

Agenda Item # R - 5

**Village of Royal Palm Beach
Village Council
Agenda Item Summary**

Agenda Item:

PUBLIC HEARING TO CONSIDER APPLICATION NO. 22-126 (SPM, SE, AAR), AN APPLICATION BY FRANK BAYNHAM OF REDD & ASSOCIATES, AND ADOPTION OF RESOLUTION NO. 23-20 CONFIRMING COUNCIL ACTION. THE APPLICANT IS SEEKING A SITE PLAN MODIFICATION, SPECIAL EXCEPTION, AND ARCHITECTURAL APPROVAL TO ALLOW FOR THE CONSTRUCTION OF A 15,291 SQUARE FOOT EXPANSION OF AN EXISTING SENIOR HOUSING FACILITY LOCATED AT 600 BUSINESS PARKWAY.

Issue:

The applicant, Frank Baynham of Redd & Associates, is requesting Site Plan Modification Approval for upgrades to the site including construction of an approximately 15,291 square foot expansion of the existing Senior Housing Facility to add 20 beds to the existing 120-bed facility, Special Exception Use Approval to allow for a “Senior housing facility (SFH)” within the Industrial General (IG) Zoning District, and Architectural Approval for exterior updates including paint, new metal roof, doors and screen walls and courtyard improvements, for a property located at 600 Business Parkway.

Aside from the Variance and Landscape Waiver requests, the proposed Site Plan Modification meets all of the Village’s requirements of the Industrial General (IG) Zoning District.

The Planning and Zoning Commission considered the application on June 27, 2023 and recommended Approval by a vote of 4-0.

Recommended Action:

Staff is recommending Approval of Application No. 22-126 (SPM, SE, AAR) and Resolution No. 23-20. This recommendation is contingent upon the approval of the requested Variance and the Landscape Waivers.

Initiator:	Village Manager	Agenda Date	Village Council
Director of P & Z	Approval	7-13-2023	Action

Village of Royal Palm Beach - Staff Report

I. General Data:

Project Name: RPB Health & Rehabilitation Center

Application: 22-126 (SPM, SE, AAR) (Res. No. 23-20)

Applicant/Owner: Royal Palm Beach FL Propco, LLC
55 Broadway, Suite 2001
New York, NY 10006

Agent: Frank Baynham
Redd & Associates
600 Sandtree Drive, Suite 202A
Palm Beach Gardens, FL 33403

Request: Site Plan Modification, Special Exception, and Architectural Approval for an addition to an existing “Senior Housing Facility (SHF)” within the Industrial General (IG) Zoning District, for a property located at 600 Business Parkway.

Hearings: Planning and Zoning Commission: June 27, 2023
Village Council July 13, 2023

