### PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS

# AGENDA ITEM SUMMARY

Meeting Date: August 18, 2009	[X]	Consent Workshop	[ ] [ ]	Regular Public Hearing
Department: Submitted By: Engineering & Public Works Submitted For: Traffic Division				
	I. EX	ECUTIVE BE	RIEF	
Motion and Title: Staff recommer \$620,980.78, for improvements to Office Depot.	nds mo	otion to approtersection of C	ove: Esta llint Moo	ablishing an impact fee credit of ore Road and Military Trail for
SUMMARY: Office Depot has concluded Road and Military Trail. These is Standards (TPS). Impact fee credit require the Board of County Committee County Committee County Committee County Committee County Committee County C	mprove its for	ements are no roadway impr	t reauire	d to meet Traffic Performance
District 6 (LB)				
Background and Justification: Consoutheast corner of Clint Moore Rose Boca Raton (City), and the City require plan approval. Two of the imposite plan approval. These improvement credits.	ad and Juired 1 provem	Military Trail. 12 off-site road nents are at the	This de Iway im e interse	evelopment is within the City of provements as conditions of the ction of Clint Moore Road and
Article 13 (Impact Fees) of the Unimet for an impact fee credit to be all	fied La lowed.	and Developm The criteria a	ent Code re detaile	e lists three criteria that must be ed below:
"The fee payer may elect to propose in addition to any required site rela construction along with a certified e copy to the County Engineer. The C is eligible for road impact fee credit	ated im Enginee County	provements. T er's cost estima Engineer shal	The fee p te to the I determi	ayer shall submit the proposed Impact Fee Coordinator, with a
Attachments: 1. Location Map				(Continued on Page 3)
Recommended By: Division Dire	Oce ector	esberg		07/07/07 Julle Date
Approved By: County Engi	<u>U</u> J neer	U.		フレフ os Date

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#### II. FISCAL IMPACT ANALYSIS

#### A. Five Year Summary of Fiscal Impact: **Fiscal Years** 2009 2010 2011 2012 2013 **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--0in-Kind Match (County) -0--0--0--0--0-**NET FISCAL IMPACT** -0--0--0--0-**# ADDITIONAL FTE POSITIONS (Cumulative)** Is Item Included in Current Budget? Yes No\_\_ Budget Acct No.: Fund\_\_\_\_ Dept.\_ **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 Office Depot. C. Departmental Fiscal Review: III. REVIEW COMMENTS **OFMB Fiscal and/or Contract Dev. and Control Comments:** Approved as to Form and Legal Sufficiency: Assistant Co unty Attorney C. Other Department Review: **Department Director**

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

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## **Background and Justification (Continued from Page 1)**

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."

Clint Moore Road and Military Trail are on the Thoroughfare Right-of-Way Identification Map and are considered part of the major road network.

The intersection of Clint Moore Road and Military Trail does not directly access the site. For this reason the improvements are not considered site related.

The improvements are not being required to meet the requirements of TPS. The Board of County Commissioners must make the required exception to criteria No. 3 for a road impact fee credit to be granted.

The Office Depot building consists of 618,000 square feet of office. The road impact fee is \$820,697.82. The Office Depot building is within the Arvida Park of Commerce (APOC). There is an existing road impact fee credit of \$127,540.26 for APOC. The road impact fee less the APOC road impact fee credit results in an assessment for the Office Depot building of \$693,157.56. The road impact fee less the requested \$620,980.78 road impact fee credit for the improvements to the intersection of Clint Moore Road and Military Trail results in an assessment for the Office Depot building of \$72,176.78.

There are 12 required roadway improvements for the Office Depot building. The total cost of these improvements is \$2,938,999.47. Palm Beach County (County) has a \$2,000,000 grant from the Office of Tourism, Trade and Economic Development (OTTED) for the required road improvements. There is an agreement between the County and Office Depot to reimburse Office Depot for the cost of the required road improvements, up to the \$2,000,000, the OTTED grant maximum.

Staff recommends approval of this roadway impact fee credit of \$620,980.78 for intersection improvements to the intersection of Clint Moore Road and Military Trail, for Office Depot.

