

ORDINANCE NO. 18-039

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA; **REZONING PROPERTY GENERALLY LOCATED AT 2201 S. 25TH STREET FROM C-1, OFFICE COMMERCIAL, TO PD, PLANNED DEVELOPMENT**; FURTHER APPROVING A **DEVELOPMENT PLAN** PURSUANT TO SECTION 22-40, PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the subject property is located at 2201 S. 25th Street within the City of Fort Pierce, Florida, representing approximately .93 acres of land; and

WHEREAS, the owner/applicant seeks rezoning of the subject property located at 2201 S. 25th Street from C-1, Office Commercial to PD, Planned Development; and

WHEREAS, the property has an established office building and the applicant would like to allow a pharmacy as a permitted use on the property under the PD, Planned Development zoning district; and

WHEREAS, the applicant has designated a total allowable space of 1,500 square feet for the pharmacy use; and

WHEREAS, the applicant has specified that the pharmacy use in this PD, Planned Development does not include medical marijuana dispensaries; and

WHEREAS, the proposed zoning atlas map amendment (rezoning) is consistent with the comprehensive plan, will not have an adverse effect on the ability of the city to satisfy land and water use needs; and meet transportation demands and provide community facilities and services, and will promote and protect the public health, safety and general welfare as required by City Code 22-131; and

WHEREAS, the City of Fort Pierce Planning Board, at their October 9th, 2018 meeting, voted 4-3 to recommend approval of the request; and

NOW, THEREFORE BE IT ORDAINED by the City Commission of the City of Fort Pierce, Florida as follows:

SECTION 1. From and after the effective date hereof, the following described properties are hereby rezoned as follows:

Parcels ID: 2417-444-0001-000-7

From and after the effective date hereof, the following properties legally described as:

ALL OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 17, TOWNSHIP 35 SOUTH, RANGE 40 EAST, LYING SOUTH OF TENNESSEE AVENUE, WEST OF 25TH STREET, NORTH OF VIRGINIA AVENUE CANAL, AND EAST OF COLLEGE PARK ESTATES UNIT 1, AS PER PLAT THEREOF, ON FILE IN PLAT BOOK 12, PAGE 52, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

LYING NORTH OF THE FOLLOWING DESCRIBED LINE:

FROM THE NORTHEAST CORNER OF LOT 7 OF THE PLAT OF COLLEGE PARK ESTATES UNIT 1, RUNNING SOUTHERLY ALONG THE EAST BOUNDARY OF SAID PLAT OF COLLEGE PARK ESTATES, A DISTANCE OF 261.89 FEET TO THE BEGINNING OF SAID LINE; THENCE BY ANGLE AS TURNED FROM NORTH TO EAST OF 90 DEGREES, A

DISTANCE OF 146.34 FEET TO THE WESTERLY RIGHT OF WAY LINE OF SOUTH 25TH STREET; AS DEPICTED ON THAT SURVEY DRAWN AND PREPARED BY MICHAEL J. WEATHERINGTON DATED JUNE 21, 1997, AND RECORDED IN OFFICIAL RECORDS BOOK 1096, PAGE 457, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, TO THE POINT OF BEGINNING.

said properties being generally located at 2201 South 25th Street in Fort Pierce, Florida shall be and the Zoning Designation is hereby changed from C-1, Office Commercial, to PD, Planned Development, as depicted on Exhibit "A" and Exhibit "B", attached hereto and incorporated herein.

SECTION 2. The Development Plan for the subject Planned Development as depicted on Exhibit "C" which is attached hereto and incorporated herein by reference, be and the same are hereby approved, and shall serve as the Development Plan associated with the subject Planned Development

SECTION 2. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause, or phrase of this Ordinance shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 3. All ordinances or parts thereof that may be determined to be in conflict herewith are hereby repealed.

SECTION 4. This Ordinance shall be and become effective immediately upon final passage.

APPROVED AS TO FORM & CORRECTNESS:

Ben Bryan Jr, Esq.

Interim City Attorney

STATE OF FLORIDA

COUNTY OF ST. LUCIE

WE, THE UNDERSIGNED, Mayor Commissioner and the City Clerk of the City of Fort Pierce, Florida, do hereby certify that the foregoing and above Ordinance No. 18-039 was duly advertised by title only in the St. Lucie News Tribune on Sunday, November 4, 2018; copy of said Ordinance was made available at the office of the City Clerk to the public upon request; said Ordinance was duly introduced, read by title only, and passed on first reading by the City Commission of the City of Fort Pierce, Florida, on November 19, 2018; and was duly introduced, read by title only, and passed on second and final reading December 3, 2018, by the City Commission of the City of Fort Pierce, Florida.

IN WITNESS HEREWITH, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this 3rd day of December, 2018.

