



**CITY OF PALM BEACH GARDENS  
COUNCIL AGENDA  
October 21, 2010  
7:00 P.M.**

**Mayor Levy  
Vice Mayor Premuroso  
Council Member Russo  
Council Member Jablin**

- I. [PLEDGE OF ALLEGIANCE](#)
- II. [ROLL CALL](#)
- III. [ADDITIONS, DELETIONS, MODIFICATIONS:](#)
- IV. [ANNOUNCEMENTS / PRESENTATIONS:](#)
- V. [ITEMS OF RESIDENT INTEREST AND BOARD/COMMITTEE REPORTS:](#)
- VI. [CITY MANAGER REPORT:](#)
- VII. [COMMENTS FROM THE PUBLIC: \(For Items Not on the Agenda, please submit request form to the City Clerk prior to this Item\)](#)  
**NONE**
- VIII. [CONSENT AGENDA:](#)
  - a. APPROVE MINUTES FROM SEPTEMBER 30, 2010 CITY COUNCIL MEETING
  - b. PROCLAMATION – LIGHTS ON AFTERSCHOOL DAY
  - c. PROCLAMATION – BE A HERO MONTH
  - d. RESOLUTION 76, 2010 – DEPARTMENT OF TRANSPORTATION SOUTH FLORIDA EAST COAST CORRIDOR PROJECT. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA EXPRESSING SUPPORT FOR THE FLORIDA DEPARTMENT OF TRANSPORTATION'S SOUTH FLORIDA EAST COAST (SFEC) CORRIDOR PROJECT (FROM JUPITER TO MIAMI) AND ITS AFFILIATED REGIONAL AND COUNTY TRANSPORTATION AGENCIES; ACKNOWLEDGING POTENTIAL STATION LOCATIONS; ACKNOWLEDGING THE CITY'S COMMITMENT TO THE PROJECT TO ENHANCE MOBILITY IN THE SOUTHEAST FLORIDA REGION; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

- e. RESOLUTION 78, 2010 – NORTHLAKE BOULEVARD.TASK FORCE AGREEMENT. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA APPROVING A THIRD AMENDMENT TO THE AMENDED AND RESTATED INTERLOCAL AGREEMENT BETWEEN THE VILLAGE OF NORTH PALM BEACH, THE TOWN OF LAKE PARK, PALM BEACH COUNTY, AND THE CITY OF PALM BEACH GARDENS; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**IX. PUBLIC HEARINGS: (\* Designates Quasi-Judicial Hearing)**

- a. \*[RESOLUTION 55, 2010](#) – AMENDMENT TO THE SOUTHAMPTON PLANNED UNIT DEVELOPMENT (PUD). A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA APPROVING AN AMENDMENT TO THE SOUTHAMPTON PLANNED UNIT DEVELOPMENT (PUD), LOCATED AT THE NORTHEAST CORNER OF CENTRAL BOULEVARD AND PGA BOULEVARD, AS MORE PARTICULARLY DESCRIBED HEREIN, TO ALLOW THE CONSTRUCTION OF 96 TOWNHOMES AND 58 SINGLE-FAMILY HOMES; PROVIDING WAIVERS; PROVIDING CONDITIONS OF APPROVAL; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.
- b. [ORDINANCE 12, 2010](#) - (2<sup>ND</sup> READING AND ADOPTION). PARCEL 18 A07 FUTURE LAND USE MAP AMENDMENT. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA ADOPTING A LARGE SCALE AMENDMENT TO ITS COMPREHENSIVE DEVELOPMENT PLAN IN ACCORDANCE WITH THE MANDATES SET FORTH IN CHAPTER 163, FLORIDA STATUTES, SPECIFICALLY SECTION 163.3184, ET SEQ., FLORIDA STATUTES, PURSUANT TO APPLICATION NO. CPMA-10-03-000013, WHICH PROVIDES FOR AN AMENDMENT TO THE CITY'S FUTURE LAND USE MAP DESIGNATING ONE (1) PARCEL OF REAL PROPERTY CONSISTING OF APPROXIMATELY TWELVE AND 39/100 (12.39±) ACRES, MORE OR LESS, IN SIZE AS "(RL) RESIDENTIAL LOW"; SUCH PARCEL BEING LOCATED GENERALLY AT THE NORTHWEST CORNER OF THE INTERSECTION OF HOOD ROAD AND THE FLORIDA TURNPIKE, IN PALM BEACH COUNTY, FLORIDA, INFORMALLY KNOWN AS "PARCEL 18.A07"; PROVIDING FOR COMPLIANCE WITH ALL REQUIREMENTS OF CHAPTER 163, FLORIDA STATUTES; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

