

ORDINANCE 21-___

AN ORDINANCE OF THE CITY OF PORT ST. LUCIE, FLORIDA, TO REZONE 2.81 ACRES OF PROPERTY LOCATED WEST OF SW GATLIN BOULEVARD AND SW FONDURA ROAD INTERSECTION, ABUTTING SW DOMINA ROAD, LEGALLY DESCRIBED AS PARCELS 1 AND 2, GATLIN BOULEVARD CENTER AS WELL AS LOTS 26-28, BLOCK 1711 PORT ST. LUCIE SECTION THIRTY-ONE, FROM PUD (PLANNED UNIT DEVELOPMENT) AND CS (SERVICE COMMERCIAL) TO PUD (PLANNED UNIT DEVELOPMENT) CLASSIFICATION, FOR A PROJECT KNOWN AS GATLIN BOULEVARD CENTER PUD (P20-109); PROVIDING FOR THE APPROVAL AND ADOPTION OF A CONCEPTUAL DEVELOPMENT PLAN AND PUD DOCUMENT; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Kiwi Land Holdings, LLC, and Agree Stores, LLC, the owner(s) of parcels legally described as Parcels 1 and 2, Gatlin Boulevard Center as well as Lots 26-28, Block 1711 Port St. Lucie Section Thirty-One, seeks to rezone a 2.81 acre property, located West of SW Gatlin Blvd and SW Fondura Rd intersection, abutting SW Domina Road, and more particularly described in the attached Exhibit “A”, from the zoning designation of PUD (Planned Unit Development) and CS (Service Commercial) to PUD (Planned Unit Development); and

WHEREAS, the proposed zoning is consistent with all applicable elements of the City’s adopted Comprehensive Plan and complies with the City’s Code of Ordinances, including Section 158.170, et seq.; and

WHEREAS, Kiwi Land Holdings, LLC, and Agree Stores, LLC, has submitted a PUD document and PUD Conceptual plan to the City; and

WHEREAS, the Kiwi Land Holdings, LLC, and Agree Stores, LLC, PUD document is consistent with all applicable elements of the City’s adopted Comprehensive Plan and complies with the City’s Code of Ordinances, including Section 158.170, et seq.; and

WHEREAS, the PUD conceptual plan is consistent with all applicable elements of the City’s

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adopted Comprehensive Plan and complies with the City's Code of Ordinances, including Section 158.170, et seq.; and

WHEREAS, the City of Port St. Lucie Planning and Zoning Board held a public hearing on January 5, 2021 to consider the rezoning application (P20-109), notice of said hearing to adjoining property owners for a radius of seven hundred fifty (750) feet having been given and advertising of public hearing having been made; and

WHEREAS, the City Council held a public hearing on February 22, 2021 to consider the rezoning application (P20-109), advertising of the public hearing having been made; and

WHEREAS, the City Council has considered the rezoning application (P20-109) based on substantial and competent evidence, including the recommendations of the Planning and Zoning Board, and the City Council has determined to rezone the property legally described in the attached composite Exhibit "A" as provided herein and approve the Kiwi Land Holdings, LLC, and Agree Stores, LLC PUD document and conceptual plan, attached as composite Exhibit "B".

NOW, THEREFORE, THE CITY OF PORT ST. LUCIE HEREBY ORDAINS:

Section 1. Ratifications of Recitals. The foregoing recitals are hereby ratified and confirmed as true and correct and are hereby made a part of this Ordinance.

Section 2. That the property legally described in the composite Exhibit "A", is rezoned from PUD (Planned Unit Development) and CS (Service Commercial) to PUD (Planned Unit Development), as described in the Gatlin Boulevard Center PUD document and depicted on the conceptual plan which is hereby formally adopted and attached as composite Exhibit "B".

Section 3. Conflict. If any ordinances, or parts of ordinances, are in conflict herewith this Ordinance shall control to the extent of the conflicting provisions.

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Section 4. Severability. The provisions of this Ordinance are intended to be severable. If any provision of this Ordinance is determined to be void or is declared illegal, invalid, or unconstitutional by a Court of competent jurisdiction, the remainder of this Ordinance shall remain in full force and effect.

Section 6. Effective Date. This Ordinance shall become effective ten (10) days after its final adoption on second reading.

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: _____
Gregory J Oravec, Mayor

ATTEST:

Karen A. Phillips, City Clerk

APPROVED AS TO FORM: _____
James D. Stokes, City Attorney

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