

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

Meeting Date: March 11, 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, estimated to be \$300,000, for the installation of a traffic signal at the intersection of Congress Avenue and Water Tower Road for the Kohl's Department Store development (Kohl's).

Summary: Traffic studies at the intersection of Congress Avenue and Water Tower Road have shown that a traffic signal is warranted. Kohl's has verbally agreed to construct this traffic signal during its site development and is requesting impact fee credit for the traffic signal. The traffic signal is not required to meet Traffic Performance Standards (TPS). Impact fee credits for roadway improvements that are not required by TPS, require the Board of County Commissioners' approval.

District: 1 (LB)

Background and Justification: A Kohl's Department Store is planned for the northeast corner of Congress Avenue and Water Tower Road. The development will consist of 130,000 square feet of retail. It will have access from Congress Avenue and Water Tower Road.

Traffic counts at the intersection of Water Tower Road and Congress Avenue show current traffic volumes meet the minimum warrant for the installation of a traffic signal. There are currently no funds or plans for the installation of this traffic signal. Kohl's will be adding to the existing traffic volumes and will be making intersection modifications to accommodate their traffic. Kohl's has agreed to install the traffic signal as part of the intersection modification if they receive impact fee credit for the cost of the traffic signal. Kohl's will generate 4,615 daily trips. The impact fee for the development is estimated to be \$742,000.

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:

(Continued on Page 3)

Attachment:

1. Location Map

Recommended By: *Dan Trezberg*
Division Director

01/18/08 *Shula*
Date

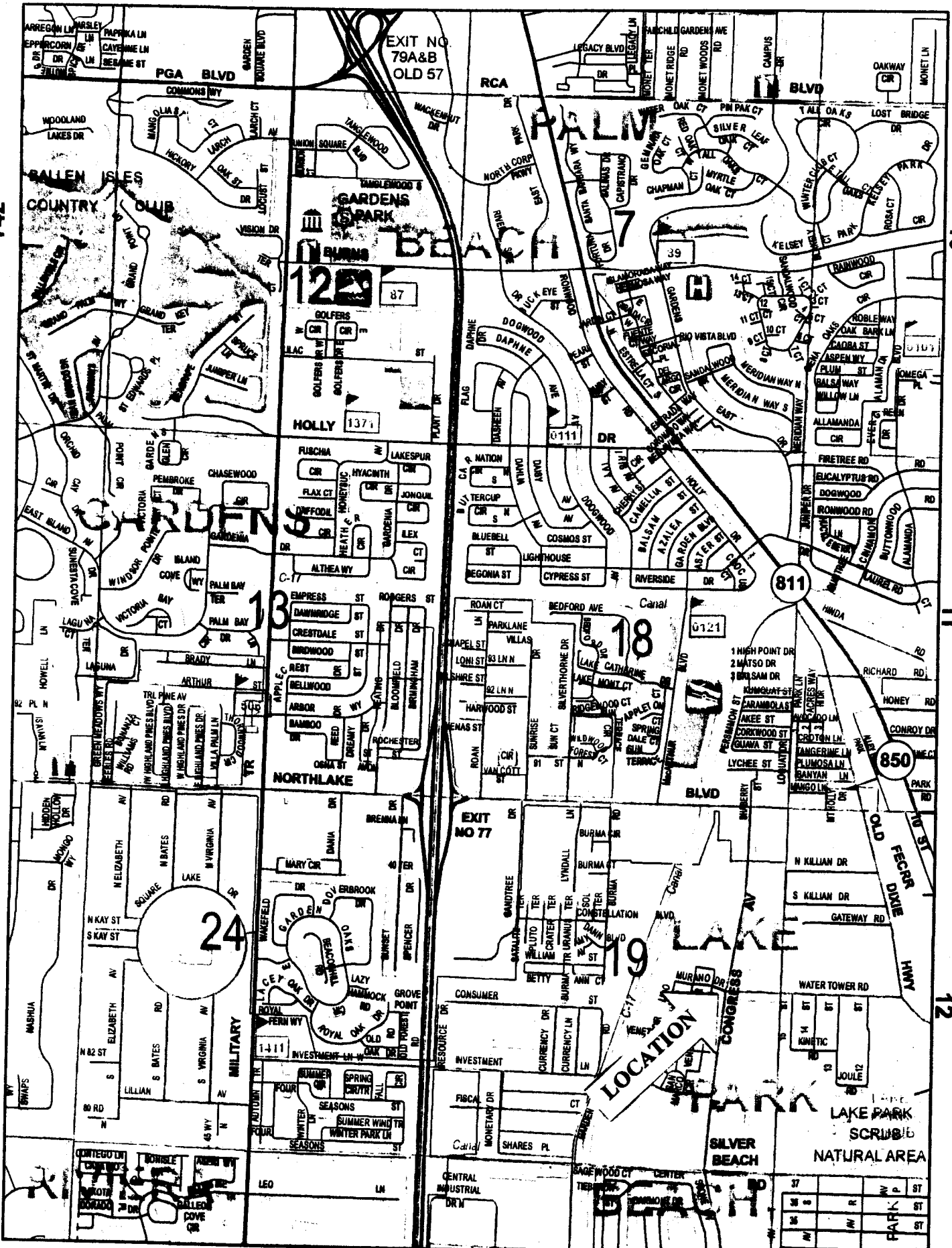
Approved By: *D. J. Wahl*
County Engineer

2/13/08
Date

R42
F

R43
E

See pg 24



See pg 46

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 the Kohl's Department Store Development.

C. Departmental Fiscal Review: R.D. Ward 1/11/08

III. REVIEW COMMENTS

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

Impact fee credit is estimated to be \$300,000.

John A. ... 2-20-08
OFMB
2/20/08 4/15/08 CN 2/13/08

... 2/21/08
Contract Dev. and Control

B. Approved as to Form and Legal Sufficiency:

...
Assistant County Attorney

This item complies with current County policies.

C. Other Department Review:

Department Director

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

Background and Justification (Continued)

"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."

Congress Avenue and Water Tower Road are on the Thoroughfare Right-of-Way Identification Map and are considered part of the major road network.

The traffic signal is at a location that does not directly access the site and the existing traffic is sufficient to warrant a traffic signal. For these reasons, the improvements are not considered site related.

The improvements are 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.

Staff recommends approval of this roadway impact fee credit, estimated to be \$300,000, for Kohl's Department Store for the installation of a traffic signal at the intersection of Water Tower Road and Congress Avenue.