- c. **ORDINANCE 14, 2010** – (2<sup>ND</sup> READING AND ADOPTION). LARGE SCALE FUTURE LAND USE MAP AMENDMENT REGARDING ST. IGNATIUS CHURCH. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA ADOPTING A LARGE SCALE AMENDMENT TO ITS COMPREHENSIVE DEVELOPMENT PLAN IN ACCORDANCE WITH THE MANDATES SET FORTH IN CHAPTER 163, FLORIDA STATUTES, SPECIFICALLY SECTION 163.3184, ET SEQ., FLORIDA STATUTES, PURSUANT TO APPLICATION NO. CPMA-10-03-000012(A), WHICH PROVIDES FOR AN AMENDMENT TO THE CITY'S FUTURE LAND USE MAP DESIGNATING ONE (1) PARCEL OF REAL PROPERTY COMPRISING APPROXIMATELY TEN AND 05/100 (10.05±) ACRES, MORE OR LESS, IN SIZE AS "(RM) RESIDENTIAL MEDIUM"; SUCH PARCEL BEING LOCATED GENERALLY AT THE SOUTHWEST CORNER OF HOLLY DRIVE AND MILITARY TRAIL, INFORMALLY KNOWN AS "ST. IGNATIUS CHURCH"; PROVIDING FOR COMPLIANCE WITH ALL REQUIREMENTS OF CHAPTER 163, FLORIDA STATUTES; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.
- d. **ORDINANCE 15, 2010** – (2<sup>ND</sup> READING AND ADOPTION). LARGE SCALE FUTURE LAND USE MAP AMENDMENT REGARDING WESTWOOD GARDENS/WESTWOOD LAKES PLANNED UNIT DEVELOPMENT (PUD). AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA ADOPTING A LARGE SCALE AMENDMENT TO ITS COMPREHENSIVE DEVELOPMENT PLAN IN ACCORDANCE WITH THE MANDATES SET FORTH IN CHAPTER 163, FLORIDA STATUTES, SPECIFICALLY SECTION 163.3184, ET SEQ., FLORIDA STATUTES, PURSUANT TO APPLICATION NO. CPMA-10-03-000012(C), WHICH PROVIDES FOR AN AMENDMENT TO THE CITY'S FUTURE LAND USE MAP DESIGNATING CERTAIN PARCELS OF REAL PROPERTY, TOGETHER COMPRISING APPROXIMATELY ONE HUNDRED TWENTY-NINE AND 35/100 (129.35±) ACRES, MORE OR LESS, IN SIZE AS "(RM) RESIDENTIAL MEDIUM"; SUCH PARCELS BEING LOCATED GENERALLY ON THE SOUTH SIDE OF HOOD ROAD BETWEEN THE FLORIDA TURNPIKE AND CENTRAL BOULEVARD, INFORMALLY KNOWN AS "WESTWOOD GARDENS/WESTWOOD LAKES PUD"; PROVIDING FOR COMPLIANCE WITH ALL REQUIREMENTS OF CHAPTER 163, FLORIDA STATUTES; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