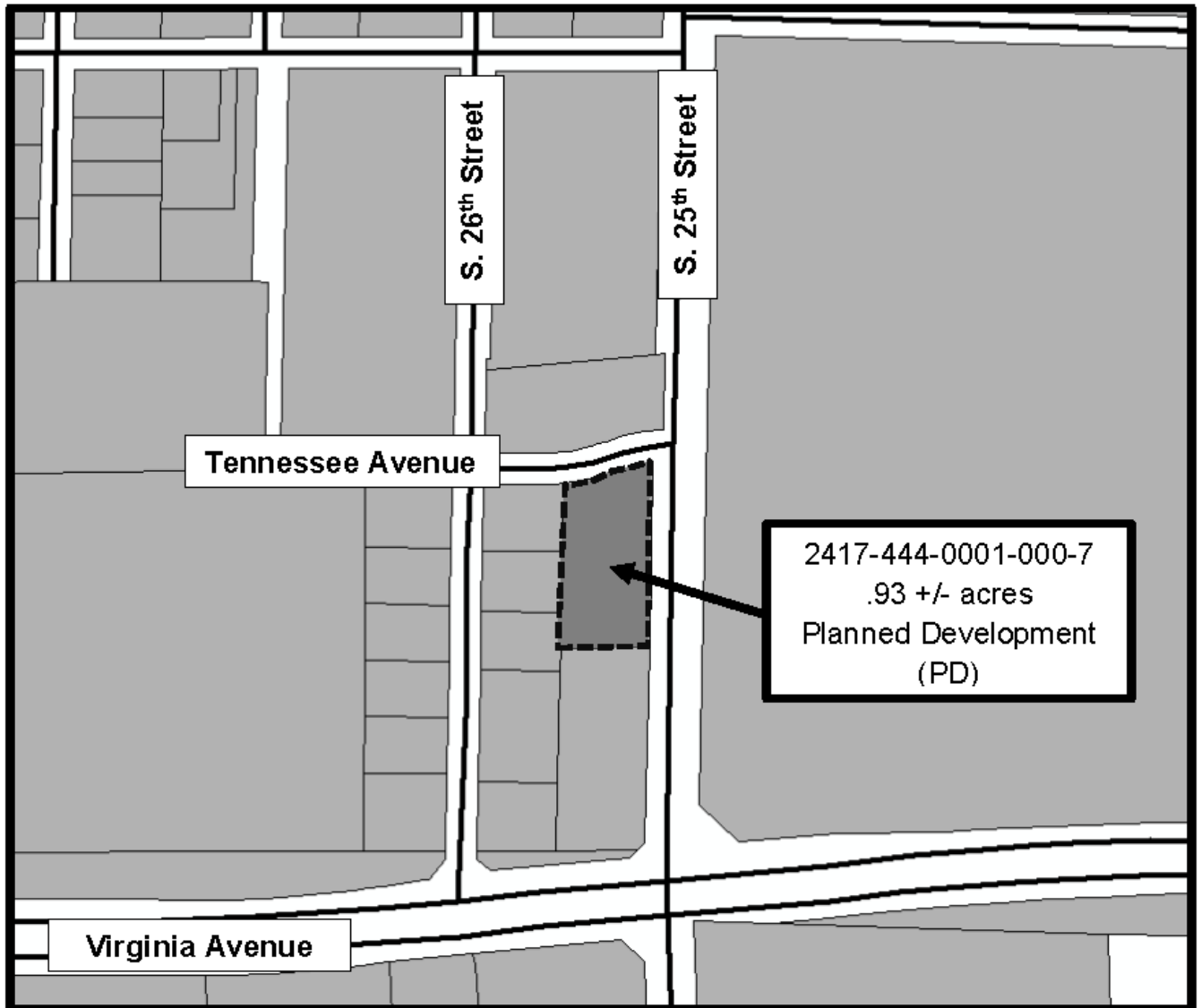
Linda Hudson
Mayor Commissioner

ATTEST:

