

RESOLUTION NO. 22-R

A RESOLUTION APPROVING A LANDSCAPE MODIFICATION PLAN IN LIEU OF ARCHITECTURAL WALL FOR TRACT F2 OF THE WINTERLAKES TRACT “F” REPLAT (P22-148) WITHIN THE CITY OF PORT ST. LUCIE, FLORIDA ON THE REQUEST OF HANLEX PORT ST. LUCIE, LLC; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Port St. Lucie, Florida has been requested by the owner, South Star International, LLC, to approve and accept the landscape modification plan for Tract F2 of the Winterlakes Tract “F” Replat within the City of Port St. Lucie, Florida to be exempt from providing the architectural wall required by section 154.03 of the City of Port St. Lucie Code; and

WHEREAS, section 154.03 requires a wall in a landscape buffer strip where commercial, industrial, institutional, office, or public facility uses abut property to the side or rear which is designated with a residential or open space land use, or which has a residential use such as an assisted living facility; and

WHEREAS, section 154.12 of the City of Port St. Lucie Code allows applicants to request landscaping for an architectural wall that is a required feature of a landscape buffer strip or requests to be exempt from installing the landscape buffer strip requirement shall be reviewed by the City Council; and

WHEREAS, before making its decision on a request for a landscape modification, the City Council must hold a public hearing thereon and notice to the public must be provided; and

WHEREAS, the City Council held a public hearing on June 13, 2022, to consider the landscape modification request, notice of the public hearing having been made; and

WHEREAS, after review of the recommendations of the City staff, comments made at the public hearing, and careful consideration of the issues and evidence, finds that the proposed exemption to the wall requirement within the landscape buffer strip is consistent with the intent of section 154.12 of the City of Port St. Lucie Code and that the landscape modification plan to allow for additional landscaping outside the wetland area to substitute for the provision of a buffer wall is

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approved.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Port St. Lucie as follows:

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 Council hereby approves and accepts the landscape modification plan for Tract F2 of the Winterlakes Tract “F” Replat, a subdivision according to the plat thereof recorded at Plat Book 58, Pages 22 and 23, in the Public Records of St. Lucie County, Florida, within the City of Port St. Lucie, Florida, said plan being offered by South Star International, LLC., as owner and title holder of said property, and as prepared by Common Oak Engineering. If the use is changed the approval is no longer valid. The landscape plan is attached hereto as **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.

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PASSED AND ADOPTED by the City Council of the City of Port St. Lucie, Florida, this _____ day of _____, 2022.

CITY COUNCIL

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CITY OF PORT ST. LUCIE

BY: _____
Shannon M. Martin, Mayor

ATTEST:

Karen A. Phillips, City Clerk

APPROVED AS TO FORM:

James D. Stokes, City Attorney