Recommendation: Approval

II. Site Data:

Site Area: 10.24± acres

Property Control Numbers: 72-41-43-25-00-000-7050

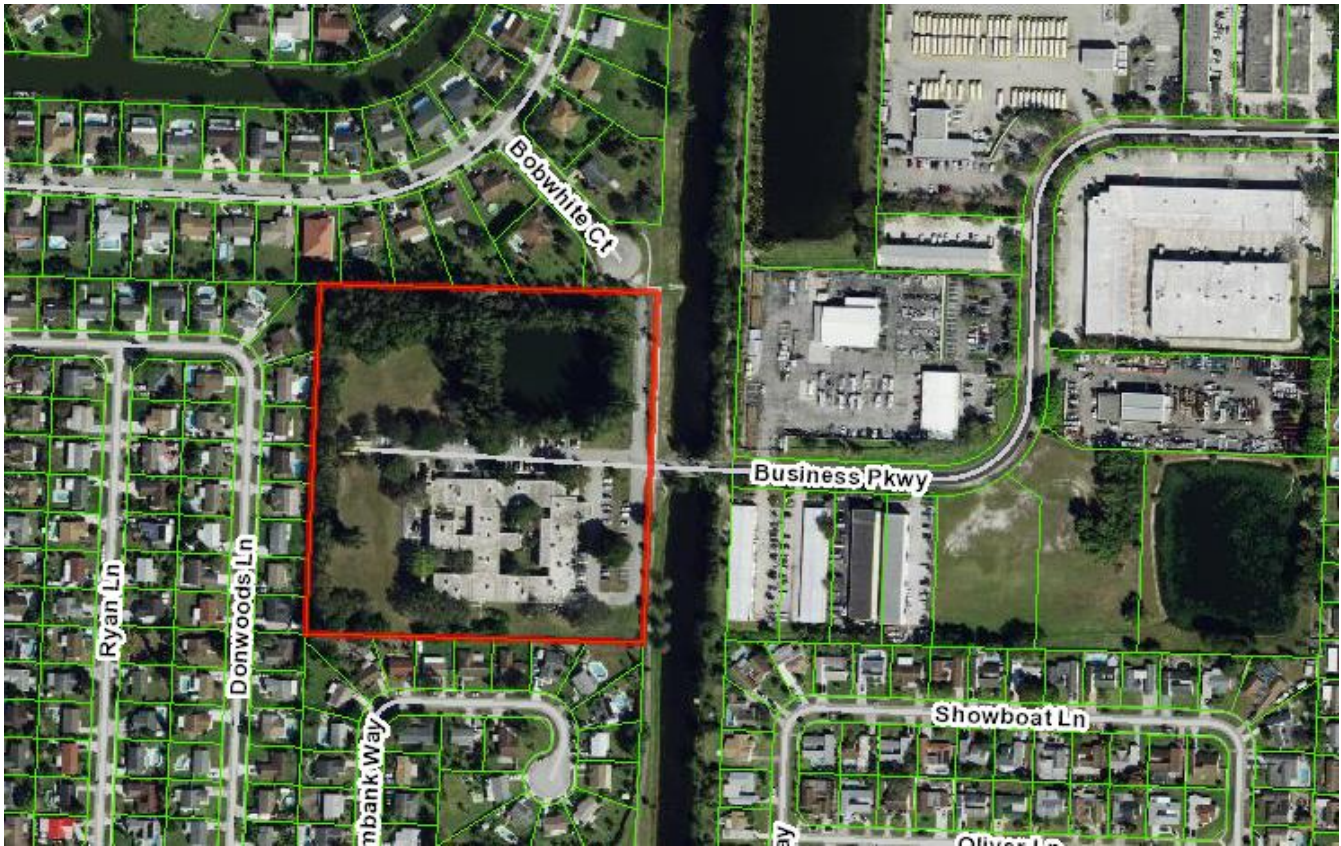
Existing Land Use: Senior Housing Facility

Existing FLUM Designation: Industrial (IND)

Existing Zoning District: Industrial General (IG)

Table 1: Adjacent Existing, Future Land Uses, and Zoning			
Dir.	Existing:	FLUM:	Zoning:
<i>North</i>	The Willows	Single Family (SF)	Single Family Residential (RS-2)
<i>South</i>	Counterpoint Estates	Single Family (SF)	Single Family Residential (RS-3)
<i>East</i>	Business Parkway.	Industrial (IND)	Industrial General (IG)
<i>West</i>	Counterpoint Estates	Single Family Residential (SF)	Single Family Residential (RS-3)

Directly below is a map illustrating the location of the area which is the subject of this Application:



III. Intent of Petition:

The applicant, Frank Baynham of Redd & Associates, is requesting Site Plan Modification Approval for upgrades to the site including construction of an approximately 15,291 square foot expansion of the existing structure to add 20 beds to the existing 120-bed facility, Special Exception Use Approval to allow for a “Senior housing facility (SFH)” within the Industrial General (IG) Zoning District, and Architectural Approval for exterior updates including paint, new metal roof, doors and screen walls and courtyard improvements, for a property located at 600 Business Parkway.

IV. History:

The Royal Palm Health and Rehabilitation Center formally known as Royal Palm Manor received approval of their “Application for Site and Development Plan” in 1983 to allow a “Nursing and Convalescent Care Center” within the Industrial General (IG) Zoning District. On July 16, 2015, Ordinance No. 905 was approved by Village Council to create an entirely new Special Exception Use “Senior Housing Facility” along with supplemental regulations pertaining to this Use. This Ordinance also removed “Nursing and Convalescent Care Center” as a Permitted Use within the Industrial General (IG) Zoning District. Subsequently on June 16, 2022, the Village Council approved Ordinance No. 1026 which allows Senior Housing Facilities within the General Industrial (IG) Zoning District as a Special Exception Use.

V. Analysis:

The applicant, Frank Baynham of Redd & Associates, is requesting Site Plan Modification Approval for upgrades to the site including construction of an approximately 15,291 square foot expansion of the existing structure to add 20 beds to the existing 120-bed facility, Special Exception Approval to allow for a “Senior housing facility (SFH)” within the Industrial General (IG) Zoning District, and Architectural Approval for exterior updates including paint, new metal roof, doors and screen walls and courtyard improvements, for a property located at 600 Business Parkway. For an illustration of the proposed Site Plan please refer to **Attachment C**.

