

RESOLUTION NO. 23-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORT ST. LUCIE, FLORIDA GRANTING A SPECIAL EXCEPTION USE TO ALLOW A CAR WASH IN THE GENERAL COMMERCIAL (CG) ZONING DISTRICT PURSUANT TO SECTION 158.124(C)(4) OF THE CODE OF ORDINANCES FOR A PROJECT KNOWN AS GATLIN CAR WASH (P22-155); PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Port St. Lucie, Florida, has been requested by PS Lucie SR CGP, LLC, (the “Applicant”) to grant a special exception use to allow a car wash at 1837 SW Gatlin Boulevard, Port St. Lucie, on property zoned CG (General Commercial) pursuant to section 158.124(C)(4) of the Code of Ordinances, City of Port St. Lucie; and on property legally described as Port Saint Lucie Section 31, Block 1702, Lots 9,10, and Tract P; 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 June 6, 2023, to review the special exception use application (P22-155) to determine the suitability of the proposed use at the Property and has submitted its recommendation to City Council; and

WHEREAS, City Council held a public hearing on June 26, 2023, to consider the special exception use application (P22-155), advertising of the public hearing having been made; and

WHEREAS, City Council has considered the special exception use application (P22-155) 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:

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 application for a special exception use is hereby approved to allow a car wash in the General Commercial (CG) Zoning District as shown on the conceptual site plan attached as Exhibit “A”, subject to the following conditions:

- a. Prior to receiving a Certificate of Occupancy (CO) the Applicant, or its successors or assigns, shall have a licensed sound engineer perform a noise study while the car wash is in operation to determine the actual level of sound emitted from all sides of the building near the property lines. This sound study should be submitted

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to the Planning and Building Departments for review in conjunction with the existing noise ordinance outlined in Section 94.04 of the Code of Ordinances. If the sound levels exceed the allowable limits specified in the noise ordinance, additional sound mitigation may be required. Mitigation may include alterations to the site or to the hours of operation. If mitigation is necessary, the mitigation shall be completed within 180 days.

- b. If the noise study or additional mitigation (if warranted) is not completed by the timeframes established herein the SEU shall expire.

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 26th day of June 2023.

CITY COUNCIL
CITY OF PORT ST. LUCIE

By: _____
Shannon M. Martin, Mayor

ATTEST:

Sally Walsh, City Clerk

APPROVED AS TO FORM:

By: _____
James D. Stokes, City Attorney