



# COMPREHENSIVE PLAN AMENDMENT STAFF REPORT AMENDMENT ROUND 23-A2

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FINAL REPORT, FEBRUARY 1, 2023

## I. General Data

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<b>Project Name:</b>	<b>Northlake Boulevard West TIM Amendment</b>
<b>Element:</b>	<b>Map Series, Thoroughfare Right of Way Identification Map TE 14.1</b>
<b>Project Managers:</b>	Morton Rose, Director Roadway Production, Engineering Department and Khurshid Mohyuddin, Principal Planner, Planning Division
<b>Comm. District:</b>	Commissioner Maria G. Marino, District 1 Mayor Gregg. K Weiss, District 2
<b>Staff Recommendation:</b>	Staff recommends <b>approval</b> based on the findings and conclusions presented in this report.

## II. Item Summary

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**Summary:** This proposed amendment would modify the Thoroughfare Right of Way Identification Map (TIM), TE 14.1, as summarized below:

- To widen the roadway right-of-way segment between the western edge of the Palm Beach Gardens municipal golf course to N. State Road 7 from 120 feet to 142 feet.

**Assessment:** This County Initiated amendment will allow the future widening of Northlake Boulevard along this segment to 8 lanes. The approved traffic impact reports for Avenir, Westlake, and Indian Trail Groves indicate that the proposed widening of Northlake Boulevard to 8 lanes is necessary to accommodate the projected vehicular traffic demand. Northlake Boulevard is the major east-west route along with Southern Boulevard and Okeechobee Boulevard that connect the Central Western Communities with eastern parts of the County and access to the Florida Turnpike and I-95. This amendment may require utilizing some property managed by county's Environmental Resources Management (ERM).

**ULDC Impacts:** The proposed amendments will not require changes to the Unified Land Development Code (ULDC).

### III. Hearing History

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*The Planning Commission previously heard this amendment on August 13, 2021. The PLC recommended approval in a vote of 14 to 0. Subsequently, the amendment was postponed prior to the BCC transmittal hearing to allow additional analysis to be performed by staff.*

**Local Planning Agency: Approval**, motion by Glenn Gromann, seconded by Penny Pompei passed in an 8 to 1 vote (with Sara Pardue dissenting and Angella Vann abstaining) at the January 13, 2023 public hearing. Commission discussion included comments regarding approvals for large developments in the area and the resulting need for widening. The Commission asked questions related to alternative routes, the purpose of the TIM and the proportionate share agreement for the approved Avenir development. In total, nine members of the public spoke and all in opposition. Two representatives of the City of West Palm Beach and four from the City of Palm Beach Gardens (including Mayor Chelsea Reed) cited alternative routes and concerns with adverse impacts to Grassy Waters Preserve and to municipal residents. In addition, the two municipalities provided a Notice of Intent to object through Intergovernmental Plan Amendment Review Committee (IPARC). Representatives of the North County Neighborhood Coalition (NCNC), Carlton Oaks HOA, and Preserve at Bayhill Estates HOA spoke citing concerns including noise, loss of buffers, trees and deceleration lanes, and environmental and economic impacts. Letters in opposition were submitted for the record on behalf of Osprey Isles HOA, Ibis Club and POA, and The Grande at Ibis HOA.

**Board of County Commissioners Transmittal Public Hearing: Denial**, motion by Commissioner Marino, seconded by Commissioner Bernard, passed in a 6 to 1 vote (with Commissioner Baxter dissenting) at the February 1, 2023 public hearing. Board discussion included questions regarding the Palm Beach Gardens Resolution approving a master plan for the development of Avenir, the existing right-of-way along other segments of Northlake Blvd., and public notification efforts. Board members also expressed the importance of roadway safety and support for six through lanes, instead of eight. Twenty members of the public spoke in opposition, including representatives of the City of West Palm Beach (Commissioner Joe Peduzzi and Kevin Volbrecht, City Engineer), the City of Palm Beach Gardens (Mayor Chelsea Reed and Natalie Crowley, Planning and Zoning Director), Osprey Isles HOA, Carleton Oaks HOA, Bay Hill Estates HOA, Grande at Ibis HOA and the North County Neighborhood Coalition (NCNC). The comments included opposition to the proposed eight lanes and concerns regarding safety, the need to preserve turn or deceleration lanes, and environmental impacts to Grassy Waters Preserve.

#### **State Review Agency Comments:**

#### **Board of County Commissioners Adoption Public Hearing:**

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## **IV. Intent**

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The intent of this amendment is to increase the right-of-way width in the Thoroughfare Right of Way Identification Map (TIM) so that additional lanes can be constructed along this arterial in the future. The eventual construction of 8 lanes is needed to service future development in the area, some of the major development approvals are identified in Exhibit 3.

## **V. Background**

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The Board of County Commissioners initiated this amendment on January 25, 2021. The amendment proposes to increase the right-of-way (ROW) depicted on the Thoroughfare Right of Way Identification Map (TIM) from 120 feet to 142 feet, from the western edge of the Palm Beach Gardens Municipal Golf Course, to the point of intersection with N State Road 7 (Exhibit 1, and 2). The approved traffic impact reports for Avenir, Westlake, and Indian Trail Groves indicate that the proposed widening to 8 lanes is necessary to accommodate the projected vehicular traffic demand.

The 1989 Thoroughfare Right of Way Protection Map showed Northlake as a connection between US-1 in coastal Palm Beach Gardens, and Seminole Pratt Whitney Road as 120' right-of-way. In 1992, an amendment involved 2 segments of Northlake Blvd: the right-of-way width from Seminole Pratt-Whitney Rd to 1 mile west of N State Road 7, increased to 240'; and an increase to 180' for the segment starting 1 mile west of N SR7 to the Beeline Highway. Both of these changes intended to accommodate drainage and other road design requirements deemed necessary at that time (ORD 1992-006). The portion through West Palm Beach's Water Catchment Area was to reflect existing dedication and to address special environmental concerns. The 1996 EAR mentions these amendments to both segments. In 1999, an amendment to the Map reduced the ROW to 120' from 240' (from the Ibis Golf & Country Club to Seminole Pratt Whitney Rd.) and 180' (from the Beeline Highway to the Ibis Golf & Country Club) for the segment from future N State Road 7 to the western edge of the Palm Beach Gardens Municipal Golf Club (ORD 1999-063). This reduction would still allow for the then-proposed 6-lane road in the western portions of the corridor. At the time, the analysis indicate that a 6-lane cross section within 120 feet would be sufficient to address the future traffic needs of the area.

Two other studies that influenced the changes in the area were the Western Northlake Corridor Land Use Study, and the Rural Parkway concept, both of which advocated for a corridor that serviced the current and future needs of the community. Subsequently, in 2000, Rural Parkway standards were designated for a segment west of the subject segment, along Northlake Boulevard, from the west edge of the Palm Beach Gardens Municipal Golf Course, to Seminole Pratt Whitney Road to address equestrian and multi-modal needs, in addition to the road and drainage. At the time, staff determined that the parcels fronting Northlake Boulevard could provide a 50-foot wide easement on each side of the road, dedicated exclusively for multi-purpose paths (Ord 2000-026.)

## VI. Data and Analysis

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This section provides background information and examines consistency with the Comprehensive Plan and the Unified Land Development Code.

### A. Consistency with the Comprehensive Plan

The following objective & policies from the Transportation & Future Land Use Elements are relevant to the proposed amendment:

#### **TE OBJECTIVE 1.4 Roadway System.**

The County shall provide for identification and acquisition of existing and future roadway rights-of-way consistent with the adopted Thoroughfare Right Of Way Identification Map and shall address certain specific corridors in the transportation planning process in Palm Beach County.

**TE Policy 1.4-a:** The County shall continue to construct the traffic circulation network and shall identify transportation corridors consistent with the County's adopted Thoroughfare Right Of Way Identification Map (TE 14.1) in the Map Series.

**TE Policy 1.4-b:** Pursuant to Ch. 163.3177(6)(a)11.b F.S., the Transportation Element shall be coordinated with the plans and programs of the Metropolitan Planning Organization (MPO). The County hereby incorporates by reference the MPO 2035 Cost Feasible Plan-Highway Component map and the MPO 2035 Cost Feasible Plan-Transit Component map (adopted on October 15, 2009 by the MPO) into the Comprehensive Plan.

**Staff Analysis/Comment:** The proposed amendment is consistent with these provisions relating to the Thoroughfare Right Of Way Identification Map (TIM) in the Transportation Element address the addition and protection of rights-of-way within the County.

**TE OBJECTIVE 1.13. General Plan Coordination.** The County shall provide for the coordination of transportation plans and programs among the appropriate land use and transportation planning and implementing organizations on a continuing basis.

**Staff Analysis/Comment:** The Palm Beach Transportation Planning Agency (TPA) has included this segment of Northlake Boulevard in the 2045 Long Range Transportation Plan (LRTP), for an expansion to 6 lanes. Public notice is outlined in Section VII.

### B. ULDC Review Criteria and Analysis

The Unified Land Development Code (ULDC) establishes requirements regarding applications for any proposed modification or elimination of an adopted link or intersection on the Thoroughfare Right of Way Identification Map, and requires that a **twelve** criteria analysis be made for the change. The criteria are contained in ULDC Article 12. Chapter H. Section 5-C, and are considered in determining whether a segment's lanes, proposed geometrics, a major intersection's proposed geometrics or the right-of-way width adopted in the Plan should be amended or eliminated. The criteria analyzed below are included in the ULDC.

#### **1. Whether improvements are proposed to the Link or Major Intersection under consideration.**

**Staff Analysis/Comment:** Currently, the segment of Northlake Blvd. fronting Avenir is under construction for widening to 6 lanes. However, analysis of traffic impacts of major developments in the area, including Avenir, Westlake, Indian Trails, etc. demonstrate the need for 8 lanes in the future to handle anticipated traffic.

- 2. Whether improvements are proposed to reliever Links or Major Intersections and the extent that such a reliever would impact traffic on the Link under consideration.**

**Staff Analysis/Comment:** Currently, there are on-going improvements on 60<sup>th</sup> Street North, as well as the Persimmon Blvd. connection through the City of Westlake to 140<sup>th</sup> Avenue North. Both of these roads may provide relief to the link under consideration.

- 3. The physical characteristics of the property adjacent to the Link or Major Intersection under consideration.**

**Staff Analysis/Comment:** The properties adjacent to the proposed ROW expansion are predominantly residential in nature, with few existing institutional properties, commercial properties, and preserve lands. Previously around December, 2020, County staff contacted interested parties including: the Acreage Landowners Association, the Avenir Community Development District, the IBIS Neighborhood Association, the Indian Trail Improvement District, the Palm Beach Gardens Planning Department, the Royal Palm Beach Planning Department, the West Palm Beach Development Services Department, and the City of Westlake. Staff has again scheduled an informational meeting on January 10, 2023 inviting all surrounding municipalities, affected Home Owner Associations, and adjacent property owners.

- 4. The character of the area businesses or neighborhoods adjacent to the Link or Major Intersection under consideration and the extent of impact on such.**

**Staff Analysis/Comment:** Northlake Blvd. is bordered by a mix of residential development, commercial development and natural areas from Memorial Park Road to east of SR 7, located within the cities of Palm Beach Gardens and West Palm Beach. Landscape buffers and natural areas under Conservation Easement are expected to be impacted by future right-of-way acquisition.

- 5. The projected cost of adding additional capacity to the Link or Major Intersection or reliever facilities and the amount of capacity that would be added.**

**Staff Analysis/Comment:** The existing segment of the roadway under consideration is mostly 4-lane divided west of Beeline Hwy. Widening to 8-lane divided is anticipated on both segments in the future. The existing 4-lane divided segment of the roadway has a daily capacity of 33,200 vehicles and peak hour peak directional capacity of 1,960 vehicles. The proposed 8-lane divided roadway will have a daily capacity of 67,300 vehicles and peak hour directional capacity of 3,940 vehicles.

The following anticipated costs are associated with expansion of the Northlake Blvd. segment from the western edge of the Palm Beach Gardens municipal golf course to the SR-7 Extension.

Design	\$1.9 M
Right-of-way Acquisition	\$8.2 M
Construction	\$9.5 M
<b>Total</b>	<b>\$19.6 M</b>

**6. The existing and projected volume-to-capacity of the Link and the surrounding Major Thoroughfares before and after the proposed modification.**

**Staff Analysis/Comment:**

Roadway Segment	Lanes	AM Peak Volume	PM Peak Volume	Capacity V/hr	V/C Ratios
<b>Existing Peak Hour Peak Direction Volumes</b>					
Northlake Blvd. from-east end of the current 240' ROW to N SR-7	4D	2678	2448	1960	1.37
<b>Projected 2035 Peak Hour Peak Direction Volumes</b>					
Northlake Blvd. from east end of the current 240' ROW to N SR-7	8D	4750	4465	3940	1.21

**7. The projected revenue for improving the Major Thoroughfare system and the likely priority of various improvements to the Major Thoroughfare system.**

**Staff Analysis/Comment:** Revenue and priority for improvements are evaluated every year during the County's 5-Year Roadway Improvement Program updates.

**8. Environmental Character and extent of impact on such.**

**Staff Analysis/Comment:** On the north and south sides of Northlake Blvd. west of Beeline Hwy. there is a large wetland area that will require permitting and mitigation through State and possibly Federal authorities. During the future design phase for the widening, due consideration will be given to minimize impacts, and fully mitigate impacts, if any, to the environment.

**9. Historical Significance and the extent of impact on such.**

**Staff Analysis/Comment:** Adverse impacts on items of historical significance from the addition of the ultimate right-of-way for this roadway segment are not anticipated.

**10. Aesthetics and the extent of impact on such.**

**Staff Analysis/Comment:** The roadway will include the addition of bike lanes and sidewalks. Pending the final roadway design, minimal impacts on aesthetics can be anticipated. During the future design phase for the widening, due consideration will be given to mitigate and minimize impacts, if any, to aesthetics.

**11. Amount of existing ROW and cost to obtain additional ROW.**

**Staff Analysis/Comment:** The ROW acquisition cost is estimated to be \$8.2 million for the segment from the Western edge of the Palm Beach Gardens municipal golf course to the SR-7 extension.

**12. Impact on provision of other public facilities.**

**Staff Analysis/Comment:** No public facilities impact is anticipated.

**C. Unified Land Development Code Implications**

This proposed amendment will not require subsequent changes to the ULDC.

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**VII. Public and Municipal Review**

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The Comprehensive Plan Intergovernmental Coordination Element **Policy 1.1-c** states that *“Palm Beach County will continue to ensure coordination between the County’s Comprehensive Plan and plan amendments and land use decisions with the existing plans of adjacent governments and governmental entities.....”*

**Intergovernmental Plan Amendment Review Committee (IPARC):** Notification and proposed hearing schedule was provided through IPARC on July 27, 2021 and on December 29, 2022. Previously received letters from the City of West Palm Beach and the City of Palm Beach Gardens are attached in the Correspondence section of this report. Correspondence received throughout the amendment process are added to Exhibit 4.

**Public Notice:** On December 2, 2020, during the amendment initiation process, municipal notices were sent to Town of Loxahatchee Groves, City of Palm Beach Gardens, Village of Royal Palm Beach, City of Wellington, City of West Palm Beach, and the City of Westlake. Additional interested parties also noticed in December 2, 2020, including the Acreage Landowners Association, the Avenir Community Development District, and the North County Communities Association (NCCA). County staff held meetings which were attended by representatives from the City of Westlake, the Northern Communities (December 8), the Western Communities (December 9), and the Indian Trail Improvement District (December 16.) Previously received communication is attached to this report as Exhibit 4.

On December 23, 2022 and December 29, 2022, notices were sent with the date of the Planning Commission and BCC Transmittal Hearing and an invitation to an informational meeting via zoom to be held on January 10, 2023. This includes:

- Neighboring municipalities - Town of Loxahatchee Groves, City of Palm Beach Gardens, Village of Royal Palm Beach, City of Wellington, City of West Palm Beach, and the City of Westlake;
- Interested parties - Indian Trail Improvement District, North County Neighborhood Coalition, Acreage Land Owners Association, PBC School District, Avenir Community Development District, South Florida Water Management District; and
- Property owners fronting the segment.

## VIII. Staff Assessment and Recommendation

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This amendment will amend a segment of Northlake Boulevard in the Thoroughfare Right of Way Identification Map (TIM) from 120 feet to 142 feet. The road serves area residents and community-oriented businesses; it also serves as a major east-west connection. This amendment to the TIM will allow for the expansion of the road to the needed 8 lanes in the future as demonstrated by the traffic studies of various recently approved developments including Westlake, Avenir, and Indian Trail Groves.

As such, staff recommends **approval** of this amendment.

### Attachments

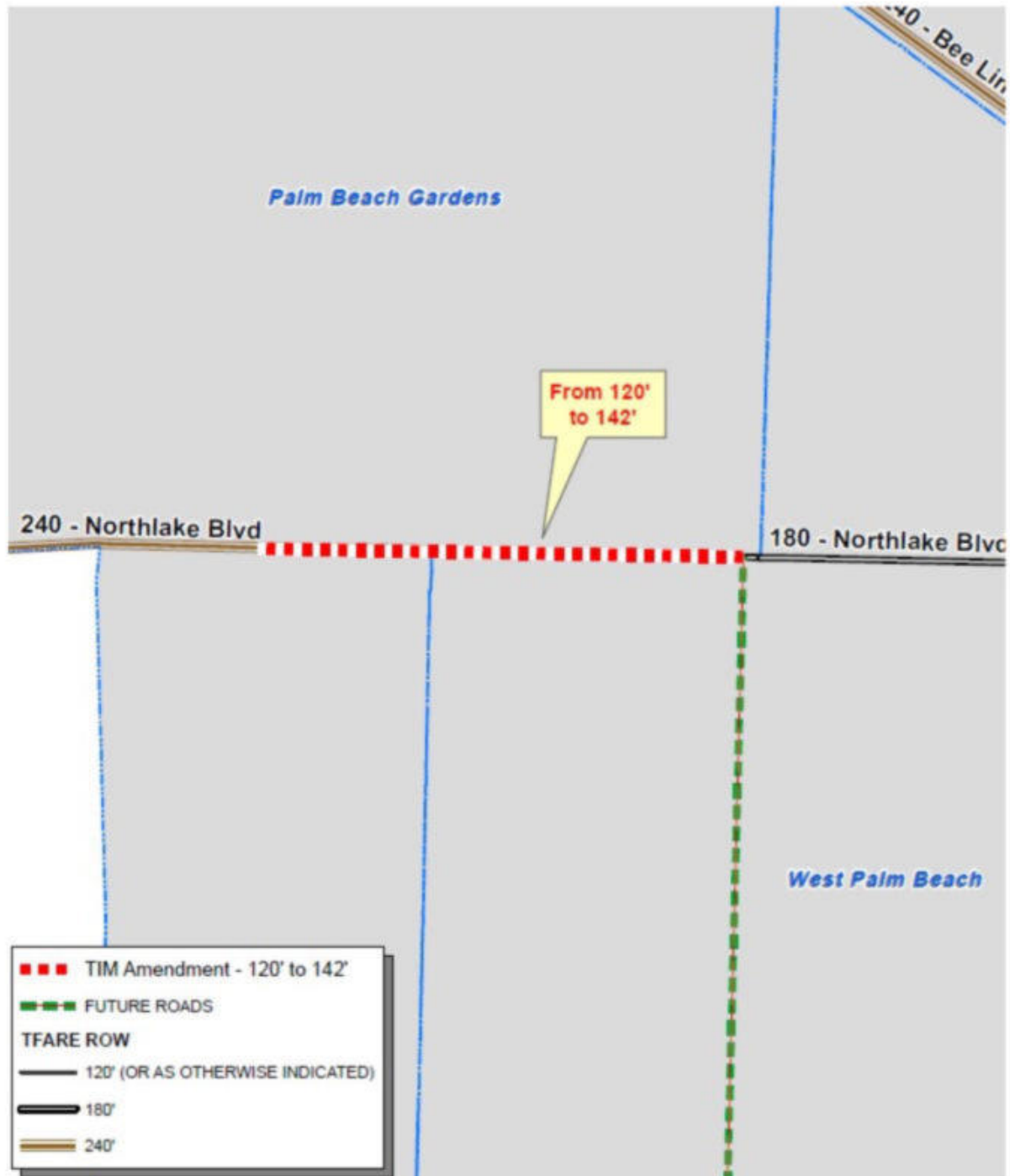
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Exhibit 1 – Proposed map revision	E - 1
Exhibit 2 – Aerial Map depicting the subject segment	E – 2
Exhibit 3 – Approved major developments in the area	E - 3
Exhibit 4 – Correspondence	E - 4

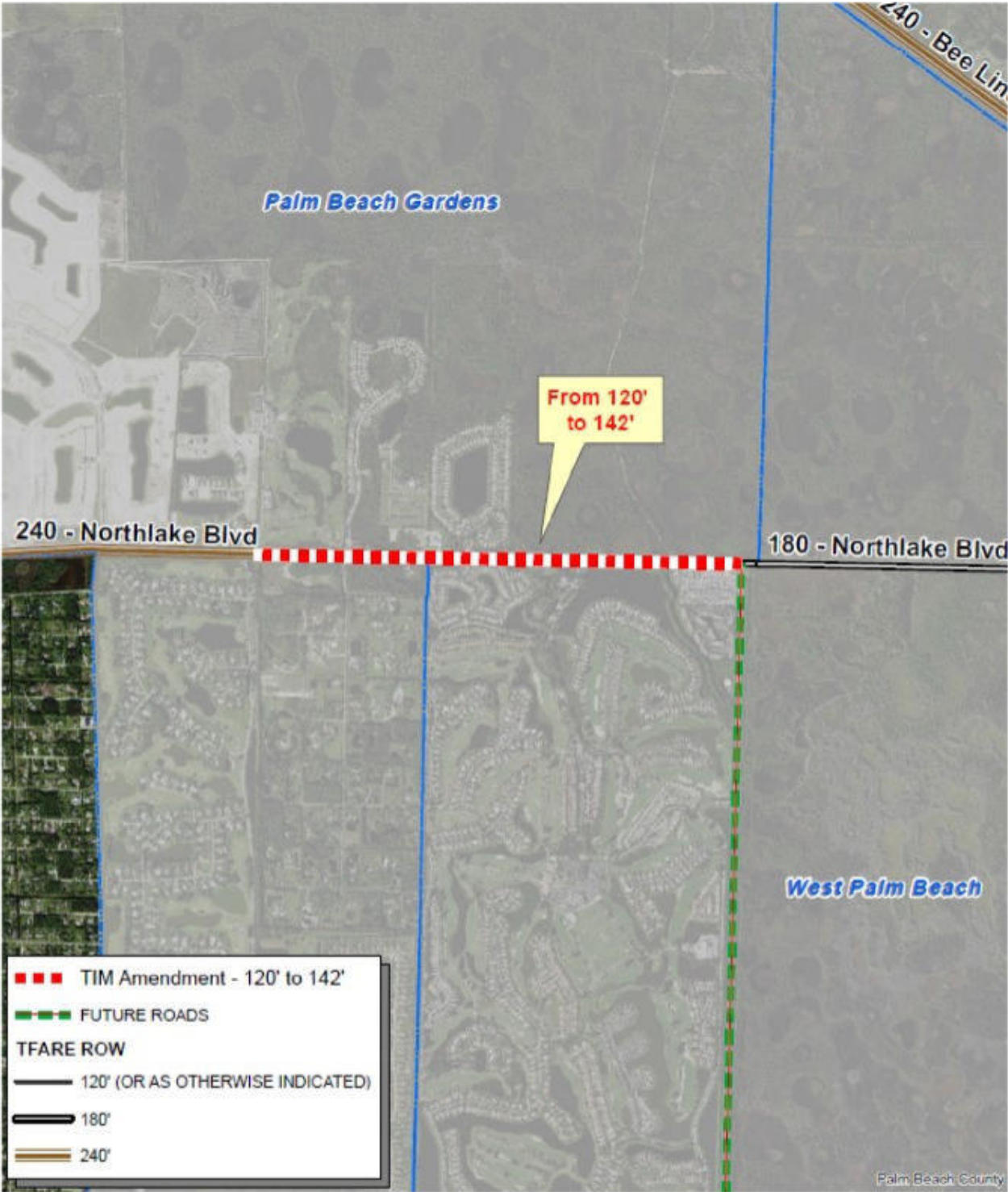
# Exhibit 1

## A. Map Series, Thoroughfare Right of Way Identification Map (Map TE 14.1), Northlake Boulevard West TIM Amendment

**REVISION:** To widen the roadway right-of-way segment between the Western edge of the Palm Beach Gardens municipal golf course to N. State Road 7 from 120 feet to 142 feet.



**Exhibit 2**  
**Aerial Map depicting the subject segment**





## Exhibit 4 Correspondence

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### OFFICE OF THE CITY ATTORNEY

401 Clematis Street  
P.O. Box 3366  
West Palm Beach, Florida 33402-3366

Tel: 561/ 822-1350  
Fax: 561/ 822-1373  
TTY:800-955-8771



December 10, 2020

**VIA EMAIL at PBehn@pbcgov.org**

Patricia Behn  
Planning Director  
Palm Beach County Planning Division  
2300 N Jog Road  
West Palm Beach, FL 33411-2741

RE: Palm Beach County Comprehensive Plan Amendment (Northlake Widening) hearing December 11, 2020

Dear Ms. Behn:

I am writing this letter on behalf of the City of West Palm Beach (City) regarding the Palm Beach County Planning Commission's consideration of amendments to the County's Comprehensive Plan Transportation Element and Thoroughfare Identification Map (TIM) at its upcoming December 11, 2020 meeting. The City understands that County staff is proposing initiation of several proposed amendments, including two amendments relating to Northlake Boulevard, identified as Northlake Boulevard West and Northlake Boulevard East. Each of these amendments would widen the two identified right-of-way segments of Northlake Boulevard from 120 feet to 142 to ultimately allow 8 lanes. The City has several concerns regarding the Northlake Boulevard Plan amendments and request they be addressed in the planning process.

#### **Northlake Boulevard**

Northlake Boulevard is significant to the City for several reasons. First, it is an important East-West transportation corridor for the City, the County, and other surrounding municipalities. Second, Northlake Boulevard runs through Grassy Waters Preserve, a 23-square mile aquatic ecosystem and pristine remnant of the Everglades that is owned by the City and serves as a critical drinking water supply source for residents of the City as well as the Town of Palm Beach, Town of South Palm Beach, and unincorporated areas of the County. The City has devoted significant efforts to protect Grassy Waters Preserve. This includes making sure that stormwater runoff and other impacts from potential sources of water pollution are addressed and managed.

Since Northlake Boulevard runs through Grassy Waters Preserve, the City wishes to ensure that it does not cause impacts to Grassy Waters Preserve. For example, recently, the County sought approval from the South Florida Water Management District to expand Northlake Boulevard in the area of Grassy Waters

**West Palm Beach**

Re: Northlake Widening

December 10, 2020

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Preserve from five lanes to six lanes, generating additional stormwater runoff. The City is currently seeking assurances that the proposed widening will not cause harmful impacts to Grassy Waters Preserve, as well nearby neighborhoods and other sensitive environmental features like the Loxahatchee River.

**The Proposed Northlake Boulevard Amendments**

The Northlake Boulevard East and Northlake Boulevard West amendments would change the TIM to widen the Northlake Boulevard right-of-way between the Western edge of the Palm Beach Gardens municipal golf course to the location of the proposed SR-7 Extension from 120 feet to 142 feet and similarly expand the Northlake Boulevard right-of-way between the Beeline Highway and Military Trail from 120 feet to 142 feet. This expansion would accommodate 8 lanes of traffic. Notably, these two discontinuous segments are separated by the approximately 2 and 2/3-mile stretch of Northlake Boulevard that crosses Grassy Waters Preserve. The segment of Northlake Boulevard which crosses Grassy Waters Preserve is 4 lanes. Therefore, it would appear that the proposed TIM amendments would have Northlake Boulevard expanded to 8 lanes to the West of Grassy Waters Preserve, contract to 4 lanes within Grassy Waters Preserve, and then expand again to 8 lanes to the immediate East of Grassy Waters Preserve.

**The City's Concerns Regarding the Proposed Amendments**

The proposed Northlake Boulevard TIM amendments raise a number of concerns that the City requests be addressed by the County before moving forward with the proposed amendment.

