

WEST PALM BEACH

EST. 1894

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Mayor Keith A. James
Commission President Joseph A. Peduzzi (District 4)
Commissioner Cathleen Ward (District 1)
Commissioner Shalonda Warren (District 2)
Commissioner Christy Fox (District 3)
Commissioner Stephen Sylvester (District 5)

City Administrator Faye W. Johnson
City Attorney Kimberly Rothenburg
City Clerk Shaquita Edwards

City of West Palm Beach City Commission Agenda Monday, June 8, 2026 5:00 PM

In accordance with the provisions of the Americans with Disabilities Act (ADA), persons in need of a special accommodation to participate in this proceeding shall, within three days prior to any proceeding, contact the City Clerk's Office, 401 Clematis Street, West Palm Beach, FL 33401, (561) 822-1210.

1. CALL TO ORDER

2. MOMENT OF SILENCE

3. PLEDGE OF ALLEGIANCE

4. CIVILITY AND DECORUM

The City of West Palm Beach is committed to civility and decorum by its officials, employees and members of the public who attend this meeting. The City Code, Secs. 2-31(8), 2-31(18) and 2-31(22), provides in pertinent part:

- Officials shall be recognized by the Chair and shall not interrupt a speaker.
- Public comment shall be addressed to the City Commission as a whole and not to any individual on the dais or in the audience.
- Displays of anger, rudeness, ridicule, impatience, lack of respect and personal attacks are strictly prohibited.
- Unauthorized remarks from the audience, stamping of feet, whistles, yells and similar demonstrations shall not be permitted.
- Offenders may be removed from the meeting.
- Any person desiring to address the Commission **shall** file a written request with the city clerk prior to consideration of the matter by the Commission or prior to the public comment portion of a meeting. The person wishing to speak **shall** complete a comment card for each agenda item the person wishes to address, which **shall** include the person's full name, address, and the numbered agenda item. The person will not be recognized if the comment card is not completed.

5. ADDITIONS / DELETIONS / REORGANIZATION OF AGENDA

6. CONSENT CALENDAR

All items listed under the consent calendar are considered routine and will be enacted by one motion. There will be no separate discussion of these items.

6.1. Minutes of the April 27, 2026, Regular City Commission Meeting.

Originating Department:

Mayor's Office

6.2. Resolution No. 125-26(F) provides appropriations in the amount of \$100,000 to the Office of the City Attorney for legal services.

Originating Department:

City Attorney's Office

Ordinance/Resolution:

RESOLUTION NO. 125-26(F): A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, AUTHORIZING THE APPROPRIATION OR TRANSFER OF CITY FUNDS IN FISCAL YEAR 2025/2026 IN ACCORDANCE WITH SECTION 4.03 OF THE CITY CHARTER OF THE CITY OF WEST PALM BEACH, FLORIDA, FOR THE PURPOSE OF AMENDING THE GENERAL FUND BUDGET TO APPROVE THE USE OF GENERAL FUND CONTINGENCY TO PROVIDE APPROPRIATIONS FOR LEGAL SERVICES; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Background Information:

The Office of the City Attorney budget includes \$126,000 under 500311-Legal Services. The \$126,000 pays special magistrate charges, general consulting and legal services, and court costs, with \$55,000 specifically allocated to consulting and other legal services.

The Office of the City Attorney has hired outside counsel jointly with the Town of Palm Beach in connection with legal challenges to temporary flight restrictions affecting the Palm Beach International Airport. Fees for the services are paid from the Legal Services line. The estimated cost to complete legal work in the flight restrictions litigation is approximately \$100,000.

A \$100,000 increase in funds for legal services is requested.

- Adopted Budget: \$126,000
- Requested Increase: \$100,000
- Requested Budget: \$226,000

Resolution No. 125-26(F) appropriates \$100,000 from contingency to the Office of the City Attorney for the estimated cost of furnishing legal services.

Fiscal Note:

Approval of this item appropriates funding from Contingency to Legal Services.