- e. [ORDINANCE 16, 2010](#) – (2<sup>ND</sup> READING AND ADOPTION). LARGE SCALE FUTURE LAND USE MAP AMENDMENT REGARDING PALOMA PLANNED UNIT DEVELOPMENT (PUD). AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA ADOPTING A LARGE SCALE AMENDMENT TO ITS COMPREHENSIVE DEVELOPMENT PLAN IN ACCORDANCE WITH THE MANDATES SET FORTH IN CHAPTER 163, FLORIDA STATUTES, SPECIFICALLY SECTION 163.3184, ET SEQ., FLORIDA STATUTES, PURSUANT TO APPLICATION NO. CPMA-10-03-000012(D), WHICH PROVIDES FOR AN AMENDMENT TO THE CITY'S FUTURE LAND USE MAP DESIGNATING CERTAIN PARCELS OF REAL PROPERTY, TOGETHER COMPRISING ONE HUNDRED FOUR AND 67/100 (104.67±) ACRES, MORE OR LESS, IN SIZE AS "(RL) RESIDENTIAL LOW"; SUCH PARCELS BEING LOCATED GENERALLY SOUTH OF HOOD ROAD, WEST OF MILITARY TRAIL, AND EAST OF CENTRAL BOULEVARD AND INTERSTATE 95, INFORMALLY KNOWN AS THE "PALOMA PUD"; PROVIDING FOR COMPLIANCE WITH ALL REQUIREMENTS OF CHAPTER 163, FLORIDA STATUTES; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.
- f. [ORDINANCE 17, 2010](#) – (2<sup>ND</sup> READING AND ADOPTION). LARGE SCALE FUTURE LAND USE MAP AMENDMENT REGARDING THE OAKS PLANNED UNIT DEVELOPMENT (PUD). AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA ADOPTING A LARGE SCALE AMENDMENT TO ITS COMPREHENSIVE DEVELOPMENT PLAN IN ACCORDANCE WITH THE MANDATES SET FORTH IN CHAPTER 163, FLORIDA STATUTES, SPECIFICALLY SECTION 163.3184, ET SEQ., FLORIDA STATUTES, PURSUANT TO APPLICATION NO. CPMA-10-03-000012(E), WHICH PROVIDES FOR AN AMENDMENT TO THE CITY'S FUTURE LAND USE MAP FOR TWO (2) PARCELS; DESIGNATING ONE (1) PARCEL OF REAL PROPERTY COMPRISING APPROXIMATELY SIXTY-FIVE AND 32/100 (65.32±) ACRES, MORE OR LESS, IN SIZE AS "(RH) RESIDENTIAL HIGH"; SUCH PARCEL BEING LOCATED GENERALLY AT THE SOUTHWEST CORNER OF GARDENS EAST DRIVE AND RCA BOULEVARD, COMMONLY KNOWN AS "SUN TERRACE AT THE OAKS"; DESIGNATING THE SECOND PARCEL OF REAL PROPERTY COMPRISING APPROXIMATELY TWENTY SEVEN AND 88/100 (27.88±) ACRES, MORE OR LESS, IN SIZE AS "(RL) RESIDENTIAL LOW"; SUCH PARCEL BEING GENERALLY LOCATED AT THE SOUTHEAST CORNER OF GARDENS EAST DRIVE AND RCA BOULEVARD, COMMONLY KNOWN AS "OAKS EAST"; BOTH PARCELS TOGETHER COMPRISING THAT CERTAIN DEVELOPMENT MORE COMMONLY KNOWN AS "THE OAKS PUD"; PROVIDING FOR COMPLIANCE WITH ALL REQUIREMENTS OF CHAPTER 163, FLORIDA STATUTES; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

- g. **ORDINANCE 18, 2010** – (2<sup>ND</sup> READING AND ADOPTION). CITY-INITIATED COMPREHENSIVE PLAN TEXT AMENDMENT PETITION. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA AMENDING THE FUTURE LAND USE ELEMENT, TRANSPORTATION ELEMENT, HOUSING ELEMENT, RECREATION AND OPEN SPACE ELEMENT, COASTAL MANAGEMENT ELEMENT, CAPITAL IMPROVEMENTS ELEMENT, AND INFRASTRUCTURE ELEMENT OF THE CITY’S COMPREHENSIVE DEVELOPMENT PLAN IN ACCORDANCE WITH THE MANDATES SET FORTH IN SECTION 163.3184, ET SEQ., FLORIDA STATUTES; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.
- h. **ORDINANCE 19, 2010** – (2<sup>nd</sup> READING AND ADOPTION) REVISE OUTDOOR SEATING, SPECIAL EVENTS AND LIVE ENTERTAINMENT. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA AMENDING CHAPTER 78. LAND DEVELOPMENT. BY REPEALING SECTION 78-187. SPECIAL EVENTS. AND READOPTING SAME AS REVISED; FURTHER AMENDING CHAPTER 78. BY REPEALING SECTION 78-191. OUTDOOR SEATING. AND READOPTING SAME, AS REVISED; FURTHER AMENDING CHAPTER 78 BY ADOPTING NEW SECTION 78-194. TO BE ENTITLED “LIVE ENTERTAINMENT PERMIT”; FURTHER AMENDING CHAPTER 78 AT SECTION 78-661. PERFORMANCE STANDARDS. BY REPEALING SUBSECTION (b) AND READOPTING SAME, AS REVISED; FURTHER AMENDING CHAPTER 78. AT SECTION 78-751. DEFINITIONS. BY ADOPTING NEW DEFINITIONS FOR “CERTIFICATE OF COMPLETION”, “CERTIFICATE OF COMPLETION (INFRASTRUCTURE PERMIT)”, “CERTIFICATE OF OCCUPANCY (LAND DEVELOPMENT)”, “dBA”, “DEVELOPMENT, AS IT PERTAINS TO ART”, “DEVELOPMENT”, “INDOOR LIVE ENTERTAINMENT”, “LIVE ENTERTAINMENT”, “NATIONAL EVENT”, “OUTDOOR BAR”, “OUTDOOR LIVE ENTERTAINMENT”, “REGIONAL EVENT”, “SPEAKERS”, AND “SPECIAL EVENT”; PROVIDING THAT EACH AND EVERY OTHER SECTION AND SUBSECTION OF CHAPTER 78. LAND DEVELOPMENT. SHALL REMAIN IN FULL FORCE AND EFFECT AS PREVIOUSLY ADOPTED; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.
- i. **ORDINANCE 26, 2010** – (2<sup>ND</sup> READING AND ADOPTION) AMENDING CHAPTER 34. ENVIRONMENT. AT ARTICLE III. NOISE. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA AMENDING CHAPTER 34. ENVIRONMENT. AT ARTICLE III. NOISE. BY REPEALING SECTION 34-56. GENERAL RESTRICTIONS. IN ITS ENTIRETY AND RESERVING SAME FOR FUTURE LEGISLATION; PROVIDING THAT EACH AND EVERY OTHER SECTION AND SUBSECTION OF CHAPTER 34. ENVIRONMENT. SHALL REMAIN IN FULL FORCE AND EFFECT AS PREVIOUSLY ADOPTED; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