First, the two Northlake Boulevard amendments would appear to expand the area of Northlake Boulevard immediately to the West and to the East of Grassy Waters Preserve to 8 lanes, while the portion of Northlake Boulevard running through Grassy Waters Preserve itself is 4 lanes. This fact is not addressed in the supporting materials regarding the initiation of the amendment process. This expansion, contraction, and expansion of lanes would appear to create a significant potential for traffic bottlenecks on Northlake Boulevard, could potentially result in worsening of traffic in that area, and should be addressed before any contemplated amendment moves forward.

Second, as explained above, the City has ongoing concerns regarding the management of stormwater on Northlake Boulevard as it exists in its current 5 lane configuration and for the 6 lane configuration that the County is currently seeking to permit. The management of stormwater in a way that avoids harmful environmental impacts is likewise a concern for any future 8 lane configuration of Northlake Boulevard and should be addressed.

Third, the contemplated 8 lane expansion of Northlake Boulevard in the proposed amendments appears to be premised on the eventual approval and construction of the State Road 7 Extension Project (SR 7). SR 7, as currently proposed by the Florida Department of Transportation (FDOT), would entail the construction of a new road which would cause direct impacts to wetlands in Grassy Waters Preserve, harmful water quality impacts, and a number of other unacceptable environmental effects. The City continues to oppose the SR 7 Project, and FDOT has, to date, been unsuccessful in demonstrating that the SR 7 Project can be permitted. Furthermore, alternative future road projects can more effectively address traffic concerns than SR 7. As a result, any consideration of Northlake Boulevard expansion, including

**West Palm Beach**

Re: Northlake Widening

December 10, 2020

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traffic analysis, should not presume that SR 7 will be constructed, and such evaluations should address alternative corridors to the current SR 7 configuration.

Fourth, given the concerns expressed above regarding potential impacts to Grassy Waters Preserve and the existing stormwater management for Northlake Boulevard, we request that any analysis carefully consider the physical characteristics and potential impacts to existing land uses, such as Grassy Waters Preserve and adjacent neighborhoods such as the Ibis Development.

Thank you for your consideration of these comments, and we look forward to continuing to addressing these important matters with the County and other stakeholders.

Sincerely,

  
Kimberly Rothenburg  
City Attorney  
City of West Palm Beach

Copies to: Palm Beach County Planning Commission Members



December 9, 2020

David L. Ricks, P.E.  
County Engineer  
Palm Beach County  
Engineering & Public Works Dept Director  
P.O. Box 21229  
West Palm Beach, Fl 33416-1229

RE: Initiation of County Proposed TIM Amendments

Dear Mr. Ricks:

This letter is sent to provide you with the City's objection to above referenced amendment to the County's Thoroughfare Right-of-Way Identification Map (TIM), specifically the segment of Northlake Boulevard East that is in between the Beeline Highway and Military Trail. This segment is proposed to be widened from 120 feet to 142 feet.

The City owns property along this segment that includes the PGA National Park and Fire Station #3, and there are several other residential and non-residential properties located within the City of Palm Beach Gardens which could be detrimentally impacted if further road widening is planned. These properties include BallenIsles, Hidden Hollow, Horseshoe Acres, Steeplechase, Cypress Hollow, Gables at Northlake, the PGA Park of Commerce, Christ Fellowship Church, and the Church of the Nazarene.

At this point in time, we do not support the amendment without having the opportunity to gain a better understanding of widening this segment. We understand this item is on the agenda for the Planning Commission meeting this Friday, December 11, 2020 (Agenda Item IV.A.3) as an initiation request. We request for the record that the City's objection be incorporated as part of the record for this agenda item.

Sincerely,

Natalie Crowley, AICP  
Director of Planning and Zoning

cc: Ronald M. Ferris, City Manager  
Todd Engle, City Engineer  
Peter Hofheinz, Assistant Director of Planning and Zoning

**CITY OF PALM BEACH GARDENS**  
10500 N. Military Trail Palm Beach Gardens, FL 33410-4698  
www.pbgfl.com



December 23, 2020

David L. Ricks, P.E.  
County Engineer  
Palm Beach County  
Engineering & Public Works Dept Director  
P.O. Box 21229  
West Palm Beach, FL 33416-1229

RE: Initiation of County Proposed TIM Amendments

Dear Mr. Ricks:

This letter is sent to provide you with the City's second objection letter for the above referenced amendment to the County's Thoroughfare Right-of-Way Identification Map (TIM), specifically the segment of Northlake Boulevard East that is in between the Beeline Highway and Military Trail. This segment is proposed to be widened from 120 feet to 142 feet.

As mentioned in my December 9, 2020 letter of objection to you for the December 11, 2020 Planning Commission meeting, the City owns property along this segment that includes the PGA National Park and Fire Station #3, and there are several other residential and non-residential properties located within the City of Palm Beach Gardens which could be detrimentally impacted if further road widening is planned. These properties include BallenIsles, Hidden Hollow, Horseshoe Acres, Steeplechase, Cypress Hollow, Gables at Northlake, the PGA Park of Commerce, Gardens Learning Center, Christ Fellowship Church, and the Church of the Nazarene.

At this point in time, we do not support the amendment without having the opportunity to gain a better understanding of widening this segment. This second letter will serve as our objection for the January 25, 2021 Board of County Commissioners meeting for this amendment that is to be scheduled on the agenda as an initiation request. We request for the record that the City's objection be incorporated as part of the record for the January agenda item.

Sincerely,

Natalie Crowley, AICP  
Director of Planning and Zoning

cc: Ronald M. Ferris, City Manager  
Todd Engle, City Engineer  
Peter Hofheinz, Assistant Director of Planning and Zoning  
Patricia Behn, Planning Director, Palm Beach County

**CITY OF PALM BEACH GARDENS**

10500 N. Military Trail Palm Beach Gardens, FL 33410-4698  
[www.pbgfl.com](http://www.pbgfl.com)

**INDIAN TRAIL IMPROVEMENT DISTRICT  
13476 61<sup>ST</sup> STREET NORTH  
WEST PALM BEACH, FL 33412-1915  
Office: 561-793-0874  
Fax: 561-793-3716**

**Established 1957**

**[www.indiantrail.com](http://www.indiantrail.com)**

December 4, 2019

Nick Uhren, PE, Executive Director  
Palm Beach Transportation Planning Agency  
301 Datura Street  
West Palm Beach, FL 33401

RE: LRTP 2045

Dear Mr. Uhren:

Recently, the Board of Supervisors hired the Treasure Coast Regional Planning Council through a interlocal agreement to assist the District in developing a comprehensive roadway and pedestrian/bicyclist/equestrian trail system. Indian Trail is very interested in the future regional traffic patterns that clearly will impact our property owners and residents. During the Board of Supervisors Meeting on November 20, 2019, the Board discussed the Palm Beach County Long Range Transportation Plan 2045 (LRTP 2045). There were extensive discussions regarding the LRTP 2045. This letter outlines three (3) differing views from the Board.

The first include projects that are strongly supported by the Board:

1. PBC010-015 - widening of 60<sup>th</sup> Street to a Rural Parkway, provided it is in collaboration with Indian Trail and provides for safe pedestrian, bicycle and equestrian pathways and crossings. The design and landscaping must have a rural aesthetic that is complimentary to our area and helps with roadway noise and views from houses that are not walls.
2. PBC069-073 – The widening of Northlake Boulevard. from two lanes to six lanes and provides for safe pedestrian, bicycle and equestrian pathways and crossings.
3. PBC110 – extending Seminole Pratt Whitney from 100<sup>th</sup> to the new housing development, Avenir, and provide for safe pedestrian, bicycle, equestrian pathways and crossings.
4. PBC107 – widen Seminole Pratt Whitney Road. from 60<sup>th</sup> Street North to Orange Boulevard from four lanes to six lanes and provide for safe pedestrian, bicycle, equestrian pathways and crossings.
5. PBC111 – modify Seminole Pratt Whitney Road from the new housing development, Avenir, to State Road 710/Beeline Highway with four lanes and provide for safe pedestrian, bicycle, equestrian pathways and crossings.
6. TPA013 –strongly encourage the widening of State Road 7 from Okeechobee Boulevard to 60<sup>th</sup> Street from two lanes to four lanes.
7. TPA014 – strongly encourage the extension of State Road 7 from 60<sup>th</sup> Street to Northlake Boulevard with four lanes.

**Indian Trail Improvement District Board of Supervisors  
Betty Argue • Jennifer Hager • Joni Martin • Michael Johnson • Tim Sayre**

The second are projects that are merely supported by the Board:

1. PBC105 – widen Seminole Pratt Whitney Road from Okeechobee Boulevard to Sycamore Dr. East from four lanes to six lanes and provide for safe pedestrian, bicycle, equestrian pathways and crossings.
2. PBC108 – widen Seminole Pratt Whitney Road from Orange Boulevard to Northlake Boulevard from four lanes to six lanes and provide for safe pedestrian, bicycle, equestrian pathways and crossings.
3. PBC104 – widen Seminole Pratt Whitney Road from State Road 80 to Okeechobee Boulevard from four lanes to six lanes and provide for safe pedestrian, bicycle, equestrian pathways and crossings.
4. PBC106 – widen Seminole Pratt Whitney Road from Sycamore Drive East to 60<sup>th</sup> Street North from four lanes to six lanes and provide for safe pedestrian, bicycle, equestrian pathways and crossings.
5. PBC109 – widen Seminole Pratt Whitney Road from Northlake Boulevard to 100<sup>th</sup> Lane North from two lanes to four lanes and provide for safe pedestrian, bicycle, equestrian pathways and crossings.

The third are projects that the Board strongly opposes because each lack the appropriate level of capacity justification:

1. PBC079 – widening of Okeechobee Boulevard from 140<sup>th</sup> Avenue North (E Road) to Crestwood Boulevard from two lanes to four lanes.
2. PBC-77-078 – widening of Okeechobee Boulevard from Cheetham Hill Boulevard to 140<sup>th</sup> Avenue North (E Road) from two lanes to four lanes.
3. PBC076 – extend Okeechobee Boulevard from State Road 80 (Southern Boulevard) to Cheetham Hill Boulevard with a new two-lane road.
4. PBC085 – widening of Orange Boulevard from Seminole Pratt Whitney Road to Coconut from two lanes to 3 lanes.
5. PBC100 – widening Royal Palm Beach Boulevard from Persimmon Boulevard to 60<sup>th</sup> Street from two lanes to five lanes.
6. PBC101 – widening Royal Palm Beach Boulevard from 60<sup>th</sup> Street to Orange Boulevard from two lanes to five lanes.
7. PBC102 – widening of Royal Palm Beach Boulevard, Orange Boulevard and Coconut Boulevard to Northlake Road from two lanes to five lanes.

All the projects listed above are either on District-owned roadways or impact District roadways and most importantly, our residents. As indicated, there are some projects the Board strongly supports because the end results of these projects will provide a better quality of life for our residents in Indian Trail. We also hope that Palm Beach County will properly control the speed limits on these proposed roadway expansions to ensure safe travel for all users of the transportation system.

We also would request that the TPA and County work with us to improve the safety of the various intersections on these planned major roadway expansions that connect onto our local District residential roadways. In particular, we strenuously oppose using internal residential roadways as an alternative to the State Road 7 extension to Northlake Boulevard from Okeechobee Boulevard.

**Indian Trail Improvement District Board of Supervisors**  
**Betty Argue • Jennifer Hager • Joni Martin • Michael Johnson • Tim Sayre**

The District is always open and willing to work with the Transportation Planning Agency and Palm Beach County to preserve and enhance the Indian Trail rural lifestyle and agricultural community. We welcome the TPA and its staff to attend and present your plan at a future Board Meeting. Thank you for considering our concerns and input regarding the L RTP 2045.

Sincerely,



Betty Argue, President  
Board of Supervisors

Respectfully,



Burgess Hanson,  
Executive Director

cc: Commissioner Melissa McKinlay  
Verdenia Baker, County Administrator  
Indian Trail Board of Supervisors  
District Engineer  
District Attorney  
Gerry O'Reilly, FDOT District Four Secretary  
David Ricks, County Engineer  
Valerie Neilson, Deputy Director of Multimodal Development  
Andrew Uhlir, Deputy Director of Program Development  
Jason Price, Lead Planner – TIP Coordinator  
Greg Gabriel, Transportation Planner II  
Alyssa Frank, Transportation Planner II  
Malissa Booth, Public Relations Manager  
Matthey Komma, Chief Financial Officer  
Margarita Pierce, Executive Administrator  
Kim Delaney, Treasure Coast Regional Planning Council

Indian Trail Improvement District Board of Supervisors  
Betty Argue • Jennifer Hager • Joni Martin • Michael Johnson • Tim Sayre

## **The Grande at Ibis HOA, Inc.**

10775 Grande Boulevard  
West Palm Beach, Florida 33412

October 8, 2021.

Via email

Dear Administrator Rutter,

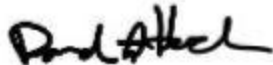
**RE: Comprehensive Plan Amendment (Northlake Widening)**

The Grande is the largest community within The Club at Ibis. As well, it is immediately adjacent to Northlake Boulevard.

We have been made aware of an amendment to the Palm Beach County Comprehensive Plan to widen Northlake Boulevard to 8-lanes.

We hereby state our opposition to such widening, and we request further study to determine the environmental, traffic and property impacts on The Grande.

With this letter, we further request that going forward we are included in the planning process, and we ask to be present at the upcoming November presentation.



David Hoch, President  
The Grande at Ibis HOA, Inc.  
[dhoch101@gmail.com](mailto:dhoch101@gmail.com)  
617-834-3913

**From:** Patrick Rutter  
**Sent:** Monday, October 11, 2021 11:23 AM  
**To:** Patricia Behn; Stephanie Gregory  
**Subject:** FW: Northlake West Thoroughfare Right of Way Identification Map TE 14.1 proposed Amendments to the Palm Beach County Comprehensive plan.

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**From:** jeanguybrunelle@gmail.com <jeanguybrunelle@gmail.com>  
**Sent:** Saturday, October 9, 2021 11:22 AM  
**To:** Maria Marino G. <MMarino@pbcgov.org>; Melissa McKinlay <MMcKinlay@pbcgov.org>; Gregg Weiss <GWeiss@pbcgov.org>; Dave Kerner M. <DKerner@pbcgov.org>; Robert Weinroth S. <RWeinroth@pbcgov.org>; Mack Bernard <MBernard@pbcgov.org>; MMSACHS@PBCGOV.ORG; Verdenia Baker <VBaker@pbcgov.org>; Patrick Rutter <PRutter@pbcgov.org>; Patricia Behn <PBehn@pbcgov.org>; Motasem Al-Turk <MAIturk@pbcgov.org>; David Ricks <DRicks@pbcgov.org>  
**Cc:** 'SALVATOR FASO' <salfaso@comcast.net>; 'Richard H. Stein' <rhs@iatcoinc.com>  
**Subject:** Northlake West Thoroughfare Right of Way Identification Map TE 14.1 proposed Amendments to the Palm Beach County Comprehensive plan.

\*\*\*\*\* Note: This email was sent from a source external to Palm Beach County. Links or attachments should not be accessed unless expected from a trusted source. \*\*\*\*\*

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The Boards of Directors of the Club at Ibis and the Ibis Property Owners Association (collectively, IBIS) acknowledge that widening Northlake Boulevard would be important for our community and others in the surrounding area if that expansion continues to the Bee Line Highway. We support the expansion of Northlake Boulevard (NLB) to six (6) lanes. The plan as detailed by the PBC Traffic engineering Department's amendment to the Palm Beach County (PBC) Comprehensive Plan to widen NLB dated August 11 and August 13, 2021 is a good beginning, but limiting that widening to the main entrance to our Community would create a significant traffic bottleneck that would negatively impact Ibis residents.

The Ibis community consists of approximately 2,000 acres, 1,871 residences and 4,000 residents who use NLB as the only means of access and egress to/from our community. IBIS supports the amendment to widen NLB to six (6) lanes because of existing and projected increases in traffic volume to the West. We believe, however, that unless the widening is extended to the Beeline Highway, we are merely trading one location for congestion to another.

The IBIS entities mentioned above also do not support the expansion of Northlake Boulevard to eight (8) lanes without further study and consideration of the Impact to Ibis residents. IBIS does not support the authority in the amendment to widen NLB to eight (8) lanes in the future for the following reasons:

- Further study is required to determine the impact on Ibis as well as the other communities on the North and South sides of NLB.
- The eight (8) lane expansion may remove the east bound right turn only lane as well as the acceleration lane exiting Ibis to the East. These lanes have been a part of the Ibis traffic pattern for more than 20 years. Removing these lanes would create a serious safety hazard on a portion of NLB that already experiences a very high number of accidents, principally due to the high speed of traffic and existing traffic congestion.
- The projected impact of widening NLB to eight (8) lanes will have a negative impact on many residences in the Ibis Grande neighborhood. Additionally, several of the Ibis lakes and the Ibis Park will be negatively affected.

Based on the foregoing, The Boards of Directors of the Club at Ibis and the Ibis Property Owners Association request the Board of County Commissioners (i) approve the expansion of NLB to six (6) lanes, (ii) enlarge the project to include expanding NLB to the Bee Line Highway, and (iii) NOT include a plan for the expansion to eight (8) lanes as proposed for inclusion in the Palm Beach County Comprehensive Plan, without further study and consideration of the impact to Ibis and surrounding communities.

Sincerely,

**The Club at Ibis**  
Jean-Guy Brunelle, President

**Ibis Property Owners Association**  
Peter Stein, President



## ***Carleton Oaks Homeowners Association, Inc.***

300 Avenue of The Champions, Suite 120  
Palm Beach Gardens, FL 33418

Phone (561) 625-8588  
Facsimile (561) 627-2800

October 8, 2021

Dear David Ricks,

Carleton Oaks is a community of 142 homes located just West of Ibis on the North side of Northlake Blvd.

We request that any and all verbiage in regard to the widening of Northlake Blvd to 8 lanes be eliminated from the TIM amendment. Further to preclude any future consideration of future planning boards to the widening Northlake Blvd to 8 lanes.

We do not support the widening to 8 lanes for this would only encourage higher speeds on the roadway thus adding to the opportunity and occurrence of accidents and injury.

Also, the 8 lanes will result in the elimination of the deceleration lane into our community thus creating a safety hazard and further increasing the occurrence of accidents and injury. With 8 lanes, accidents could be such to involve our wall thus creating damage and destruction to our wall.

The widening to 8 lanes will also destroy the aesthetic look of our community for 8 lanes would eliminate our trees a long Northlake Blvd. The trees act as a sound barrier for the community and this would be destroyed. This would cause excessive noise for those homes immediately adjacent to Northlake Blvd and additional noise for the entire community. What environmental study has been conducted to show the effects of widening Northlake Blvd to 8 lanes?

We do support the widening of Northlake Blvd to 6 lanes due to the current and future traffic volume in regard to the projected growth in traffic, thus lessening the congestion and opportunity for accidents.

Respectfully submitted,

Victor Martin

President Carleton Oaks HOA

Director NCNC

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From: Sander Feinberg <[sandyfeinberg@hotmail.com](mailto:sandyfeinberg@hotmail.com)>

Sent: Sunday, October 31, 2021 1:29 PM

To: Maria Marino G. <[MMarino@pbcgov.org](mailto:MMarino@pbcgov.org)>; Melissa McKinlay <[MMcKinlay@pbcgov.org](mailto:MMcKinlay@pbcgov.org)>; Gregg Weiss <[GWeiss@pbcgov.org](mailto:GWeiss@pbcgov.org)>; Dave Kerner M. <[DKerner@pbcgov.org](mailto:DKerner@pbcgov.org)>; Robert Weinroth S. <[RWeinroth@pbcgov.org](mailto:RWeinroth@pbcgov.org)>; Mack Bernard <[MBernard@pbcgov.org](mailto:MBernard@pbcgov.org)>; [MMSACHS@PBCGOV.ORG](mailto:MMSACHS@PBCGOV.ORG) <[MMSACHS@PBCGOV.ORG](mailto:MMSACHS@PBCGOV.ORG)>; Verdenia Baker <[VBaker@pbcgov.org](mailto:VBaker@pbcgov.org)>; Patrick Rutter <[PRutter@pbcgov.org](mailto:PRutter@pbcgov.org)>; Patricia Behn <[PBehn@pbcgov.org](mailto:PBehn@pbcgov.org)>; Motasem Al-Turk <[MAlturk@pbcgov.org](mailto:MAlturk@pbcgov.org)>; David Ricks <[DRicks@pbcgov.org](mailto:DRicks@pbcgov.org)>

Subject: Northlake West Thoroughfare Right of Way Identification Map TE 14.1 proposed Amendments to the Palm Beach County Comprehensive Plan

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The Boards of Directors of The Preserve at Ibis HOA has been closely tracking the discussions on widening Northlake Boulevard. With the expansion of housing in the rural areas it will be important for our community and others in the surrounding area if that expansion continues to the Bee Line Highway. Like many others, we support the expansion of Northlake Boulevard (NLB) to six (6) lanes. The plan as detailed by the PBC Traffic engineering Department's amendment to the Palm Beach County (PBC) Comprehensive Plan to widen NLB dated August 11 and August 13, 2021 is a good beginning, but limiting that widening to the main entrance of IBIS would create a significant traffic bottleneck and unnecessary hazards that would negatively impact all Ibis residents.

As mentioned, The Preserve at IBIS HOA supports the amendment to widen NLB to six (6) lanes because of existing and projected increases in traffic volume to the West. We agree with others, however, that unless the widening is extended to the Beeline Highway, we are merely trading one location for congestion to another. In addition, we feel that a full review and impact study needs to be performed before any decisions are made regarding the future expansion of Northlake Blvd beyond six lanes.

Sincerely,

Sander Feinberg

The Preserve at IBIS  
HOA President

Correspondence provided at the February 1, 2023 BCC Public Hearing

Good morning,

My name is Richard Stein and am a resident of the Club at IBIS for the past 18 years. I also am a member of the Board of Directors at IBIS which represents both the POA and the Club, now combined as one entity. I am here as a representative of that Board to register our observations and objections relative to the proposed acquisition of IBIS property along the proposed 8 lane expansion of Northlake Blvd. I have attended the informational sessions regarding Northlake which previously pertained to the widening to 6 lanes as well as the informational presentation this week regarding the 8 lane proposal.

A very pertinent question regards the alignment of Northlake Boulevard. No where is it stated whether the eminent domain acquisition will be split evenly on both sides of the median and/or center line of the current configuration. I believe this is a very important question.

Making an assumption that the right of way would be expanded evenly on both sides will adversely affect not only the common property of IBIS, but will also come very close to homes in adjacent community. (The Grande)

IBIS currently has a eastbound ingress and egress lane at the junction of IBIS and Northlake. Maintaining these lanes would require expanding the right of way from 130' to 152' minimum. Utilities would essentially need to be moved on the edge of our lake just west of IBIS Boulevard.

The character of the area does not align with an eight lane highway which was told to us compares to Okeechobee or Southern. Those are state roads and not county roads. There is only one section of commercial land between Coconut and the Beeline highway. Furthermore, I cannot envision what the junction of Northlake and State Road 7 would be like. This proposal is taking four eastbound lanes down to two lanes at that junction. The fact that there is no proposal to widen Northlake from the State Road 7 intersection to the Beeline will cause an unbelievable bottleneck at that junction which currently has no traffic signals. This will also reduce the stacking capacity of vehicles entering IBIS.

For these and many other reasons as outlined by our neighboring communities, along with the objection of both West Palm Beach and Palm Beach Gardens, Ibis stands firmly against this proposal of eight lanes and as a result, the taking of our property.

Thank you for your time and consideration.

## Jorge Perez

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**From:** Khurshid Mohyuddin  
**Sent:** Thursday, October 21, 2021 11:30 AM  
**To:** Jorge Perez  
**Subject:** FW: Northlake West Thoroughfare Right of Way Identification Map TE 14.1 proposed Amendments to the Palm Beach County Comprehensive plan.

Please save appropriately so its part of record

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**From:** Patricia Behn <PBehn@pbcgov.org>  
**Sent:** Thursday, October 21, 2021 11:25 AM  
**To:** Nick Moore <nickjmoore1@live.com>; Maria Marino G. <MMarino@pbcgov.org>; Melissa McKinlay <MMcKinlay@pbcgov.org>; Gregg Weiss <GWeiss@pbcgov.org>; Dave Kerner M. <DKerner@pbcgov.org>; Robert Weinroth S. <RWeinroth@pbcgov.org>; Mack Bernard <MBernard@pbcgov.org>; mmsachs@pbcgov.org; Verdenia Baker <VBaker@pbcgov.org>; Patrick Rutter <PRutter@pbcgov.org>  
**Cc:** Nachaat Jacob <nashjacob@icloud.com>; Michelle Rigoli (michellerigoli.preserve@gmail.com) <michellerigoli.preserve@gmail.com>; James Ash <jha11764999@hotmail.com>; Michelle Rigoli (michellerigoli.preserve@gmail.com) <michellerigoli.preserve@gmail.com>; Stephanie Gregory <SGregor1@pbcgov.org>; Khurshid Mohyuddin <KMOHYUDD@pbcgov.org>; David Ricks <DRicks@pbcgov.org>; Motasem Al-Turk <MAIturk@pbcgov.org>; Morton Rose <MRose@pbcgov.org>; Joanne Keller M. <JKeller@pbcgov.org>; Robert P. Banks <RBanks@pbcgov.org>; Scott Stone A. <SAStone@pbcgov.org>; Ramsay Bulkeley <RBulkeley@pbcgov.org>; Whitney Carroll <WCarroll@pbcgov.org>  
**Subject:** RE: Northlake West Thoroughfare Right of Way Identification Map TE 14.1 proposed Amendments to the Palm Beach County Comprehensive plan.

Mr. Moore,

On behalf of the Planning Division, thank you for providing staff with your comments. This email will be retained and made part of the amendment file. Please note that this amendment is postponed from November 3rd, 2021 BCC Transmittal Hearing to allow for additional analysis to be performed by staff. Public notification will be provided to all interested parties regarding additional informational meetings and future hearing dates.

Patricia Behn, Planning Director  
*Palm Beach County Planning Division*  
2900 N Jog Rd + West Palm Beach, FL 33411  
Direct 561-233-5332 + Main 561-233-5300  
<http://discover.pbcgov.org/pcb/planning/>

---

**From:** Nick Moore <nickjmoore1@live.com>  
**Sent:** Thursday, October 21, 2021 11:18 AM  
**To:** Maria Marino G. <MMarino@pbcgov.org>; Melissa McKinlay <MMcKinlay@pbcgov.org>; Gregg Weiss <GWeiss@pbcgov.org>; Dave Kerner M. <DKerner@pbcgov.org>; Robert Weinroth S. <RWeinroth@pbcgov.org>; Mack Bernard <MBernard@pbcgov.org>; mmsachs@pbcgov.org; Verdenia Baker <VBaker@pbcgov.org>; Patrick Rutter <PRutter@pbcgov.org>; Patricia Behn <PBehn@pbcgov.org>; Motasem Al-Turk <MAIturk@pbcgov.org>  
**Cc:** Nachaat Jacob <nashjacob@icloud.com>; Michelle Rigoli (michellerigoli.preserve@gmail.com)

<[michellerigoli.preserve@gmail.com](mailto:michellerigoli.preserve@gmail.com)>; James Ash <[jha11764999@hotmail.com](mailto:jha11764999@hotmail.com)>; Michelle Rigoli  
([michellerigoli.preserve@gmail.com](mailto:michellerigoli.preserve@gmail.com)) <[michellerigoli.preserve@gmail.com](mailto:michellerigoli.preserve@gmail.com)>

**Subject:** Northlake West Thoroughfare Right of Way Identification Map TE 14.1 proposed Amendments to the Palm Beach County Comprehensive plan.

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The Boards of Directors of the Preserve at Bay Hill Estates acknowledge that widening Northlake Boulevard would be important for our community and others in the surrounding area if that expansion continues to the Bee-Line Highway (SR710). We support the expansion of Northlake Boulevard (NLB) to six (6) lanes. The plan as detailed by the PBC Traffic engineering Department's amendment to the Palm Beach County (PBC) Comprehensive Plan to widen NLB dated August 11 and August 13, 2021 is a good beginning, but limiting that widening to North State Route 7 would create a significant traffic bottleneck that would negatively impact all residents living west of SR7.

The Preserve at Bay Hill Estates together with the Bay Hill Estates community consists of over 500 residences and lots. We support the amendment to widen NLB to six (6) lanes because of existing and projected increases in traffic volume to the West. We believe, however, that unless the widening is extended to the Bee-Line Highway, we are merely trading one location for congestion to another.

