

RESOLUTION NO. 22-RXX

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORT ST. LUCIE, FLORIDA GRANTING A SPECIAL EXCEPTION USE APPLICATION (P21-253) PURSUANT TO SECTION 158.135(C)(5) TO ALLOW AN ENCLOSED ASSEMBLY OVER 3,000 SQUARE FEET WITH AN ALCOHOLIC BEVERAGE LICENSE FOR ON PREMISES CONSUMPTION OF ALCOHOL BEVERAGES WITHIN THE WI (WAREHOUSE INDUSTRIAL) ZONING DISTRICT FOR A PROJECT KNOWN AS DJM ENTERPRISES, INC.; 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 DJM Enterprises, Inc., the Owner of the property known as 750 NW Enterprise Drive, Suites 106-111, in Port St. Lucie, Florida (the “Property”) which is located in a Warehouse Industrial (WI) Zoning District (the legal description of the Property is attached hereto as Exhibit “A”); and

**WHEREAS**, the Owner proposes to use the Property to operate an enclosed assembly over 3,000 square feet with an alcoholic beverage license for on premises consumption of alcoholic beverages; and

**WHEREAS**, Section 158.135(C)(5) of the City’s Code of Ordinances provides that an enclosed assembly over 3,000 square feet with an alcoholic beverage license for on premises consumption of alcoholic beverages is a special exception use that may be permitted only with the approval of City Council; and

**WHEREAS**, Cristian Rodrigues, of CSI of PSL, LLC, on behalf of the Owner, has applied for a special exception to allow an enclosed assembly over 3,000 square feet with an alcoholic beverage license for on premises consumption of alcoholic beverages; and

**WHEREAS**, the Planning and Zoning Board held a public hearing on December 7, 2021, to review the special exception use application (P21-253) to determine the suitability for of the proposed use at the Property and has submitted its recommendation to City Council; and

**WHEREAS**, City Council held a public hearing on January 10, 2022, to consider the special exception use application (P21-045), advertising of the public hearing having been made; and

**WHEREAS**, City Council has considered the special exception use application (P21-253) based on substantial and competent evidence and 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:**

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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 Owners' application for a special exception use is hereby approved to allow an enclosed assembly over 3,000 square feet with an alcoholic beverage license for on premises consumption of alcoholic beverages, at the Property.

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 10<sup>th</sup> day of January, 2022.

CITY COUNCIL  
CITY OF PORT ST. LUCIE

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

ATTEST:

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

APPROVED AS TO FORM:

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James D. Stokes, City Attorney

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**EXHIBIT A**

LEGAL DESCRIPTION

St. Lucie West Plat #133 St. Lucie West Industrial Park (PB 39-40) Lot 7 (OR 1871-2493)