

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY**

Meeting Date: January 15, 2008

Consent Regular
 Workshop Public Hearing

Department

Submitted By: Engineering & Public Works
Submitted For: Traffic Division

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: Establishing an impact fee credit up to \$387,000 for building a section of Park Avenue West, east of Congress Avenue for Congress Industrial (The Development).

Summary: The extension of Park Avenue West will go through a portion of The Development along the alignment that was approved by the Board late last year. Park Avenue West is not needed to provide access to The Development, nor is it required to be built to meet Traffic Performance Standards (TPS). Impact fee credits for roadway improvements that are not required by TPS require approval by the Board of County Commissioners (Board).

District: 1 (LB)

Background and Justification: The Development will be located at the southeast corner of the future Park Avenue West and Congress Avenue. The Development will consist of 204,492 square feet of light industrial space. The Development will have its primary access from Congress Avenue. It also could have access from a driveway where the future Park Avenue West would be located.

The estimated construction cost for Park Avenue West through The Development is \$511,000. The estimated construction for a driveway located where future Park Avenue West would be located is \$124,000. The estimated road impact fee for the development is \$217,624.

(Continued on Page 3)

Attachment:

- 1. Location Map

Recommended By: _____

Division Director

Date

Approved By: _____


County Engineer

1/3/09
Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2008	2009	2010	2011	2012
Capital Expenditures	\$ -0-	-0-	-0-	-0-	-0-
Operating Costs	-0-	-0-	-0-	-0-	-0-
External Revenues	-0-	-0-	-0-	-0-	-0-
Program Income (County)	-0-	-0-	-0-	-0-	-0-
In-Kind Match (County)	-0-	-0-	-0-	-0-	-0-
NET FISCAL IMPACT	\$ -0-	-0-	-0-	-0-	-0-

ADDITIONAL FTE
POSITIONS (Cumulative) _____

Is Item Included in Current Budget? Yes _____ No ____
Budget Acct No.: Fund ___ Dept. ___ Unit ___ Object
Program

B. Recommended Sources of Funds/Summary of Fiscal Impact:

This item has no additional fiscal impact. Board approval is only being requested to provide an impact fee credit.

If approved, the amount of the impact fee credit being requested needs to be established which will require research and be able to be verified before entering into any formal agreement with Congress Industrial.

C. Departmental Fiscal Review: P. D. Ward 12/7/07

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Dev. and Control Comments:

Jan. D. 1-10-08
OFMB
act 1-9-08
SR 1/9/08
VO 01/04

Jan. J. Jacob 1/11/08
Contract Dev. and Control
6/20/08 1/11/08

B. Approved as to Form and Legal Sufficiency:
[Signature]
Assistant County Attorney

C. Other Department Review:

Department Director

This summary is not to be used as a basis for payment.

Background and Justification (Continued)

Article 13 (Impact Fees) of the Unified Land Development Code lists three criteria that must be met for an impact fee credit to be allowed. The criteria are detailed below:

“The fee payer may elect to propose construction of a portion of the major road network system in addition to any required site related improvements. The fee payer shall submit the proposed construction along with a certified engineer's cost estimate to the Impact Fee Coordinator, with a copy to the County Engineer. The County Engineer shall determine if the proposed construction is eligible for road impact fee credit, based on the following criteria:

1. The proposed road construction must be on the major road network;
2. The proposed road construction must not be site-related improvements;
3. The proposed road construction must be required to meet the requirements of Traffic Performance Standards for the development as defined in Article 12, Traffic Performance Standards.

Exceptions to criteria No. 3 above may only be made upon approval of the Board of County Commissioners. No exceptions shall be made to criteria No.'s 1 and 2. If the proposed road construction meets the criteria for credit, the County Engineer shall determine the amount of credit to be given, and the timetable for completion of the proposed construction, and shall recommend the approval and the amount of credit to the Impact Fee Coordinator.”

Park Avenue West is on the Thoroughfare Right-of-Way Identification Map and is considered part of the major road network.

The Development will have access from Congress Avenue. It also could have access from a driveway where the future Park Avenue West would be located. The Development will not need Park Avenue West for access to the site. For these reasons, construction of Park Avenue West is not considered site related.

The construction of Park Avenue West is not being required to meet the requirements of TPS. The Board must make the required exception to criteria No. 3 for a road impact fee credit to be granted.

The amount of the impact fee credit would be based on the cost to construct Park Avenue West minus the cost to construct a driveway at the location where Park Avenue West would be located.