The Preserve at Bay Hill Estates also does not support the expansion of Northlake Boulevard to eight (8) lanes without further study and consideration of the impact to all communities west of SR7. residents. We do not support the authority in the amendment to expand the right-of-way and widen NLB to eight (8) lanes in the future for the following reasons:

- Further study is required to determine the impact on all of the communities on the North and South sides of NLB.
- The justification for expanding the right-of-way is based on a so-called 'typical' 8-lane divided highway which bears no relationship to the bicycle and pedestrian use of NLB.
- Putting 7' bike lanes and 7' sidewalks on both sides of NLB when a shared use pathway would easily accommodate the one or two people that use the current sidewalk each month.
- If traffic projections do justify an 8-lane highway in the future, it could be accommodated the existing 120' right-of-way with a design that is more appropriate to the actual use by bicycles and pedestrians.

Based on the foregoing, The Boards of Directors of the Preserve at Bay Hill Estates request the Board of County Commissioners (i) approve the expansion of NLB to six (6) lanes, (ii) enlarge the project to include expanding NLB to the Bee Line Highway, and (iii) NOT include a plan for the expansion to eight (8) lanes as proposed for inclusion in the Palm Beach County Comprehensive Plan, without further study and consideration of the impact to the surrounding communities.

Sincerely,

Nicholas Moore

Director, The Preserve at Bay Hill Estates HOA Board

Board Representative to the North County Neighborhood Coalition

## RE: NLB Widening

To SALVATOR FASO <salfaso@comcast.net>

Sal:

Below please find the Osprey Isles "talking points" for the January 13, 2023 Meeting.

You are hereby authorized to represent these points to the County Commission at the meeting.

The Board of Directors of the Osprey Isles HOA, Inc. specifically, and the community as a whole, have been monitoring the progress of the widening of Northlake Boulevard for the last several years. The Board acknowledges that widening Northlake Boulevard would be important for Osprey Isles and other communities in the surrounding area if that expansion continues to the Bee Line Highway. Pursuant to the consensus of the Board, Osprey Isles supports the widening of Northlake Boulevard (NLB) to six (6) lanes. The plan as detailed by the PBC Traffic engineering Department's amendment to the Palm Beach County (PBC) Comprehensive Plan to widen NLB dated August 11 and August 13, 2021 provides a foundational genesis; however, any plans to widen Northlake Boulevard must include the installation of a right hand turn lane (deceleration lane) for Osprey Isles.

Our community has worked with the County for several years to bring attention to the necessity of the right hand turn lane for Osprey Isles.

Most recently, upon being annexed, Osprey Isles requested the City of Palm Beach Gardens to assist in its efforts for the installation of a right hand turn lane. Osprey Isles is now on the verge of finalizing plans with the City for the installation so that it can be voted upon by the City Council. Widening of Northlake Boulevard cannot jeopardize our community's right hand turn lane.

The Osprey Isles community consists of 101 homes whose residents use NLB as the only means of ingress and egress to/from our community. Osprey Isles supports the amendment to widen NLB to six (6) lanes because of existing and projected increases in traffic volume to the West.

However, since we have been intimately connected with this issue for the last several years we believe that unless the widening is extended to the Beeline Highway, we are merely correcting congestion in one location and "kicking it down the road" in a very literal sense. Widening NLB in front of our community only to create a bottleneck of two lanes east of State Road 7 paints such a proverbial picture. Traffic flow must be integrated and cohesive, not disjointed and segmented.

Osprey Isles also does not support the expansion of Northlake Boulevard to eight (8) lanes without further study and consideration of the adverse impacts to our residents. The issues of imminent domain loom large over any appropriation of Osprey Isles frontage.

Osprey Isles does not support the widening of NLB to eight (8) lanes in the future for the following reasons:

- Further study is required to determine the impact on Osprey Isles as well as the other communities on the North and South sides of NLB.
- The eight (8) lane expansion may jeopardize the installation of the right hand turn lane/deacceleration lane Osprey Isles has been diligently striving for during the last several years as mentioned above. Preventing the installation of this lane would create a serious safety hazard on a portion of NLB that already experiences a very high number of accidents, principally due to the high speed of traffic and existing traffic congestion which Osprey Isles has clearly documented through its security cameras. The safety of our residents is paramount and non-negotiable.

Based on the foregoing, the Board of Directors of Osprey Isles HOA, Inc. respectfully requests the Board of County Commissioners consider the following:

1. Approve the expansion of NLB to six (6) lanes,
2. Enlarge the project to include expanding NLB to the Bee Line Highway,
3. NOT include a plan for the expansion to eight (8) lanes as proposed for inclusion in the Palm Beach County Comprehensive Plan, without further study and consideration of the impact to Osprey Isles and surrounding communities, and
4. The construction and implementation of a turn/deceleration lane for Osprey Isles.

Thank you Sal.

Sincerely,

Matthew R. Kamula, Esq.  
President  
Osprey Isles HOA, Inc.  
954-465-9365



January 24, 2023

Board of County Commissioners  
301 N. Olive Avenue  
Governmental Center  
West Palm Beach, FL 33401

Dear Mayor and County Commissioners:

On behalf of the Engineering Department of the City of Palm Beach Gardens, I submit this letter of objection for your consideration as you deliberate the adoption of a Comprehensive Plan Map Amendment for the Thoroughfare Right-of-Way (ROW) Identification Map (TIM) for western Northlake Boulevard on February 1, 2023.

Our objection represents concerns of the mainly residential corridor of Northlake Boulevard within the TIM area. The TIM notice only references a conversion of ROW from 120 feet to 142 feet with no additional information of potential impact on the residents within this area. We understand that the County can construct an eight-lane roadway including interior left-hand turn lanes within the 142-foot ROW proposed. There is no mention of the land that would be required to replace the existing or potential future right-hand turn lanes. Additionally, there are no considerations given as to how it will affect the properties on the predominantly residential development of Northlake Boulevard in this area.

There is no mention in the proposed TIM's staff report of the additional impact of relocating existing utilities. There are several utilities within this corridor, including but not limited to, power, water (West Palm Beach and Seacoast Utility Authority), sewer (Palm Beach County and Seacoast Utility Authority), natural gas, telecommunications, fiber networks, etc. With a lack of information, we are only left to make assumptions to answer the following questions:

1. How will the Utility relocation affect the existing and proposed developments?
2. Who will pay for the relocation of Utilities?
3. How much land is required for the relocation of existing utilities?
4. Will the existing right-hand turn-lanes be reconstructed?

As the property owner of the Sandhill Crane Golf Course affected by this proposed TIM, City staff has tried to evaluate the proposed impact. Due to the lack of information in the staff report, we are only left to guess how the proposed 22-foot widening will affect our property. Will the widening be from the center out, sharing 11 feet both north and south of the existing center line, or will the taking be adjusted more to the north? What will be needed for the existing turn lanes to be reestablished? How and where are Utilities going to be relocated? Further, the City has two existing easements in favor of Seacoast Utility Authority for water and sewer improvements that total 20 feet contiguous to the ROW of Northlake Boulevard. Will these Utilities need to be shifted further north into the City's property, and if so, by how much and what is the cost? All the questions above apply to the City's property, as well as Bay Hill Estates, Ancient Tree, Osprey Isles, Carleton Oaks, Rustic Lakes, Ibis,

**CITY OF PALM BEACH GARDENS**  
10500 N. Military Trail Palm Beach Gardens, FL 33410-4698  
[www.pbgfl.com](http://www.pbgfl.com)

Shoppes at Ibis, West Palm Beach Fire Station No. 8, as well as several undeveloped parcels within the affected TIM Northlake Boulevard Corridor. All these property owners have raised similar concerns that are listed below without proper answers:

- Taking of private property
- Reduced landscape buffers
- Existing walls may be impacted
- Reconstruction of turn lanes for safe deceleration or elimination of them
- Utility relocations
- Streetlights closer to residential homes
- Power poles and other Utilities closer to homes
- Reduced throat distance on commercial property
- Possible reduction of parking spots for commercial areas
- Noise closer to residents
- Creation of several nonconforming properties in the City

Our estimation, at a minimum, is an additional 11 feet will be required for the Utilities to be relocated, 12 feet for future turn lane or up to five feet to reconstruct an existing turn lane along this corridor. This would be the true impact to the properties and would alter the residential feel of the area within the proposed TIM. Based on these assumptions, the general statement that the County is just going from 120 feet to 142 feet of ROW is misleading at best, because additional land will be required to achieve the proposed eight lanes.

The City strongly encourages you to table this matter until all the questions can be answered and the true impact of the widening of Northlake Boulevard can be determined by the affected property owners. Other options may be developed and more considered by all effected parties as alternative methods to alleviate these issues, such as the adoption of a CRALLS by the Board of County Commissioners. County staff has indicated on several occasions that this project will not be constructed until 2028 at the earliest. We urge you to not approve the TIM Amendment currently and to allow the parties to explore alternatives to address the traffic concerns on Northlake Boulevard.

On behalf of the City of Palm Beach Gardens and our residents along this corridor, we look forward to exploring a reasonable approach to this issue and would welcome the opportunity to discuss developing viable solutions for all. Thank you again for your consideration.

With regards,



Todd Engle, P.E.  
City Engineer, City of Palm Beach Gardens

cc: Palm Beach Gardens City Council  
Verdenia Baker, County Administrator  
David Ricks, County Engineer  
Sal Faso, President (North County Neighborhood Coalition)  
Brian Seymour, Esq. (Avenir)  
Kimberley Rothenburg, Esq. (City of West Palm Beach)  
Rosa Schechter, Principal and General Counsel (Landstar Development Group)



January 20, 2023

Palm Beach County Board of County Commissioners  
301 N. Olive Avenue, Suite  
Governmental Center  
West Palm Beach, FL 33401

Dear Mayor and County Commissioners:

On behalf of the City Council and staff of the City of Palm Beach Gardens, I submit this letter of objection for your consideration as you deliberate the adoption of a Comprehensive Plan Map Amendment for the Thoroughfare Right-of-Way Identification Map (TIM) for western Northlake Blvd. on February 1, 2023.

Our objection represents numerous concerns that the City staff and elected officials, along with the impacted communities, have with the potential widening of western Northlake Blvd. Absent planning or design details from the County, we can only surmise this project will have substantial negative impacts on private properties (loss of land, roadway proximity to private properties, and utility relocations) and will create serious public safety issues with the possible loss of right turn lanes throughout the corridor. The project may also create potential "bottleneck" congestion in some areas as the corridor may fluctuate from 8 to 6 or even to 4 lanes. This does not even account for the exorbitant cost to the public taxpayers for the acquisition (eminent domain) and construction of such a project. The use of eminent domain is a last resort option for government that comes with a significant price tag, which should be taken into account when considering the feasibility of this project.

Attached you will find copies of Resolutions (2) adopted by the City Council objecting to the Northlake Blvd. East TIM as well as the Northlake Blvd. West TIM dating back to October 7, 2021 (Resolution 64, 2021). More recently, the City Council adopted a second Resolution (Resolution 8, 2023) objecting to the Northlake Blvd. West TIM.

The City strongly encourages you to table this matter so other options may be developed and considered by all effected parties as alternative methods to alleviate the issue, such as evaluating the adoption of a Constrained Roadway at Lower Level of Service (CRALLS). County staff has indicated on several occasions that this project will not be constructed until 2028 at the earliest. We urge you to not approve the TIM Amendment at this time and to allow the parties to explore alternatives to address the traffic concerns on Northlake Blvd.

Additionally, in order to provide accurate and thorough information on the impacts of this project, City staff will be providing technical responses to the limited information provided by

**CITY OF PALM BEACH GARDENS**  
10500 N. Military Trail Palm Beach Gardens, FL 33410-4698  
[www.pbgfl.com](http://www.pbgfl.com)

County staff, as some of it is erroneous and does not depict the magnitude of harmful impacts this project will have on this primarily residential corridor.

On the behalf of the City of Palm Beach Gardens, we look forward to exploring a reasonable approach to this issue and would welcome the opportunity to discuss developing viable solutions for all. Thank you again for your consideration.

With regards,



Chelsea Reed  
Mayor, City of Palm Beach Gardens

cc: Palm Beach Gardens City Council  
Verdenia Baker, County Administrator  
David Ricks, County Engineer  
Brian Seymour, Esq. (Avenir)  
Kimberley Rothenburg, Esq. (City of West Palm Beach)  
Rosa Schechter, Principal and General Counsel (Landstar Development Group)  
Sal Faso, President (North County Neighborhood Coalition)  
Victor Martin, President (Carleton Oaks Homeowners Association)  
Nick Moore, Resident (Bay Hill Estates Property Associates)  
Matthew Kamula, President (Osprey Isles Homeowners Association)



**NOTICE OF INTENT TO OBJECT**

TO: Clearinghouse  
Palm Beach County

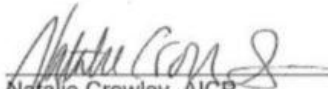
FROM: Natalie Crowley, Director of Planning and Zoning  
City of Palm Beach Gardens

DATE: January 11, 2023

RE: Northlake West TIM Amendment

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The City of Palm Beach Gardens, participant in the Comprehensive Plan Amendment Coordinated Review Process, hereby files a notice of intent to object to the proposed Palm Beach County **Northlake Boulevard West TIM Amendment**. Palm Beach Gardens wishes to meet to discuss its concerns prior to the February 1, 2023, transmittal hearing.

  
\_\_\_\_\_  
Natalie Crowley, AICP,  
Director of Planning and Zoning

---

**FOR USE BY CLEARINGHOUSE**

\_\_\_\_\_  
Date of Receipt

\_\_\_\_\_  
Signature of Clearinghouse

Forwarded on \_\_\_\_\_ to:  
Date

\_\_\_\_\_  
Local Government

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January 23, 2023

Mr. Kevin Fischer, Planning Director  
Palm Beach County  
2300 North Jog Road  
West Palm Beach, Florida 33411

**RE: Objection to the Proposed Northlake West Thoroughfare Right-of-Way (ROW) Identification Map (TIM) – Palm Beach County (PBC) Comprehensive Plan Amendment**

Dear Mr. Fischer:

The purpose of this letter is to continue to express the City's objection to the County-initiated Comprehensive Plan amendment to Map TE 14.1, which proposes to modify the proposed ROW of Northlake Boulevard from the western edge of the City's Municipal Golf Course to the future SR 7 extension from 120 ft. to 142 ft. I offer the following facts:

- Resolution 4, 2016 is the original Development Order for the Avenir Development. It was adopted by the City Council on May 5, 2016, and included a Proportionate Share Agreement that was approved by the PBC Board of County Commissioners (see Exhibits 'A' and 'B').
- These documents govern the Developer obligations, including ALL traffic mitigation requirements, requiring several milestones to be achieved through the life of the project that are intended to mitigate the traffic impacts from Avenir.
- Condition 30. Requires the 6 laning of Northlake Boulevard from 140<sup>th</sup> to State Road 7 prior to any issuance of development in Phase 2 (see Exhibit 'A' pg. 9 and Exhibit 'C').
- Condition 31. Requires Avenir to complete the Avenir Connector Road (otherwise known as the Coconut extension) from Northlake Boulevard to the CSX connecting to the Beeline Highway prior to the issuance of any development in Phase 2 (see Exhibit 'A' pg. 9 and PCD Master Plan Exhibit 'D').
- Condition 28 (a) and (b) refer to **intersection** improvements along Northlake Boulevard. The condition requires the dedication ROW for the ultimate intersection geometry and is based on a very conservative projection of future traffic. The condition requires a dedication of ROW, and construction timeframes are specifically not yet established; these ultimate intersection improvements, in fact, may never be required. This is important to clarify as County staff has misrepresented this Condition in context of an 8-laning link improvement, which is an entirely different requirement from an intersection improvement (see Exhibit 'A' pgs. 8/9 and Exhibit 'C').

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- City Staff fully acknowledges that the traffic study for Avenir has several roadway and intersections showing failures, and has many roadway expansion requirements that establish proportionate share payments (see Exhibit 'E'), including the 8-laning and even 10-laning of certain segments along western Northlake Boulevard. Some other examples of road improvements in the traffic study include:
    - The requirement to widen PGA Boulevard from Ryder Cup Boulevard to Florida's Turnpike from 4 to 6 lanes (Condition 35);
    - The requirement to widen Northlake Boulevard from Steeplechase Drive to Military Trail from 6 to 8 lanes (Condition 32);
    - The requirement to widen Military Trail from Holly Drive to PGA Boulevard from 6 to 8 lanes (Condition 51);
    - The requirement to widen SR 7 from Belvedere Road to Okeechobee Boulevard from 6 to 8 lanes (Condition 44).
  
  - Many of these link and intersection improvements may never occur. Nor is the traffic study responsible for setting forth the construction obligations of the Developer. The traffic study was conducted in strict accordance with Palm Beach County's concurrency standards, which is driven by a very conservative methodology requiring a layering of project traffic with no account for redistribution of existing traffic or capture of other project traffic. **The approved traffic study was used to simply calculate the amount of money Palm Beach County would ultimately receive from the Developer of Avenir through the Proportionate Share Agreement.**
  
  - In fact, Table 2, pg. 15 of the Proportionate Share Agreement specifically sets forth the **County's priority improvements**, which specifically list all the improvements the County actually desires to construct using Developer money. This would be the section, if any, where the 8 laning of Northlake Boulevard would be listed if the County intended to use Avenir proportionate share dollars to 8-lane Northlake Boulevard; however, it is clearly and intentionally absent (see Exhibit 'B').
  
  - The FACT is that there is no Developer obligation whatsoever to construct and widen any link along Northlake Boulevard to an 8-lane roadway.
  
  - It also should be noted that other traffic studies for major projects in the area and County-wide have roadway projections that exceed rights-of-way with no proposed changes to the TIM, such as Seminole Pratt-Whitney Road and Military Trail. Additionally, many roads County-wide have "failing conditions" according to the V/C ratios (Volume over Capacity) projected in the County's model, and yet they remain in their existing built condition based on a Constrained Roadway at a Lower Level of Service (CRALLS) designation. Some of these existing facilities include, but are not limited to, PGA Boulevard, Military Trail, Northlake Boulevard EAST of Military, Okeechobee Boulevard, Prosperity Farms Road, and 45<sup>th</sup> Street. (See Exhibit 'F' County Map TE 15.1)
-

- Communities, residents, businesses, local governments, and the County government in the past have all accepted a Lower Level of Service on various roadways through the adoption of a CRALLS with the understanding that expanding certain roadways will cause more harm than good. This includes the harmful impacts to residents, the loss of property, impacts to businesses, the cost of ROW acquisition to County taxpayers, and other environmental impacts. A CRALLS designation is a much more practical and viable option in the future if the volumes along Northlake Boulevard exceed the County's Level of Service Standards.
- Finally, it must be emphasized that the design of the Avenir Master Plan was done with exemplary planning principles to capture traffic not only from the proposed homes, but also from the surrounding area. In fact, there is a condition of approval that requires a specific amount of commercial square footage to be on-line prior to the project entering Phase II of its development phases (see Exhibit 'A', pg. 10, Condition 33). Thus, Avenir is assisting in the mitigation of traffic by widening Northlake Boulevard to 6 lanes, providing the northern extension of Coconut Boulevard in the first phase, and is providing key services in an area where they do not exist. In summary, the Avenir PCD is utilizing alternative measures to offset the traffic impact, contributing proportionate share money for priority improvements, reducing land development through preservation of conservation lands, and offsetting the strong traffic peaks by providing work and other destination opportunities. The proposal of amending the TIM is premature until these mitigation measures and impacts from Avenir are implemented.

The City of Palm Beach Gardens has issued its Notice of Intent to Object as part of the Interlocal Agreement for coordinated Planning. The City Council of the City of Palm Beach Gardens adopted Resolution 8, 2023 on January 12, 2023, in opposition to the proposed Comprehensive Plan amendment. Additionally, we request this letter be included as part of the backup materials provided for the upcoming Board of County Commissioners public hearing scheduled for February 1, 2023.

Should you have any questions concerning any of this, please do not hesitate to contact me directly at [ncrowley@pbgfl.com](mailto:ncrowley@pbgfl.com) or 561-799-4243.

Sincerely,



Natalie M. Crowley, AICP  
Director of Planning and Zoning

CC: Mayor & PBC Board of County Commissioners  
Mayor & City Council, City of PBG  
Ron Ferris, City Manager, City of PBG  
Rick Greene, Planning Director, City of WPB  
Valerie Neilson, Executive Director, PBC TPA  
Anna Yesky, IPARC Co-Ordinator  
Kursheed Mohyuddin, Principal Planner, PBC  
Rosa Schechter, Landstar Development (Avenir)  
Brian Seymour, Esq. (Avenir)

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RESOLUTION 4, 2016

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA APPROVING THE AVENIR PLANNED COMMUNITY DEVELOPMENT (PCD) MASTER PLAN AND DEVELOPMENT STANDARDS, CONSISTING OF 2,407 ACRES OF CONSERVATION LAND, 3,250 DWELLING UNITS, 1,940,000 SQUARE FEET OF PROFESSIONAL OFFICE, 200,000 SQUARE FEET OF MEDICAL OFFICE, 400,000 SQUARE FEET OF COMMERCIAL, A 300-ROOM HOTEL, 20 ACRES OF AGRICULTURE, A 55-ACRE PUBLIC PARK, A 60-ACRE CIVIC/RECREATION PARCEL, A 15-ACRE POLICE/FIRE/CITY ANNEX PARCEL, AND A 15-ACRE PUBLIC SCHOOL SITE, CONSISTING OF 4,763 ACRES, MORE OR LESS, WITH THE SITE LOCATED ON THE NORTH SIDE OF NORTHLAKE BOULEVARD, EAST OF GRAPEVIEW BOULEVARD, WEST OF BAY HILL DRIVE, AND SOUTH OF BEELINE HIGHWAY, AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING CONDITIONS OF APPROVAL; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**WHEREAS**, the City Council, as the governing body of the City of Palm Beach Gardens, Florida, pursuant to the authority in Chapter 163 and Chapter 166, *Florida Statutes*, and the City's Land Development Regulations (LDR), is authorized and empowered to consider petitions related to zoning and land development orders; and

**WHEREAS**, the City received a petition from Avenir Holdings, LLC requesting master plan and development standards approval for the Avenir Planned Community Development (PCD); and

**WHEREAS**, the City Council has approved a large-scale Future Land Use Map amendment designating future land use for the subject site as Mixed Use Development (MXD) on May 5, 2016, through the adoption of Ordinance 3, 2016; and

**WHEREAS**, the subject site has been rezoned to Planned Community Development (PCD) Overlay with an underlying zoning designation of Mixed Use Development (MXD) District by the adoption of Ordinance 4, 2016; and

**WHEREAS**, the Planning and Zoning Department has reviewed the application, has determined that it is sufficient and consistent with the City's Comprehensive Plan and Land Development Regulations, and has recommended approval; and

**WHEREAS**, the Planning, Zoning, and Appeals Board reviewed the petition at its December 8, 2015, meeting and recommended approval of the subject petition (PPCD-13-07-000005) by a vote of 7 to 0; and



1 2. The following is the general phasing schedule for the project:  
 2

LAND USE	Total	Phase 1 (2015-2020)	Phase 2 (2021-2025)	Phase 3 (2026-2030)	Phase 4 (2031- Buildout)
Civic/Recreation	60 acres (land dedication)	60 ac			
Office Professional Medical	1,940,000 SF 200,000 SF	225,000 SF 50,000 SF	225,000 SF 100,000 SF	450,000 SF 50,000 SF	1,040,000 SF
Commercial	400,000 SF	200,000 SF	100,000 SF	100,000 SF	
Hotel	300 rooms		150 rooms	150 rooms	
Park	55 acres (land dedication)	55 ac			
Police/Fire/City Annex	15 acres (land dedication)	15 ac			
Public School	15 acres (land dedication)	15 ac			
Residential Multifamily Single-Family	250 units 3,000 units	250 units 1,000 units	1,000 units	1,000 units	

3  
 4 This table is not intended to restrict the amount or type of development that may be  
 5 included in each phase. Rather, the amount and type of development at each phase is  
 6 limited only by the maximum number of trips for such phase as identified as follows:  
 7

Phase	AM Peak Hour Trips <sup>1</sup>	PM Peak Hour Trips <sup>1</sup>
1	1,325	1,760
2	2,394	2,873
3	3,586	4,247
4	4,344	5,539

14 <sup>1</sup> Cumulative net external trips  
 15  
 16 These trip amounts are cumulative (i.e., they include trips from each previous phase), and  
 17 were derived from the trips generated by the development program for each phase listed  
 18 above. These trip totals were used to calculate the timing of proportionate share payments  
 19 and the timing of other required traffic improvements. The density and intensity for the  
 20 overall PCD development is based on the trip generation that is the basis of the  
 21 Proportionate Share Agreement entered into between the Applicant and Palm Beach

1 County ("Proportionate Share Agreement"). The specific development shall be determined  
2 at the time of individual site plan approval, which is limited only by the above maximum  
3 numbers of trips, which may be generated by any allowable use for each individual parcel.  
4

5 A phase is complete when either the AM or PM Net External Peak Hour trip number for  
6 that phase is met.  
7

8 **Traffic Equivalency and Transfer of Uses**  
9

- 10 3. No building permits shall be issued for more than 3,250 residential dwelling  
11 units, 400,000 square feet of commercial/retail development, 2,140,000 square  
12 feet of office uses, 300 hotel rooms, a public elementary school for  
13 approximately 600 students, a 55-acre public park, 20 acres of agriculture, a  
14 60-acre public civic/recreation area, and a 15-acre City  
15 administration/police/fire annex. These uses are permitted to be converted,  
16 and transferred between parcels, to any permitted uses allowed on the  
17 applicable parcel, including densities and intensities of uses, through the use  
18 of a Traffic Equivalency Statement, which shall be reviewed as set forth in the  
19 City's Land Development Regulations. A Traffic Equivalency Statement is a  
20 written document issued by a traffic engineer that shows that any proposed  
21 change in use or density or intensity of use does not increase external peak-  
22 hour directional trips. In performing this analysis, the traffic engineer shall use  
23 the most recently published trip generation rates from the Institute of Traffic  
24 Engineers. A maximum of 20 percent of each of the referenced land use types  
25 may be increased or decreased.  
26

27 **Buildout Date**  
28

- 29 4. The Avenir project shall have a buildout date of December 31, 2035, unless  
30 otherwise extended by the City's Land Development Regulations or applicable  
31 legislation.  
32

33 **Transfer of Approval**  
34

- 35 5. Notice of transfer of all or a portion of the subject Property shall be filed with  
36 the City of Palm Beach Gardens. Prior to or concurrent with the transfer, the  
37 transferee shall assume, in writing on a form acceptable to the City Attorney,  
38 any and all applicable commitments, responsibilities, and obligations pursuant  
39 to this Development Order. The intent of this provision is to ensure that  
40 subsequent property transfers do not jeopardize the unified control,  
41 responsibilities, and obligations required of the project as a whole.  
42  
43  
44  
45  
46

1 **Biennial Report**

- 2
- 3 6. A biennial report shall be submitted to the City every two (2) years on the
- 4 anniversary date of the adoption of the Development Order until 80% of the
- 5 Phase 4 peak-hour trips as identified in Condition 2 have been generated. The
- 6 contents of the report shall include those items required by this Development
- 7 Order and in addition shall include the following:
- 8
- 9 a) The status of the mobility improvements identified in the Proportionate Share
- 10 Agreement;
- 11 b) The amount of Currently Utilized Trips for development, as that term is defined
- 12 in the Proportionate Share Agreement;
- 13 c) The status of the proportionate share payments required under the
- 14 Proportionate Share Agreement;
- 15 d) The amount of new net external AM and PM peak-hour trips related to site
- 16 plans approved during the reporting period and cumulatively for all currently
- 17 valid site plan approvals;
- 18 e) The conversion of land uses using a Traffic Equivalency Statement, if any,
- 19 during the current two- (2) year period, as well as cumulative land-use
- 20 conversions;
- 21 f) Traffic signal warrant analysis and status for the intersections listed in Condition
- 22 25;
- 23 g) Status update of all conditions of approval; and
- 24 h) A status update on the Conditional Use as more specifically described in
- 25 Condition 1.
- 26

27 **General Provisions**

- 28
- 29 7. This Development Order shall be binding upon the Applicant and its assignees
- 30 or successors in interest.
- 31

32 **PCD Master Plan and Dedications**

- 33
- 34 8. Parcel A - Residential is approved for 3,000 single-family dwelling units, 150
- 35 hotel rooms, and those uses specified for Parcel A in the Permitted Uses chart
- 36 in the Development Standards and on the PCD Master Plan.
- 37 9. Parcel B - Town Center is approved for 400,000 square feet of
- 38 commercial/retail, 150 hotel rooms, 250 multifamily units, and those uses
- 39 specified for Parcel B in the Permitted Uses chart in the Development
- 40 Standards.
- 41
- 42 10. Parcel C - Workplace/Economic Development is approved for 100,000 square
- 43 feet of medical office, 970,000 square feet of professional office, and those
- 44 uses specified for Parcel C in the Permitted Uses chart in the Development
- 45 Standards. This parcel shall include the Economic Development site as
- 46 identified on the PCD Master Plan and Condition 94 of this Development Order.