- 6.3. Resolution No. 128-26 approving an agreement between Motorola Solutions Inc. and the City of West Palm Beach for public safety video surveillance services, software, and related equipment.

Originating Department:

Police

Ordinance/Resolution:

RESOLUTION NO. 128-26: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, APPROVING AN AGREEMENT BETWEEN MOTOROLA SOLUTIONS, INC. AND THE CITY OF WEST PALM BEACH IN THE AMOUNT OF ONE MILLION TWO HUNDRED SIXTY-ONE THOUSAND TWO HUNDRED NINE DOLLARS AND FORTY-SEVEN CENTS (\$1,261,209.47) FOR PUBLIC SAFETY VIDEO SURVEILLANCE SOLUTIONS WITH RELATED EQUIPMENT, SOFTWARE AND ACCESSORIES FOR A TERM OF SIX (6) YEARS; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Background Information:

Over the past four (4) years, the Police Department entered into multiple contracts to acquire License Plate Reader (LPR) technology from Vigilant Solutions prior to its acquisition by Motorola. As part of Vigilant's business model, third-party vendors were utilized to procure and service portions of the LPR infrastructure, resulting in a fragmented contract structure involving both Vigilant and a third-party vendor, Vetted.

During this period, the Police Department discovered that an employee associated with Vetted had illegally utilized the City's LPR network for unauthorized cryptocurrency mining activities. Upon discovery, the Department immediately terminated all contracts with Vetted and transitioned remaining agreements to Motorola following Motorola's acquisition of Vigilant.

The acquisition transition by Motorola resulted in significant declines in customer service, vendor engagement, and maintenance support for the aging LPR infrastructure. In response, the Police Department undertook temporary self-directed repairs, network upgrades, and stabilization efforts to sustain operations. Despite these efforts, more than 50% of the City's 83 LPR units were no longer functioning properly, an additional 20% were operating on vulnerable network configurations susceptible to

failure, and 10 units had reached end-of-life status and required replacement.

At the same time, the City remained financially committed to multiple long-term contracts tied to aging and unreliable technology. Following an extensive joint assessment by the Police Department and Motorola, both parties agreed that a complete system reset and modernization effort was necessary to restore reliability, improve performance, and maximize the City's return on investment.

As part of the negotiated agreement, Motorola acknowledged the shortcomings associated with the Vigilant acquisition and worked collaboratively with the Police Department to rebuild trust and establish a long-term path forward.

Through the new five-year agreement, Motorola will replace all 83 aging LPR units at no hardware cost to the City with its latest-generation L6D technology platform. In addition, Motorola significantly reduced service costs associated with the program, resulting in an estimated total savings of approximately \$500,000 over the life of the agreement, while also providing the sixth year of service at no additional cost.

The new L6D technology represents a substantial advancement in capability by combining two (2) functions into a single platform. In addition to serving as full-time License Plate Readers that support criminal investigations and public safety operations, the L6D units also function as full-time CCTV cameras, effectively adding 83 additional investigative camera assets throughout the City.

This modernization effort not only increases capability and operational effectiveness but also strengthens long-term sustainability through new service-level agreements that ensure timely installation, maintenance, and repair support to protect the City's investment and maintain system readiness.

The proposed contract is fully funded within the current Police Department budget for FY2026. There is no need for an accompanying F-Resolution.

Fiscal Note:

No fiscal impact. Existing funds for FY2026.

7. RESOLUTIONS

- 7.1. Resolution No. 119-26 accepting a grant from the Florida Department of Transportation (FDOT) for the Fern Street Crossing Project in the amount of \$3,000,000 and approving a State-Funded Grant Agreement; and

Resolution No. 120-26(F) providing the appropriation of the funding and transfers to contribute to the City's match.

