

4-D-1

TIME CERTAIN 10:00AM

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: December 3, 2013 [] Consent [X] Regular
[] Workshop [] Public Hearing

Department:
Submitted By: Engineering and Public Works
Submitted For: Right-of-Way Acquisition Section

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends the Board deny: the request from the Village of Royal Palm Beach (Village) for the County to condemn property owned by the Westwoods HOA to allow access to Pioneer Road (a public road, current daily volume 2,500 trips) for a commercial project in the southeast quadrant of SR 7 and Pioneer Road.

SUMMARY: The Village is asking the County to condemn approximately 50' of a 1140' long by 25' wide strip along the south side of Pioneer Road owned by the Westwoods HOA to allow a 100,000 s.f. commercial site within the Village to have access to Pioneer Road – which would allow site traffic to use the traffic signal at SR 7. The Village believes this will improve road safety and flow. The developer would pay all costs associated with the condemnation. The Village municipal limits stop 25' south of Pioneer Road. Westwoods, and the area proposed to be condemned, are within unincorporated Palm Beach County. The commercial site does have a direct connection to SR 7, but without a Pioneer Road connection, traffic would be limited to right turns in and right turns out. This would require most trips associated with the site to make U-turns on SR 7. Access to the traffic signal would significantly reduce U-turns. The Westwoods PUD sits on the north side of Pioneer Road, and was approved in the late 1970's. Five homes have driveway connections onto Pioneer Road. The Westwoods HOA opposed the commercial project, which was originally residential property, and does not want the traffic (an additional 5,000 daily trips) on Pioneer Road. Staff believes that the Village should execute the condemnation for a Village development, but the Village says they cannot legally condemn outside their municipal limits in this case. The Developer does own the two adjacent lots to the east, and the easternmost lot has legal access to Pioneer approximately 1325' from SR 7. Therefore, the potential exists that the commercial traffic could gain access to Pioneer through the adjacent lots.

District 6 (MRE) (PM)

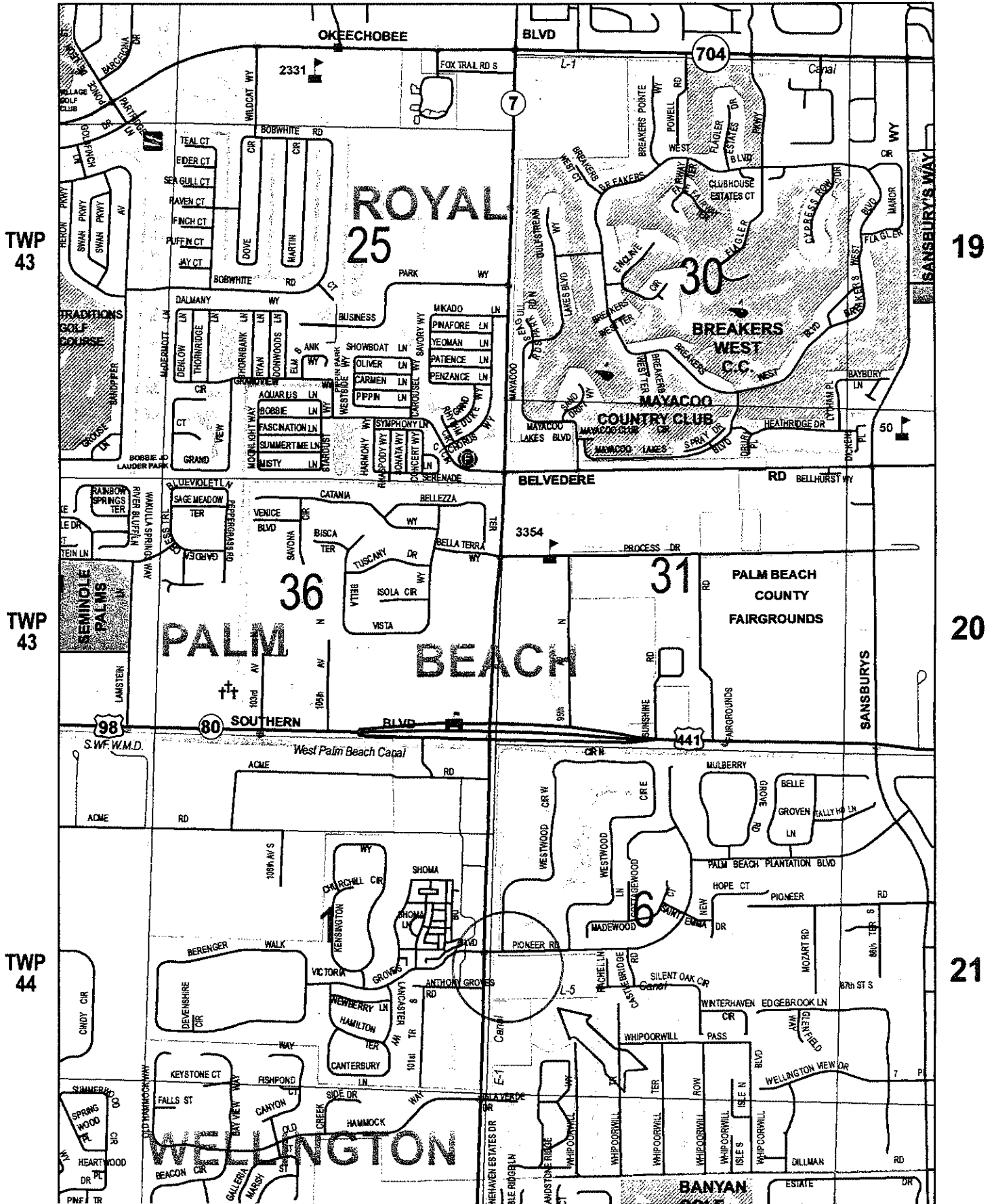
Background and Justification: Pioneer Road is under the jurisdictional control of the County, but the Project site lies within the municipal limits of the Village. The Developer has received development (land use) approvals through the Village for the Project. The Developer has attempted, and has been unable to negotiate, a purchase of the connection from the HOA. In a letter dated November 8, 2013, the Village expressed support for the County to pursue the acquisition of the connection for the health, safety, and welfare of the general public, as the subject parcels are within the municipal limits of the County. The Developer would be responsible for all acquisition costs. This acquisition of right-of-way and a temporary construction easement can be considered a public purpose and necessity, due to the need to provide for the health, safety, and welfare of the general public.