- 1 11. Parcel D - Workplace is approved for 100,000 square feet of medical office,  
2 970,000 square feet of professional office, a 15-acre police/fire/city annex,  
3 which shall be dedicated on the site plan and the first plat of Parcel D, and  
4 those uses specified for Parcel D in the Permitted Uses chart in the  
5 Development Standards.  
6
- 7 12. Parcel E is approved for a 55-acre public park and shall be dedicated to the  
8 City of Palm Beach Gardens at the time of first plat approval.  
9
- 10 13. Parcel F - Public School is approved for a 15-acre elementary school site,  
11 which shall be dedicated to the Palm Beach County School District at the time  
12 of plat approval.  
13
- 14 14. Parcel G - Civic/Recreation is approved for a 60-acre public civic and  
15 recreational area, which shall be dedicated to the City of Palm Beach Gardens  
16 at the time of first plat approval.  
17
- 18 15. Parcel H - Agriculture is designated on the PCD Master Plan. Prior to the  
19 commencement of any agricultural operations on Parcel H, the Applicant shall  
20 be required to receive Conditional Use approval from the City Council for any  
21 proposed agricultural operations.  
22

23 Note: Density and intensity of uses identified in Conditions 8-15 above are  
24 permitted to be amended in accordance with the Traffic Equivalency provisions  
25 of Condition 3 of this Development Order.  
26

- 27 16. The dedications of properties set forth in Conditions 11 through 14 will entitle  
28 the Applicant to impact fee credits for parks and recreation, police, and fire.  
29 The amount of such impact fees shall be determined at the time of dedication  
30 based on the value of the property at the time of dedication and shall be  
31 consistent with Sections 78-94 and 78-99 of the City's Land Development  
32 Regulations.  
33

34 **Transportation**

35  
36 **Rights-of-Way**

- 37
- 38 17. No building permits for vertical construction shall be issued until the Applicant  
39 conveys to Palm Beach County rights-of-way from the Property along Northlake  
40 Boulevard and all expanded intersections thereof, free and clear of all liens and  
41 encumbrances as necessary and consistent with the Palm Beach County  
42 Comprehensive Plan. The reservation of mineral rights shall not be considered  
43 an encumbrance for purposes of right-of-way dedication.  
44  
45  
46

1 **Proportionate Share Payments**

- 2
- 3 18. The Applicant shall meet the Concurrency Transportation requirements
- 4 through payment of its proportionate share contribution pursuant to the
- 5 Proportionate Share Agreement. The Applicant has entered into that
- 6 Proportionate Share Agreement with Palm Beach County in a form acceptable
- 7 to the City, attached hereto as Exhibit "C".
- 8
- 9 19. The proportionate share payments do not address the committed Applicant
- 10 improvements for internal project roads, internal program signals, and project
- 11 intersection/entrance improvements along Northlake Boulevard, Beeline
- 12 Highway, and the Avenir Connector Road, as specified in this Development
- 13 Order, and any internal roadway improvements required by the City of Palm
- 14 Beach Gardens.
- 15
- 16 20. As it relates to compliance with proportionate share payment obligations, the
- 17 issuance of all building permits shall be governed by the Proportionate Share
- 18 Agreement.
- 19
- 20 21. Any proposed delay in payment of the proportionate share payment due or a
- 21 proposed change to the approved development that increases the authorized
- 22 number of trips or to the phasing schedule shall require a reanalysis of the
- 23 proportionate share payment amount as part of any approval of the requested
- 24 change. Any such change shall require an amendment to the Proportionate
- 25 Share Agreement and an amendment to this Development Order to conform to
- 26 any such amendment to the Proportionate Share Agreement.
- 27

28 **Internal Roadways and Access Driveways**

- 29
- 30 22. No building permits for vertical construction of Phase 2, as identified in
- 31 Condition 2, shall be issued until permits are obtained for the connection of the
- 32 Avenir Connector Road to the Beeline Highway as a signalized intersection to
- 33 include the following geometry:
- 34
- 35 a) Northbound Dual Left Turn Lanes and Single Right-Turn Lane (Avenir
- 36 Connector Road)
- 37 b) Eastbound Four (4) Through Lanes and Single Right-Turn Lane (Beeline
- 38 Highway)
- 39 c) Westbound Four (4) Through Lanes and a Single Left-Turn Lane (Beeline
- 40 Highway)
- 41
- 42 23. Avenir shall have the following connections to the external roadway network
- 43 consistent with the PCD Master Development Plan:
- 44
- 45 a) A minimum of seven (7) connections to Northlake Boulevard, as generally
- 46 depicted on the PCD Master Plan; and

- 1           b) An internal roadway network as generally depicted on the PCD Master Plan.  
2  
3       24. The internal roadway network as generally depicted on the PCD Master Plan  
4       shall be open to the public and shall not be gated.  
5  
6       25. For the following intersections that are not currently signalized, signalization  
7       shall be provided, if warranted, through completion of the project. A signal  
8       warrant study for each of the following intersections shall be submitted with the  
9       biennial report until signalization is warranted.  
10  
11           • Northlake Boulevard and 140<sup>th</sup> Avenue  
12           • Northlake Boulevard and Driveway #7  
13  
14       The first warrant study shall be included in the next biennial report after  
15       construction of the north approach for the Northlake Boulevard intersections.  
16  
17       26. No building permits for vertical construction shall be issued until performance  
18       security in an amount to be determined by the Palm Beach County Traffic  
19       Division is posted with the City for all costs associated with the traffic signals  
20       for the intersections listed in Condition 28 and for the modifications to the signal  
21       at the Northlake Boulevard and Coconut Boulevard intersection.  
22  
23       27. If Palm Beach County and/or FDOT approves a signal warrant study submitted  
24       with the biennial report showing that signalization of any of the above-listed  
25       intersections is warranted, or if Palm Beach County provides written notice to  
26       the Applicant with a copy to the City that a signal warrant study was conducted  
27       between biennial reports showing that signalization is warranted at any of the  
28       above intersections, the Applicant shall install a mast arm traffic signal at the  
29       warranted intersection within twelve (12) months of approval or receipt of notice  
30       by Palm Beach County. If the Applicant fails to complete the signal installation  
31       within this time frame, the County Engineer, at his/her sole discretion, shall  
32       have the right to request funds be drawn from the performance security (surety  
33       drawn), and Palm Beach County may then complete all required work.  
34  
35       28. At the time of driveway connection at the driveway locations listed below, the  
36       Applicant shall provide property sufficient to construct the following lane  
37       geometry and shall provide signalization and/or signal modifications as  
38       warranted. The Applicant shall submit a phasing schedule with each site plan  
39       to identify the timing of construction of the needed improvements at each  
40       driveway:  
41  
42           a. Northlake Boulevard and Driveway #7  
43               Southbound: Three (3) left-turn lanes and one (1) right-turn lane  
44               Eastbound: One (1) left-turn lane and four (4) through lanes  
45               Westbound: One (1) right-turn lane and four (4) through lanes  
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**b. Northlake Boulevard and Coconut Boulevard (Driveway #4)**

- Northbound: One (1) left-turn lane, two (2) through lanes, and one (1) free-flow right-turn lane
- Southbound: Three (3) left-turn lanes, two (2) through lanes, and one (1) right-turn lane
- Eastbound: Two (2) left-turn lanes, three (3) through lanes, and one (1) right-turn lane
- Westbound: Two (2) left-turn lanes, four (4) through lanes, and one (1) right-turn lane

**c. Northlake Boulevard and 140<sup>th</sup> Avenue North (Driveway #2)**

- Northbound: One (1) left-turn lane, one (1) through lane, and two (2) right-turn lanes
- Southbound: Two (2) left-turn lanes, one (1) through lane, and one (1) right-turn lane
- Eastbound: Two (2) left-turn lanes, three (3) through lanes, and one (1) right-turn lane
- Westbound: Two (2) left-turn lanes, two (2) through lanes, and one (1) right-turn lane

**d. Beeline Highway and the Avenir Connector Road**

- Northbound: Two (2) left-turn lanes and one (1) right-turn lane
- Eastbound: Four (4) through lanes and one (1) right-turn lane
- Westbound: One (1) left-turn lane and four (4) through lanes

29. No building permits for vertical construction shall be issued for development in Parcel B and/or Parcel D until contracts have been let to provide westbound right- turn lanes at the following driveways:

- a. Northlake Boulevard and Driveway into Parcel B (Driveway #6)
- b. Northlake Boulevard and Driveway into Parcel B (Driveway #5)
- c. Northlake Boulevard Driveway into Parcel D (Driveway #3)

The westbound right-turn lanes shall not be eliminated with any widening of Northlake Boulevard.

30. Prior to the issuance of a building permit for any development in Phase 2 as identified in Condition 2, the construction of Northlake Boulevard from four (4) lanes to six (6) lanes between 140th Avenue North and (future) State Road 7 connection shall be completed.

31. Prior to the issuance of a building permit for any development in Phase 2 as identified in Condition 2, construction of the Avenir Connector Road, as shown on the PCD Master Plan, shall be constructed from Northlake Boulevard to the Beeline Highway as a two- (2) lane roadway.

1 32. Notwithstanding anything contained in the Development Order to the contrary,  
2 in the event that the Avenir connection to the Beeline Highway is not  
3 constructed prior to the conclusion of Phase I, as set forth in Condition 2, the  
4 Applicant shall be required to update its approved traffic study to reflect the  
5 roadway network without the Avenir Connector Road, in accordance with the  
6 Proportionate Share Agreement, and pay its proportionate share of  
7 improvements that would have been required if the Avenir Connector Road had  
8 not been included in the traffic study that is the basis for the Proportionate  
9 Share Agreement entered into with Palm Beach County.

10  
11 **Other Transportation Issues**

12  
13 33. Prior to beginning construction on Phase 2 as set forth in Condition 2, the  
14 Applicant shall have received a Certification of Occupancy for a minimum of  
15 50% of the identified Commercial land-use square footage required for Phase  
16 1. Prior to beginning construction on Phase 3, as set forth in Condition 2, the  
17 Applicant shall have received a Certification of Occupancy for a minimum of  
18 50% of the aggregate of the identified Commercial land-use square footage  
19 required for Phases 1 and 2. Prior to beginning construction on Phase 4, as  
20 set forth in Condition 2, the Applicant shall have received a Certificate of  
21 Occupancy for a minimum of 50% of the aggregate of the identified Commercial  
22 land-use square footage required for Phases 1, 2, and 3.

23  
24 34. The Applicant shall be responsible for evaluating alternative mobility options at  
25 each phase to include alternative financing options, such as a transit taxing  
26 district.

27  
28 35. Prior to each site plan approval, a trip generation analysis shall be performed.  
29 The trip generation analysis shall present calculations for both AM and PM  
30 peak hour and shall rely upon the approved rates for trip generation, pass-by,  
31 and internal capture for the phase in which the development occurs, as  
32 approved in the Development Order. The trip generation shall be cumulative  
33 and include all currently valid previous site plan approvals. Development order  
34 conditions shall be evaluated to determine the triggering of any conditions.

35  
36 36. Prior to each site plan approval, a traffic study shall be submitted and approved  
37 by the City of Palm Beach Gardens to determine:

- 38  
39 a) Lane geometry for impacted internal roadways and their intersections, and  
40 b) Timing of signalization improvements at project driveways.

41  
42 37. Consistent with the Transportation Mitigation program as outlined in Ordinance  
43 3, 2016 for the Comprehensive Plan Amendment, the following Transportation  
44 Demand Management Strategies shall be adhered to as set forth elsewhere in  
45 this Development Order.  
46

- 1 a. 2,407 acres shall be dedicated as Conservation Area prior to, or as part of,
- 2 first plat, as set forth in Condition 40.
- 3 b. Maximum gross density is 0.84 dwelling units per acre with no density
- 4 bonuses permitted.
- 5 c. The provision of at least 250 residential units as affordable and/or workforce
- 6 housing units (125 units at 60% of the Area Median Income-AMI and 125
- 7 units at 120% of AMI), as more specifically listed in Condition 63.
- 8 d. A phasing plan and/or conditions of approval requiring minimum
- 9 commercial uses to be concurrent with residential uses as listed in
- 10 Condition 33.
- 11 e. The Applicant shall complete construction of the main Avenir Connector
- 12 Road from Northlake Boulevard to the Beeline Highway as a minimum two-
- 13 (2) lane facility as specified in Condition 31.
- 14 f. The Applicant shall complete construction of Northlake Boulevard from
- 15 140<sup>th</sup> Avenue North to (future) SR 7 from a four- (4) lane facility to a six- (6)
- 16 lane facility, as specified in Condition 30.
- 17 g. The Applicant shall coordinate with the City and Palm Tran on future studies
- 18 and possible funding mechanisms, such as a transit district, to bring transit
- 19 to the project.
- 20 h. The Applicant shall provide bus stops and/or bus bays along Northlake
- 21 Boulevard, as required by Palm Tran for a future transit route, utilizing the
- 22 City's approved bus shelter design or an alternative approved by the City
- 23 Manager or his/her designee. As part of each Biennial Report, the Applicant
- 24 shall include an update on the status of Palm Tran providing a transit route
- 25 to the project. Once Palm Tran establishes a transit route to the project, the
- 26 Applicant has one (1) year to construct the required bus stops(s).
- 27 i. The Applicant shall provide a Multi-Modal Center within the Town Center
- 28 Parcel B that includes:
  - 29
  - 30 a. A Park and Ride area or areas containing a minimum of 5% of the
  - 31 parking requirement for the approved commercial area for use as Park
  - 32 and Ride spaces. These spaces may be integrated with the rest of the
  - 33 required parking; however, they must be in excess of the minimum
  - 34 parking requirement for the commercial development.
  - 35 b. A Bike-Sharing Facility.
  - 36
- 37 j. Prior to the issuance of the first building permit within the Workplace District,
- 38 the Applicant shall provide to the City Transportation Demand Management
- 39 (TDM) policies, which shall include, but not be limited to, Ride Sharing and
- 40 Compressed Work Week strategies for the Workplace District.
- 41
- 42
- 43
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1 **Environmental and Natural Resources**

2

3 Nothing contained in this Development Order is intended to require any actions  
4 inconsistent with requirements of the South Florida Water Management District  
5 (SFWMD), United States Army Corps of Engineers (ACOE), or other State or Federal  
6 agencies with regulatory authority over the Project.

7

8 **Conservation Area Management Plan**

9

- 10 38. At the time of the first plat, the Applicant shall submit a Conservation Area  
11 Management Plan (CAMP) for a minimum of 2,407 acres of Conservation Area  
12 identified on the PCD Master Plan, including all areas delineated within the  
13 PCD Master Plan, including uplands, wetlands, and all other areas included  
14 therein, to implement the Habitat Restoration and Management Plan provided  
15 as part of the approval of this Development Order. The plan shall: 1) identify  
16 locations in the preserve area where upland or wetland natural communities  
17 will be created, enhanced, or restored; 2) identify management procedures and  
18 provide a schedule for their implementation; 3) include procedures for  
19 maintaining suitable habitat for State and Federally listed species; 4) include  
20 methods to remove nuisance and exotic vegetation and any other species that  
21 are determined to threaten the natural communities; 5) include plans to  
22 permanently identify the preserve area and provide access for passive  
23 recreation, education, or scientific study; and 6) identify a permanent funding  
24 source and define a responsible entity for the maintenance and implementation  
25 of the management plan in perpetuity. The CAMP shall be approved by the City  
26 of Palm Beach Gardens, and all applicable governmental agencies. Within sixty  
27 (60) days of the issuance of an Environmental Resource Permit (ERP) from the  
28 SFWMD or a Section 404 Permit from the ACOE, whichever comes last, the  
29 Applicant shall submit to the City an updated CAMP. The updated CAMP shall  
30 incorporate and reflect the wetland mitigation requirements and schedules from  
31 the ERP and ACOE Section 404 permits.
- 32
- 33 39. Prior to any land clearing activities in the development area, the Applicant shall  
34 provide the location of the fence to the City Planning & Zoning Department for  
35 approval, and shall install temporary fencing around all adjacent upland and  
36 wetland areas in the Conservation Area. The fencing shall clearly identify and  
37 designate the boundaries of the Conservation Area and minimize the potential  
38 disturbance of the Conservation Area during land clearing and construction.  
39 The temporary fencing shall be established at least ten (10) feet outside of the  
40 boundaries of the Conservation Area and shall remain in place until the  
41 completion of the finish grading on the area adjacent to the fencing.
- 42
- 43 40. At the time of the first plat or sooner, the Applicant shall identify the  
44 Conservation Area on the plat as dedicated for conservation purposes.
- 45
- 46

- 1 41. No later than completion of restoration of the Conservation Area, the  
2 Conservation Area shall be conveyed to, and shall be the perpetual  
3 maintenance responsibility of one or more of Palm Beach County, SFWMD, or  
4 other governmental or quasi-governmental (e.g., Northern Palm Beach County  
5 Improvement District), agency or to any other entity approved by the City  
6 Attorney.  
7
- 8 42. The continued preservation of the Conservation Area shall be assured through  
9 a Conservation Easement in favor of a governmental or quasi-governmental  
10 (e.g., Northern Palm Beach County Improvement District) agency or agencies.  
11 Such conservation easement shall be properly executed and recorded prior to  
12 or concurrent with the issuance of the first plat.  
13

14 **Wetland and Upland Preservation**

- 15
- 16 43. As part of the CAMP, the Applicant shall identify the location of all upland  
17 preserve areas that have been shown on the PCD Master Plan within the  
18 Conservation Area. Upland habitat restoration will provide a minimum of 182  
19 acres of upland preservation, in accordance with the CAMP.  
20
- 21 44. Wetland and upland restoration and mitigation shall be completed as set forth  
22 in the CAMP, as it will be amended following approval of the ERP and ACOE  
23 Section 404 permits as set forth in Condition 38. It is anticipated that mitigation  
24 requirements to be contained in the ERP and ACOE Section 404 permits will  
25 include all wetland restoration and will be completed within five (5) years of  
26 issuance of those permits.  
27

28 **Listed Species**

- 29
- 30 45. Prior to any land alteration in the development area, an environmental survey  
31 shall be submitted identifying all listed plant and animal species. In order to  
32 protect the plant and animal species, all appropriate permits shall be submitted  
33 by the Applicant and approved by the applicable permitting agencies. The  
34 environmental survey shall ensure compliance with the approved Conservation  
35 Area Management Plan (CAMP). The environmental survey shall be submitted  
36 for review and approved by Staff.  
37
- 38 46. The Applicant shall obtain all necessary permits or approvals from the SFWMD,  
39 ACOE and/or any other applicable State or Federal agency with regulatory  
40 authority over the Project for impacts to and management of State or Federal  
41 listed plant or animal species.  
42  
43  
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46

1 **Exotic Species**

- 2
- 3 47. Prior to obtaining building permits for any future structure approved as part of
- 4 a site plan approval or for infrastructure construction, the Applicant shall
- 5 remove from the area encompassed by such site plan or infrastructure permit
- 6 any nuisance and/or invasive exotic vegetation listed under Category I of the
- 7 Florida Exotic Pest Plant Council's "2015 List of Invasive Plant Species" as it
- 8 may be amended. Removal shall be in a manner that minimizes seed dispersal
- 9 by any of these species. There shall be no planting of these species on site.
- 10 Methods and a schedule for the removal of exotic and nuisance species shall
- 11 be approved by the City of Palm Beach Gardens. The entire site, including
- 12 wetlands and conservation areas, shall be maintained free of these species as
- 13 required by any applicable permits.

14

15 **Water Quality**

- 16
- 17 48. The Applicant is required to meet all Total Maximum Daily Load (TMDL) for
- 18 water quality nutrient loading limits and all design requirements of the FDEP,
- 19 PBC ERM, and SFWMD.
- 20
- 21 49. As part of the SFWMD permitting process, the Applicant is required to provide
- 22 a pre-post nutrient loading analysis to demonstrate that the nutrient load will be
- 23 reduced and that the Project's proposed surface water management system
- 24 and best management practices will meet the State's numeric nutrient criteria
- 25 for its discharges.

26

27 **Stormwater Management**

- 28
- 29 50. The Applicant for each site plan and/or permit for installation of infrastructure
- 30 shall design and construct a stormwater management system within such
- 31 development parcel to retain the maximum volumes of water consistent with
- 32 SFWMD and Northern Palm Beach County Improvement District (NPBCID)
- 33 criteria for flood control. At a minimum, all water discharged from the surface
- 34 water management system from the development area shall meet or exceed
- 35 the water quality standards as set forth in applicable State regulation and/or
- 36 City of Palm Beach Gardens Code of Ordinances.
- 37
- 38 51. At the time of individual site plan approvals and consistent with the adopted
- 39 Development Standards, the Applicant shall work with the City of Palm Beach
- 40 Gardens to minimize the amount of impervious surface constructed for
- 41 automobile parking on the project site. The Applicant and the City should
- 42 consider the use of pervious parking lot materials where feasible.
- 43
- 44
- 45
- 46

- 1 52. The surface water management system shall utilize Best Management  
2 Practices to minimize the impact of chemical runoff associated with lawn and  
3 landscape maintenance, according to the City of Palm Beach Gardens Code  
4 of Ordinances, Chapter 34-Environment. The Applicant shall coordinate with  
5 the SFWMD and the NPBCID to formulate and implement Best Management  
6 Practices to reduce the use of pesticides and fertilizers throughout the Project.  
7  
8 53. Prior to any site plan approval and/or issuance of any permit for installation of  
9 infrastructure, the Applicant shall provide the City with Best Management  
10 Practices (BMPs) that will be utilized to assist in the reduction of nutrient  
11 loading for any agricultural operations and indicate who will be responsible to  
12 manage and monitor the BMPs until such agricultural operations cease.  
13  
14 54. Maintenance and management efforts required to assure the continued viability  
15 of all components of the surface water management system shall be the  
16 financial and physical responsibility of the Applicant, NPBCID or other entity  
17 acceptable to the City or otherwise set forth in the permit issued by SFWMD.  
18 Any entities subsequently replacing the Applicant shall be required to assume  
19 the responsibilities as set forth in this condition.  
20

21 **Water Supply**

- 22  
23 55. No building permits for vertical construction shall be issued until the Applicant  
24 demonstrates that the Seacoast Utility Authority (SUA), or other public utility  
25 provider, has an adequate permitted allocation of potable water and adequate  
26 potable water treatment and delivery facilities to meet the demands of the  
27 development for which the building permit for vertical construction is requested.  
28  
29 56. The preferred source of irrigation water for non-agricultural areas shall be  
30 treated wastewater effluent at such time as this source is made available to the  
31 site. The project shall be equipped with an irrigation water distribution system.  
32 No individual home wells shall be constructed on the project site.  
33  
34 57. Reclaimed water shall not be provided, unless mandated by the SFWMD.  
35  
36 58. The residential and non-residential uses in the Project shall utilize low-volume  
37 water use plumbing fixtures, Florida-friendly (drought tolerant) landscape  
38 techniques, and other water conservation measures as may be required by the  
39 SFWMD or City Ordinances. The commercial uses in the project shall also  
40 utilize self-closing and/or metered water faucets. These devices and methods  
41 shall meet the criteria outlined in the water conservation plan of the public water  
42 supply permit issued to the SUA by the SFWMD or City Ordinances.  
43  
44  
45  
46

1 **Wastewater Management**

2  
3 59. No residential subdivision plat shall be recorded nor final site plan approved for  
4 any development parcel until the Applicant has provided written confirmation  
5 from the SUA, or other public utility provider, that: 1) adequate capacity for  
6 wastewater treatment is available to serve such development parcel; and 2) the  
7 Applicant or others have provided the necessary wastewater system  
8 extensions to serve the development parcel.  
9

10 **Solid Waste and Hazardous Materials**

11  
12 60. Prior to the issuance of any non-residential building permits for vertical  
13 construction for the Project, the Applicant shall prepare a Hazardous Materials  
14 Management Plan if the site operator generates transports and/or stores any  
15 hazardous materials above reportable quantities, as required by the Florida  
16 Department of Environmental Protection (FDEP), for the non-residential use(s)  
17 and have it approved by the City of Palm Beach Gardens. The plan should  
18 identify off-site disposal plans, on-site waste handling, and generation and  
19 emergency procedures for each generator of hazardous waste. At a minimum,  
20 the plan shall:  
21

- 22 a) Require disclosure by all owners or tenants of the property of all hazardous
- 23 materials or waste proposed to be stored, used, or generated on premises;
- 24 b) Require the inspection of all premises storing, using, or generating
- 25 hazardous materials or waste prior to commencement of operation, and
- 26 periodically thereafter, to assure that proper facilities and procedures are in
- 27 place to properly manage hazardous materials projected to occur;
- 28 c) Provide minimum standards and procedures for storage, prevention of
- 29 spills, containment of spills, and transfer and disposal of such materials or
- 30 waste;
- 31 d) Provide for proper maintenance, operation, and monitoring of hazardous
- 32 materials and waste management systems, including spill and hazardous
- 33 materials and waste containment systems;
- 34 e) Detail actions and procedures to be followed in case of spills or other
- 35 accidents involving hazardous materials or waste;
- 36 f) Guarantee financial and physical responsibility for spill cleanup; and
- 37 g) Include a program for continued monitoring of surface and groundwater on
- 38 the site.  
39

40 **Air Quality**

41  
42 61. During land clearing and site preparation, soil treatment techniques appropriate  
43 for controlling unconfined particulate emissions shall be undertaken. If  
44 construction on a parcel will not begin within thirty days of clearing, the soil shall  
45 be stabilized until construction of the parcel begins. Cleared areas may be  
46 sodded, seeded, landscaped, mulched, or stabilized by other means as may

1 be permitted by the City of Palm Beach Gardens. Minimal clearing for access  
2 roads, survey lines, fence installation, or construction trailers and equipment  
3 staging areas is allowed without the need for soil stabilization. The purpose of  
4 this condition is to minimize dust production and soil erosion during land  
5 clearing and to prevent soil particulates from becoming airborne between the  
6 time of clearing and construction. The development shall comply with all  
7 National Pollutant Discharge Elimination System requirements.

8  
9 **Green Building**

10  
11 62. The Applicant is encouraged to participate in green building and sustainable  
12 methods, in compliance with the applicable Housing Element policies of the  
13 City's Comprehensive Plan. For any proposed certified LEED green building  
14 projects or equivalent certification, the project shall be eligible for expedited  
15 permitting as set forth in Section 78-57 and as determined by the City's  
16 Planning and Zoning Director.

17  
18 **Human Resources**

19  
20 **Housing**

21  
22 63. The City's Workforce Housing requirement shall be addressed through the  
23 provision of 250 multifamily rental units within the Town Center District. A  
24 minimum of 50 percent of the approved multifamily units shall be restricted to  
25 a maximum rental rate of 60 percent of the Area Median Income (AMI) for Palm  
26 Beach County, as determined by the Palm Beach County Planning  
27 Department. The remaining 50 percent of the rental units shall be restricted to  
28 a maximum rental rate of 120 percent of the Palm Beach County AMI. This  
29 limitation shall run only for the first 15 years of the life of the dwelling unit, which  
30 time shall begin to run upon the issuance of the Certificate of Occupancy for  
31 such unit. The rental prices for the workforce housing multifamily units shall be  
32 provided to the City as part of the Project's Biennial Report.

33  
34 **Police and Fire Protection**

35  
36 64. Prior to each site plan approval, the Applicant shall provide written confirmation  
37 from the City of Palm Beach Gardens Fire Rescue Department verifying that  
38 adequate facilities, equipment, and personnel are available to service the  
39 Avenir Project based on the demand from the Project.

40  
41 65. Prior to each site plan approval, the Applicant shall provide written confirmation  
42 from the City of Palm Beach Gardens Police Department verifying that  
43 adequate facilities, equipment, and personnel are available to service the  
44 Avenir Project based on the demand from the Project.