Originating Department:

Engineering

Ordinance/Resolution:

RESOLUTION NO. 119-26: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, ACCEPTING A STATE FUNDED GRANT FROM THE FLORIDA DEPARTMENT OF TRANSPORTATION IN THE AMOUNT OF \$3,000,000 AS CONTRIBUTION TOWARD THE FERN STREET CROSSING PROJECT; AUTHORIZING EXECUTION OF THE STATE FUNDED GRANT AGREEMENT; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

RESOLUTION NO. 120-26(F): A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, AUTHORIZING THE APPROPRIATION OR TRANSFER OF FUNDS IN FISCAL YEAR 2025/2026 IN ACCORDANCE WITH SECTION 4.03 OF THE CITY CHARTER OF THE CITY OF WEST PALM BEACH, FLORIDA, FOR THE PURPOSE OF AMENDING THE CAPITAL ACQUISITION, ONE-CENT SALES TAX CAPITAL IMPROVEMENS, CAPITAL IMPACT FEE AND GRANT CAPITAL PROJECT FUND BUDGETS, TO PROVIDE FOR THE RECEIPT OF A STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION STATE-FUNDED GRANT, MATCHING FUNDS AND APPROPRIATIONS FOR THE FERN STREET CROSSING PROJECT; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Staff Recommended Motion:

Approve Resolution No. 119-26 and Resolution No. 120-26(F).

Background Information:

PROJECT DESCRIPTION

The Fern Street Crossing Project involves construction of a new railroad crossing on the South Florida Railroad Corridor/CSX tracks at Fern Street, between Tamarind Avenue and Clearwater Drive, including traffic signalization improvements, separated bike lanes, enhanced pedestrian crosswalks, and landscaping. The Project completes a 900-foot gap of road, sidewalk, and bike trail on Fern Street at the South Florida Rail Corridor (SFRC). The construction of the Fern Street Crossing will

establish a new at-grade crossing on the Okeechobee Corridor Strategic Intermodal System (SIS), featuring upgraded smart traffic signals and LED lighting systems.

BENEFITS OF THE PROJECT

The Fern Street Crossing Project represents a significant investment in improving transportation infrastructure, safety, and accessibility in the area, bridges a critical gap in the road network, and enhances mobility for all users. The project will reduce traffic congestion on Okeechobee Boulevard and Banyan Boulevard, located north and south of Fern Street, and enhance multi-modal access for pedestrians, bicycles, and transit services.

STATE APPROPRIATED FUNDING

In January of 2025, the City initiated the request for State funding appropriations for the Fern Street Crossing project in the amount of \$3,000,000.

In July of 2025, the City received news that the State Legislature approved the list of projects to be funded with State Appropriations.

After that, the funding became official and was transferred to the Florida Department of Transportation (FDOT) to administer the grant agreement for this \$3,000,000 award.

Discussions with FDOT regarding this funding agreement began in September 2025. After several iterations of discussion between FDOT and the City staff, FDOT finalized the State Funded Grant Agreement (SFGA) in May 2026 and provided it to the City for execution.

The total construction cost estimate for this project is \$14,812,500. The City's match for this will be \$11,812,500.

The project is currently in the preliminary design phase, with a design-build bid process expected to start in late 2026, and construction is targeted to start in the spring of 2027.

There are funding sources currently in the FY 2026 budget for this project, including the Community Redevelopment Agency (CRA) Clear Lake Target District Area fund and the Capital Impact Fee Fund totaling \$3,709,571.

There is currently \$1.4M in the Capital Acquisition Fund reserves and \$2,207,000 in the One Cent Sales Surtax fund, which are being requested for transfer to the Fern Street Project budget. Other future

funding sources are actively being prepared in FY 2027 to fulfill the remainder of the City's match funding.

Resolution No 119-26 accepts the grant and authorizes the Mayor to execute the grant agreement.

Resolution No. 120-26(F) appropriates the funding of the SFGA \$3,000,000, as well as the transfer of the \$1,400,000 from the Capital Acquisition reserves fund, \$2,300,000 from the Capital Impact Fee fund, and \$2,207,000 from the One Cent Sales Surtax.

