

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORT ST. LUCIE, FLORIDA, GRANTING A SPECIAL EXCEPTION USE TO ALLOW A K-8 PRIVATE SCHOOL IN THE COMMERCIAL GENERAL (CG) ZONING DISTRICT PER SECTION 158.124(C)(8) OF THE CODE OF ORDINANCES FOR A PROJECT KNOWN AS DALTON LEARNING ACADEMY (P25-041); PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Port St. Lucie, Florida, has been requested by Austin Dingwall, AIA, on behalf of Dalton Learning Academy, Inc., Applicant, to grant a special exception to allow a K-8 private school in the Commercial General (CG) zoning district per Section 158.124(C)(8) of the Code of Ordinances of the City of Port St. Lucie and on property legally described as Parcel A of the Plat of Town Centre, according to the Plat thereof, as recording in Plat Book 25, Page 35, 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 June 3, 2025, to review the special exception use application (P25-041) to determine the suitability of the proposed use at the Property and has submitted its recommendation to City Council; and

WHEREAS, the City Council held a public hearing on June 9, 2025, to consider the special exception use application (P25-041), advertising of the public hearing having been made; and

WHEREAS, the City Council has considered the special exception use application (P25-041) and, based on substantial and competent evidence, 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 K-8 private school in the Commercial General (CG) zoning district as set forth in Exhibit "A" Conceptual Site Plan attached hereto and is subject to the following conditions of approval:

1. This Special Exception Use shall be granted exclusively to the current applicant and shall terminate automatically upon cessation of the approved business operation by

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- the current Applicant. Any change in ownership, business entity, or discontinuation of the approved use shall render this Special Exception Use null and void; and
2. The shared parking agreement submitted as part of the application shall remain in full force and effect for the duration of the approved use. Any modification, amendment, or termination of the shared parking agreement shall require prior review and written approval by the City.
 3. This Special Exception Use approval permits a maximum enrollment of 200 students, subject to compliance with Florida Statutes § 1003.03, which governs class size limits in accordance with the state constitutional amendment on public school classroom capacity.
 4. If the site is found to be out of compliance with the Operational Management Plan included as part of the Traffic Analysis for this Special Exception Use, the school owner or its authorized agent (“School Owner”) will have 45 days to:
 - (a) amend the Operational Management Plan, in a manner acceptable to the City’s Public Works Department, to mitigate traffic or stacking issues; or
 - (b) enforce the Operational Management Plan to ensure mitigation of traffic or stacking concerns (“Corrective Actions”).

- If the School Owner does not timely take Corrective Actions this Special Exception Use approval will expire. If the Public Work’s Director determines that the School Owner is acting in good faith to resolve issues with the site and that the Corrective Actions will require more than 45 days to accomplish, the Public Work’s Director may provide the School Owner with an extension of time to take Corrective Actions.
5. Any failure to comply with these conditions of approval shall render this Special Exception Use null and void.

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.

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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 _____, 2025.

CITY COUNCIL
CITY OF PORT ST. LUCIE

By: _____
Shannon M. Martin, Mayor

ATTEST:

Sally Walsh, City Clerk

APPROVED AS TO FORM:

By: _____
Richard Berrios, City Attorney

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