Engineering and Public Works Department
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Palm Beach County Board of County Commissioners
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Joseph Abruzzo

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October 16, 2026

Adam B. Kerr, P.E.
Transportation Engineer
Kimley-Horn and Associates, Inc.
477 S Rosemary Avenue, Suite 215
West Palm Beach, FL 33401

RE: Parks at Delray
Project #: 261004 (181113)
Traffic Performance Standards (TPS) Review

Dear Mr. Kerr:

The Palm Beach County Traffic Division has reviewed the above-referenced project Equivalency Statement, revised September 2, 2026, for compliance with the Traffic Performance Standards established in Article 12 of the Palm Beach County (PBC) Unified Land Development Code (ULDC). The project is summarized as follows:

Municipality:	Delray Beach
Location:	SWC of S. Congress Avenue and Old German Town Rd, about 0.2 miles south of Linton Blvd
PCN:	12-43-46-30-41-001-0020 ***(others on file)***
Access:	Three full-access driveway connections to Old Germantown Rd and two full and one right-in/right-out access driveway connections onto Congress Avenue *(As presented in the traffic study and are NOT, in themselves, an approval by the County through this TPS determination)*
Approved Uses:	Multifamily (Mid-Rise) = 1,009 DUs General Office (10-250ksf GFA) = 70,000 SF Shop Center (>150ksf) = 330,000 SF
Proposed Uses:	Redevelop Parcels C1 and C2 to include 108 multifamily DUs, resulting in a net reduction of 2 DUs and a revised total of 1,007 DUs under the Multifamily (Mid-Rise) category.
New Daily Trips:	-9
New Peak Hour Trips:	0 AM; -1 (0/-1) PM
Build-out:	December 31, 2029

Based on the information submitted, including the Equivalency Statement revised September 2, 2026, and the representations and assumptions contained therein, the proposed redevelopment is represented to result in a net reduction of two multifamily dwelling units and an associated reduction in trip generation relative to the previously approved development.

Based on the submitted information and for purposes of this review under Article 12 of the ULDC, the County has determined that a detailed traffic study is not required for this Equivalency Statement review and that the proposed development **meets** the applicable TPS requirements evaluated herein, subject to the limitations

and conditions set forth in this letter and all otherwise applicable requirements of the ULDC.

This determination is expressly limited to the development description, land uses, development intensity, trip-generation estimates, access assumptions, anticipated build-out date, and other representations and supporting information submitted for this review. The County's determination is based upon the information provided by the applicant and/or its consultants. The applicant remains responsible for the accuracy, completeness, and validity of all submitted information, data, calculations, assumptions, and representations. This determination shall not be construed as an independent verification or certification by the County of every underlying assumption, calculation, or representation in the submitted materials.

Any material change to the proposed uses, development intensity, site configuration, access arrangements, trip generation, or anticipated build-out may require additional County review and a revised or new TPS determination, as applicable under the ULDC. This letter shall not be construed as approval of any development component that was not expressly evaluated as part of this TPS determination, nor as a waiver of any applicable County, municipal, state, or federal requirement.

Except as expressly modified by a subsequent approval issued by the appropriate authority, all applicable conditions of approval, restrictions, obligations, and requirements associated with the previously approved development shall remain in effect. This determination does not release, waive, modify, or extinguish any such condition, restriction, obligation, or requirement.

The previously approved TPS letter is attached for reference.

Please note that receipt of a 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 site-related. For work within Palm Beach County R/W, a detailed review of the project will be provided upon submittal of a R/W permit application. The project is required to comply with all Palm Beach County standards and may include R/W dedication.

No building permits are to be issued by the City after the build-out date specified above, or as amended in the future. The County traffic concurrency approval is subject to the Project Aggregation Rules set forth in the Traffic Performance Standards Ordinance.

The approval letter shall be valid no longer than one year from the 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 email DSimeus@pbc.gov.

Sincerely,

Dom Simeus, P.E.
Engineering and Public Works Dept.
Traffic Division

Attachments:
1. Approved TPS Letters

DS:QB:nw
ec: Addressee
Anthea Gianniotes, AICP, Director of Development Services, City of Delray Beach
Quazi Bari, P.E., PTOE, Manager - Growth Management, Traffic Division
Alberto Lopez Tagle, Project Coordinator I, Traffic Division

File: General - TPS - Mun - Traffic Study Review
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Sara Baxter
Mack Bernard

County Administrator
Verdenia C. Baker

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August 14, 2024

Adam B. Kerr, P.E.
Kimley-Horn and Associates, Inc.,
477 S Rosemary Ave, Suite 215
West Palm Beach, FL 33401

RE: 1690-2350 South Congress Avenue
Project #: 181113
Clarification of proposed Driveways and Modification to Traffic Performance Standards (TPS) Associated Conditions

Dear Mr. Kerr:

The Palm Beach County Traffic Division has reviewed the above referenced project driveways modification memorandum, dated June 13, 2024, requesting revision to the TPS approval letter issued on September 20, 2021. The project is summarized as follows:

Municipality:	Delray Beach
Location:	SWC of Congress Avenue and Old Germantown Road, about 0.2 miles south of Linton Blvd
PCN:	12-43-46-30-15-001-0000 (additional PCNs in file)
Access:	Three full access driveway connections onto Old Germantown Road, and, two full and one right-in/right out access driveway connections onto Congress Avenue (As used in the study and is NOT necessarily an approval by the County through this TPS letter)
Existing Uses:	Gen. Office = 70,000 SF
Vested Uses	Gen. Office = 352,539 SF
Proposed Uses:	Gen. Office = 70,000 SF Gen. Commercial = 330,000 SF Condos = 407 DUs Apartments = 602 DUs
New Daily Trips:	13,582
New Peak Hour Trips:	189 (-197/386) AM; 975 (711/264) PM
Build-out:	December 31, 2023

Based on the review, the Traffic Division is making modification to condition number 3 of the previously issued TPS approval letter, dated September 20, 2021 (attached). The full set of conditions, with condition number 3 revised, is provided below.

The proposed development **meets** the TPS of Palm Beach County, subject to the following conditions:

1. No Building Permits for the site may be issued after December 31, 2023.

2. Building Permits for more than 535 dwelling units shall not be issued until the contract has been awarded for the construction of a right turn lane north approach and a right turn lane south approach on Military Trail at Linton Blvd plus the appropriate paved tapers. In the event the contract has not been let for this Assured Construction before building permits for more than 535 dwelling units have been issued, the Property Owner/Developer may elect to make a

proportionate share payment of 38.9 % of the overall construction cost for the construction of a right turn lane south approach on Military Trail at Linton Blvd plus the appropriate paved taper.

3. Prior to the issuance of the first Certificate of Occupancy, the Property Owner/Developer shall construct the below site related improvements in a., b., and c. Construction of d. below shall be completed prior to opening of a vehicular connection between the Arbors parcel and any portion of the remainder of the Parks at Delray site.

    a. Construct right turn lanes north approach at the two southern project driveways on Congress Avenue.
    b. Extend the left turn lane south approach storage length at southernmost project driveway on Congress Ave to the County minimum standards, or as approved by the County Engineer.
    c. Extend the left turn lane south approach storage length at the main driveway on Congress Ave to its maximum, or as approved by the County Engineer.
    d. Restrict the driveway at the first full opening on Congress Ave south of Old Germantown Road to a right-in/right-out only. Raised channelizing island is recommended.

4. The Property Owner/Developer shall fund the cost of signal installation, if warranted as determined by the County Engineer, at Congress Avenue and the Main Project Driveway. Signalization shall be a mast arm structure installation. The cost of signalization shall also include all design costs and any required utility relocation and right of way or easement acquisition.

    a. Building Permits shall not be issued until the developer provides acceptable surety to the Traffic Division in an amount as determined by the Director of the Traffic Division.

    b. In order to request release of the surety for the traffic signal at the above intersection, the Property Owner/Developer shall provide written notice to the Traffic Division stating that the final certificate of occupancy has been issued for this development and requesting that a signal warrant study be conducted at the intersection. The Traffic Division shall have 24 months from receipt of this notice to either draw upon the monies to construct the traffic signal or release the monies.
    In the event that the property is sold, the surety may be returned once the Traffic Division receives written documentation of the sale and a replacement surety has been provided to the Traffic Division by the new Property Owner.

5. All of the conditions, numbered 1 thru 4 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 4 exactly as set forth above, then the Traffic Division's conditional finding that this proposed development meets the TPS of Palm Beach County shall be deemed rescinded and rendered void.

A Proportionate Share Agreement must be fully executed, by the Property Owner/Developer seeking approval of the project and Palm Beach County, before the municipality considers approval of the proposed project. 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 TPS of Palm Beach County shall be deemed rescinded and rendered void.

Please note the receipt of a 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 County traffic concurrency approval is subject to the Project Aggregation Rules set forth in the TPS Ordinance.

The approval letter shall be valid no longer than one year from date of issuance of the original TPS approval letter, dated February 13, 2019, 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 email QBari@pbc.gov

Sincerely,

Quazi Bari, P.E., PTOE
Manager – Growth Management
Traffic Division

QB:jb
Att: TPS Approval Letter, dated September 20, 2021
ec: Addressee
Anthea Gianniotes, AICP, Director of Development Services, City of Delray Beach
Stephanie Guerra, P.E, Kimley-Horn and Associates, Inc.,
Alberto Lopez Tagle, Technical Assistant III, Traffic Division

File: General - TPS - Mun - Traffic Study Review
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