Commission District 3: Commissioner Christy Fox.

Fiscal Note:

Estimated	Project	Cost:	\$14,812,500.
FDOT	Grant	Participation:	\$3,000,000.

Overall, the remaining match funding needed can be accommodated by future funding allocations from the CRA, state appropriations as awarded, Mobility Fee revenues, and the One Cent Sales Surtax funding currently budgeted for Roadway Improvements.

8. PUBLIC HEARING

- 8.1. Public Hearing and Second Reading of Ordinance No. 5148-25 granting to Florida Public Utilities Company a non-exclusive franchise for a period of thirty (30) years to sell, distribute, transport, and transmit natural, manufactured, or mixed gas in the City of West Palm Beach.

Originating Department:

City Attorney's Office

Ordinance/Resolution:

ORDINANCE NO. 5148-25: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA GRANTING TO FLORIDA PUBLIC UTILITIES COMPANY, ITS SUCCESSORS AND ASSIGNS, A NON-EXCLUSIVE FRANCHISE FOR A PERIOD OF THIRTY (30) YEARS TO SELL, DISTRIBUTE, TRANSPORT, AND TRANSMIT NATURAL, MANUFACTURED, OR MIXED GAS IN THE CITY OF WEST PALM BEACH, FLORIDA; PRESCRIBING THE TERMS AND CONDITIONS UNDER WHICH SAID FRANCHISE MAY BE EXERCISED; MAKING FINDINGS; PROVIDING SEVERABILITY; PROVIDING AN EFFECTIVE DATE UPON FINAL PASSAGE; AND REPEALING PRIOR ORDINANCE.

Staff Recommended Motion:

Approve Ordinance No. 5148-25 on Second Reading.

Background Information:

The City of West Palm Beach, Florida (the "City") owns and/or exercises control over the City's rights-of-way (as defined herein). On September 18, 1989, the City approved Ordinance No. 2319-89 creating a 30-year franchise agreement with Florida Public Utilities Company, a corporation of the State of Florida (Company), granting the Company the right, privilege, and authority to construct or otherwise acquire and to own, maintain, equip and operate plants and works and all necessary or desirable appurtenances thereto, for the manufacture, generation, purchase, transmission and distribution of artificial, natural and/or mixed gas with a franchise fee of six percent (6%) of its gross revenue (gross revenues being the amount collected less charge-off for uncollectible accounts and adjustments) from the sale of gas to residential and general service commercial customers within the City's corporate limits (1989 Agreement). The 1989 Agreement expired on September 30, 2019, and the City and Company continued to operate under the terms of the 1989 Agreement. Once the new ordinance is approved, the City and Company will review the data on gross revenues, taxes, and payments since 2019 to resolve the current dispute of unpaid and underpaid franchise fee payments.

The Company has requested permission from the City to continue to erect, construct, operate, and maintain a gas system to import, transport, sell, and distribute gas (as defined herein) within the City; and for these purposes to establish and install facilities and equipment and to lay and maintain gas mains, service pipes, and any other appurtenances as are used or useful in the sale, transportation, and distribution of gas within the City limits. Ordinance No. 5148-25 (the 2026 Agreement) was negotiated to renew the 1989 Agreement and to properly address and correct issues identified in the Internal Auditor's recommendations contained in Audit 20-03. The 2026 Agreement:

- Removes the provision allowing the Company to reduce the franchise payment by the amount paid in ad-valorem taxes. This change will result in a greater amount of franchise fees to the City;
- Strengthens audit language related to obtaining and auditing Company data submitted to the City and used to calculate franchise fee payments;
- Adds a penalty if the Company is found to be improperly paying the City; and

- Includes a non-waiver provision related to the rights and obligations of the parties under the 1989 Agreement. Additional non-waiver language was added to the 2026 Agreement based on commission discussion at the Commission Meeting held on April 13, 2026.