Attachments:

- 1. Location Map
- 2. Letter from the Village dated November 8, 2013

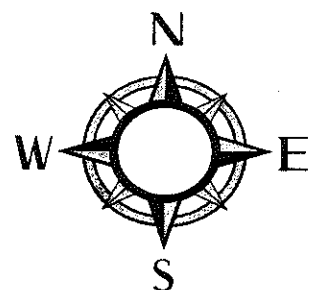
Recommended by:

Approved by: William J. McDonnell Division Director Date 11/26/13
for County Engineer Date



Location Map

Attachment #1





Village of Royal Palm Beach, Florida

1050 Royal Palm Beach Boulevard Royal Palm Beach, Florida 33411
Telephone (561) 790-5100 Fax (561) 790-5134 E-mail clerk@royalpalmbeach.com

NOV 12 2013

November 8, 2013

Mr. Robert Weisman, County Administrator
301 North Olive Avenue, Suite 1101
West Palm Beach, FL 33401

Re: Proposed Acquisition of Property and Improvements along Pioneer Road

Dear Mr. Weisman:

I am writing on behalf of the Village Council for the Village of Royal Palm Beach to support Palm Beach County's acquisition of right-of-way along the southeast quadrant of Pioneer Road and State Road 7 in order to make mobility and safety improvements to area roadways.

As you are aware, there has been increased development around the State Road 7 corridor in the past several years. This development has resulted in increased traffic.

Given the increased traffic, PEBB Enterprises, the owner of a commercial parcel in the above-mentioned area, has agreed to make certain improvements to Pioneer Road. These improvements include additional turn lanes, sidewalks, and a driveway connection to Pioneer Road resulting in a parallel access corridor to State Road 7, which will connect the commercial developments to the south to Pioneer Road. PEBB Enterprises has stated that it will pay the costs associated with these improvements, including any costs associated with the acquisition of right-of-way for the project.

The Village supports Palm Beach County proceeding with the mobility and safety improvements and acquiring property for those improvements. The County has a clear public purpose in pursuing such a project given that it will mitigate traffic issues and will protect the health, safety and welfare of the public. The County also is the appropriate agency to pursue the acquisition of right-of-way for the improvements given that Pioneer Road is a County roadway and given that the property proposed for acquisition is not located in the Village.

Please let me know if you have any questions or need any additional information.

Sincerely,

VILLAGE OF ROYAL PALM BEACH

Matty Mattioli, Mayor

Matty Mattioli
Mayor

Jeff Hanks
Vice Mayor

Fred Piro
Councilman

Richard Melanes
Councilman

David Swift
Councilman

Raymond J. Higgins
Village Manager