- j. \*[ORDINANCE 24, 2010](#) – (1ST READING) AT&T PLANNED UNIT DEVELOPMENT (PUD). AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA REZONING CERTAIN REAL PROPERTY WITHIN THE CORPORATE LIMITS OF THE CITY OF PALM BEACH GARDENS, CONSISTING OF ONE (1) PARCEL OF REAL PROPERTY COMPRISED OF ONE (1) PLATTED LOT TOTALING 0.93 ACRES, MORE OR LESS, IN SIZE LOCATED ON THE NORTH SIDE OF NORTHLAKE BOULEVARD APPROXIMATELY 500 FEET EAST OF NORTH CONGRESS AVENUE, WITH A STREET ADDRESS OF 3005 NORTHLAKE BOULEVARD, INFORMALLY KNOWN AS THE “AT&T PROPERTY”; PROVIDING THAT THIS PARCEL OF REAL PROPERTY WHICH IS MORE PARTICULARLY DESCRIBED HEREIN SHALL BE ASSIGNED THE CITY ZONING DESIGNATION OF PLANNED UNIT DEVELOPMENT (PUD) OVERLAY WITH AN UNDERLYING ZONING DESIGNATION OF GENERAL COMMERCIAL (CG-1); PROVIDING THAT THE ZONING MAP OF THE CITY OF PALM BEACH GARDENS BE AMENDED ACCORDINGLY; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**RESOLUTION 75, 2010 IS A COMPANION ITEM TO ORDINANCE 24, 2010  
AND WILL REQUIRE COUNCIL ACTION AT SECOND READING**

\*RESOLUTION 75, 2010 - AT&T PLANNED UNIT DEVELOPMENT (PUD). A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA APPROVING THE AT&T PLANNED UNIT DEVELOPMENT (PUD) SITE PLAN, AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING WAIVERS; PROVIDING CONDITIONS OF APPROVAL; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

X. **RESOLUTIONS:**

**NONE**

XI. **ITEMS FOR COUNCIL ACTION/DISCUSSION:**

XII. **CITY ATTORNEY REPORT:**

XIII. **ADJOURNMENT**

*PLEASE TAKE NOTICE AND BE ADVISED that if any interested party wishes to appeal any decision made by the City Council with respect to any matter considered at this public hearing, such interested persons will need a record of the proceedings and may need to ensure that a verbatim record is made, including the testimony and evidence upon which the appeal is to be based.*

*In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons with disabilities needing special accommodations in order to participate in this proceeding are entitled to the provision of certain assistance at no cost. Please call the City Clerk's Office at 561-799-4122 no later than 5 days prior to the hearing if this assistance is required. For hearing impaired assistance, please call the Florida Relay Service Numbers: 800-955-8771 (TDD) or 800-955-8770 (VOICE).*

**NOTE:**

**All presentation materials must be received by  
the City Clerk prior to the presentation to the Council.**