The City desires to ensure that the terms of the new franchise agreement are in the best interest of the City and that the rights-of-way, property, and utility easements used by the Company are promptly restored to a safe and secure condition to protect the health, safety, and welfare of the citizens and residents of the City.

The City finds that it is in the public interest and advances the health, safety, and welfare of its citizens to enter into this Franchise Agreement with the Company.

Ordinance No. 5148-26 grants a 30-year franchise to Florida Public Utilities for the distribution of natural gas within the City.

Fiscal Note:

Estimated revenue of \$150,000 for FY2026.

- 8.2. Public Hearing and First Reading of Ordinance No. 5168-26 amending the Code of Ordinances at Chapter 22 (Businesses and Business Regulations), Article II, Certificate of Use, to clarify that a Certificate of Use is required for all business and commercial uses.

Originating Department:

Development Services

Ordinance/Resolution:

ORDINANCE NO. 5168-26: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE CITY OF WEST PALM BEACH, FLORIDA, AT CHAPTER 22 (BUSINESSES AND BUSINESS REGULATIONS) TO AMEND SECTION 22-31 (DEFINITIONS) AND SECTION 22-33 (APPLICATION FOR CERTIFICATE OF USE FOR NEW BUSINESS) TO CLARIFY THAT A CERTIFICATE OF USE IS REQUIRED FOR ALL BUSINESS AND COMMERCIAL USES; PROVIDING A SEVERABILITY AND CODIFICATION CLAUSE, PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Staff Recommended Motion:

Approve Ordinance No. 5168-26 on First Reading and schedule Second Reading for June 22, 2026.

Background Information:

A Certificate of Use is the mechanism by which zoning confirms that a business or commercial use is permitted at a specific location, and the Fire Department uses it to ensure compliance with life/safety regulations. Section 22-31 currently identifies the businesses/uses that require a Certificate of Use utilizing the North American Industry Classification Code and exempts certain businesses from the requirement.

The purpose of the Certificate of Use is for zoning verification that the intended business or commercial use of a property complies with the permitted uses allowed on the specific property and should be applicable to all business and commercial uses.

Ordinance No. 5168-26 amends Section 22-31 to provide that all business and commercial uses in the City require a Certificate of Use and amends Section 22-33 to clarify the information needed on the application for a Certificate of Use.

Fiscal Note:

No fiscal impact.

9. PUBLIC HEARING - QUASI-JUDICIAL

Disclosure of ex-parte communications, if any*
Swearing-in of witnesses.

- 9.1. Public Hearing and Second Reading of Ordinance No. 5169-26 regarding the rezoning of approximately 5.38 acres located at 2001 South Dixie Highway from General Commercial (GC) to Commercial Planned Development (CPD); and

Resolution No. 103-26 approving the establishment of the development regulations and conditions for the Greene School Commercial Planned Development.

The above-referenced requests are being made by Jon Schmidt and Christopher Claeyesen of Schmidt Nichols, on behalf of Tobias Partners LP and Jeff Greene, for the creation of the Greene School Commercial Planned Development.

Originating Department:

Development Services

Ordinance/Resolution:

ORDINANCE NO. 5169-26: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, AMENDING THE ZONING MAP OF THE CITY OF WEST PALM BEACH, BY REZONING APPROXIMATELY 5.38 ACRES LOCATED GENERALLY AT 2001 SOUTH DIXIE HIGHWAY FROM A GENERAL COMMERCIAL ZONING DESIGNATION TO A COMMERCIAL PLANNED DEVELOPMENT ZONING DESIGNATION, TO CREATE THE GREENE SCHOOL COMMERCIAL PLANNED DEVELOPMENT; PROVIDING FOR THE ESTABLISHMENT OF DEVELOPMENT REGULATIONS BY SEPARATE RESOLUTION; DECLARING THIS ZONING MAP AMENDMENT TO BE CONSISTENT WITH THE COMPREHENSIVE PLAN OF THE CITY; REVISING THE ZONING MAP OF THE CITY ACCORDINGLY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