Currently a “Senior Housing Facility” is located within the Industrial General (IG) Zoning District and is considered a legal nonconforming use. The Applicant would like to expand the existing “Senior Housing Facility”. However, the legal nonconformity cannot be expanded or enlarged under Village Code. Therefore, the Applicant has applied for a Special Exception in order to make the existing use a codified special exception use in the Industrial General (IG) Zoning District in order to allow the expansion to proceed.

The Applicant is also requesting Architectural and Aesthetic Review for the new addition and the Landscape Plan. For an illustration of the Landscape Plan please refer to **Attachment D** and for an illustration of the proposed Architecture please refer to **Attachment E**.

In reviewing this petition, Village staff considered conformity with the Village of Royal Palm Beach’s Zoning Code pertaining to the Industrial General (IG) Zoning District. Specifically, the proposed project meets the requirements for the Industrial General (IG) Zoning District as follows:

1. Parcel size: The site is 10.24± acres in size and exceeds the minimum area required for the Industrial General (IG) Zoning District designated property of 3.0 acres.
2. Parcel width: The property exceeds the minimum parcel width of 200 feet.
3. Setbacks: The proposed buildings meet the required setbacks for this zoning district.
4. Pervious area: The proposed site plan provides 62.6% of the site as pervious area which exceeds the minimum 20% required by Village Code.
5. Parking Requirements: The proposed building addition to add 15,291 square feet meets the Village’s parking requirements.
6. Landscape Areas: The Applicant is requesting a Landscape Waiver with multiple deviations to Village Code. If the Waivers are granted, the site will meet the Village’s Landscape Code.
7. Maximum Building Height: The Applicant is proposing a maximum building height of 28.5 feet.

Aside from the Variance and Landscape Waiver requests, the proposed Site Plan Modification meets all of the Village's requirements of the Industrial General (IG) Zoning District.

VI. Disposition Options:

Approval of the application;

Denial of the application.

VII. Staff Recommendation:

Staff is recommending Approval of Application No. 22-126 (SPM, SE, AAR) and Resolution No. 23-20. This recommendation is contingent upon the approval of the requested Variance and the Landscape Waivers.

VIII. Hearing History:

Planning and Zoning Commission:

The Planning and Zoning Commission considered the application on June 27, 2023 and recommended Approval by a vote of 4-0.

Attachment A
Legal Description
RPB Health and Rehabilitation Center
Application No. 22-126 (SPM, SE, AAR)
Resolution No. 23-20

Directly Below is the Legal Description:

PARCEL A:

THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 25, TOWNSHIP 43 SOUTH, RANGE 41 EAST, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PARCEL OF LAND LYING IN SECTION 25, TOWNSHIP 43 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, BEING PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE CENTER OF SAID SECTION 25; THENCE SOUTH 02°02'31" WEST ALONG THE EAST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 25, A DISTANCE OF 677.56 FEET; THENCE NORTH 88°55'39" WEST, ALONG THE SOUTH LINE OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 25, A DISTANCE OF 658.92 FEET; THENCE NORTH 02°07'11" EAST, ALONG THE WEST LINE OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 25, A DISTANCE OF 678.06 FEET; THENCE SOUTH 88°53'05" EAST ALONG THE NORTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 25, A DISTANCE OF 657.99 FEET TO THE POINT OF BEGINNING.

AND

PARCEL B:

NON-EXCLUSIVE RIGHTS OF INGRESS, EGRESS AND REGRESS TO VEHICLES AND PEDESTRIAN OVER AND ACROSS THAT CERTAIN PRIVATE ROAD KNOWN AS BUSINESS PARK WAY, AS SHOWN ON THE PLAT OF ROYAL PALM BEACH BUSINESS PARK, AS SHOWN ON THE PLAT THEREOF, RECORDED IN PLAT BOOK 52, PAGE 71, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA FOR THE BENEFIT OF PARCEL A, BY VIRTUE OF THE GRANT OF EASEMENT RECORDED IN OFFICIAL RECORD BOOK 4816, PAGE 1656, AS AFFECTED BY THE JOINDER AND CONSENT RECORDED IN OFFICIAL RECORD BOOK 5275, PAGE 979, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

