

RESOLUTION NO. 22-

A RESOLUTION APPROVING THE PRELIMINARY AND FINAL PLAT WITH CONSTRUCTION PLANS FOR TELARO AT SOUTHERN GROVE PHASES 2 AND 3 WITHIN THE CITY OF PORT ST. LUCIE, FLORIDA ON THE REQUEST OF MATTAMY PALM BEACH LLC (P21-244); PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Port St. Lucie, Florida has been requested by Kinan Husainy, acting as agent for Mattamy Palm Beach, LLC to approve the preliminary and final plat with construction plans for Telaro at Southern Grove Phases 2 and 3, within the City of Port St. Lucie, Florida; and

WHEREAS, a performance guarantee covering the cost of the required improvements, as set forth in the mutually agreed upon cost estimate, has been submitted to the City; and,

WHEREAS, the plat conforms to Section 156, Port St. Lucie City Code, and meets all State requirements for such plats; and

WHEREAS, the Site Plan Review Committee, on February 23, 2022, recommended approval of the preliminary and final plat with construction plans (P21-244).

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

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 the preliminary and final plat with construction plans for Telaro at Southern Grove Phase 2 and 3, within the City of Port St. Lucie, Florida, said plat being offered by Mattamy Palm Beach, LLC as owner, and title holder of said property and as prepared by Ronnie L. Furniss, P.S.M., as designated on the attached said Plat.

Section 3. Applicant Request for Relief from Prior Conditions. That the City Council approves the preliminary and final plat with construction plans providing for relief from a condition imposed within Resolution 20-R105 and relating to transportation improvement as follows:

Request for Relief from Prior Conditions: Mattamy Homes Palm Beach, LLC (Mattamy) is requesting relief from the previous condition within Resolution 20-R105 that states (1) an updated traffic analysis/driveway phasing report shall be provided prior to issuance of a Public Works permit for Phase 3 and any improvements will be constructed concurrently to the second driveway access,

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(2) the applicant shall coordinate with the developer east of Village Parkway and provide a refined traffic analysis to determine when a signal would be warranted. Should the signal be warranted, a funding mechanism will be determined, and funds deposited in a restricted fund account prior to issuance of a Public Works permit for Phase 3. Mattamy is requesting that the permits for Phase 3 not be held until the agreement is executed, but rather they would only be withheld if the agreement were not executed within 270 days of the approval of this Resolution.

Section 4. Imposition of Conditions for Council Deliberation. The City Council electively finds that a condition identified below shall be enforceable:

Condition Option #1:

(1) Mattamy Homes Palm Beach, LLC shall draft and enter into an agreement that identifies (i) when traffic signals are needed for any connections to the Village Parkway and Becker Road corridors within the Southern Grove DRI boundaries and (ii) the mutually agreed upon proportionate financial obligation for relevant parties' for each traffic signal within the Southern Grove Boundary along the Village Parkway and Becker Road corridors; such agreement must be in a form approved by the City (the "Traffic Signal Agreement"). (2) The Traffic Signal Agreement shall be approved and fully executed within 270-days of Council Approval of this Resolution during which time permits for Phase 3 may be issued. (3) If the Traffic Signal Agreement is not executed and approved within the 270-day timeframe, no additional permits will be issued for any portion of the Telaro Development.

Condition Option #2:

(1) Mattamy Palm Beach, LLC shall draft and enter into an agreement that identifies (i) when traffic signals are needed for any connections to Village Parkway and Becker Road corridors within Southern Grove DRI boundaries and (ii) the mutually agreed upon proportionate financial obligation for relevant parties' for each traffic signal within the Southern Grove Boundary along Village Parkway and Becker Road corridors, such agreement must be in a form approved by the City (the "Traffic Signal Agreement"). (2) The Traffic Signal Agreement shall be approved and fully executed within 270 days of Council Approval of this Resolution. (3) No permits will be issued for Phase 3 of the Telaro Development until the

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Traffic Signal Agreement is executed and approved. (4) If the Traffic Signal Agreement is not executed and approved within the 270-day timeframe, no additional permits will be issued for any portion of Telaro Development.

Section 5. That the Mayor and City Clerk of the City of Port St. Lucie, Florida, are hereby authorized to countersign the said plat so it may be properly recorded in the public records of St. Lucie County, Florida.

Section 6. Conflicts. If any Resolution, or parts of any Resolution, are in conflict herewith, this Resolution shall control to the extent of the conflicting provisions.

Section 7. 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 8. 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 _____, 2022.

CITY COUNCIL
CITY OF PORT ST. LUCIE

By: _____
Shannon M. Martin, Mayor

ATTEST:

Sally Walsh, City Clerk

APPROVED AS TO FORM:

James D. Stokes, City Attorney