RESOLUTION NO. 103-26: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, ESTABLISHING THE DEVELOPMENT REGULATIONS, INCLUDING SITE, ARCHITECTURAL, LANDSCAPE PLANS AND CIVIL PLANS, FOR THE GREENE SCHOOL COMMERCIAL PLANNED DEVELOPMENT LOCATED AT 2001 SOUTH DIXIE HIGHWAY; DECLARING THIS AMENDMENT CONSISTENT WITH THE COMPREHENSIVE PLAN OF THE CITY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Staff Recommended Motion:

First Motion: Approve Ordinance No. 5169-26 on Second Reading to change the zoning district of approximately 5.38 acres of land generally located at 2001 South Dixie Highway from General Commercial (GC) to Commercial Planned Development (CPD), to create The Greene School CPD.

This motion is based upon the application submitted, the staff report, factual testimony, the recommendation of the Planning Board, and the findings that the request complies with the Comprehensive Plan and the standards in Sections 94-32 and 94-35 of the City's Zoning and Land Development Regulations.

Second Motion: Approve Resolution No. 103-26 for the establishment of the development regulations for the redevelopment of the Greene School Commercial Planned Development (CPD).

This motion is based upon the application submitted, the staff report, factual testimony, the recommendation of the Planning Board, and the findings that the request complies with the Comprehensive Plan and the standards according to Section 94-32(a), 94-35(c), and 94-207 of the City's Zoning and Land Development Regulations.

Background Information:

REQUEST

A request by Jon Schmidt and Christopher Claeysen of Schmidt Nichols, on behalf of Tobias Partners LP and Jeff Greene, to rezone 5.38 acres from General Commercial (GC) to Commercial Planned Development (CPD) to create The Greene School CPD for the expansion of an existing private school campus.

BACKGROUND

Located south of Flamingo Drive, between South Dixie Highway and the Florida East Coast (FEC) Railway, The Greene School was originally approved by the City in 2016 as a private school serving grades K through 8, resulting in the current primary school campus located between Flamingo Road and Biscayne Drive.

Following City Commission approval for the abandonment of an alley in 2017 (Resolution No. 106-17 and Ordinance No. 4702-17) and a portion of Biscayne Drive in 2022 (Ordinance No. 5004-22), the school expanded its academic program to include grades 9 through 12 and added on-site tennis and field sports facilities, providing additional extracurricular opportunities for students.

ANALYSIS

The applicant is now requesting City approval to rezone the subject 5,38 acre property from General Commercial (GC) to Commercial Planned Development (CPD) under Ordinance No. 5169-26, and the approval of a Major Amendment to the Greene School Commercial Planned Development, by establishing the development regulations, including site, architectural, landscape and civil plans for the private Greene School CPD under Resolution No. 103-26 to establish a unified private school campus under a single, cohesive site plan.

The subject property has a Commercial (C) and Commercial East (CE) Future Land Use designation and is currently zoned General Commercial (GC).

The proposed redevelopment and its uses are permitted by right within the existing Commercial (C) and Commercial East (CE) Future Land Use (FLU) designations. Furthermore, the subject site is located along S. Dixie Highway, a commercial corridor situated just south of the downtown area.

This corridor is characterized by existing commercial uses and is predominantly designated with Commercial Future Land Use classifications. It is reasonable and consistent with the surrounding development pattern that the subject property would be governed by a Commercial zoning designation, such as the proposed Commercial Planned Development (CPD).

Based on the foregoing, it is staff's professional opinion that the proposed development is consistent with all applicable elements of the City's Comprehensive Plan.

Site Plan Amendment

The proposed site plan amendment integrates the existing campus infrastructure with new facilities, including the following improvements:

- A one-story, 1,909 square-foot library (Figure 1), renovated outdoor play areas, and related infrastructure improvements on the North Campus; and
- A three-story, 27,298 square-foot racquet facility (Figure 2) and a three-story, 24,527square-foot academic building on the South Campus, along with a new underground parking garage and a 43,147square foot terrace featuring two (2) outdoor tennis courts above the garage (Figure 3).



