



October 18, 2018

**Department of Engineering  
and Public Works**

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Mr. Timothy R. Stillings  
Director of Planning & Zoning  
City of Delray Beach  
100 N.W. 1<sup>st</sup> Avenue  
Delray Beach, FL 33444

**RE: 1690-2350 South Congress Avenue  
Project #: 180616  
Traffic Performance Standards Review**

Dear Mr. Stillings:

The Palm Beach County Traffic Division has reviewed the **1690-2350 South Congress Avenue** Traffic Impact Statement revised September 18, 2018, 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>	City of 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, 12-43-46-30-37-000-0000, 12-43-46-30-38-000-0000, 12-43-46-30-39-001-0000, 12-43-46-30-39-002-0000
<b>Access:</b>	Three full access driveway connections onto Old Germantown Road, and, two full and two right-in/right out access driveway connections onto Congress Avenue (existing or proposed, not necessarily implies approval by County through this TPS letter, see later)
<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 High Turnover Sit-Down Rest = 8,000 SF Fast Food Restaurant + DT = 6,000 SF Gen. Commercial = 291,000 SF Condos = 243 DUs Apartments = 524 DUs
<b>New Daily Trips:</b>	12,955
<b>New Peak Hour Trips:</b>	249 (-139/388) AM; 910 (668/242) PM
<b>Build-out:</b>	December 31, 2022

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

1. No Building Permits for the site may be issued after December 31, 2022.
2. No Building Permits for the development shall be issued until the Property Owner/Developer makes a Proportionate Share payment of 62.87 % of the total cost of adding an additional third southbound left-turn lane at the intersection of Military Trail and Linton Blvd.
3. No Building Permits for the development shall be issued until the Property Owner/Developer makes a Proportionate Share payment of 22.74% of the total cost of widening Congress Avenue from 6-lane divided to a 8-lane divided facility from Clint Moore Road to NW 82<sup>nd</sup> Street.
4. No Building Permits for the development shall be issued until the Property Owner/Developer makes a Proportionate Share payment of 7.03% of the total cost of widening Clint Moore Road from 4-lane divided to a 6-lane divided facility from Jog Road to Military Trail.
5. The Property Owner is responsible for the following site related improvements:
  - a. Construct southbound right-turn lanes at the three southern project driveways on Congress Avenue.
  - b. Extend the northbound left-turn lane storage length at southernmost project driveway on Congress Ave to the County minimum standards.
  - c. Extend the northbound left-turn lane storage length at the main driveway on Congress Ave to its maximum.
  - 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.
6. 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.



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- 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.
7. All of the conditions, numbered 1 thru 6 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 6 exactly as set forth above, then the Traffic Division's conditional finding that this proposed development meets the Traffic Performance Standards of Palm Beach County shall be deemed rescinded and rendered void.
8. 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 Traffic Performance Standards of Palm Beach County shall be deemed rescinded and rendered void.

Please note the receipt of a Traffic Performance Standards (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.



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No building permits are to be issued by the City after the build-out date specified above. The County traffic concurrency approval is subject to the Project Aggregation Rules set forth in the Traffic Performance Standards Ordinance.

The approval letter shall be valid no longer than one year from date of issuance, 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, which appears to read "Quazi Bari".

Quazi Bari, P.E.  
Senior Professional Engineer  
Traffic Division

QB:HA/dd

cc: Addressee:

Adam B. Kerr, P.E., Kimley-Horn and Associates, Inc  
Hanane Akif, E.I., Project Coordinator II, Traffic Division  
Steve Bohovsky, Technical Assistant III, Traffic Division

File: General - TPS - Mun - Traffic Study Review  
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