



September 20, 2021

Stephanie Kinlen, P.E.  
Kimley-Horn and Associates, Inc.  
1920 Wekiva Way  
West Palm Beach, FL 33411

**RE: 1690-2350 South Congress Avenue**  
**Project #: 181113**  
**Traffic Performance Standards (TPS) Review-Revised**

Dear Ms. Kinlen:

The Palm Beach County Traffic Division has reviewed the above referenced project driveways modification memorandum, dated September 15, 2021, pursuant to the Traffic Performance Standards in Article 12 of the Palm Beach County Unified Land Development Code (ULDC). The project is summarized as follows:

<b>Municipality:</b>	Delray Beach
<b>Location:</b>	SWC of Congress Avenue and Old Germantown Road, about 0.2 miles south of Linton Blvd
<b>PCN:</b>	12-43-46-30-15-001-0000 (additional PCNs in file)
<b>Access:</b>	Three full access driveway connections onto Old Germantown Road, and, two full and one right-in/right out access driveway connections onto Congress Avenue <u>(As used in the study and is NOT necessarily an approval by the County through this TPS letter)</u>
<b>Existing Uses:</b>	Gen. Office = 70,000 SF
<b>Vested Uses</b>	Gen. Office = 352,539 SF
<b>Proposed Uses:</b>	Gen. Office = 70,000 SF Gen. Commercial = 330,000 SF Condos = 407 DUs Apartments = 602 DUs
<b>New Daily Trips:</b>	13,582
<b>New Peak Hour Trips:</b>	189 (-197/386) AM; 975 (711/264) PM
<b>Build-out:</b>	December 31, 2023

Based on the review, the Traffic Division has determined that the proposed development meets the TPS of Palm Beach County, subject to the following conditions:

1. No Building Permits for the site may be issued after December 31, 2023.
2. Building Permits for more than 535 dwelling units shall not be issued until the contract has been awarded for the construction of a right turn lane north approach and a right turn lane south approach on Military Trail at Linton Blvd plus the appropriate paved tapers. In the event the contract has not been let for this Assured Construction before building permits for more than 535 dwelling units have been issued, the Property Owner/Developer may elect to make a proportionate share payment of 38.9 % of the overall construction cost for the construction of a right turn lane south approach on Military Trail at Linton Blvd plus the appropriate paved taper.

**Department of Engineering  
and Public Works**  
P.O. Box 21229  
West Palm Beach, FL 33416-1229  
(561) 684-4000  
FAX: (561) 684-4050  
www.pbcgov.com



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3. Prior to the issuance of the first Certificate of Occupancy, the Property Owner/Developer shall construct the following site related improvements:
  - a. Construct right turn lanes north approach at the two southern project driveways on Congress Avenue.
  - b. Extend the left turn lane south approach storage length at southernmost project driveway on Congress Ave to the County minimum standards, or as approved by the County Engineer.
  - c. Extend the left turn lane south approach storage length at the main driveway on Congress Ave to its maximum, or as approved by the County Engineer.
  - d. Restrict the driveway at the first full opening on Congress Ave south of Old Germantown Road to a right-in/right-out only. Raised channelizing island is recommended.
  
4. The Property Owner/Developer shall fund the cost of signal installation, if warranted as determined by the County Engineer, at Congress Avenue and the Main Project Driveway. Signalization shall be a mast arm structure installation. The cost of signalization shall also include all design costs and any required utility relocation and right of way or easement acquisition.
  - a. Building Permits shall not be issued until the developer provides acceptable surety to the Traffic Division in an amount as determined by the Director of the Traffic Division.
  - b. In order to request release of the surety for the traffic signal at the above intersection, the Property Owner/Developer shall provide written notice to the Traffic Division stating that the final certificate of occupancy has been issued for this development and requesting that a signal warrant study be conducted at the intersection. The Traffic Division shall have 24 months from receipt of this notice to either draw upon the monies to construct the traffic signal or release the monies.

In the event that the property is sold, the surety may be returned once the Traffic Division receives written documentation of the sale and a replacement surety has been provided to the Traffic Division by the new Property Owner.
  
5. All of the conditions, numbered 1 thru 4 above, shall be incorporated into the municipal Development Order exactly as set forth above. No later than ten calendar days after approval of the Development Order, the municipality shall transmit an official, recorded copy of same to the County Engineer. In the event: 1) the municipal Development Order is not received by the County Engineer within fifteen calendar days after approval of same; or 2) the official, recorded Development Order does not contain conditions 1 thru 4 exactly as set forth above, then the Traffic Division's conditional finding that this proposed development meets the TPS of Palm Beach County shall be deemed rescinded and rendered void.



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A Proportionate Share Agreement must be fully executed, by the Property Owner/Developer seeking approval of the project and Palm Beach County, before the municipality considers approval of the proposed project. In the event the municipality approves the proposed development before this proportionate share agreement is fully executed, then the Traffic Division's conditional finding that this proposed development meets the TPS of Palm Beach County shall be deemed rescinded and rendered void.

Please note the receipt of a TPS approval letter does not constitute the review and issuance of a Palm Beach County Right-of-Way (R/W) Construction Permit nor does it eliminate any requirements that may be deemed as site related. For work within Palm Beach County R/W, a detailed review of the project will be provided upon submittal for a R/W permit application. The project is required to comply with all Palm Beach County standards and may include R/W dedication.

The County traffic concurrency approval is subject to the Project Aggregation Rules set forth in the TPS Ordinance.

The approval letter shall be valid no longer than one year from date of issuance of the original TPS approval letter, dated February 13, 2019, unless an application for a Site Specific Development Order has been approved, an application for a Site Specific Development Order has been submitted, or the approval letter has been superseded by another approval letter for the same property.

If you have any questions regarding this determination, please contact me at 561-684-4030 or email [QBari@pbcgov.org](mailto:QBari@pbcgov.org).

Sincerely,

A handwritten signature in black ink that reads "Quazi Bari".

Quazi Bari, P.E., PTOE  
Manager – Growth Management  
Traffic Division

QB:HA:rb

cc: Addressee

Anthea Giannotes, AICP, Director of Development Services, City of Delray Beach  
Hanane Akif, P.E., Project Coordinator II, Traffic Division  
Bogdan Piorowski, P.E., Sr. Prof. Engineer, Traffic Division  
Steve Bohovsky, Technical Assistant III, Traffic Division

File: General - TPS - Mun - Traffic Study Review

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