Figure 1



Figure 2



Figure 3

The proposed site improvements, including the accessory academic building and racquet facilities, are intended primarily for use by students and faculty during school hours.

The campus is bisected by an east-west pedestrian promenade that provides circulation for students/staff and connects the North and South Campuses. The promenade includes gated access restricted to emergency vehicles entering and exiting the site via South Dixie Highway. Excerpt of the Promenade shown in red (Figure 4).

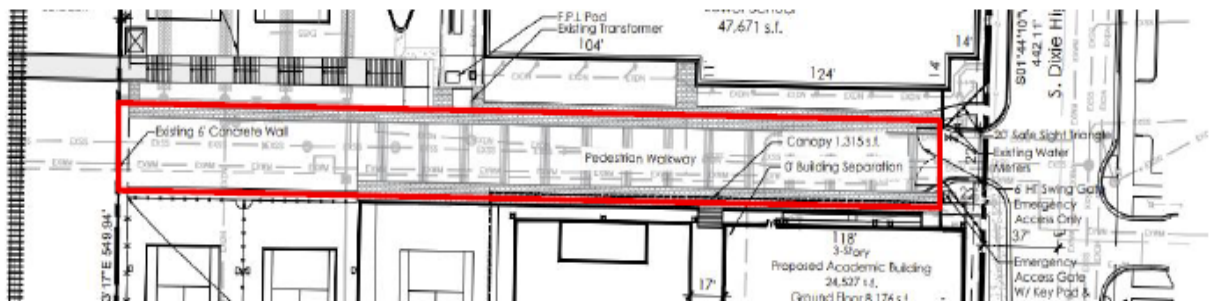


Figure 4

Proposed Skybridge

In addition to the internal pedestrian circulation provided by the promenade, the applicant proposes to construct an accessory skybridge on the southwest side of the north campus of The Greene School, adjacent to the promenade. The skybridge is proposed to span the FEC Railroad and connect The Greene School campus to property owned by the applicant that is located west of the railroad. The purpose of the proposed skybridge is to provide safe and efficient pedestrian access for students and staff during school hours (Figure 5).



Figure 5

It should be noted that the Flamingo Health Center (not part of this application) previously received approval by the City's Historic Preservation Board for indoor recreational uses. According to the proposed site plan on record, the proposed accessory skybridge is located in the eastern portion of the Flamingo Health Center site, and it will be operated, maintained, and administered by the Greene School CPD. The portions of the skybridge within the site west of the FEC Railroad site (formerly known as Flamingo Health Center) will provide a separate, designated point of entry and exit for pedestrians to access the skybridge.

Staff supports the proposed skybridge, provided that it does not interfere with Florida East Coast (FEC) Railroad operations and that all required approvals are obtained for the operation of this accessory structure. For the purpose of compliance with the Zoning and Land Development Regulations (ZLDR) and applicable FEC requirements, staff has included a condition of approval for the skybridge. Prior to obtaining the approval of a Building Permit for the construction of the accessory structure (skybridge), the applicant is required to obtain site plan approval for the property west of the FEC (formerly known as Flamingo Health Club) located at 500 Flamingo Drive, to allow the construction of the bridge on the site.

Parking

To accommodate the increased demand, parking is proposed to be provided primarily within a partially underground, basement-level parking garage containing 116 vehicular spaces, supplemented by 15 on-street parking spaces located along Flamingo Drive and Claremore Drive, for a total of 131 parking spaces.

Based on plans on record and the Justification Statement, staff confirms that the proposed parking improvements, including the redevelopment of the parking garage on the South Campus, satisfy the requirements of the Zoning and Land Development Regulations (ZLDR) for the proposed Greene School CPD.

