

RESOLUTION 24 – R55

A RESOLUTION OF THE CITY OF PORT ST. LUCIE, FLORIDA, AMENDING THE DEVELOPMENT ORDER FOR THE SOUTHERN GROVE DEVELOPMENT OF REGIONAL IMPACT BY AMENDING MAP H, THE MASTER DEVELOPMENT PLAN, AND MAP H-2, TRADITION TRAIL AND MULTI-USE PLAN, TO REFLECT CHANGES TO THE LAND USE SUB-DISTRICTS FOR APPROXIMATELY 528 ACRES OF LAND LOCATED ON THE EAST SIDE OF SW VILLAGE PARKWAY AND BETWEEN E/W 2 (DESTINATION WAY) AND SW HEGENER DRIVE FROM THE EMPLOYMENT CENTER SUB-DISTRICT, THE NEIGHBORHOOD/VILLAGE COMMERCIAL SUB-DISTRICT, AND THE MIXED USE SUB-DISTRICT TO THE REGIONAL BUSINESS CENTER SUB-DISTRICT AND TO PROVIDE FOR THE REALIGNMENT OF MARSHALL PARKWAY, THE EXTENSION OF E/W2 ROADWAY (DESTINATION WAY) EAST OF SW VILLAGE PARKWAY, THE REALIGNMENT OF TRADITION TRAIL, AND OTHER MINOR CHANGES; MAKING FINDINGS OF FACT AND DETERMINING CONCLUSIONS OF LAW PERTAINING TO THE SOUTHERN GROVE DEVELOPMENT OF REGIONAL IMPACT AND PROVIDING FOR AN EFFECTIVE DATE (P24-086).

WHEREAS, the City of Port St. Lucie, a municipality incorporated under the laws of the State of Florida, previously adopted a Development Order for the Southern Grove Development of Regional Impact (“Southern Grove DRI”); and

WHEREAS, Resolution 21-R136 and, as amended by Resolution 23-R121, is the currently controlling development order for the Southern Grove DRI (collectively “Existing Development Order”); and

WHEREAS, on June 18, 2024, Mattamy Palm Beach, LLC, the City of Port St. Lucie, and the Port St. Lucie Governmental Finance Corporation, filed an application to amend the development order for the Southern Grove DRI, pursuant to Section 380.06(7)(a), Florida Statutes, providing for an amendment to Map H and Map H-2 (Exhibit “B” to Exhibit “1” of Resolution 21-R136 and as amended by Resolution 23-R121), the DRI Development Plan, to reflect changes to the land use sub-districts for approximately 528 acres of land located on the east side of SW Village Parkway and between E/W 2 (Destination Way) and SW Hegener Drive from the Employment Center sub-district, the Neighborhood/Village Commercial sub-district, and the Mixed Use sub-district to the Regional Business Center sub-district and to provide for

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the realignment of Marshall Parkway, the extension of E/W2 Roadway (Destination Way) east of SW Village Parkway, the realignment of Tradition Trail, and other minor changes as depicted in attached Exhibit “A” with additions shown as underlined and deletions shown as ~~striketrough~~; and

WHEREAS, Mattamy Palm Beach, LLC, is the developer of the Southern Grove DRI and the Port St. Lucie Governmental Finance Corporation and the City of Port St. Lucie are the owners/developers of the 528 acres, more or less, of property affected by the application for DRI amendment; and

WHEREAS, Section 380.06(7)(a), Florida Statutes, requires any proposed changed to a previously approved DRI to be reviewed by the local government based on the standards and procedures in its adopted local comprehensive plan and adopted local land development regulations; and

WHEREAS, the public notice requirements of the City of Port St. Lucie Code of Ordinances have been satisfied; and

WHEREAS, on August 6, 2024, the Planning and Zoning Board of the City of Port St. Lucie held a duly noticed public hearing on the proposed amendment to Map H and Map H-2 of the of development order, considered the evidence and testimony taken at the hearing, and recommended approval of the changes to Map H and Map H-2 (Exhibit “B” to Exhibit “1” of Resolution 21-R136 and as amended by Resolution 23-R121) of the Southern Grove DRI as set forth in revised Exhibit "A" attached hereto: and

WHEREAS, on September 9, 2024, the City Council of the City of Port St. Lucie held a duly noticed public hearing at a Meeting of the City Council to consider the proposed amendments to Map H and Map H-2 of development order and the DRI Development Plan, has considered the evidence and testimony taken at the hearing, and afforded all interested persons an opportunity to be heard and present evidence, and has determined to approve the proposed amendments to Map H and Map H-2 (Exhibit “B” to Exhibit “1” of Resolution 21-R136 and as amended by Resolution 23-R121), of the Southern Grove DRI as set forth in revised Exhibit “A” attached hereto.

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NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF PORT ST. LUCIE, FLORIDA 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. Findings of Fact/Conclusions of Law. The amendment to Map H and Map H-2 of the Southern Grove DRI Development Order is consistent with the local comprehensive plan and local land development regulations.

Section 3. Amendment to Map H and Map H-2. Exhibit “B” and Exhibit “B-2” to Exhibit “1” of Resolution 21-R136 and, as amended by Resolution 23-R121, are hereby replaced and superseded in their entirety as depicted in Exhibit “A” attached hereto. Other than as hereby amended, the Existing Development Order shall remain unchanged and in full force and effect.

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. Notice of the adoption of this Amendment to the Development Order shall be recorded by the Developer, in accordance with Sections 28.222 and 380.06(4)(c), Florida Statutes, with the Clerk of the Circuit Court of St. Lucie County, Florida. The notice shall specify that this Development Order runs with the land and is binding on the Developer, its agents, lessees, successors or assigns. A copy of such notice shall be forwarded to the Port St. Lucie Planning and Zoning Department within seven days after recordation.

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Section 7. 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 _____, 2024.

PASSED AND ADOPTED on this ____ day of _____, 2024. .

CITY COUNCIL OF THE CITY OF
PORT ST. LUCIE, FLORIDA

Shannon M. Martin, Mayor

ATTEST:

Sally Walsh, City Clerk

APPROVED AS TO FORM:

Richard Berrios, City Attorney