\_\_\_\_  
Richard Berrios, City Attorney