Existing Site Conditions

The subject site on which the proposed school expansion is located includes existing site conditions that do not conform to the current City's Zoning and Land Development Regulations. More specifically, the following Legal Nonconformities are as follows:

- Front Setback: 5' Required (0' Existing on S Dixie Highway)
- Side Setback: 5' Required (0' Provided on Flamingo Road)

It is important to emphasize that the proposed school expansion and redevelopment will not increase the existing legal nonconformity associated with the required setbacks along S. Dixie Highway and Flamingo Road. Therefore, the applicant is not required to request variances for the minimum required front and side setbacks.

Any future modifications to the existing legal nonconformity along S. Dixie Highway or Flamingo Road will require an amendment to the approved CPD.

CONCLUSION

Staff has determined that the redevelopment of the proposed School Campus, and the associated site improvements, comply with all of the provisions of the Greene School Master Site Plan and the City's Zoning and Land Development Regulations. Additionally, it is staff's professional opinion that the proposed Major Amendment complies with the standards required by the City's Zoning and Land Development Regulations, and therefore is recommending approval of the Applicant's request, subject to the conditions outlined herein.

STANDARDS

The Planning and Zoning Division has determined that the Major Planned Development to The Greene School CPD complies with the City's Comprehensive Plan and the standards according to Section 94-32 and meets all the standards for the Site Plan found in Section 94-35 and for the development regulations according to Section 94-207 (d) of the City of West Palm Beach ZLDRs.

Compliance with the above-referenced standards is detailed in the Planning Board Staff Report (Attachment I).

PLANNING BOARD

At the Planning Board Public Hearing held on April 21, 2026, the Board recommended approval (7–0) of The Greene School CPD to the City Commission, having determined that the project complies with the Planned Development standards set forth in Sections 94-32, 94-35, and 94-207 of the City of West Palm Beach ZLDRs.

CITY COMMISSION HEARING (FIRST HEARING)

At the City Commission Hearing held on May 26, 2026, the body approved (5–0) Ordinance No. 5169-26 for the rezone of the property from General Commercial to Commercial Planned Development (CPD) in accordance with the City's Comprehensive Plan and the standards according to Section 94-32 of the City of West Palm Beach ZLDRs; and

At the City Commission Hearing held on May 26, 2026, the body recommended approval (5-0) of Resolution No. 103-26 for the establishment of the Development Regulations for The Greene School Commercial Planned Development (CPD), having determined that the project complies with the Planned Development standards set forth in Sections 94-32, 94-35, and 94-207 of the City of West Palm Beach ZLDRs.

NOTICE

Individual notices were mailed to all property owners within 500 feet of the area subject to the Major Amendment. Signs for the Major Planned Development were posted on the property on April 26, 2026.

Resolution No. 103-26 grants the establishment of the Development Regulations, including Site, Architectural, Landscape Plans, and Civil Plans for The Greene School CPD.

Commission District 5: Commissioner Stephen Sylvester.

10. COMMENTS FROM THE PUBLIC

Public comments are limited to three (3) minutes. Anyone wishing to address the Commission should complete a "Comments by the Public" card and present it to the City Clerk prior to the Public Comments. When you are called to speak, please go to the podium and state your name and address for the record prior to addressing Commission. The Commission will not discuss the matter nor respond to the comment this evening. Comments made will become part of the record and may be addressed at a later date.

11. COMMENTS BY THE MAYOR AND CITY COMMISSIONERS

12. ADJOURNMENT

*Pursuant to Resolution No. 179-95, adopted according to the provisions of Section 286.0115, Florida Statutes, members of the Commission shall disclose on the record: 1) ex-parte communications - verbal or written; 2.) written communications shall be placed in the record; and 3) site visits, investigations, etc. shall be disclosed.

NOTICE: If any person decides to appeal any decision made by the City Commission at this meeting, that person will need a record of the proceedings, and that, for such purposes, may need to ensure that a verbatim records of the proceedings be made, which record includes the testimony and evidence upon which the appeal is based. The City of West Palm Beach does not prepare or provide such record.