- 1 66. The Applicant shall provide fire hydrant layout with each future site plan.
- 2
- 3 67. All future gated developments must provide access control devices approved
- 4 by the Fire Rescue Department.
- 5
- 6 68. All future site plans, structures, landscaping, lighting, and the overall design
- 7 shall comply with CPTED standards, which may include Natural Surveillance,
- 8 Access Control, Territoriality, Defensible Space, Formal Organized
- 9 Surveillance, and Activity Program Support. These crime prevention standards
- 10 will be derived from the State of Florida Attorney General's Office/Crime
- 11 Prevention Training Institute, Florida State Statutes, City of Palm Beach
- 12 Gardens Municipal Code, and the Florida Building Code.
- 13

14 **Parks and Recreation**

- 15
- 16 69. The Applicant shall meet the parks and recreation requirements as set forth in
- 17 the Avenir Development Standards and City LDRs.
- 18

19 **Historic and Archaeological Sites**

- 20
- 21 70. The Applicant shall protect and shall not develop the prehistoric archaeological
- 22 site, Site Number 8PB11489, in accordance with the recommendations from
- 23 the Florida Department of State, Division of Historical Resources and in
- 24 accordance with State or Federal permits or approvals for the Conservation
- 25 Area. This site is located within the Conservation Area.
- 26

27 **Engineering**

- 28
- 29 71. The road and street cross-sections depicted in the Development Standards
- 30 represent the minimum conceptual allowable design for these streets. All
- 31 construction plans shall be approved by the City Engineer, roadway owner,
- 32 utility providers, and any other agency having ownership or maintenance
- 33 responsibilities of the roadway or underlying utilities.
- 34
- 35 72. Prior to the issuance of the infrastructure permit, if applicable, the Applicant
- 36 shall provide the City Engineer with copies of all permits, permit applications,
- 37 and Requests for Additional Information to and from regulatory agencies
- 38 regarding issues on all permit applications, certifications, and approvals,
- 39 including SFWMD NPBCID, SUA, Palm Beach County, Health Department,
- 40 FDOT, and any other applicable agencies.
- 41
- 42 73. Prior to the issuance of the Certificate of Completion for the infrastructure
- 43 permit, the Applicant shall comply with all Federal EPA and State of Florida
- 44 Department of Environmental Protection NPDES requirements, including, but
- 45 not limited to, preparation of a stormwater pollution prevention plan and
- 46 identification of appropriate Best Management Practices, as generally

- 1 accepted by the Environmental Protection Agency (EPA) and/or local  
2 regulatory agencies, for construction activities, implementation of the approved  
3 plans, inspection, and maintenance of controls during construction. This  
4 includes a Notice of Intent prior to the issuance of the infrastructure permit and  
5 Notice of Termination.  
6
- 7 74. Prior to the issuance of the clearing permit or infrastructure permit or demolition  
8 permit, whichever comes first, the Applicant shall submit an updated  
9 construction phasing and safety plan for the City to review. The construction  
10 phasing and safety plan shall include all necessary construction zone signage  
11 and fencing as required by the Engineering Department and will need to be  
12 monitored throughout the construction duration and modified as necessary to  
13 allow for safe and effective pedestrian and vehicular movement throughout the  
14 Project. If at any time the Applicant wishes to modify the phasing plan, a revised  
15 phasing plan shall be submitted to the City Engineer for review.  
16
- 17 75. Prior to the issuance of the first vertical permit, the Applicant shall identify the  
18 entity that will be responsible for operating and maintaining the surface water  
19 management system and wetlands.  
20
- 21 76. As part of the first plat, the Applicant shall dedicate to the City, without recourse  
22 to the City, the right of perpetual public access for road right-of-way purposes  
23 over the Avenir Connector Road.  
24
- 25 77. Prior to the issuance of the first building permit for vertical construction, the  
26 Applicant shall provide Palm Beach County Utility and SFWMD roadway  
27 access to their facility on the Mecca parcel, if required.  
28
- 29 78. Prior to the issuance of the first building permit for vertical construction, the  
30 Applicant shall coordinate with Palm Beach County to consider accepting  
31 drainage from the Mecca Utility site into the Avenir stormwater management  
32 system, if required.  
33
- 34 79. Prior to the issuance of the first infrastructure permit, the Applicant shall provide  
35 a hydraulic analysis, including detailed information on the proposed structures  
36 and outfalls. Also, maintenance responsibilities of the outfall system shall be  
37 identified and agreements obtained from the appropriate entities.  
38
- 39 80. At the time of submittal of the first plat application for the Project, the Applicant  
40 shall provide a Master Declaration of Covenants and Restrictions for review  
41 and approval by the City Attorney. At a minimum the Declaration of Covenants  
42 and Restrictions shall specify who or what entity will be controlling, operating,  
43 and maintaining the common elements of the PCD, including, but not limited  
44 to, elements such as spine roads, perimeter landscape buffers, and major  
45 drainage elements. The City Attorney's approval of the subject Declaration  
46 shall be required prior to approval of the first plat of the Project.

- 1 81. Prior to the issuance of the first land alteration permit, the limits of clearing and  
2 installation, as noted in this condition, shall be identified on the final  
3 construction plans for review and approval by the City. Limited clearing may  
4 be permitted within an individual parcel of the PCD, even though the subject  
5 parcel has not yet received site plan approval when such limited clearing is  
6 necessary in order to facilitate the installation of infrastructure and/or common  
7 amenities necessary to implement an approved site plan for a different parcel  
8 within the PCD. Such limited clearing shall be subject to approval of the City  
9 Engineer and City Forester.
- 10  
11 82. Prior to the commencement of construction for the improvements delineated  
12 on the PCD Master Plan, the Applicant shall provide all necessary construction  
13 zone signage and fencing as required by the City Engineer.
- 14  
15 83. Prior to the issuance of the clearing permit, infrastructure permit, or the building  
16 permit for any construction within the PCD Master Plan, whichever occurs first,  
17 the Applicant shall provide itemized cost estimates and surety for the related  
18 improvements, in accordance with the LDR Sections 78-309 and 78-461. The  
19 itemized cost estimates shall include all public elements for the on-site and off-  
20 site infrastructure-, landscaping-, and irrigation-related improvements. The cost  
21 estimates shall be dated, signed, and sealed by a professional engineer and  
22 landscape architect registered in the State of Florida. Surety will be based on  
23 110% of the total combined City-approved cost estimates and shall be posted  
24 with the City.
- 25  
26 84. As part of the PCD Master Plan construction, or any site plan approval process  
27 for any site plan that includes a lake within the PCD, the Applicant shall  
28 demonstrate to the satisfaction of the City that each lake includes an adequate  
29 number of aerators/fountains to avoid water stagnation. The total number shall  
30 include consideration of the size of each lake and the proper placement of the  
31 aerators/fountains. All lakes shall have at least one aerator/fountain.
- 32  
33 85. Prior to the issuance of each infrastructure permit, the Applicant shall receive  
34 a Technical Compliance Approval (TCA) letter for this Project in accordance  
35 with the City's LDRs. Prior to the issuance of a vertical building permit, the plat  
36 for any specific development parcel shall be approved by City Council.
- 37  
38 86. The construction, operation, and/or maintenance of any elements of the subject  
39 project shall not have any negative impacts on the existing drainage of  
40 surrounding areas. If at any time during the project development it is  
41 determined by the City that any of the surrounding areas are experiencing  
42 negative drainage impacts caused by the project, it shall be the Applicant's  
43 responsibility to resolve said impacts in a period of time and a manner  
44 acceptable to the City prior to additional construction activities. The City may  
45 cease issuing building permits and/or Certificates of Occupancy until all  
46 drainage concerns are resolved.

- 1 87. Prior to the issuance of each infrastructure permit for the improvements  
2 delineated on the PCD Master Plan, the Applicant shall provide proper  
3 documentation to the City, in a form satisfactory to the City Attorney, from the  
4 applicable utility providers authorizing the location of landscaping and light  
5 poles within the utility easements, if required.  
6
- 7 88. Prior to the issuance of each infrastructure permit for the improvements  
8 delineated on the PCD Master Plan, the Applicant shall submit  
9 signed/sealed/dated construction plans, including a pavement marking and  
10 signage plan and a permit application for review and approval, and paving,  
11 grading, and drainage plans, along with surface water management  
12 calculations and hydraulic pipe calculations for City review and approval. The  
13 paving, grading, and drainage plan and calculations shall be signed and sealed  
14 by an engineer licensed in the State of Florida.  
15
- 16 89. Prior to the issuance of the land alteration permit of any infrastructure phase of  
17 the PCD, the Applicant shall plat said infrastructure phase to include all existing  
18 and proposed easements and like encumbrances in accordance with the LDRs  
19 for City Council approval.  
20
- 21 90. Prior to the issuance of each infrastructure permit for the improvements  
22 delineated on the PCD Master Plan, the Applicant shall provide a signed and  
23 sealed photometric plan for the infrastructure being applied for and submit a  
24 site lighting permit.  
25
- 26 91. Prior to the commencement of construction associated with each infrastructure  
27 permit for the applicable improvements delineated on the PCD Master Plan,  
28 the Applicant shall schedule a pre-construction meeting with City Staff.  
29 Inspections related to the infrastructure permit will not be performed until the  
30 pre-construction meeting has occurred. In addition, failure to comply with this  
31 condition could result in a Stop-Work Order of all work/construction activity for  
32 the subject development site.  
33
- 34 92. Prior to the issuance of the Certificate of Completion for each infrastructure  
35 permit, the Applicant shall provide copies of any required FDOT testings for the  
36 City's review and approval.  
37
- 38 93. A boundary plat shall be required for the Avenir PCD prior to any further  
39 subdivision of land. All parcels depicted on the PCD Master Plan shall be  
40 separately platted and shall require City Council approval. Subsequent  
41 subdivisions within each of these aforementioned parcels may occur by metes  
42 and bounds in accordance with Section 78-592 of the City's LDRs (i.e.,  
43 nonresidential uses and nonresidential parcels only).  
44  
45  
46

1 **Economic Development**

- 2
- 3 94. Prior to, or at the time of first plat approval, the Applicant shall dedicate 50
- 4 acres to the City for the purposes of economic development (the "Economic
- 5 Development Parcel" or "EDP"). The Economic Development Parcel shall be
- 6 located as identified on the PCD Master Plan and may be used only for the
- 7 following uses:
- 8
- 9 a. Medical/Pharmaceutical
- 10 b. Aerospace and/or Engineering
- 11 c. Information Technology
- 12 d. Business and Financial Services
- 13 e. Research and Development
- 14 f. Education
- 15 g. Corporate Headquarters
- 16 h. Any other industry cluster or company approved by the City Council.
- 17
- 18 95. The Economic Development Parcel may be developed with up to 500,000
- 19 square feet of any of the uses as set forth in Condition 94.
- 20
- 21 96. The Economic Development Parcel may only be used for businesses that (1)
- 22 create a minimum of 50 new value-added positions within the first two (2) years
- 23 of operation (those positions with an average salary to be 10% higher than the
- 24 current per capita income in the City), and (2) pass a due diligence analysis
- 25 performed by the City to establish solvency. The EDP may also be used to
- 26 expand an existing business already located within the City as a result of
- 27 creating at least 50 new value-added positions within the first two (2) years of
- 28 operations.
- 29
- 30 97. The City may donate or lease the EDP at no cost, but may not receive any
- 31 compensation for such EDP.
- 32
- 33 98. The development of the Economic Development Parcel shall be subject to the
- 34 approved Development Standards, which shall not be amended without
- 35 approval of the Applicant.
- 36
- 37 99. Notwithstanding any proportionate share costs set forth in the Proportionate
- 38 Share Agreement, any assessment levied on the Economic Development
- 39 Parcel by the NPBCID or any other governmental or regulatory agency or any
- 40 Property Owners Association shall not be the responsibility of the City. Further,
- 41 such assessments shall accrue for a maximum period of three (3) years from
- 42 the date any assessment is levied against the EDP until such time as it is either
- 43 donated by the City or the effective date of any lease occurs (the "accrued
- 44 assessments"). From the date any person or entity takes ownership, from the
- 45 effective date of any lease, or the date of any other conveyance of a right to
- 46 use said parcel, the then owner, lessee, and/or user of the EDP shall become

- 1 subject to and required to pay the accrued assessments and all assessments  
2 against the EDP that are then or may become due and payable from that date  
3 forward. If less than the entire EDP is either donated, leased, or the right to  
4 use otherwise conveyed, the then owner, lessee, and/or user shall only be  
5 responsible for its individual pro-rata share(s) of the accrued assessments and  
6 its individual pro-rata share(s) of any other assessments that are then or may  
7 become due and payable commencing on the date of ownership transfer, lease  
8 effective date, or the date of any other conveyance of a right to use forward.  
9
- 10 100. The developer or developers of the EDP shall pay to the Applicant all impact  
11 fees that would be due to the City or County, but for impact fee credits, at the  
12 then present rate.  
13
- 14 101. The developer or developers of the EDP shall pay to the Applicant the  
15 developer(s) proportionate share of the Proportionate Share Agreement  
16 payments due to Palm Beach County (whether paid in kind, e.g., by building  
17 the Avenir Connector Road, or in cash) pursuant to the Proportionate Share  
18 Agreement less any County roadway impact fees paid pursuant to Condition  
19 96.  
20
- 21 102. No later than approval of a site plan for the EDP, the Applicant shall provide  
22 water and sewer connections to the EDP and shall fill the EDP to grade.  
23
- 24 103. Prior to conveyance of the EDP, the Applicant shall provide Phase I and Phase  
25 II environmental reports to the City.  
26

27 **GIS Division**

- 28
- 29 104. Prior to the issuance of each Certificate of Occupancy, digital copies of the  
30 approved plans for record shall be submitted to the GIS Manager.  
31
- 32 105. Prior to the issuance of the first building permit for vertical construction, digital  
33 files of the approved plat shall be submitted to the Planning and Zoning  
34 Division.  
35
- 36 106. Names of arterial streets shall be approved by the City's Addressing Committee  
37 prior to PCD plat approval.  
38
- 39 107. Prior to the issuance of the first building permit for vertical construction, the  
40 Avenir subdivision name shall be approved by the City's Addressing  
41 Committee.  
42  
43  
44  
45  
46

1 **Forestry**

- 2
- 3 108. Site plans for all of the future development areas must be consistent with the
- 4 requirements of the Development Standards.
- 5
- 6 109. Prior to the issuance of the first building permit for vertical construction for the
- 7 adjacent parcel, the Applicant shall install landscaping and irrigation along all
- 8 PCD perimeter landscape buffers. The maintenance of said PCD perimeter
- 9 landscape buffers shall be the responsibility of the Master Property Owners
- 10 Association or other entity as approved by the City Attorney. The PCD
- 11 perimeter landscape buffer areas shall not be cleared of vegetation until site
- 12 plan approval has occurred for the adjacent development.
- 13
- 14 110. Prior to site plan approval for each parcel, the final design and location of all
- 15 littoral plantings for the subject parcel shall be submitted and approved.
- 16
- 17 111. Prior to the issuance of the infrastructure permit for a lake that is outside of the
- 18 individual parcels within the Avenir PCD, all littoral plantings shall be submitted
- 19 and approved.
- 20
- 21 112. Prior to the issuance of the first land alteration/clearing permit within the Avenir
- 22 PCD, a landscape and irrigation plan for Northlake Boulevard road shoulders
- 23 and medians shall be submitted to the City for review and approval.
- 24
- 25 113. Prior to the first Certificate of Occupancy within the Avenir PCD, the installation
- 26 of the Northlake Boulevard road shoulder and median landscape and irrigation
- 27 shall be completed from the north extension of 130<sup>th</sup> Avenue North to the
- 28 Property eastern boundary. Prior to completion of the Northlake Boulevard
- 29 widening from four (4) lanes to six (6) lanes or the first Certificate of Occupancy
- 30 west of the north extension of 130<sup>th</sup> Avenue North, whichever occurs first, the
- 31 remainder of the Northlake Boulevard road shoulder and median landscaping
- 32 shall be installed.
- 33
- 34 114. Prior to the issuance of the first land alteration/clearing permit within the Avenir
- 35 PCD, a landscape and irrigation plan for Beeline Highway road shoulders,
- 36 medians, and adjacent PCD buffer shall be submitted to the City for review and
- 37 approval. This condition may be modified by the Director of Planning and
- 38 Zoning with due cause.
- 39
- 40 115. Prior to the completion (open to the public) of the Avenir Connector Road
- 41 northern connection, the installation of the Beeline Highway road shoulder,
- 42 median, and adjacent PCD buffer landscaping and irrigation shall be
- 43 completed.
- 44
- 45
- 46

- 1 116. The Applicant shall be responsible for the installation and all associated  
2 maintenance of the landscaping and irrigation for the Northlake Boulevard and  
3 Beeline Highway road shoulders and medians adjacent or contiguous to their  
4 development.
- 5
- 6 117. The Applicant shall be responsible for the installation and all associated  
7 maintenance of all internal roads identified on the PCD Master Plan, including  
8 roadway buffer landscaping and irrigation, lighting, wildlife crossings, and  
9 hardscapes.
- 10
- 11 118. Prior to the issuance of the first building permit for vertical construction for an  
12 adjacent parcel, all roadway improvements as shown on the PCD Master Plan,  
13 such as landscaping, irrigation, lighting, and any other hardscape features,  
14 shall be installed. This condition may be modified at the time of Site Plan  
15 approval for the adjacent parcel.
- 16
- 17 119. There shall be a minimum 15-foot-wide landscape buffer outside of the Avenir  
18 Connector Road and Avenir Network Streets roadway cross-sections, adjacent  
19 to any residential lot property line.
- 20

21 **Planning**

- 22
- 23 120. Prior to the issuance of the first Certificate of Occupancy on site, the Applicant  
24 shall obtain approval of a PCD Master Signage Program.
- 25
- 26 121. Prior to the issuance of the first building permit for vertical construction of any  
27 on-site structure, the Applicant shall install and maintain the City of Palm Beach  
28 Gardens gateway sign located in the southwest corner.
- 29
- 30 122. Prior to the issuance of the first land alteration permit, the Applicant shall  
31 schedule a pre-permit meeting with the Planning and Zoning Department.
- 32
- 33 123. All uses within Parcel H (Agriculture Parcel) are subject to a Major Conditional  
34 Use process, per the City's Land Development Code.
- 35

36 **Airports**

- 37
- 38 124. The Applicant shall include the following language in a Homeowners  
39 Association Declaration for any residential community within the flight paths of  
40 the Northern Palm Beach County Airport:  
41  
42 NOTICE: The property subject of this Declaration is in the vicinity of the Palm  
43 Beach County North County Airport ("Airport"). Therefore, it is possible that  
44 owners, visitors, and users may be subject to varying degrees of potential  
45 noise and other impacts from operations conducted at, above, or within the  
46 vicinity of the Airport. Any buyer should conduct any investigation that the

1 buyer deems prudent and necessary to assess the impact, if any, of the  
2 Airport, including, but not limited, to airport-related noise that may affect the  
3 buyer's use and enjoyment of the property.  
4

5 **SECTION 4.** This petition is approved subject to strict compliance with the Exhibits  
6 listed below, which are attached hereto and made a part hereof as Exhibit "B":  
7

- 8 1. Avenir PCD Master Plan, Sheet MP-1, prepared by *Urban Design Kilday Studios*, dated April 18, 2016.  
9
- 10 2. Conceptual Alternate Connector Road, prepared by *Urban Design Kilday Studios*, date stamped November 4, 2015.  
11
- 12 3. Proposed CSX Crossing Location, Sheet 1 of 1 and 3 of 3, prepared by *Ballbe and Associates*, date stamped November 4, 2015.  
13
- 14 4. Avenir 80' R.O.W. – Avenir Network Streets & Avenir Connector Road Within  
15 the Development Area cross section plan, Sheet 1 of 3, prepared by *Urban Design Kilday Studios*, dated April 14, 2016.  
16
- 17 5. 76' R.O.W. - Avenir Connector Road Within Conservation Area cross-section  
18 plan, Sheet 2 of 3, prepared by *Urban Design Kilday Studios* dated April 14,  
19 2016.  
20
- 21 6. Avenir Connector Road – Conservation Area – Critter Crossing Details Plan,  
22 Sheet 3 of 3, prepared by *Urban Design Kilday Studios*, dated April 14, 2016.  
23
- 24 7. Avenir 90' Parkway Buffer – Northlake Boulevard (East of Avenir Connector  
25 Road), Sheet LP-1 of 5, prepared by *Urban Design Kilday Studios*, dated  
26 December 17, 2015.  
27
- 28 8. Avenir 90' Parkway Buffer – Northlake Boulevard (West of Avenir Connector  
29 Road), Sheet LP-2 of 5, prepared by *Urban Design Kilday Studios*, dated  
30 December 17, 2015.  
31
- 32 9. Avenir 50' Parkway Buffer – Northlake Boulevard, Sheet LP-3 of 5, prepared  
33 by *Urban Design Kilday Studios*, dated December 17, 2015.  
34
- 35 10. Avenir 25' PCD Buffer, Sheet LP-4 of 5, prepared by *Urban Design Kilday Studios*,  
36 dated December 17, 2015.  
37
- 38 11. Avenir Northlake Beautification Plan, Sheet LP-5 of 5, prepared by *Urban Design Kilday Studios*,  
39 dated December 17, 2015.  
40
- 41 12. Avenir Development Standards, prepared by *Urban Design Kilday Studios*,  
42 dated May 2, 2016.  
43  
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**SECTION 5.** All representations made by the Applicant or the Applicant's agent at any public hearing regarding this application are specifically incorporated herein, and this approval is granted subject to same.

**SECTION 6.** This Resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED this 5<sup>th</sup> day of May, 2016.

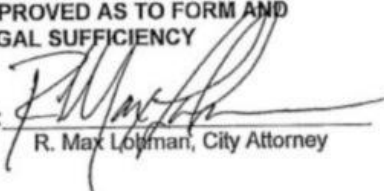
CITY OF PALM BEACH GARDENS, FLORIDA

BY:   
Marcie Tinsley, Mayor

ATTEST:

BY:   
Patricia Snider, CMC, City Clerk

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY

BY:   
R. Max Lohman, City Attorney

<u>VOTE:</u>	<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
MAYOR TINSLEY	✓	—	—
VICE MAYOR JABLIN	✓	—	—
COUNCILMEMBER PREMUIROSO	✓	—	—
COUNCILMEMBER LEVY	✓	—	—
COUNCILMEMBER MARINO	✓	—	—



**AVENIR R2016 10583**  
**PROPORTIONATE SHARE AGREEMENT**

This Proportionate Share Agreement (hereinafter "Agreement") is made and entered into ~~this~~ <sup>MAY 8<sup>th</sup></sup> ~~2016~~ day of \_\_\_\_\_, 2016, by and between Palm Beach County, a political subdivision of the State of Florida (hereinafter "County") and Avenir Holdings LLC (hereinafter "Applicant").

**WITNESSETH**

**WHEREAS**, the Board of County Commissioners has implemented the Proportionate Share Program as required by and in a manner consistent with section 163.3180(5)(b), Florida Statutes; and

**WHEREAS**, the Proportionate Share Program allows applicants to proceed with development notwithstanding a failure or potential failure of transportation facilities level of service, by contributing their proportionate share to one or more transportation facilities; and

**WHEREAS**, in order to conform to the requirements of this Proportionate Share Program, the County and the Applicant agree to the conditions, rights and obligations established in this Agreement; and

**WHEREAS**, to the extent that any of the conditions of this Agreement constitute monetary or property exactions that are subject to *Nollan v. California Coastal Comm'n*, 483 U. S. 825 (1987), and *Dolan v. City of Tigard*, 512 U. S. 374 (1994), Applicant, for itself and its successors and assigns, (a) agrees that there is a nexus and rough proportionality between such conditions and the impacts of the Project (as hereinafter defined), and that such conditions are necessary to ensure compliance with the criteria of the Palm Beach County Unified Land Development Code that are applicable to this approval, and (b) waives any claims based on such conditions; and

**WHEREAS**, Applicant is the owner of that certain property identified on the attached Exhibit A (the "Property"); and

**WHEREAS**, Applicant has sought development approval for the Property, including comprehensive plan amendments, rezoning, and Planned Community Development ("Project"), from the City of Palm Beach Gardens ("City"); and

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WHEREAS, the approved traffic study identifies the timing and development phasing for the required proportionate share payments associated with the Project; and

WHEREAS, the requirements and schedule set forth in this Agreement will result in the amount of proportionate share payments made throughout the life of the Project being in conformity with the approved traffic study; and

WHEREAS, by the approval of this Agreement, the Project shall be in conformity with all applicable Palm Beach County traffic concurrency regulations.

NOW, THEREFORE, in consideration of the promises, mutual covenants, and conditions contained herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties to this Agreement agree as follows:

1. Incorporation of recitals. The foregoing recitals are true and correct and hereby incorporated by the parties as part of this Agreement as if fully set forth herein.

2. Determination of proportionate share payments.

A. The total proportionate share payment due for the Project shall be One Hundred Five Million Three Hundred Ninety Two Thousand Six Hundred Twenty One Dollars and no/100 (\$105,392,621.00) ("Proportionate Share Payment"). However, in the event that the Florida Department of Transportation includes one or more of the links identified below in its Work Program for funding prior to the Project generating more than 894 AM peak outbound trips, the Proportionate Share Payment shall be reduced by the amount equivalent to each of such included links as set forth herein, less any portion of the Proportionate Share Payment that the County contributes to such links:

i. Beeline Highway from Northlake to Jog	\$2,335,818
ii. Beeline Highway from Jog to Haverhill	\$5,454,473
iii. Beeline Highway from Haverhill to Blue Heron	\$ 424,867

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B. The parties hereto acknowledge and agree that the attached Table 1 contains the proportionate share contribution required at each stage of development, the peak hour trip thresholds for each stage, and the estimated cost of each improvement. Payment of the Project's proportionate share, including through construction of improvements, as identified on Table 1 shall satisfy the transportation concurrency requirements of the County's Comprehensive Plan, concurrency management systems, and traffic performance standards.

C. Pursuant s.163.3180(5)(h)2., F.S., proportionate share monetary payments shall be based on the estimated cost of improvements at the time of Adjusted Payment. The parties hereto agree that the payment amounts set forth in this Agreement shall be subject only to the following calculation to account for changes in road construction costs that may occur between the effective date of this Agreement and the date each proportionate share payment is due.

Adjusted Payment = Original Payment Amount x (BONS Payment Month / BONS Month of Prop Share Execution)

- Original Payment Amount = Proportionate Share Payment amount specified
- BONS payment = Latest Published Value (including preliminary values) at Time of Payment
- BONS Month of Prop Share Execution = Published Value

The cost adjustment for the total and amount of each payment shall be based on the Bureau of Labor Statistics Producer Price Index (PPI) for Other Non-Residential Construction ((BONS) Series ID: WPUIP23122301).

3. Allocation and Timing of Project's Proportionate Share Payments.

A. The Applicant shall make the Proportionate Share Payment on the schedule as set forth in Table

1. The Applicant intends to construct (1) the Avenir Connector Road and (2) the Northlake Boulevard Widening, as defined in Table 1 (the "Applicant Constructed Improvements"), in accordance with the Development Order to be adopted for the Project, utilizing a portion of the Proportionate Share Payment as identified in Table 1. If the Applicant constructs the Applicant Constructed Improvements, the Applicant shall be entitled to those construction costs of Sixty One Million Five Thousand Nine Hundred Dollars and no/00

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(\$61,005,900.00) being credited against the required Proportionate Share Payment due for the Project as set forth in Paragraph 2.A of this Proportionate Share Agreement and no monetary payment is due for Payment A based on the cost of construction as set forth in Table 1 and the monetary payment due for Payment B shall be reduced based on the remaining amount of the cost of construction as set forth in Table 1. In the event that the Applicant does not construct the Applicant Constructed Improvements, the entirety of the Proportionate Share Payment shall be subject to the adjustment calculation set forth in Paragraph 2.C.

B. All monetary Proportionate Share Payments made pursuant to this Agreement shall be made directly to Palm Beach County. The County and the Applicant acknowledge and agree that the County presently intends to allocate the monetary Proportionate Share Payments to the improvements in the priority order set forth in Table 2. The parties recognize, however, that over the life of the Project, changed conditions may result in the County determining any or all improvements identified in Table 2 to be unnecessary, postponed to a later stage, or no longer financially feasible. In that event, the County shall notify and consult with the City in determining the appropriate allocation of any remaining funds. County shall have ultimate authority to determine the appropriate allocation of said funds, provided, however, that all such funds are applied toward road improvements that benefit the Project and/or offset impacts from the Project. It shall be presumed that road improvements benefit and/or offset impact of the Project when such improvements are located within the following boundary, as graphically depicted on Exhibit 1 hereto:

Beginning at the intersection of Northlake Boulevard and North Congress Avenue, then directly north to PGA Boulevard, then west along PGA Boulevard to the Beeline Highway, then northwest along the Beeline Highway to the point along the Beeline Highway directly north of the northern terminus of Seminole Pratt Whitney Road, then directly south to the intersection of Seminole Pratt Whitney Road and Northlake Boulevard, then southerly along Seminole Pratt Whitney Road to Okeechobee Boulevard, then east along Okeechobee Boulevard to SR. 7, then directly north to Northlake Boulevard, then east along Northlake Boulevard to the intersection of Northlake Boulevard and North Congress Avenue.