The calculated roadway impact fee credit will exceed the roadway impact fee for The Development. Staff intends to draft an agreement with the developer to pay the difference between the cost of building Park Avenue West and the roadway impact fee credit. The estimated difference is \$169,376. This approach would be beneficial to the public and the developer. It eliminates future interference to the development if Park Avenue West were to be constructed at a later time. It eliminates the cost of removing the driveway when Park Avenue West is constructed.

Staff recommends approval of a roadway impact fee credit for The Development in the amount of \$387,000.

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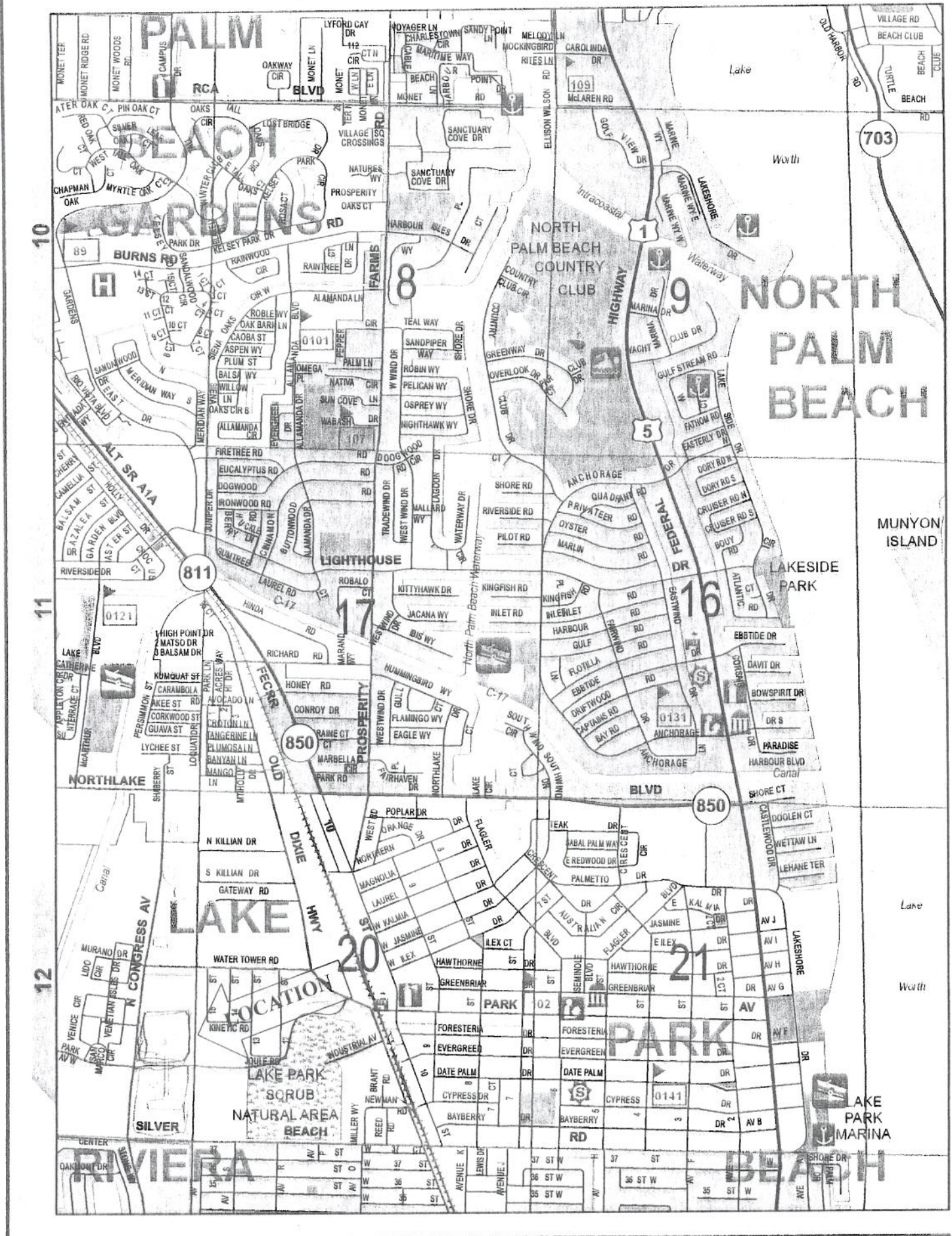
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