

RESOLUTION NO. 21-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORT ST. LUCIE, FLORIDA GRANTING A SPECIAL EXCEPTION USE PROVIDED FOR IN SECTION 158.124(C)(13) TO ALLOW A DRIVE-THROUGH SERVICE WINDOW TO BE LOCATED IN THE CG (GENERAL COMMERCIAL) ZONING DISTRICT FOR VYBE SLW, LLC, LEGAL DESCRIPTION, LOT 14 OF ST. LUCIE WEST PLAT #47 CENTRAL PARK THIRD REPLAT IN PARCEL 39 (P21-149); PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Port St. Lucie, Florida, has been requested by Kristina Belt of Kimley-Horn, acting as agent for VYBE SLW, LLC, to grant a special exception use to allow a drive-through service window on property presently zoned CG (General Commercial) pursuant to section 158.124(C)(13) of the Code of Ordinances, City of Port St. Lucie; and on property legally described as Lot 14 of St. Lucie West Plat No.47 Central Park Third Replat In Parcel 39, as recorded in Plat Book 32, Pages 15 and 15A, of the Public Records of St. Lucie County, Florida; 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 November 2, 2021 to review P21-149 and made a recommendation on P21-149; and

WHEREAS, the City Council held a public hearing on November 22, 2021 to consider the special exception use application (P21-149), advertising of the public hearing having been made; and

WHEREAS, the City Council has considered the special exception use application (P21-149) based on substantial and competent evidence and the City Council has determined that the granting of this special exception use is authorized by Sections 158.255 through 158.262, and Section 158.124(C)(13), Code of Ordinances, City of Port St. Lucie, and further that the granting of this special exception use will not adversely affect the public interest.

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

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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. That the City of Port St. Lucie hereby grants a special exception use to VYBE SLW, LLC, to allow a drive-through service window, as depicted on the conceptual plan attached hereto as Exhibit “A”, and pursuant to Sections 158.255 through 158.262, and Section 158.124(C)(13), Code of Ordinances, City of Port St. Lucie, said special exception use legally described as Lot 14 of St. Lucie West Plat No.47 Central Park Third Replat In Parcel 39, as recorded in Plat Book 32, Pages 15 and 15A, of the Public Records of St. Lucie County, Florida, with the following condition:

The landscape requirements per the guidelines that are written must be complied with.

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 ____ day of _____, 2021.

CITY COUNCIL
CITY OF PORT ST. LUCIE

BY: _____
Shannon M. Martin, Mayor

ATTEST:

Sally Walsh, City Clerk

APPROVED AS TO FORM:

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James D. Stokes,
City Attorney