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C. The County shall establish a separate account (hereinafter "Proportionate Share Trust Account") for the management and disposition of monetary proportionate share payments as set forth herein.

D. As long as the payments are timely made under this Agreement, the payment amounts set forth in Table 1, as adjusted pursuant to paragraphs 2.C., adequately mitigate the transportation impacts of the Project.

E. The County shall notify the City in writing whenever a proportionate share payment is received by the County. The notice shall include the date the payment received and the amount of the payment.

4. Road Impact Fees.

The Project is subject to Palm Beach County road impact fees pursuant to Article 13 of the Unified Land Development Code, as may be amended and/or replaced by legislatively mandated suitable alternative (e.g. mobility fee). All proportionate share contributions as set forth in Paragraph 2 above, as may be adjusted pursuant to Paragraph 2.C above, shall be applied as a credit against road impact fees. The Applicant understands and agrees that in no event shall the Applicant be entitled to road impact fee credits in excess of its proportionate share contribution and in the event the contribution exceeds the amount of road impact fees owed by the Project through buildout, Applicant shall not be entitled to a refund for the proportionate share contribution in excess of such road impact fees. In the event County collects roadway impact fees above the proportionate share amount identified in Paragraph 2.A above, as that amount may be adjusted pursuant to Paragraph 2.C above, shall be deposited in appropriate Road Impact Fee Trust Fund.

5. Term of Concurrency Approval. In consideration for entering into this binding Proportionate Share Agreement with Palm Beach County, the Applicant shall be deemed to have satisfied traffic concurrency requirements; provided, however, if the Applicant fails to apply for a development permit, as defined in Chapter 380, F.S., within twelve months of the effective date of this Agreement, then this Agreement and, the certificate of concurrency approval, shall be considered null and void, and the applicant shall be required to reapply to meet Palm Beach County Traffic Performance Standards. County acknowledges that approval of the pending rezoning and/or Planned Community District requests associated with the Project constitute development permits as

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required by this Agreement. In the event the City denies the development order application for the Project, and that denial is not appealed or otherwise challenged or is upheld following an appeal or challenge, or if the Applicant for any reason withdraws the development order application, then this Agreement, and the certificate of concurrency approval will be void and of no further force and effect.

6. Increase in Project Trips. Any change to the Project could result in an increase in trips that impact one or more of Palm Beach County's Major Thoroughfares, as defined by the Palm Beach County Unified Land Development Code, Section 1.1.2.M.6. The Applicant understands and agrees that it is precluded from asserting that those additional trips are vested or otherwise permitted under this Agreement. In addition, Applicant understands and agrees that any such changes resulting in an increase in trips may cause this Agreement to be null and void, or may require the application for and execution of an additional Proportionate Share Agreement, along with any other traffic study or additional documentation.

7. No Refund. Proportionate share contributions are non-refundable.

8. Construction of Improvements. Applicant recognizes that it is an independent contractor and not an agent or a service of the County. No person employed by any party to this Agreement shall in connection with the performance of the required improvement, be considered the employee of the other party, nor shall any employee claiming a right in or entitlement to any pension, workers' compensation benefit, unemployment compensation, civil service, or other employee rights or privileges granted by operation of law or otherwise, except through and against the entity by whom they are employed. The Applicant shall protect, defend, reimburse, indemnify and hold the County, its agents, employees, and elected officers harmless from and against all claims, liability, expense, loss, cost, damages, or causes of action of every kind or character including attorneys' fees and costs, whether at trial or appellate levels or otherwise, arising during or out of construction of the required improvements contemplated by this Agreement.

The Applicant shall maintain and require its contractor to maintain workers' compensation coverage in accordance with Florida Statutes. The Applicant and contractor shall carry insurance naming the County as an

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Additional Insured Party, with minimum limits of one million dollars per occurrence and three million dollars general aggregate insurance, and shall carry automobile liability insurance with minimum limits of one million dollars per occurrence combined single limits.

To ensure faithful performance of the construction of the required improvements, the Applicant shall also require all contractors performing work on the required improvements to execute and deliver to the Applicant a payment and performance bond in an amount equal to one hundred ten percent (110%) of the certified cost estimate of the improvement prior to the issuance of any permit authorizing commencement of construction of the improvement. The bond shall be issued by a company authorized to do business in this State and which has a current valid certificate of authority issued by the United States Department of Treasury under 31 USC §9304-9308.

9. Governing Law/Binding Effect. The Agreement and the rights and obligations created hereunder shall be interpreted, construed and enforced in accordance with the laws of the United States and the State of Florida. If any litigation should be brought in connection with this Agreement, venue shall lie in Palm Beach County, Florida.

10. Remedies. The parties hereto shall have all rights and remedies provided hereunder and under Florida law with respect to the enforcement of this Agreement and hereby acknowledge and agree that each party hereto shall have the right and remedy to bring an action or actions for specific performance and such other equitable or injunctive relief as appropriate or necessary to enforce this Agreement. The parties agree that the venue for any enforcement action shall be the Circuit Court in and for Palm Beach County.

11. Notice of Default. The parties acknowledge and agree that no party shall be considered in default for failure to perform under this Agreement until such party has received written notice specifying the nature of such default or failure to perform and said party fails to cure said default or fails to perform within thirty (30) days of receipt of written notice.

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12. Notices. All notices which are required or permitted under this Agreement shall be given to the parties and the City by certified mail, return receipt requested, hand delivery, or express courier, and shall be effective upon receipt when delivered to the parties at the addresses set forth herein below (or such other address as provided by the parties by written notice delivered in accordance with this paragraph):

As to:

APPLICANT

Rosa Schechter, Esq.  
Avenir Holdings, LLC  
500 Biltmore Way  
Suite 1110  
Coral Gables, Florida 33134

With copy to:

Brian M. Seymour, Esq.  
Gunster  
777 S. Flagler Drive, Suite 500 East  
West Palm Beach, FL 33401

PALM BEACH COUNTY

Tayna McConnell  
Governmental Center  
301 N Olive Ave.  
West Palm Beach, FL 33401

With Copy to:

Leonard Berger, Esq.  
Chief Assistant County Attorney  
Governmental Center  
301 N Olive Ave.  
West Palm Beach, FL 33401

CITY OF PALM BEACH GARDENS

Ronald M. Ferris, City Manager  
10500 N. Military Trail  
Palm Beach Gardens, FL 33410

With Copy to:

R. Max Lohman, Esq.  
City Attorney  
10500 N. Military Trail  
Palm Beach Gardens, FL 33410

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13. No Third Party Beneficiaries. No provision of this Agreement is intended to, or shall be construed to, create any third party beneficiary or to provide any rights to any person or entity not a party to this Agreement.

14. Attorney's Fees and Costs. The parties hereto agree that in the event it becomes necessary for either party to defend or institute legal proceedings as a result of the failure of either party to comply with the terms and provisions of this Agreement, each party in such litigation shall bear its own costs and expenses incurred and expended in connection therewith including, but not limited to, reasonable attorneys' fees and court costs through all trial and appellate levels.

15. Amendments. No amendment, modification or other changes in this Agreement shall be binding upon the parties unless in writing executed by both County and Applicant. County acknowledges that Applicant is required to obtain written consent from City before agreeing to amend this Agreement and that without such written consent being provided, no such amendment shall be valid or have any legal force or effect.

16. Successors and Assigns Bound. The rights and obligations contained in this Agreement shall be binding upon and shall inure to the benefit of the successors and assigns of the parties hereto, including any successor in title to the Project property.

17. Effective Date. This Agreement shall become effective upon the City of Palm Beach Gardens adopting the Planned Community District approval request pending for the Project and that approval being final and unappealable.

18. Counterparts. This Agreement may be executed in any number of counterparts, each of which, when executed and delivered, shall be an original, but all counterparts shall together constitute duplicates of one and the same instrument.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

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IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed in manner and form sufficient to bind them as of the date set forth herein below.

AVENIR HOLDINGS, LLC

R2016 40583 MAY 03 2016  
PALM BEACH COUNTY, FLORIDA, BY ITS  
BOARD OF COUNTY COMMISSIONERS

By: *David Serwiansky*  
(Signature)  
David Serwiansky  
(Print Signatory's Name)

By: *Mary Lou Berger*  
Mary Lou Berger, Mayor

Its: President

ATTEST:

SHARON K. BOCK, CLERK  
CLERK & COMPTROLLER  
By: *Sharon K. Bock*  
Deputy Clerk



(SEAL)

WITNESSES:

*Clara D. Day*  
Signature of Witness

Clara D. Day  
Printed Name of Witness

*Michele Ray*  
Signature of Witness

Michele Ray  
Printed Name of Witness

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY

By: *Seamus By*  
Assistant County Attorney

Date: 5/2/16

APPROVED AS TO TERMS  
AND CONDITIONS

By: *George T. Webb*  
George T. Webb, P.E.  
County Engineer

Date: 5/2/16

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**Table 1**  
**PROPORTIONATE SHARE CONTRIBUTIONS BY PHASE**

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Table 1: Proportionate Share Contributions by AM/PM inbound Peak Hour

Payment	Cumulative	Cumulative	Total Cost/Amount Due	Payment Due	
A			\$59,522,999.00	\$0.00	Note 1
B	>769 AM OUT	>760 PM IN	\$5,515,867.00	\$4,032,966.00	Note 2
C	>869 am out	>954 am in	\$4,955,216.00	\$4,955,216.00	
D	>1010 am out	>1100 pm out	\$5,263,080.00	\$5,263,080.00	
E	>1167 AM in	>1267 AM out	\$5,716,449.00	\$5,716,449.00	
F	>1340 AM out	>1589 PM out	\$3,959,187.00	\$3,959,187.00	
G	>1525 AM in	>1688 PM Out	\$7,767,885.00	\$7,767,885.00	
H	>1563 AM in	>1726 PM Out	\$6,563,418.00	\$6,563,418.00	
I	>1948 AM in	>1922 PM in	\$6,128,520.00	\$6,128,520.00	
			\$105,392,621.00	\$44,386,721.00	

Note 1 - The Applicant intends to construct (1) that certain roadway identified in the Project Master Plan connecting Northlake Boulevard to Beeline Highway through the Property, which shall include the entirety of the roadway from the northern portion of the development area identified on the Master plan to Beeline Highway and two lanes of the roadway from Northlake Boulevard to the northern portion of such development area (the "Avenir Connector Road"), and (2) Northlake Blvd from a 4 lane section to a six lane section from 140th Street to SR 7 ("Northlake Boulevard Widening") as required by the City of Palm Beach Gardens in the Development Order approving the Project (the "Avenir Development Order"). Both the Avenir Connector Road and Northlake Boulevard Widening are to be constructed in the first Phase of development as identified in the Avenir Development Order. If the Applicant constructs the Avenir Connector Road and Northlake Boulevard Widening, the Applicant shall be entitled to those construction costs being credited against the required proportionate share payment due for the Project as set forth in Paragraph 2.A of this Proportionate Share Agreement and no monetary payment is due for Payment A based on the cost of construction set forth herein. In the event that the Applicant does not construct the Applicant Constructed Improvements, the entirety of the Proportionate Share Payment shall be subject to the adjustment calculation set forth in Paragraph 2.C. The cost of construction of the Avenir Connector Road is estimated at \$44,324,600.00 (\$34,695,900.00 for that portion between the development area and the Beeline Highway and \$9,628,700.00 for the widening of the portion within the development area from two to four lanes) and the cost of construction of the Northlake Boulevard Widening is estimated at \$16,681,302 for a total of \$61,005,900. These amounts are not subject to the adjustment as set forth in Paragraph 2.C of this Proportionate Share Agreement.

Note 2 - The Identified Payment Due is the remaining balance after the costs associated with the construction of the Avenir Connector Road and Northlake Boulevard Widening as set forth in Note 1, i.e. \$1,482,901 is the balance of the construction credit not applied in Payment 1. If the Applicant constructs the Avenir Connector Road and Northlake Boulevard Widening, the Applicant shall be entitled to those construction costs being credited against the required proportionate share payment due for the Project as set forth in Paragraph 2.A of this Proportionate Share Agreement and no monetary payment is due for the remainder of Payment B based on the cost of construction set forth herein. In the event that the Applicant does not construct the Applicant Constructed Improvements, the entirety of the Proportionate Share Payment shall be subject to the adjustment calculation set forth in Paragraph 2.C.

Table 2  
IMPROVEMENTS BY COUNTY

WPI\_ACTIVE 7/4/2021

Table 2: Improvement Priorities	
1. Northlake Blvd from SR 7 to Beeline from 4L to 6L, including intersection improvements	
2. Northlake and Military Trail intersection improvements westbound to northbound	
3. PGA and Beeline-intersection improvements	
4. Multimodal contribution to mobility improvement on Northlake Blvd	

**EXHIBIT 1**  
**PROPORTIONATE SHARE PAYMENT ALLOCATION BOUNDARY**

WPD\_ACTIVE 7141620.1





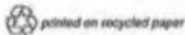


Department of Engineering  
and Public Works  
P.O. Box 21229  
West Palm Beach, FL 33416-1229  
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**Palm Beach County  
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Commissioners**  
  
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Mary Lou Berger, Vice Mayor  
  
Hal R. Veleche  
Faulette Burdick  
Steven L. Abrams  
Melissa McInlay  
Priscilla A. Taylor  
  
**County Administrator**  
Verdenia C. Baker

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November 18, 2015

Ms. Natalie Crowley  
Planning & Zoning Director  
City of Palm Beach Gardens  
10500 North Military Trail  
Palm Beach Gardens, FL 33410

**RE: Avenir Concurrency Traffic Study  
Project #150705  
TRAFFIC PERFORMANCE STANDARDS REVIEW**

Dear Natalie:

The Palm Beach County Traffic Division has reviewed the **Avenir Concurrency Traffic Study**, dated November 16, 2015, and subsequent information received in e-mails on November 17<sup>th</sup> at 1:34 and 4:53 p.m., pursuant to the Traffic Performance Standards (TPS) in Article 12 of the Palm Beach County Land Development Code. The project is summarized as follows:

**Location:** North of Northlake Boulevard; East of Grapeview Boulevard, South of Beeline Highway, and approximately 1 mile southwest of North Palm Beach County Airport

**Size:** Approximately 4,700 acres

**Access:** Northlake Boulevard, Beeline Highway

**Existing Uses:** Vacant

**Proposed Uses:** 3,735 Single Family dwelling units  
250 Multiple Family dwelling units  
300 Rooms Hotel  
400,000 square feet Retail  
1,800,000 square feet Office  
200,000 square feet Medical Office  
Elementary School with 600 Students  
9 Holes of Golf Course  
55 Acres of Regional Park  
80 Stalls of equestrian facilities

**New Daily Trips:** 58,171

**New Peak Hour Trips:** 4,733 (2,491-In/2,242-Out) AM; 5,774 (2,343-In/3,431-Out) PM

**Build-out:** December 31, 2035

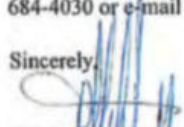


The purpose of this letter is to provide the City with notice that the project has met technical compliance with the TPS ordinance. As such, Avenir project traffic will be added to the database with volumes and distributions provided for in the approved study. Studies submitted after this date will have to account for the project traffic. This letter does nothing more than that.

No later than December 1, 2015, the County will follow up with a Conditional TPS Letter and a complete set of conditions of approval. The TPS Letter will be conditioned upon the developer executing a prop share agreement with the County. The TPS letter will be deemed void if the City approves the Avenir DO before Avenir and the County have a binding prop share agreement. Once the Conditional TPS Letter is issued by the County, it will supersede this letter finding technical compliance.

If you have any questions regarding this determination, please contact me at 561-684-4030 or e-mail to [mtejera@pbcgov.org](mailto:mtejera@pbcgov.org).

Sincerely,



Maria M. Tejera, P.E.  
Senior Professional Engineer  
Traffic Division

MMT:mf

cc: Address  
Tanya McConnell, P.E. - Deputy County Engineer  
Quan Yuan, P.E. - Professional Engineer, Traffic Division  
Thuân Nguyễn Lytle, P.E., Via Planning, Inc.  
Susan E. O'Rourke, P.E., Susan E. O'Rourke, P.E. Inc.  
Shi-Chiang Li, AICP, FDOT District 4  
Chon Wong, FDOT District 4

File: File: Gen-TPS-Gen  
F:\TRAFFIC\DEVELOPMENT REVIEW\TRAFFIC STUDIES\AVENIR\TPS REVIEW - NOVEMBER 18.DOC



**Department of Engineering  
and Public Works**  
P.O. Box 21229  
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Melissa McKinlay  
Priscilla A. Taylor

**County Administrator**  
Verdenia C. Baker



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December 4, 2015  
**Revised December 10, 2015**

Ms. Natalie Crowley  
Planning & Zoning Director  
City of Palm Beach Gardens  
10500 North Military Trail  
Palm Beach Gardens, FL 33410

**RE: Avenir Concurrency Traffic Study  
Project #150705  
TRAFFIC PERFORMANCE STANDARDS REVIEW**

Dear Natalie:

The Palm Beach County Traffic Division has reviewed the **Avenir Concurrency Traffic Study**, dated November 18, 2015, pursuant to the Traffic Performance Standards (TPS) in Article 12 of the Palm Beach County Land Development Code. The project is summarized as follows:

<b>Location:</b>	North of Northlake Boulevard; East of Grapeview Boulevard, South of Beeline Highway, and approximately 1 mile southwest of North Palm Beach County Airport
<b>Size:</b>	Approximately 4,700 acres
<b>Access:</b>	Northlake Boulevard, Beeline Highway
<b>Existing Uses:</b>	Vacant
<b>Proposed Uses:</b>	3,735 Single Family dwelling units 250 Multiple Family dwelling units 300 Rooms Hotel 400,000 square feet Retail 1,800,000 square feet Office 200,000 square feet Medical Office Elementary School with 600 Students 9 Holes of Golf Course 55 Acres of Regional Park 80 Stalls of equestrian facilities
<b>New Daily Trips:</b>	58,171
<b>New Peak Hour Trips:</b>	4,733 (2,491-In/2,242-Out) AM; 5,774 (2,343-In/3,431-Out) PM
<b>Build-out:</b>	December 31, 2035

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 may be issued after December 31, 2035.
2. No building permits for development generating 28 external AM outbound peak hour trips or 28 external PM inbound peak hour trips, whichever occurs first, shall be issued until the Property Owner makes a proportionate share payment of



- 3.47% of the construction cost of widening of Northlake Boulevard from Coconut Blvd. to Ibis Blvd. from a 4-lane divided facility to a 6-lane divided facility.
3. No building permits for development generating 29 external AM outbound peak hour trips or 29 external PM inbound peak hour trips, whichever occurs first, shall be issued until the Property Owner makes a proportionate share payment of 3.47% of the construction cost of widening of Northlake Boulevard from Ibis Blvd. to SR 7 from a 4-lane divided facility to a 6-lane divided facility.
  4. No building permits for development generating 36 external AM inbound peak hour trips or 36 external PM outbound peak hour trips, whichever occurs first, shall be issued until the contract has been let for the Assured Construction of Northlake Boulevard from 140<sup>th</sup> Ave. to Coconut Blvd. as a 4-lane divided facility.
  5. No building permits for development generating 67 external AM inbound peak hour trips or 67 external PM outbound peak hour trips, whichever occurs first, shall be issued until the contract has been let for the Assured Construction of Northlake Boulevard from Seminole Pratt Whitney Rd. to 140<sup>th</sup> Ave. as a 4-lane divided facility.
  6. No building permits for development generating 73 external AM inbound peak hour trips or 73 external PM outbound peak hour trips, whichever occurs first, shall be issued until the contract has been let for the Assured Construction of SR 7 from Persimmon Blvd. to 60<sup>th</sup> Street as a 4-lane divided facility.
  7. No building permits for development generating 73 external AM inbound peak hour trips or 73 external PM outbound peak hour trips, whichever occurs first, shall be issued until the contract has been let for the Assured Construction of SR 7 from 60<sup>th</sup> Street to Northlake Blvd. as a 4-lane divided facility.
  8. No building permits for development generating 76 external PM outbound peak hour trips shall be issued until the Property Owner makes a proportionate share payment of 21.9% of the construction cost of widening of Coconut Boulevard from Temple Blvd. to Northlake Blvd. from a 2-lane facility to a 4-lane divided facility.
  9. No building permits for development generating 145 external PM inbound peak hour trips shall be issued until the Property Owner makes a proportionate share payment of 11.67% of the construction cost of widening of Royal Palm Beach Boulevard from 60<sup>th</sup> Street to Orange Ave. from a 2-lane facility to a 4-lane divided facility.
  10. No building permits for development generating 200 external PM inbound peak hour trips shall be issued until the Property Owner makes a proportionate share payment of 8.52% of the construction cost of widening of Royal Palm Beach Boulevard from Persimmon Blvd. to 60<sup>th</sup> Street from a 2-lane facility to a 4-lane divided facility.
  11. No building permits for development generating 386 external AM inbound peak hour trips shall be issued until the Property Owner makes a proportionate share payment of 20.56% of the construction cost of widening of Coconut Boulevard from Orange Blvd. to Temple Blvd. from a 2-lane facility to a 4-lane divided facility.
  12. No building permits for development generating 419 external AM outbound peak hour trips shall be issued until the Property Owner makes a proportionate share payment of 60.41% of the construction cost of widening of Beeline



- Highway/SR 710 from Northlake Blvd. to Jog Rd. from a 4-lane divided facility to a 6-lane divided facility.
13. No building permits for development generating 440 external AM inbound peak hour trips or 440 external PM outbound peak hour trips, whichever occurs first, shall be issued until the contract has been let for the Assured Construction of SR 7 from Roebuck Rd. to Persimmon Blvd. as a 4-lane divided facility.
  14. No building permits for development generating 464 external PM inbound peak hour trips shall be issued until the contract has been let for the Assured Construction of the roundabout at the intersection of 60<sup>th</sup> Street and SR 7.
  15. No building permits for development generating 550 external AM inbound peak hour trips shall be issued until the Property Owner makes a proportionate share payment of 11.48% of the construction cost of widening of Seminole Pratt Whitney Road from Persimmon Blvd. to 60<sup>th</sup> Street from a 2-lane facility to a 6-lane divided facility.
  16. No building permits for development generating 591 external PM outbound peak hour trips shall be issued until the Property Owner makes a proportionate share payment of 81.4% of the construction cost of the following intersection improvements at Northlake Blvd. and SR 7:
    - One additional Eastbound thru lane (4 Total)
    - One additional Westbound thru lane (4 Total)
    - One additional Northbound left-turn lane (2 Total)
  17. No building permits for development generating 657 external PM inbound peak hour trips shall be issued until the Property Owner makes a proportionate share payment of 5.51% of the construction cost of widening of Okeechobee Boulevard from E Road to Folsom Rd. from a 2-lane facility to a 4-lane divided facility.
  18. No building permits for development generating 702 external PM inbound peak hour trips shall be issued until the Property Owner makes a proportionate share payment of 72.77% of the construction cost of widening of Northlake Boulevard from Coconut Blvd. to SR 7 from a 6-lane divided facility to a 10-lane divided facility.
  19. No building permits for development generating 709 external PM inbound peak hour trips or 931 external PM outbound trips, whichever occurs first, shall be issued until the Property Owner makes a proportionate share payment of 35.5% of the construction cost of the interchange at Northlake Blvd. and Beeline Hwy/SR 710.
  20. No building permits for development generating 725 external AM inbound peak hour trips shall be issued until the Property Owner makes a proportionate share payment of 19.4% of the construction cost of the following intersection improvements at 60<sup>th</sup> Street and Royal Palm Beach Blvd.:
    - One Eastbound left-turn lane
    - One Northbound left-turn lane
    - One additional Northbound thru lane (2 Total)
    - One additional Southbound thru lane (2 Total)
  21. No building permits for development generating 733 external AM inbound peak hour trips or 733 external PM outbound peak hour trips, whichever occurs first, shall be issued until the contract has been let for the Assured Construction of SR 7 from Okeechobee Blvd. to Roebuck Rd. as a 4-lane divided facility.



22. No building permits for development generating 760 external PM inbound peak hour trips shall be issued until the Property Owner makes a proportionate share payment of 52.0% of the construction cost of the following intersection improvements at Orange Blvd. and Coconut Blvd.:
  - One Eastbound left-turn lane
  - One Westbound left-turn lane
  - One Northbound left-turn lane
  - One Northbound right-turn lane
23. No building permits for development generating 769 external AM outbound peak hour trips shall be issued until the Property Owner makes a proportionate share payment of 63.77% of the construction cost of widening of Northlake Boulevard from SR 7 to Beeline Hwy/SR 710 from a 4-lane uninterrupted facility to a 6-lane uninterrupted facility.
24. No building permits for development generating 869 external AM inbound peak hour trips shall be issued until the Property Owner makes a proportionate share payment of 4.08% of the construction cost of widening of Pratt Whitney Road from Indiantown Rd. to Beeline Hwy./SR 710 from a 2-lane facility to a 4-lane facility.
25. No building permits for development generating 894 external AM outbound peak hour trips shall be issued until the Property Owner makes a proportionate share payment of 33.37% of the construction cost of widening of Beeline Hwy./SR 710 from Jog Rd. to Haverhill Rd. from a 4-lane divided facility to a 6-lane divided facility.
26. No building permits for development generating 954 external PM inbound peak hour trips shall be issued until the Property Owner makes a proportionate share payment of 15.6% of the construction cost of the following intersection improvements at Beeline Hwy/SR 710 and PGA Blvd.:
  - Two additional Westbound right-turn lanes (3 Total)
  - One additional Northbound thru lane (3 Total)
  - One additional Southbound left-turn lane (2 Total)
  - One additional Southbound thru lane (3 Total)
27. No building permits for development generating 1,010 external AM outbound peak hour trips shall be issued until the Property Owner makes a proportionate share payment of 26.28% of the construction cost of widening of Beeline Hwy/SR 710 from Haverhill Rd. to Blue Heron Blvd. from a 4-lane divided facility to a 6-lane divided facility.
28. No building permits for development generating 1,082 external AM outbound peak hour trips shall be issued until the Property Owner makes a proportionate share payment of 37.65% of the construction cost of widening of Northlake Boulevard from 140<sup>th</sup> Avenue North to Coconut Blvd. from a 4-lane divided facility to a 6-lane divided facility.
29. No building permits for development generating 1,100 external PM outbound peak hour trips shall be issued until the Property Owner makes a proportionate share payment of 60.6% of the construction cost of the following intersection improvements at Beeline Hwy/SR 710 and Jog Rd.:
  - One additional Southbound left-turn lane (2 Total – Jog Rd.)
  - One additional Westbound thru lane (3 Total – Beeline Hwy.)
  - One additional Eastbound left-turn lane (2 Total – Beeline Hwy.)



