

RESOLUTION 23-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORT ST. LUCIE, FLORIDA, APPROVING ARTWORK SUBMITTED BY AVIVA PSL PROPERTY OWNER, LLC, IN CONNECTION WITH THE CONSTRUCTION OF LAKE WHITNEY PLACE AT ST. LUCIE WEST (PROJECT P19-059-A1); PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Chapter 162 of the City’s Code of Ordinances requires certain public art requirements to be met when certain new improvements are constructed; and

WHEREAS, on August 26, 2019, the City Council approved a major site plan application (Project No. P19-059) which triggered the City’s public art requirements.

WHEREAS, on August 11, 2021, the Site Plan Review Committee approved an amendment to the major site plan application (Project No. P19-059-A1) (the “Project”) submitted by the Aviva PSL Property Owner, LLC, for the construction of a 203,652 square foot, 159-unit independent living facility that will be located at 590 NW Lake Whitney Place; and

WHEREAS, Section 162.09 of the City’s Code of Ordinances allows the developer to site a permanent public artwork as part of its development project in order to comply with the City’s public art requirements, and Aviva PSL Property Owner, LLC has proposed to build one 9’ by 5’ 3” bronze sculpture which depicts three people uniting for a public art piece known as “The Gathering”, attached as Exhibit “A” (the “Proposed Artwork”); and

WHEREAS, Section 162.05 of the City’s Code of Ordinances sets forth the selection criteria for sites and public art; and

WHEREAS, on November 20, 2023, the Public Art Advisory Board held a hearing and completed its review of the Proposed Artwork for compliance with Chapter 162 of the City’s Code of Ordinances; and

WHEREAS, the Public Art Advisory Board found the Proposed Artwork consistent with Chapter 162 of the Code of Ordinances and recommended that the City Council approve the Proposed Artwork.; and

WHEREAS, the City Council held a hearing on December 11, 2023 to consider the Proposed Artwork; and

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WHEREAS, the City Council has considered the Proposed Artwork and all evidence and testimony submitted into the record relating to the Proposed Artwork and has determined that the approval of the Proposed Artwork is consistent with Chapter 162 of the City’s Code of Ordinances.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PORT ST. LUCIE, FLORIDA, THAT:

Section 1. Ratification of Recitals. The City Council hereby adopts and ratifies those matters set forth in the foregoing recitals.

Section 2. The City Council accepts the recommendation of the Public Art Advisory Board and hereby approves the Proposed Artwork.

Section 3. Conflict. If any Resolution, or parts of any Resolution, 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 APPROVED by the City Council of the City of Port St. Lucie, Florida, this ____ day of _____, 2023.

CITY COUNCIL
CITY OF PORT ST. LUCIE

ATTEST:

By: _____
Shannon M. Martin, Mayor

Sally Walsh, City Clerk

APPROVED AS TO FORM:

Richard Berrios, Interim City Attorney

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Exhibit A

