

RESOLUTION NO. 19-R72

A RESOLUTION APPROVING A LANDSCAPE MODIFICATION PLAN IN LIEU OF ARCHITECTURAL WALL FOR GRACE LUTHERAN CHURCH OF PORT ST. LUCIE, ST. LUCIE WEST PLAT #28, PARCEL 3, TRACT A-1, BEING TRACT A-1 AND ST. LUCIE WEST PLAT #36 PART OF PARCEL 3-B MPDAF, (P19-115) WITHIN THE CITY OF PORT ST. LUCIE, FLORIDA ON THE REQUEST OF GRACE LUTHERAN CHURCH OF PORT ST. LUCIE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Port St. Lucie, Florida has been requested by the owner, Grace Lutheran Church of Port St. Lucie to approve and accept the landscape modification plan for Grace Lutheran Church – St. Lucie West Plat #28, Parcel 3, Tract A-1, being Tract A-1 and St. Lucie West Plat #36 Part of Parcel 3-B MPDAF, within the City of Port St. Lucie, Florida to be exempt from providing an architectural wall on the north and south sides of the property as required by section 154.03(C) of the City of Port St. Lucie Code; and

WHEREAS, section 154.03(C) requires a wall in a landscape buffer strip where commercial, industrial, institutional, office, or public facility uses abut property to the side or rear which is designated with a residential or open space land use, or which has a residential use such as an assisted living facility; and

WHEREAS, section 154.12 of the City of Port St. Lucie Code allows applicants to request the substitution of landscaping for an architectural wall that is a required feature of a landscape buffer strip. Requests to be exempt from installing the landscape buffer strip requirement shall be reviewed by the City Council; and

WHEREAS, before making its decision on a request for a landscape modification, the City Council must hold a public hearing thereon and notice to the public must be provided; and

WHEREAS, the City Council held a public hearing on August 26, 2019, to consider the landscape modification request, notice of the public hearing having been made; and

WHEREAS, after review of the recommendations of the City staff, comments made at the public hearing, and careful consideration of the issues and evidence, finds that the proposed exemption to the wall requirement within the landscape buffer strip is consistent with the intent of section 154.12 of the City of Port St. Lucie Code and the landscape modification plan is approved.

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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 and accepts the landscape modification plan for St. Lucie West Plat #28, Parcel 3, Tract A-1, being Tract A-1 and St. Lucie West Plat #36 Part of Parcel 3-B MPDAF, a subdivision according to the plat thereof recorded at Plat Book 32, Page 4, in the Public Records of St. Lucie County, Florida, within the City of Port St. Lucie, Florida, said plan being offered by Grace Lutheran Church of Port St. Lucie, as owner and title holder of said property, and as prepared by Jason M. Littterick, Registered Landscape Architect. The landscape plan is attached hereto as **Exhibit “A”**.

Section 3. Condition of Approval. A condition of the approval of the landscape modification and landscape plan attached as **Exhibit “A”** is that the 20-foot wide landscape buffers shall have at least one Type A tree for every 30 linear feet, with tree spacing not to exceed a distance of 50 feet. Shrubs in the landscape buffers shall be planted in such a manner as to create a visual barrier that is at least 6 feet in height as the vegetation matures. Trees and shrubs located in the upland preserve area shall consist of native landscaping. Prior to obtaining a Certificate of Occupancy (CO), an updated Landscape Plan shall be provided if any field changes are made to the Landscape Plan.

Section 4. Conflict. If any resolutions, or parts of resolutions, are in conflict herewith, this Resolution shall control to the extent of the conflicting provisions.

Section 5. 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 6. Effective Date. This Resolution shall become effective immediately upon adoption.

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PASSED AND ADOPTED by the City Council of the City of Port St. Lucie, Florida,
this _____ day of _____, 2019.

CITY COUNCIL

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