- One additional Eastbound thru lane (3 Total – Beeline Hwy.)
30. No building permits for development generating 1,167 external AM inbound peak hour trips shall be issued until the Property Owner makes a proportionate share payment of 44.9% of the construction cost of the following intersection improvements at Persimmon Blvd. and Royal Palm Beach Blvd.:
- One additional Southbound left-turn lanes (2 Total)
31. No building permits for development generating 1,267 external PM outbound peak hour trips shall be issued until the Property Owner makes a proportionate share payment of 28.9% of the construction cost of the following intersection improvements at Beeline Hwy/SR 710 and Pratt Whitney Rd.:
- One additional Eastbound left-turn lane (2 Total)
  - One additional Eastbound thru lane (3 Total)
  - One additional Westbound right-turn lane (2 Total)
  - One additional Westbound thru lane (3 Total)
  - Two additional Southbound left-turn lanes (3 Total)
32. No building permits for development generating 1,319 external AM outbound peak hour trips shall be issued until the Property Owner makes a proportionate share payment of 40.8% of the construction cost of widening of Northlake Boulevard from Steeplechase Dr. to Military Trail from a 6-lane divided facility to an 8-lane divided facility.
33. No building permits for development generating 1,340 external AM outbound peak hour trips shall be issued until the Property Owner makes a proportionate share payment of 28.68% of the construction cost of widening of Northlake Boulevard from Jog Rd. to Steeplechase Dr. from a 6-lane divided facility to an 8-lane divided facility.
34. No building permits for development generating 1,459 external AM outbound peak hour trips shall be issued until the Property Owner makes a proportionate share payment of 5.32% of the construction cost of widening of 60<sup>th</sup> Street North from Royal Palm Beach Blvd. to SR 7 from a 2-lane facility to a 4-lane divided facility.
35. No building permits for development generating 1,524 external AM inbound peak hour trips shall be issued until the Property Owner makes a proportionate share payment of 15.15% of the construction cost of widening of PGA Boulevard from Ryder Cup Blvd. to Florida's Turnpike from a 4-lane divided facility to a 6-lane divided facility.
36. No building permits for development generating 1,525 external AM inbound peak hour trips or 1,594 external PM outbound peak hour trips, whichever occur first, shall be issued until the Property Owner makes a proportionate share payment of 43.15% of the construction cost of the following intersection improvements at Northlake Blvd. and Military Tr.:
- One additional Eastbound left-turn lane (3 Total)
  - One additional Eastbound thru lane (4 Total)
  - One additional Westbound left-turn lane (3 Total)
  - One additional Westbound thru lane (4 Total)
  - One Westbound right-turn lane
  - One additional Southbound right-turn lane (2 Total)
37. No building permits for development generating 1,563 external AM inbound peak hour trips shall be issued until the Property Owner makes a proportionate



share payment of 65.9% of the construction cost of the following intersection improvements at Blue Heron Blvd. and Military Tr.:

- One additional Southbound left-turn lane (3 Total)
38. No building permits for development generating 1,583 external AM outbound peak hour trips shall be issued until the Property Owner makes a proportionate share payment of 13.62% of the construction cost of widening of SR 7 from Orange Grove Blvd. to Persimmon Blvd. from a 4-lane divided facility to a 6-lane divided facility.
39. No building permits for development generating 1,589 external PM outbound peak hour trips shall be issued until the Property Owner makes a proportionate share payment of 26.0% of the construction cost of the following intersection improvements at Blue Heron Blvd. and Beeline Hwy/SR 710:
- One additional Southbound left-turn lane (2 Total)
  - Signalization, as warranted
40. No building permits for development generating 1,688 external PM inbound peak hour trips shall be issued until the Property Owner makes a proportionate share payment of 13.8% of the construction cost of widening of Beeline Highway/SR 710 from Caloosa Blvd. to the new Connector Road within Avenir from a 4-lane divided facility to a 6-lane divided facility.
41. No building permits for development generating 1,705 external AM outbound peak hour trips shall be issued until the Property Owner makes a proportionate share payment of 6.89% of the construction cost of widening of SR 7 from Okeechobee Blvd. to Roebuck Rd. from a 4-lane divided facility to a 6-lane divided facility.
42. No building permits for development generating 1,726 external PM inbound peak hour trips shall be issued until the Property Owner makes a proportionate share payment of 12.44% of the construction cost of widening of Beeline Highway/SR 710 from Pratt Whitney Rd. to Caloosa Blvd. from a 4-lane divided facility to a 6-lane divided facility.
43. No building permits for development generating 1,760 external AM outbound peak hour trips shall be issued until the Property Owner makes a proportionate share payment of 5.82% of the construction cost of the following intersection improvements at Pratt Whitney Rd. and Indiantown Rd.:
- Two additional Westbound left-turn lanes (3 Total)
  - One additional Northbound thru lane (2 Total)
  - One additional Northbound right-turn lane (2 Total)
  - One additional Southbound thru lane (2 Total)
44. No building permits for development generating 1,922 external PM inbound peak hour trips shall be issued until the Property Owner makes a proportionate share payment of 5.16% of the construction cost of widening of SR 7 from Belvedere Rd. to Okeechobee Blvd. from a 6-lane divided facility to an 8-lane divided facility.
45. No building permits for development generating 1,948 external AM inbound peak hour trips shall be issued until the Property Owner makes a proportionate share payment of 8.88% of the construction cost of widening of PGA Boulevard from Beeline Highway/SR 710 to Ryder Cup Blvd. from a 2-lane facility to a 4-lane divided facility.



46. No building permits for development generating 1,974 external AM inbound peak hour trips shall be issued until the Property Owner makes a proportionate share payment of 18.42% of the construction cost of widening of Seminole Pratt Whitney Road from Sycamore Dr. to Persimmon Blvd. from a 4-lane divided facility to a 6-lane divided facility.
47. No building permits for development generating 2,400 external PM outbound peak hour trips shall be issued until the Property Owner makes a proportionate share payment of 20.8% of the construction cost of the following intersection improvements at Persimmon Blvd. and Seminole Pratt Whitney Rd.:
  - One Westbound left-turn lane
  - One Northbound right-turn lane
48. No building permits for development generating 2,433 external AM inbound peak hour trips shall be issued until the Property Owner makes a proportionate share payment of 8.55% of the construction cost of widening of Beeline Highway/SR 710 from the Aviation Blvd. to PGA Blvd. from a 4-lane divided facility to a 6-lane divided facility.
49. No building permits for development generating 2,441 external AM inbound peak hour trips shall be issued until the Property Owner makes a proportionate share payment of 3.52% of the construction cost of widening of Orange Boulevard from Coconut Ave. to Royal Palm Beach Blvd. from a 2-lane facility to a 4-lane divided facility.
50. No building permits for development generating 3,156 external PM outbound peak hour trips shall be issued until the Property Owner makes a proportionate share payment of 24.0% of the construction cost of the following intersection improvements at Northlake Blvd. and I-95 East Ramp:
  - One additional Northbound right-turn lane (3 Total)
51. No building permits for development generating 3,243 external PM outbound peak hour trips shall be issued until the Property Owner makes a proportionate share payment of 2.14% of the construction cost of widening of Military Trail from Holly Dr. to PGA Blvd. from a 6-lane divided facility to an 8-lane divided facility.
52. No building permits for development generating 3,249 external PM outbound peak hour trips shall be issued until the Property Owner makes a proportionate share payment of 4.40% of the construction cost of widening of Beeline Highway/SR 710 from new Connector Road within Avenir to Aviation Blvd. from a 4-lane divided facility to a 6-lane divided facility.
53. The Property Owner shall:
  - a) Submit a trip generation analysis with any Site Plan application for approval. The trip generation analysis shall be cumulative, include all development which has received Site Plan approval, and provide calculations for AM and PM peak hour inbound and outbound traffic.
  - b) Development Order Conditions shall be evaluated to determine if any conditions are triggered or are anticipated to be triggered in the 90-day period after the analysis is submitted. If additional improvements and/or payments are warranted based on the updated trip generation analysis, the improvements/payments shall be completed and/or made as required by the County Engineer.



54. No building permits shall be issued:
- for development generating 266 external PM inbound trips until the Internal Road connecting Northlake Boulevard and Beeline Highway/SR 710 (new Connector Road) has been constructed with 2-lanes and it is open to traffic; or
  - after the connection of SR 7 to Northlake Boulevard, for development generating 438 external PM inbound trips until the Internal Road connecting Northlake Boulevard and Beeline Highway/SR 710 (new Connector Road) has been constructed with 2-lanes and it is open to traffic.
55. Concurrent with construction of the Internal Road connecting Northlake Boulevard and Beeline Highway/SR 710, the following lane geometry shall be constructed at the newly created intersection of Beeline Highway/SR 710 and the Internal Road:
- Internal Road: dual left-turn lanes and a right-turn lane
  - Beeline Highway/SR 710: a right-turn lane and a left-turn lane
56. The Property Owner shall fund traffic signals where warranted and required by the County Engineer, including but not limited to intersections along Northlake Boulevard and the intersection of the Internal Road with Beeline Highway/SR 710, as determined by the County Engineer. Signalization shall be mask arm structure. The cost of signalization shall be paid by the Property Owner and shall also include all design costs and any required utility relocation and right of way and/or easement acquisition.
57. All of the conditions, numbered 1 thru 56 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 56 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.
58. A Proportionate Share Agreement must be fully executed, by the Property Owner seeking approval of the project and Palm Beach County, before the municipality considers approval of the proposed project. The agreement shall be in substantially the same form as set forth in *Exhibit A*, which is attached hereto. 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 roadway and intersection improvement costs have to be approved by Palm Beach County Roadway Production Department. Costs are necessary to calculate the amount of proportionate share and to prepare the Proportionate Share Agreement.

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.

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 e-mail to [mtejera@pbcgov.org](mailto:mtejera@pbcgov.org).

Sincerely,

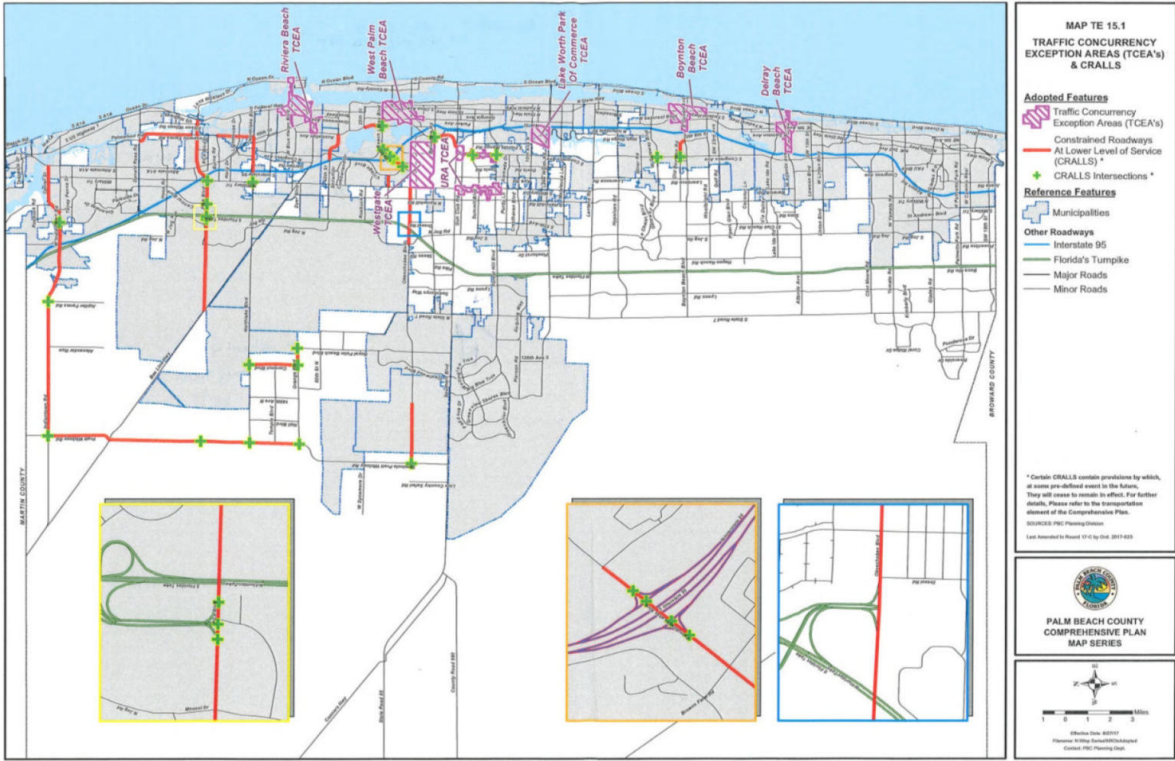
A handwritten signature in blue ink, appearing to read "Maria M. Tejera".

Maria M. Tejera, P.E.  
Senior Professional Engineer  
Traffic Division

MMT:saf  
Attachment

cc: Addressee  
Tanya N. McConnell, P.E. – Deputy County Engineer  
Quan Yuan, P.E. – Professional Engineer, Traffic Division  
Thuha Nguyen Lyew, P.E., Via Planning, Inc.  
Susan E. O'Rourke, P.E., Susan E. O'Rourke, P.E. Inc.  
Shi-Chiang Li, AICP, FDOT District 4  
Chon Wong, FDOT District 4

File: File: Gen-TPS-Gen  
F:\TRAFFIC\DEVELOPMENT REVIEW\TRAFFIC STUDIES\AVENIR\AVENIR TPS APPROVAL - DECEMBER 10, 2015.DOC





City of Palm Beach Gardens  
Office of the City Clerk  
10500 North Military Trail  
Palm Beach Gardens, FL 33410  
(561) 799-4122 [psnider@pbgfl.com](mailto:psnider@pbgfl.com)

**Letter of Transmittal**

**DATE:** January 13, 2023

**TO:** Palm Beach County  
2300 N. Jog Road  
West Palm Beach, FL 33411  
Attn: David L. Ricks, P.E.

Delivered via FedEx Tracking No. 8168 9124 3028

**Re: Resolution 8, 2023.**

**Attached please find a certified copy of Resolution 8, 2023 approved and adopted by City Council on January 12, 2023.**

- |  |   |
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| <input checked="" type="checkbox"/> For Your Records | <input type="checkbox"/> For Recording            |
| <input type="checkbox"/> As Requested                | <input type="checkbox"/> Returned for Corrections |
| <input type="checkbox"/> For Review and Signature    | <input type="checkbox"/> Other: _____             |

Signed   
Patricia Snider, CMC, City Clerk

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RESOLUTION 8, 2023

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA, OPPOSING THE PALM BEACH COUNTY-INITIATED COMPREHENSIVE PLAN MAP AMENDMENT FOR THE THOROUGHFARE RIGHT-OF-WAY IDENTIFICATION MAP (TIM), TE 14.1, FOR THE NORTHLAKE BOULEVARD WEST TIM; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.**

**WHEREAS**, Palm Beach County has a County-Initiated Map Amendment to modify the Thoroughfare Right-of-Way Identification Map (TIM), TE 14.1, to widen the right-of-way segment between the western edge of the Palm Beach Gardens' municipal golf course to State Road 7 Extension from 120 feet to 142 feet to accommodate the widening to an ultimate eight (8) lanes, known as the Northlake West TIM Amendment, attached hereto as Exhibit "A"; and

**WHEREAS**, the Northlake Boulevard West TIM Map Amendment is scheduled for the Palm Beach County Board of County Commissioners public hearing for transmittal on February 1, 2023; and

**WHEREAS**, this segment of Northlake Boulevard is partially within the City limits of Palm Beach Gardens and directly abuts the City's limits; and

**WHEREAS**, this segment immediately abuts the City-owned Sandhill Crane Golf Club, along with other residential and non-residential properties that could be detrimentally impacted if further road widening is planned; and

**WHEREAS**, the Palm Beach Transportation Planning Agency's 2045 Long Range Plan, "Desires Plan" and "Cost Feasible Plan," indicates widening to only six (6) lanes for this segment; and

**WHEREAS**, the City Council of the City of Palm Beach Gardens recognizes that the current proposed widening of Northlake Boulevard to six (6) lanes and the current construction of the future Coconut Boulevard from Northlake Boulevard to Beeline Highway through the Avenir project provide a relief roadway for Northlake Boulevard in the area; therefore, the proposed Palm Beach County-Initiated Map Amendment for the widening to an ultimate eight (8) lanes for this segment is premature at this time; and

**WHEREAS**, the City Council of the City of Palm Beach Gardens deems that the proposed widening of this segment of Northlake Boulevard from 120 feet to 142 feet for the ultimate widening to eight (8) lanes will negatively impact properties within the City limits; and

1           **WHEREAS**, upon the issuance of the Intergovernmental Plan Amendment Review  
2 Committee (IPARC) notice received by the City on November 20, 2020, for the Palm  
3 Beach County Initiation process for the Northlake Boulevard East TIM Amendment and  
4 the Northlake Boulevard West TIM Amendment, the City of Palm Beach Gardens  
5 submitted a letter of objection dated December 9, 2020, to the County Engineer and a  
6 second letter of objection to the County Engineer dated December 23, 2020, objecting to  
7 the Northlake Boulevard East TIM Amendment; and  
8

9           **WHEREAS**, on October 7, 2021, the City Council adopted Resolution 64, 2021,  
10 opposing the Palm Beach County-initiated Comprehensive Plan Map Amendments for  
11 the Thoroughfare Right-of-Way Identification Map (TIM), TE 14.1, for the Northlake  
12 Boulevard East TIM and the Northlake Boulevard West TIM; and  
13

14           **WHEREAS**, the City received Municipal Notice on December 27, 2022, for the  
15 public hearings scheduled to consider the proposed amendment to the County's  
16 Comprehensive Plan, called the Northlake West TIM Amendment; and  
17

18           **WHEREAS**, it is the City's intent to object to the Northlake Boulevard West TIM  
19 Amendment through the IPARC process no less than 15 days prior to the Palm Beach  
20 County Board of County Commissioners' adoption public hearing; and  
21

22           **WHEREAS**, it is the City's intent to object to the Northlake Boulevard West TIM  
23 Amendment by filing a petition to challenge the map amendment through the Division of  
24 Administrative Hearings within 30 days after the Palm Beach County Board of County  
25 Commissioners adopts the map amendment; and  
26

27           **WHEREAS**, the City Council deems approval of this Resolution to be in the best  
28 interests of the health, safety, and welfare of the residents and citizens of the City of Palm  
29 Beach Gardens and the public at large.  
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31  
32           **NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY**  
33 **OF PALM BEACH GARDENS, FLORIDA, that:**  
34

35           **SECTION 1.** The foregoing recitals are hereby affirmed and ratified.  
36

37           **SECTION 2.** The City Council of the City of Palm Beach Gardens, Florida, hereby  
38 wishes to express its opposition and intent to object through the Intergovernmental Plan  
39 Amendment Review Committee (IPARC) and the Division of Administrative Hearings to  
40 the proposed Palm Beach County-Initiated Northlake Boulevard West TIM Amendment.  
41

42           **SECTION 3.** The City Clerk is hereby authorized and directed to furnish copies of  
43 this Resolution to the Palm Beach County Administrator and County Engineer.  
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45           **SECTION 4.** This Resolution shall become effective immediately upon adoption.  
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PASSED AND ADOPTED this 12<sup>th</sup> day of January, 2023.

CITY OF PALM BEACH GARDENS, FLORIDA

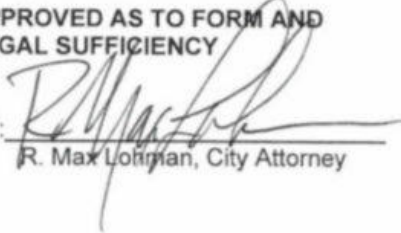
BY:   
Chelsea Reed, Mayor

ATTEST:

BY:   
Patricia Snider, CMC, City Clerk

I, Patricia Snider City Clerk  
of the City of Palm Beach Gardens  
do hereby certify that this is a true copy  
as taken from the Official records of the  
City of Palm Beach Gardens.

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY

BY:   
R. Max Lotman, City Attorney

City Clerk:   
Date: 1-13-2023

VOTE:

	<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
MAYOR REED	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
VICE MAYOR LITT	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
COUNCILMEMBER WOODS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
COUNCILMEMBER MARCIANO	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
COUNCILMEMBER TINSLEY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



**EXHIBIT "A"**





**Department of Planning,  
Zoning & Building**  
2300 North Jog Road  
West Palm Beach, FL 33411-2741  
(561) 233-5000

Planning Division 233-5300  
Zoning Division 233-5200  
Building Division 233-5100  
Code Enforcement 233-5500  
Contractors Certification 233-5525  
Administration Office 233-5005  
Executive Office 233-5228  
[www.pbcgov.com/pzb](http://www.pbcgov.com/pzb)



**Palm Beach County  
Board of County  
Commissioners**

Gregg K. Weias, Mayor  
Maria Sachs, Vice Mayor  
Maria G. Marino  
Dave Kerner  
Marci Woodward  
Sara Baxter  
Mack Bernard

**County Administrator**

Verdenia C. Baker

"An Equal Opportunity  
Affirmative Action Employer"



December 23, 2022

Natalie Crowley, Director of Planning and Zoning  
City of Palm Beach Gardens  
10500 N. Military Trail  
Palm Beach Gardens 33410

**RE: Municipal Notice of a proposed Comprehensive Plan change  
Northlake West, Thoroughfare Right-of-Way Identification Map**

Dear Ms. Crowley,

This letter is provided as a notice for a proposed amendment to Palm Beach County's Comprehensive Plan. The proposed amendment called, **Northlake West TIM Amendment**, proposes to revise Map TE 14.1 of the Comprehensive Plan to widen the segment between the western edge of the Palm Beach Gardens Municipal Golf Course to the State Road 7 Extension from 120 feet to 142 feet. The segment is shown in the attached summary.

The County will host an **informational meeting** to answer questions and explain the process by way of a virtual meeting on **Tuesday, January 10, 2023 at 6 pm**. Please visit the web page below for access information.  
<https://discover.pbcgov.org/pzb/planning/Pages/Active-Amendments.aspx>

The County will hold public hearings to consider the amendment as follows:

**Local Planning Agency (LPA):** *Friday, January 13, 2023, 9:00 a.m.*, Planning, Zoning and Building Dept., 1st Floor Hearing Room 1W-47, 2300 North Jog Rd, West Palm Beach, FL

**Board of County Commissioners (BCC):** *Wednesday, February 1, 2023, 9:30 a.m.*, 6th Floor Chambers, 301 North Olive Ave., West Palm Beach, FL

If the proposed amendment is transmitted by the BCC, an additional public hearing will be held at a later date to consider the adoption of the amendment by ordinance. Comments may be provided at the public hearings and/or submitted in writing to me at the address provided to the left. Should you have any questions, please contact Mr. Morton Rose at (561) 684-4150, or me directly at (561) 233-5351 or [KMohyudd@pbcgov.org](mailto:KMohyudd@pbcgov.org).

Sincerely,

Khurshid Mohyuddin, Principal Planner

Attachments: Photo Map



T:\Planning\AMEND23-A2\Text County\Northlake West TIM\Notices\Muni-PBG-12-23-22.doc



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RESOLUTION 64, 2021

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA, OPPOSING THE PALM BEACH COUNTY-INITIATED COMPREHENSIVE PLAN MAP AMENDMENTS FOR THE THOROUGHFARE RIGHT-OF-WAY IDENTIFICATION MAP (TIM), TE 14.1, FOR THE NORTHLAKE BOULEVARD EAST TIM AND THE NORTHLAKE BOULEVARD WEST TIM; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**WHEREAS**, Palm Beach County has a County-Initiated Map Amendment to modify the Thoroughfare Right-of-Way Identification Map (TIM), TE 14.1, to widen the right-of-way segment between the Beeline Highway and Military Trail from 120 feet to 142 feet to accommodate the widening to an ultimate 8 lanes, known as the Northlake Boulevard **East** TIM, attached hereto as Exhibit "A"; and

**WHEREAS**, Palm Beach County has a County-Initiated Map Amendment to modify the Thoroughfare Right-of-Way Identification Map (TIM), TE 14.1, to widen the right-of-way segment between the western edge of Palm Beach Gardens municipal golf course to State Road 7 Extension from 120 feet to 142 feet to accommodate the widening to an ultimate 8 lanes, known as the Northlake Boulevard **West** TIM, attached hereto as Exhibit "B"; and

**WHEREAS**, the Northlake Boulevard **West** TIM Map Amendment is to be scheduled for the Palm Beach County Board of County Commissioners public hearing for transmittal on November 3, 2021; the Northlake Boulevard **East** TIM is yet to be scheduled for transmittal public hearings; and

**WHEREAS**, both of these segments of Northlake Boulevard are either within the City limits of Palm Beach Gardens or directly about the City's limits; and

**WHEREAS**, these segments immediately abut the City-owned PGA National Park, Fire Station #3, and the Sandhill Crane Golf Club, along with other residential and non-residential properties that could be detrimentally impacted if further road widening is planned; and

**WHEREAS**, the Palm Beach Transportation Planning Agency's 2045 Long Range Plan, "Desires Plan" and "Cost Feasible Plan," indicate widening to only 6 lanes for these segments; and

1           **WHEREAS**, the City Council of the City of Palm Beach Gardens recognizes that  
2 the current proposed widening of Northlake Boulevard to 6 lanes and the current  
3 construction of the future Coconut Boulevard from Northlake Boulevard to Beeline  
4 Highway through the Avenir project provide a relief roadway for Northlake Boulevard in  
5 the area. Therefore, the proposed Palm Beach County-Initiated Map Amendments for  
6 the widening to an ultimate 8 lanes for these two segments is premature at this time; and  
7

8           **WHEREAS**, the City Council of the City of Palm Beach Gardens deems that the  
9 proposed widening of these two segments of Northlake Boulevard from 120 feet to 142  
10 feet for the ultimate widening to 8 lanes will negatively impact properties within the City  
11 limits; and  
12

13           **WHEREAS**, upon the issuance of the Intergovernmental Plan Amendment Review  
14 Committee (IPARC) notice received by the City on November 20, 2020, for the Palm  
15 Beach County Initiation process for the Northlake Boulevard **East** TIM Amendment and  
16 the Northlake Boulevard **West** TIM Amendment, the City of Palm Beach Gardens  
17 submitted a letter of objection dated December 9, 2020, to the County Engineer and a  
18 second letter of objection to the County Engineer dated December 23, 2020, objecting to  
19 the Northlake Boulevard **East** TIM Amendment; and  
20

21           **WHEREAS**, it is the City's intent to object to the Northlake Boulevard **West** TIM  
22 Amendment, upon the Palm Beach County Board of County Commissioners public  
23 hearing to adopt the map amendment, through the IPARC no less than 15 days prior to  
24 the adoption public hearing; and  
25

26           **WHEREAS**, it is the City's intent to object to the Northlake Boulevard **West** TIM  
27 Amendment by filing a petition to challenge the map amendment through the Division of  
28 Administrative Hearings within 30 days after the Palm Beach County Board of County  
29 Commissioners adopts the map amendment; and  
30

31           **WHEREAS**, it is the City's intent to object to the Northlake Boulevard **East** TIM  
32 Amendment through the IPARC no less than 15 days prior to the Palm Beach County  
33 Board of County Commissioners adoption public hearing, when it is scheduled; and  
34

35           **WHEREAS**, it is the City's intent to file a petition to challenge the Northlake  
36 Boulevard **East** TIM Amendment, through the Division of Administrative Hearings, within  
37 30 days after the Palm Beach County Board of County Commissioners adopts the map  
38 amendment, when it is scheduled; and  
39

40           **WHEREAS**, the City Council deems approval of this Resolution to be in the best  
41 interests of the health, safety, and welfare of the residents and citizens of the City of Palm  
42 Beach Gardens and the public at large.  
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**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA, that:**

**SECTION 1.** The foregoing recitals are hereby affirmed and ratified.

**SECTION 2.** The City Council of the City of Palm Beach Gardens, Florida, hereby wishes to express its opposition and intent to object through the Intergovernmental Plan Amendment Review Committee (IPARC) and the Division of Administrative Hearings to the proposed County-Initiated Northlake Boulevard **East** TIM Map Amendment and the Northlake Boulevard **West** TIM Map Amendment.

**SECTION 3.** The City Clerk is hereby authorized and directed to furnish copies of this Resolution to the Palm Beach County Administrator and County Engineer.

**SECTION 4.** This Resolution shall become effective immediately upon adoption.

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PASSED AND ADOPTED this 7<sup>th</sup> day of October, 2021.