Linda W. Cox
City Clerk

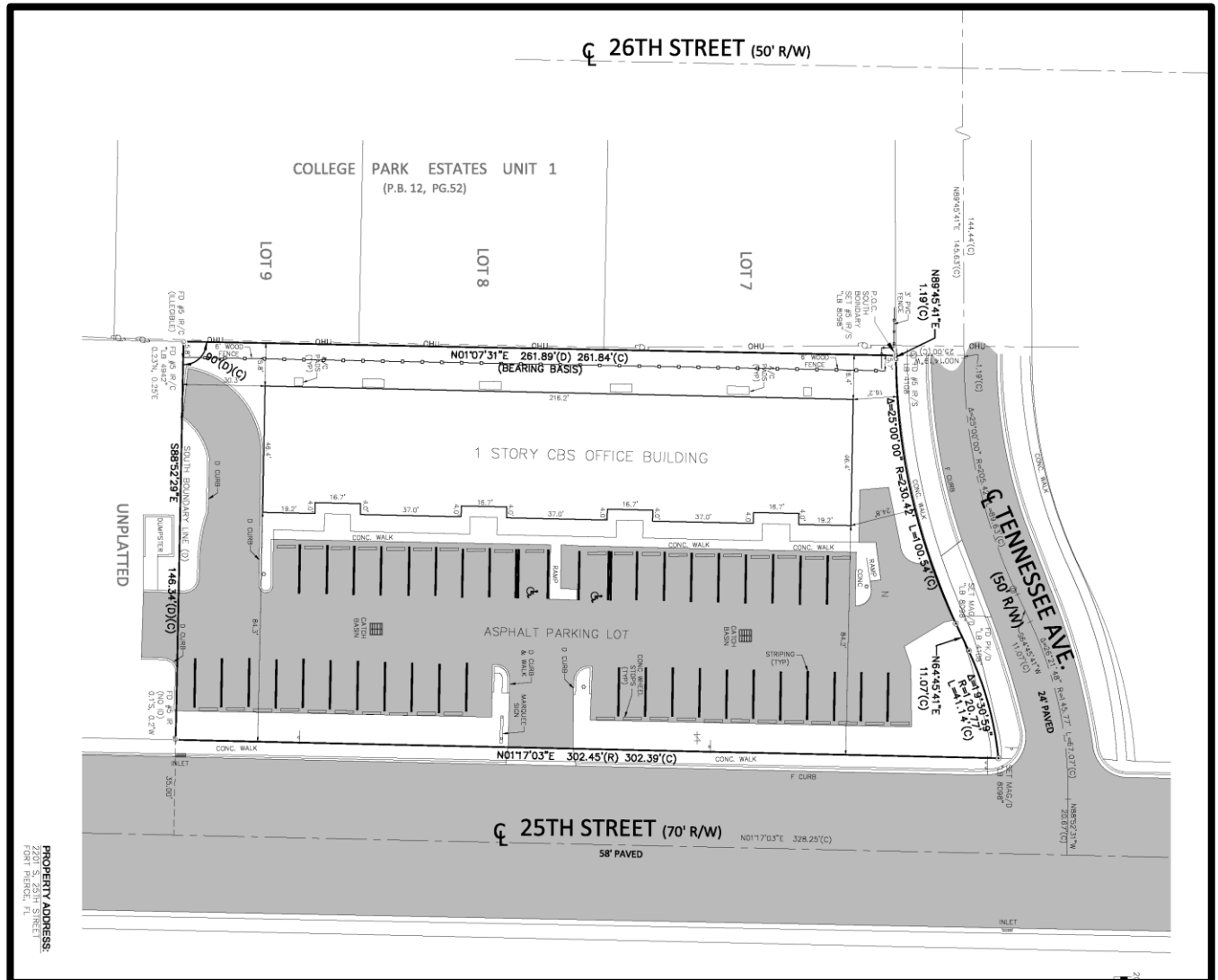
(CITY SEAL)

EXHIBIT A
Proposed Zoning Atlas Map Amendment
PD, Planned Development



The property is rezoned from C-1, Office Commercial to PD, Planned Development

Exhibit B
Sketch and Legal Description



Parcels IDs: 2417-444-0001-000-7

From and after the effective date hereof, the following properties legally described as:

ALL OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 17, TOWNSHIP 35 SOUTH, RANGE 40 EAST, LYING SOUTH OF TENNESSEE AVENUE, WEST OF 25TH STREET, NORTH OF VIRGINIA AVENUE CANAL, AND EAST OF COLLEGE PARK ESTATES UNIT 1, AS PER PLAT THEREOF, ON FILE IN PLAT BOOK 12, PAGE 52, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

LYING NORTH OF THE FOLLOWING DESCRIBED LINE:

FROM THE NORTHEAST CORNER OF LOT 7 OF THE PLAT OF COLLEGE PARK ESTATES UNIT 1, RUNNING SOUTHERLY ALONG THE EAST BOUNDARY OF SAID PLAT OF COLLEGE PARK ESTATES, A DISTANCE OF 261.89 FEET TO THE BEGINNING OF SAID LINE; THENCE BY ANGLE AS TURNED FROM NORTH TO EAST OF 90 DEGREES, A DISTANCE OF 146.34 FEET TO THE WESTERLY RIGHT OF WAY LINE OF SOUTH 25TH STREET; AS DEPICTED ON THAT SURVEY DRAWN AND PREPARED BY MICHAEL J. WEATHERINGTON DATED JUNE 21, 1997, AND RECORDED IN OFFICIAL RECORDS BOOK 1096, PAGE 457, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, TO THE POINT OF BEGINNING.