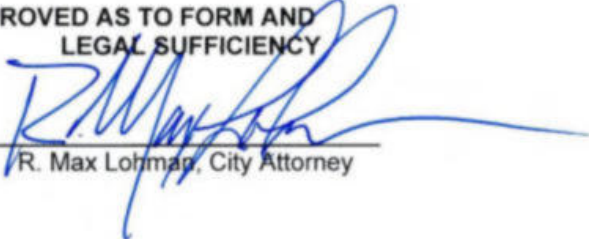
CITY OF PALM BEACH GARDENS, FLORIDA

BY:   
Rachelle A. Litt, Mayor

ATTEST:

BY:   
Patricia Snider, CMC, City Clerk

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY

BY:   
R. Max Lohman, City Attorney

VOTE:

	<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
MAYOR LITT	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
VICE MAYOR REED	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
COUNCILMEMBER WOODS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
COUNCILMEMBER MARCIANO	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
COUNCILMEMBER TINSLEY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>





City of Palm Beach Gardens  
Office of the City Clerk  
10500 North Military Trail  
Palm Beach Gardens, FL 33410  
(561) 799-4122 [psnider@pbgfl.com](mailto:psnider@pbgfl.com)

**Letter of Transmittal**

**DATE:** October 8, 2021

**TO:** Palm Beach County  
County Administration  
301 N. Olive Avenue, 11<sup>th</sup> Floor  
West Palm Beach, FL 33401  
Attn: Verdenia C. Baker, County Administrator

Delivered via FedEx Tracking No. 8170 1466 8110

**Re: Resolution 64, 2021.**

**Enclosed please find one (1) certified copy of Resolution 64, 2021 approved and adopted by City Council on October 7, 2021.**

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> For Your Records | <input type="checkbox"/> For Recording            |
| <input type="checkbox"/> As Requested                | <input type="checkbox"/> Returned for Corrections |
| <input type="checkbox"/> For Review and Signature    | <input type="checkbox"/> Other: _____             |

Signed   
Patricia Snider, CMC, City Clerk



FedEx Tracking Number 8170 1466 8110

FORM 0215 Sender's Copy

**1 From Please print and press hard**  
 Date 10-8-2021 Sender's FedEx Account Number 7103-2418-2  
 Sender's Name Patarcia Snider Phone 561-799-4122  
 Company CITY OF PALM BEACH GARDENS  
 Address 10500 N MILITARY TRL  
 City PALM BEACH GARDENS State FL ZIP 33410-4628

**2 Your Internal Billing Reference**  
**3 To**  
 Recipient's Name VcAdenia C. Baker Phone 561-355-2040  
 Company Palm Beach County, County Administration  
 Address 301 N. OLIVE AVE 11TH FL  
 Address West Palm Beach State FL ZIP 33401  
 0138006802

**Deliveries when and where you want.**  
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**4 Express Package Service** \*To most locations. Packages up to 150 lbs. For packages over 100 lbs, see the FedEx Express Freight US Airbill

Next Business Day	1 or 3 Business Days
<input type="checkbox"/> FedEx First Overnight Earliest next business morning delivery to select locations. Friday shipments will be delivered on Monday unless Saturday Delivery is selected.	<input type="checkbox"/> FedEx 2Day A.M. Second business morning.* Saturday Delivery NOT available.
<input type="checkbox"/> FedEx Priority Overnight Next business morning.* Friday shipments will be delivered on Monday unless Saturday Delivery is selected.	<input type="checkbox"/> FedEx 2Day Second business afternoon.* Thursday shipments will be delivered on Monday unless Saturday Delivery is selected.
<input checked="" type="checkbox"/> FedEx Standard Overnight Next business afternoon.* Saturday Delivery NOT available.	<input type="checkbox"/> FedEx Express Saver Third business day.* Saturday Delivery NOT available.

**5 Packaging** \*Declared value limit \$500.  
 FedEx Envelope\*  FedEx Pak\*  FedEx Box  FedEx Tube  Other

**6 Special Handling and Delivery Signature Options** Fees may apply. See the FedEx Service Guide.

Saturday Delivery  
NOT available for FedEx Standard Overnight, FedEx 2Day A.M., or FedEx Express Saver.

No Signature Required  
Package may be left without obtaining a signature for delivery.

Direct Signature  
Someone at recipient's address may sign for delivery.

Indirect Signature  
If no one is available at recipient's address, someone at a nearby location may sign for delivery. For residential deliveries only.

**Does this shipment contain dangerous goods?** *See label must be checked.*

No  Yes (per shipper/Shipper's Declaration)  Yes (Shipper's Declaration and Required)  Dry Ice (per IATA, ICAO, IATA)  Cargo Aircraft Only

Restrictions apply for dangerous goods — see the current FedEx Service Guide.

**7 Payment Bill to:** Enter FedEx Acct. No. below. This article can be used only when billing to a FedEx account number. For cash, check, or credit card transactions, please get to a staffed shipping location.

Shipper  Recipient  Third Party

Total Packages: \_\_\_\_\_ Total Weight: \_\_\_\_\_ lbs. Total Declared Value: \_\_\_\_\_ \$

Your liability is limited to \$1000 unless you declare a higher value. See label for details. By using this article you agree to the service conditions on the back of this article and to the current FedEx Service Guide, including terms and our liability.

Rev. Date 5/18 • Form FB024 • ©2004-2018 FedEx • PRINTED IN U.S.A.



City of Palm Beach Gardens  
Office of the City Clerk  
10500 North Military Trail  
Palm Beach Gardens, FL 33410  
(561) 799-4122 [psnider@pbgfl.com](mailto:psnider@pbgfl.com)

**Letter of Transmittal**

**DATE:** October 8, 2021

**TO:** Palm Beach County  
Engineering Department  
301 N. Olive Avenue, Suite 1105  
West Palm Beach, FL 33401  
Attn: David L. Ricks, County Engineer

Delivered via FedEx Tracking No. 8170 1466 8100

**Re: Resolution 64, 2021.**

**Enclosed please find one (1) certified copy of Resolution 64, 2021 approved and adopted by City Council on October 7, 2021.**

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| <input checked="" type="checkbox"/> For Your Records | <input type="checkbox"/> For Recording            |
| <input type="checkbox"/> As Requested                | <input type="checkbox"/> Returned for Corrections |
| <input type="checkbox"/> For Review and Signature    | <input type="checkbox"/> Other: _____             |

Signed   
Patricia Snider, CMC, City Clerk



FedEx Tracking Number 8170 1466 8100

Form 0215 Sender's Copy

**1 From** Please print and press hard.  
 Date 10-8-2021 Sender's FedEx Account Number 7103-2418-2  
 Sender's Name Patricia Snider Phone 561-799-4122  
 Company CITY OF PALM BEACH GARDENS  
 Address 10500 N MILITARY TRL.  
 City PALM BEACH GARDENS State FL ZIP 33410-4628

**2 Your Internal Billing Reference**  
**3 To**  
 Recipient's Name David L. Rizks Phone 561-684-4000  
 Company Palm Beach County, Engineering Dept.  
 Address 301 N. olive Avenue Suite 1105  
 Address  
 City West Palm Beach State FL ZIP 33401

0138006802

Shipping online just got easier. Go to fedex.com/ite.

**4 Express Package Service** \*To next business day.  
**Next Business Day**  
 FedEx First Overnight  
 FedEx Priority Overnight  
 FedEx Standard Overnight  
**1 or 3 Business Days**  
 FedEx 2Day A.M.  
 FedEx 2Day  
 FedEx Express Saver

**5 Packaging** \*Declared value limit only.  
 FedEx Envelope\*  FedEx Pak\*  FedEx Box  FedEx Tube  Other

**6 Special Handling and Delivery Signature Options** Fees may apply. See the FedEx Service Guide.  
 Saturday Delivery  
 No Signature Required  
 Direct Signature  
 Indirect Signature  
 Does this shipment contain dangerous goods?  
 No  Yes  Yes (Dry Ice)  Cargo Aircraft Only

**7 Payment** Bill to:  
 Sender  Recipient  Third Party  
 Total Packages Total Weight Total Declared Value

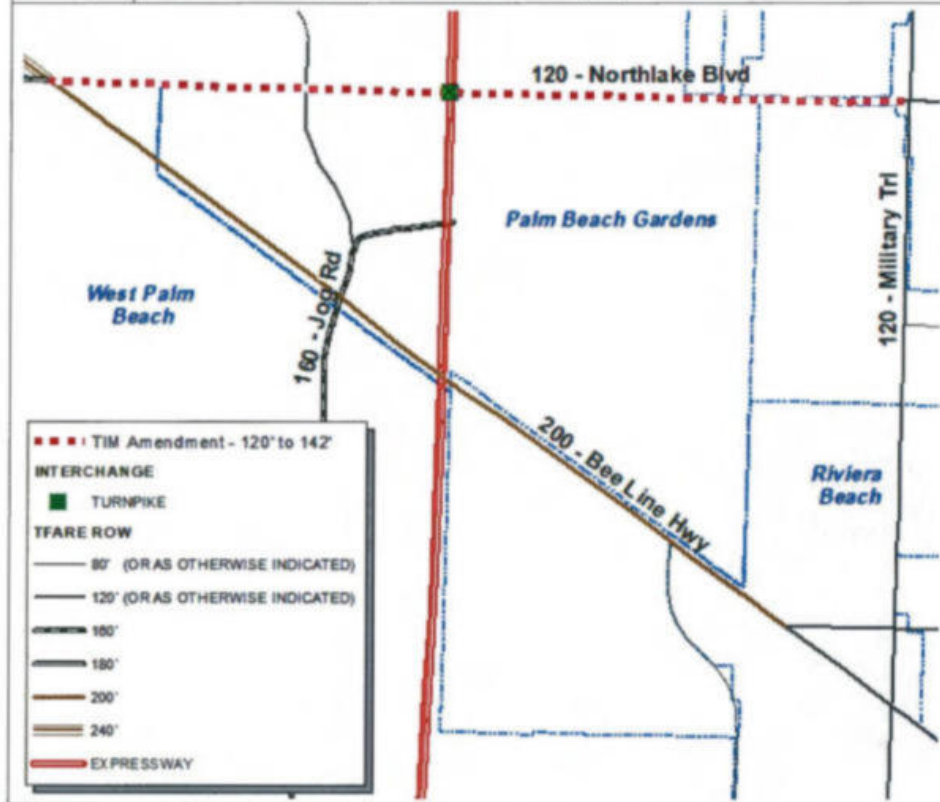
This bill is subject to credit review unless you declare a higher value. See terms for details. By using this bill you agree to the service conditions on the back of this bill and in the current FedEx Service Guide, including service that may not be available.  
 Rev. Date 07-11-2014 FedEx - ©2014 FedEx - PRINTED IN U.S.A.

**EXHIBIT "A"**



## Palm Beach County Proposed Comprehensive Plan Map Amendment

<b>Name:</b>	<b>Northlake East TIM Amendment</b>
<b>Request:</b>	This proposed amendment will modify the Thoroughfare Right of Way Identification Map (TIM), TE 14.1, to widen right of way as follows: <ul style="list-style-type: none"> <li>To widen the roadway right-of-way segment between the Beeline Highway and Military Trail from 120 feet to 142 feet to allow ultimate 8 lanes</li> </ul>
<b>District:</b>	District 1, Commissioner Maria G. Marino
<b>Area:</b>	Palm Beach Gardens, West Palm Beach
<b>Contact:</b>	Khurshid Mohyuddin, Principal Planner
<b>Basis:</b>	Traffic impact from recently approved projects indicate that the proposed widening to 8 lanes is necessary to accommodate the projected vehicular traffic demand.

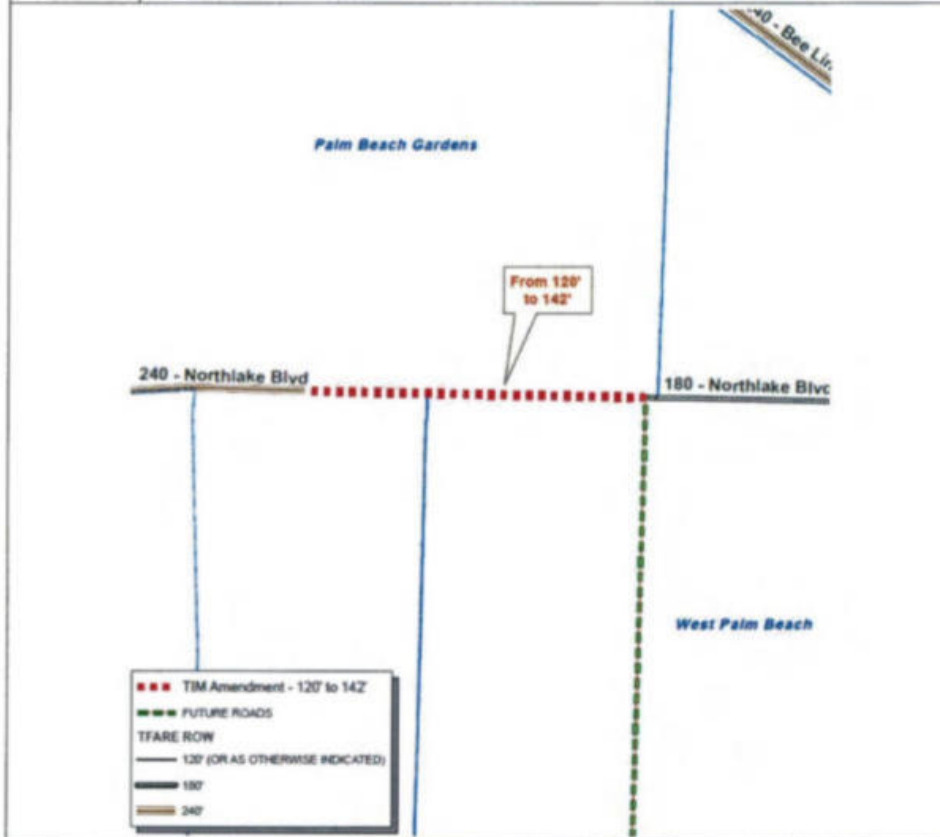


**EXHIBIT "B"**



## Palm Beach County Proposed Comprehensive Plan Text & Map Amendment

<b>Name:</b>	Northlake Boulevard West TIM
<b>Request:</b>	This proposed amendment will modify the Thoroughfare Right of Way Identification Map (TIM), TE 14.1, to widen right of way as follows: <ul style="list-style-type: none"> <li>To widen the roadway right-of-way segment between the western edge of the Palm Beach Gardens municipal golf course to State Road 7 Extension from 120 feet to 142 feet to allow ultimate 8 lanes.</li> </ul>
<b>District:</b>	District 1, Commissioner Marino, and District 6, Commissioner McKinlay
<b>Area:</b>	Palm Beach Gardens, West Palm Beach, Rural and Exurban Tiers
<b>Contact:</b>	Khurshid Mohyuddin, Principal Planner
<b>Basis:</b>	The amendment will accommodate the widening of Northlake Boulevard to 8 lanes in the future to accommodate projected vehicular traffic demand indicated in the approved traffic impact reports for Avenir, Westlake, and Indian Trail Groves as well as the potential development in area.



# The Grande at Ibis HOA

## Talking Points

### Concerns for our community:

1. Direct impact of homes along the North end of the development.  
Privacy issues due to loss of common property buffer.
2. Public safety with loss of deceleration and acceleration lanes from the Ibis community. Danger to community made up of mostly senior citizen homeowners.
3. Loss of Ibis Park access and portions of north side of park, an important common property feature for The Grande.
4. Increase of noise due to removal of greenway buffer and traffic being closer.
5. Negative impact to property values.
6. Change of character of community from residential to more commercial traffic throughfare in nature.
7. Bottleneck at SR 7

# Shoppes at Ibis 1



--- Existing Right of Way Line  
— Proposed Right of Way Line



12/22/2021

# Shoppes at Ibis 2



Existing Right of Way Line



Proposed Right of Way Line



12/22/2021

# Ibis 1



12/22/2021

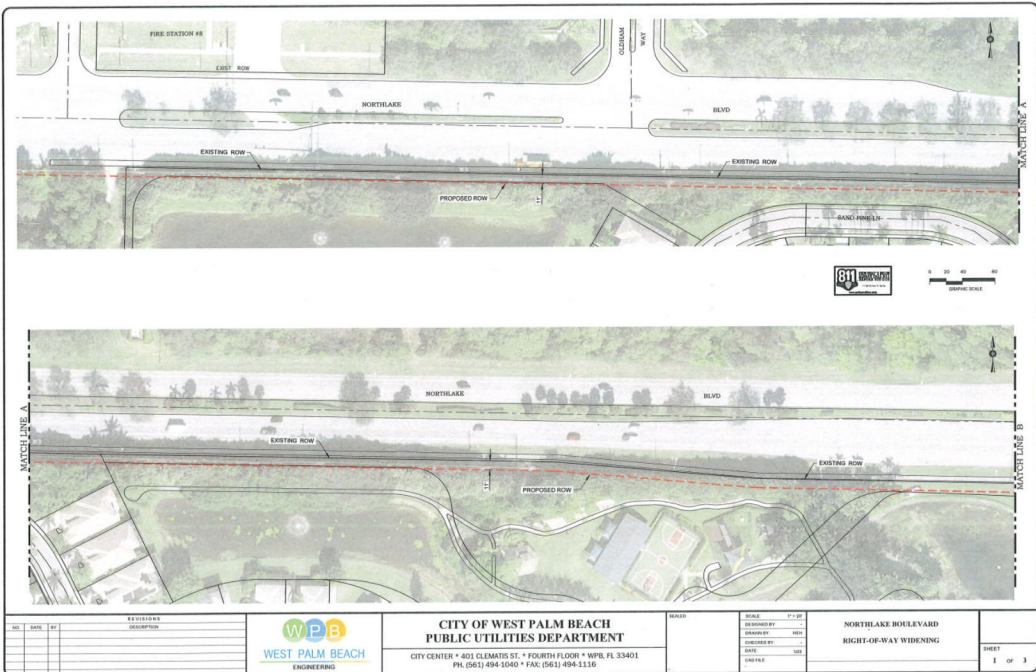
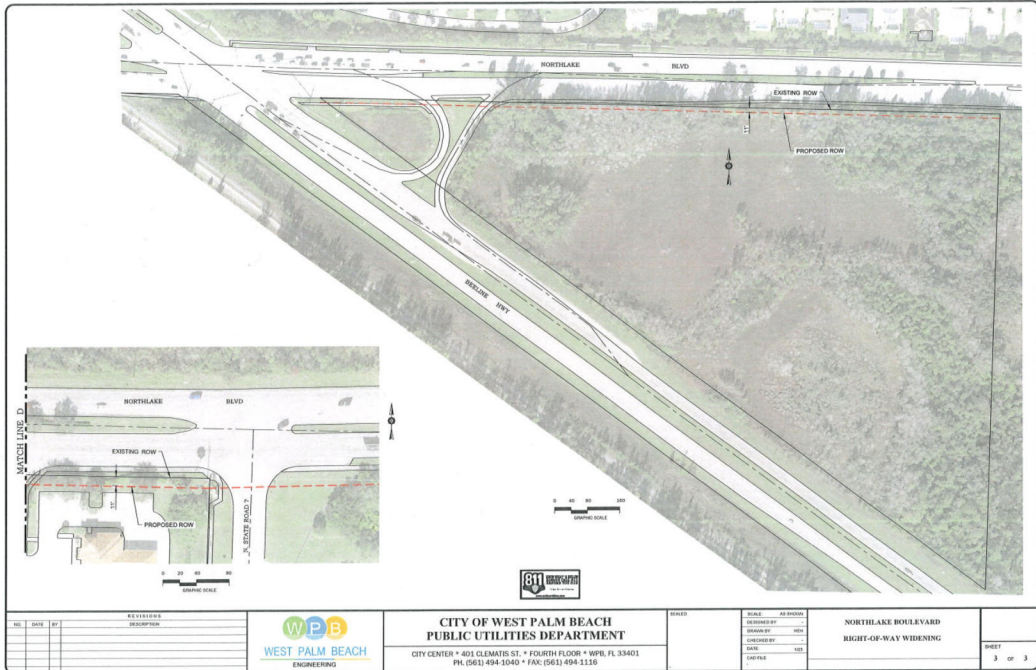
# Ibis 2

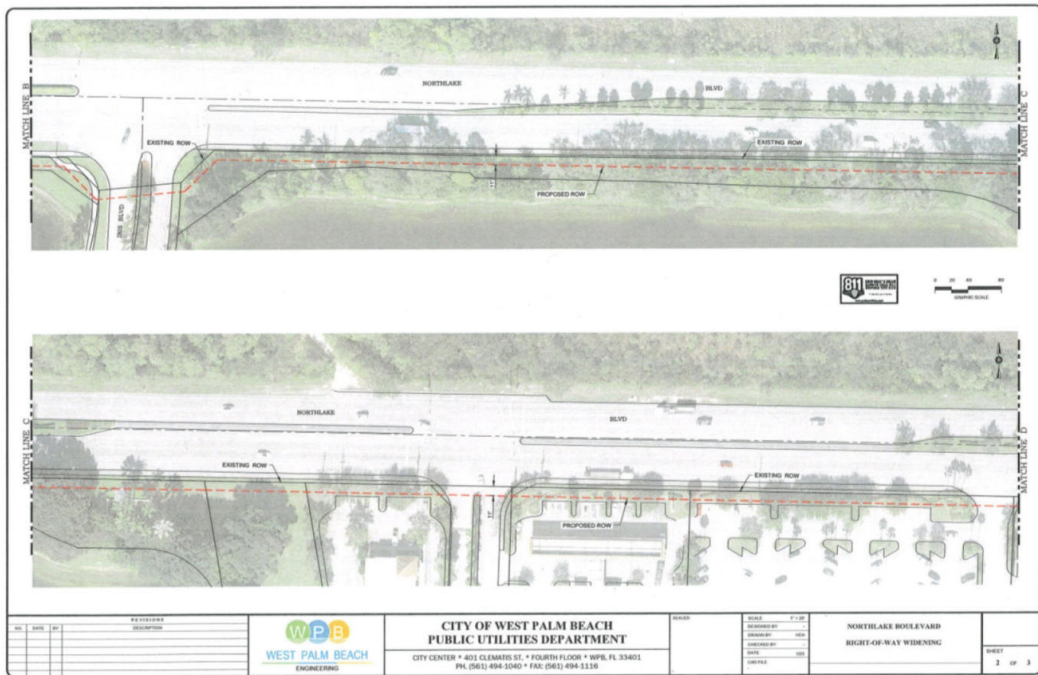


----- Existing Right of Way Line  
----- Proposed Right of Way Line



12/22/2021







WEST PALM BEACH

Development Services

**NOTICE OF INTENT TO OBJECT**

**TO:** Clearinghouse  
Palm Beach County  
**FROM:** Richard Greene, AICP, Development Services Director, City of West Palm Beach  
**DATE:** January 12, 2023  
**RE:** Northlake West TIM Amendment

The City of West Palm Beach, participant in the Comprehensive Plan Amendment Coordinated Review Process, hereby files a notice of intent to object to the proposed Palm Beach County **Northlake Boulevard West TIM Amendment**, which amends the County's Map Series, Thoroughfare Right of Way Identification Map TE 14.1, and is being processed as part of the County's Amendment Round 23-A2. The City of West Palm Beach wishes to meet to discuss its concerns prior to the February 1, 2023, Transmittal Hearing.

Richard Greene, AICP  
Development Services Director

**FOR USE BY CLEARINGHOUSE**

\_\_\_\_\_  
Date of Receipt

\_\_\_\_\_  
Signature of Clearinghouse

Forwarded on \_\_\_\_\_ to:  
Date

\_\_\_\_\_  
Local Government

PLANNING DIVISION  
401 CLEMATIS STREET  
P.O. BOX 3147  
WEST PALM BEACH, FL 33402  
561.822.1435



## WEST PALM BEACH

Mayor's Office

January 12, 2023

VIA EMAIL at [KFischer@pbcgov.org](mailto:KFischer@pbcgov.org)

Kevin Fischer, AICP  
Planning Director  
Palm Beach County Planning Division  
2300 N Jog Road  
West Palm Beach, FL 33411-2741

RE: Municipal Notice of a proposed Comprehensive Plan change Northlake West  
Thoroughfare Right-of-Way Identification Map

Dear Mr. Fischer:

I am writing this letter on behalf of the City of West Palm Beach (City) regarding the Palm Beach County Planning Commission's consideration of an amendment to the County's Comprehensive Plan Transportation Element and Thoroughfare Identification Map (TIM). The City first filed its objections to the proposed amendment on December 10, 2020, and the County's planning staff has included the City's objection letter in its staff report for the current amendment. Despite the objections raised and without addressing the objections, this matter has been scheduled to be heard by you on January 13, 2023.

A summary of the objections raised in the December 2020 letter, which remain concerns today, are as follows:

1. Northlake Boulevard runs through Grassy Waters Preserve. Grassy Waters Preserve is a pristine remnant of the Everglades and serves as a critical drinking water supply source. The City has devoted significant efforts to ensure that the preserve and its habitat is protected from stormwater runoff and other impacts from potential sources of water pollution.
2. The proposed TIM amendment creates a situation where the right-of-way allocation expands (8 lanes), contracts (4 lanes), and expands (6-8 lanes), which would appear to create a significant potential for traffic bottlenecks on Northlake Boulevard and potentially result in worsening of traffic in the area.
3. The management of stormwater runoff on Northlake is insufficient for the current 5 lane configuration. The management of stormwater that avoids harmful environmental impacts remains a concern for any future 8 lane configuration of Northlake Boulevard.
4. The contemplated expansion of Northlake Boulevard appears to be premised on the future approval of the construction of the State Road 7 Expansion Project. Due to the environmental impacts arising from the proposed expansion of State Road 7, FDOT, to date, has not been able to permit construction. There are viable alternatives to the State Road 7 expansion which should

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WEST PALM BEACH, FL 33402  
561.822.1400

be studied and included in the analysis relating to the Northlake Boulevard expansion rather than presuming that the State Road 7 expansion will be constructed.

5. The proposed expansion creates unacceptable adverse impacts to the Ibis community and the Ibis commercial development, which will require unnecessary takings of private property and relocation of utilities.

Thank you for your consideration of these comments, and we look forward to continuing to address these important matters with the County and other stakeholders.

Sincerely,



Keith A. James, Mayor

Copies to: Palm Beach County Planning Commission Members



January 30, 2023

VIA EMAIL at:

MMarino@pbcgov.org  
GWeiss@pbcgov.org  
MBarnett@pbcgov.org  
MWoodward@pbcgov.org  
MSachs@pbcgov.org  
SBaxter@pbcgov.org  
MBernard@pbcgov.org

Board of County Commissioners  
Palm Beach County  
301 North Olive Ave. Suite 1201  
West Palm Beach, FL 33401

RE: Municipal Notice of a proposed Comprehensive Plan change Northlake West  
Thoroughfare Right-of-Way Identification Map

Dear County Commissioners:

I am writing this letter on behalf of the City of West Palm Beach (City) regarding the Palm Beach County Board of Commission's consideration of the adoption of an amendment to the County's Comprehensive Plan Transportation Element and Thoroughfare Identification Map (TIM). The proposed amendment is in direct conflict with the City of West Palm Beach Conservation Element of its Comprehensive Plan and is not "in compliance" with the requirements for adoption of a comprehensive plan amendment as defined in section 163.3184, Florida Statutes. The City filed its objections to the proposed amendment on December 10, 2020, when the amendment was first scheduled for review and was subsequently pulled so that staff could conduct further analysis. The City filed a renewed letter of objection with the Palm Beach County Planning Commission and its December 2020 objection was included in the County's staff report before you for consideration. Despite the objections raised and notwithstanding having undertaken additional analysis, County staff has failed to address any of the issues raised by the City. This matter is scheduled to be heard by you on February 1, 2023.

A summary of the objections raised in the December 2020 letter, which remain concerns today, are as follows:

1. Northlake Boulevard runs through Grassy Waters Preserve. Grassy Waters Preserve is a pristine remnant of the Everglades and serves as a critical drinking water supply source, which is protected by a special act of the legislature and by the City of West Palm Beach Comprehensive Plan. The

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561.822.1400

City has devoted significant efforts to the protections provided to ensure that the preserve and its habitat is protected from stormwater runoff and other impacts from potential sources of water pollution.

2. The proposed TIM amendment creates a situation where the right-of-way allocation expands (8 lanes), contracts (4 lanes), and expands (6-8 lanes), which would appear to create a significant potential for traffic bottlenecks on Northlake Boulevard and potentially result in worsening of traffic in the area.
3. The management of stormwater runoff on Northlake is insufficient for the current 5-lane configuration. The management of stormwater that avoids harmful environmental impacts remains a concern for any future 8-lane configuration of Northlake Boulevard.
4. The contemplated expansion of Northlake Boulevard appears to be premised on the future approval of the construction of the State Road 7 Expansion Project. Due to the environmental impacts arising from the proposed expansion of State Road 7, FDOT, to date, has not been able to permit construction. There are viable alternatives to the State Road 7 expansion, which should be studied and included in the analysis relating to the Northlake Boulevard Expansion rather than presuming that the State Road 7 expansion will be constructed.
5. The proposed expansion of the road creates unacceptable adverse impacts to the Ibis community and the Ibis commercial development, which will require unnecessary takings of private property and relocation of utilities that may require additional takings.

Thank you for your consideration of these comments, and we look forward to continuing to addressing these important matters with the County and other stakeholders. The City requests that the County transmit a copy of the amendments and supporting data and analyses for review as required by section 163.3184(3)(b)(1), Florida Statutes.

Sincerely,



Keith A. James, Mayor

cc: Kevin Fischer, Planning Director