AND

THOSE EASEMENT FOR THE BENEFIT OF THE SUBJECT PROPERTY CONTAINED IN THE GRANT OF EASEMENT FOR INSTALLATION, MAINTENANCE, REPAIR AND USE OF ACCESS ROAD BRIDGE BY AND BETWEEN VILLAGE OF ROYAL PALM BEACH AND JORDEN HOLDINGS IV LLC DATED APRIL 15, 1999, RECORDED MAY 7, 1999 IN OFFICIAL RECORD BOOK 11095, PAGE 400, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

Attachment B
Conditions of Approval
RPB Health and Rehabilitation Center
Application No. 22-126 (SPM, SE, AAR)
Resolution No. 23-20

1. Development Order:

Site Plan Modification Approval for upgrades to the site including construction of an approximately 15,291 square foot expansion of the existing structure to add 20 beds to the existing 120-bed facility, Special Exception Approval to allow for a “Senior housing facility (SFH)” within the Industrial General (IG) Zoning District, and Architectural Approval for exterior updates including paint, new metal roof, doors and screen walls and courtyard improvements, for a property located at 600 Business Parkway.

Unless specifically discussed in this condition or subsequent specific conditions of approval, no other approval is granted or implied.

2. Site Specific Conditions:

- A. The project is subject to and shall remain consistent with the provisions of the Palm Beach County Traffic Concurrency Standards.
- B. Applicant shall assist with coordinating a meeting with the POA to discuss granting the Village an easement to construct a walkway connecting the SR-7 right of way to the funeral home.

3. Standard Conditions:

- A. This site plan approval shall expire one (1) year from the date of council approval, unless appropriate applications for site plan extension are submitted pursuant to Sec. 26-66 of the Village Code of Ordinances. In no case shall the approval be extended beyond code-established time frames.
- B. Failure of the developer to comply with any of the Conditions of Approval at any time may result in the denial or revocation of building permits, issuance of a stop work order, denial of certificates of occupancy or the denial or revocation of other Village issued permits or approvals. Failure to commence development in a timely manner may also result in the revocation of development approval.
- C. While the site plan approval process requires the submission of certain preliminary drawings, plans and specifications, such items are subject to change to some degree during the detailed design and construction-permitting phase of the final approvals. Thus except where specifically noted herein, the specific Village Code provisions governing design standards will apply.
- D. All utility services shall be underground.
- E. Lighting shall be required on all roadways and parking facilities and shall be installed on all streets on which any building construction has commenced. No certificates of occupancy shall be issued until street lighting is installed and operating in accordance with the provisions of Section 22-50 (a)(10). Light spill over onto adjacent properties or roadways shall be less than 0.1-foot candles.
- F. The developer shall submit copies of permits from all agencies with regulatory jurisdiction prior to the issuance of a building permit.
- G. Following Council approval, the Applicant shall submit three (3) sets of final plans and one (1) electronic copy in .TIF format.

- H. At any time before the issuance of a building permit but after Council approval, submit two (2) sets of site construction engineering plans and an electronic copy in .TIF format to the Engineering Department for review and approval. Site construction plans shall include a final signed off version of the site plan. Allow 30 days for review and comment. A certified cost estimate for the total site development shall be included in the engineering submittal. An engineering plan review and inspection fee of three percent (3%) of the cost estimate for clearing, grading, earthwork, paving and drainage shall be paid to the Building Department. Fifty percent of the said fee shall be due at time of plan submission, and the remaining 50% will be required prior to the mandatory pre-construction meeting. Approval of site civil engineering elements will be required prior to the issuance of a building permit. Site plan approval shall not be construed as final engineering department approval.
- I. At any time before the issuance of a building permit but after Council approval, submit two (2) sets of landscape and irrigation plans for review and approval, incorporating any changes requested by the Planning and Zoning Commission and/or Village Council. A landscape and irrigation plan review and inspection fee of three percent (3%) of the cost estimate shall be paid to the Building Department at the time permits are issued.
- J. All public improvements associated with the project shall be complete prior to the issuance of any certificate of occupancy.
- K. Prior to the issuance of any building permit or conditional building permit the following must be completed:
 - 1. No building permits shall be issued until the construction drawings have been approved.
 - 2. The site plan, plat and engineering drawings must be submitted in AutoCAD electronic format.
- L. All advertising, legal documents, and correspondence shall refer to this location as being located within the Village of Royal Palm Beach.

4. Landscaping Conditions:

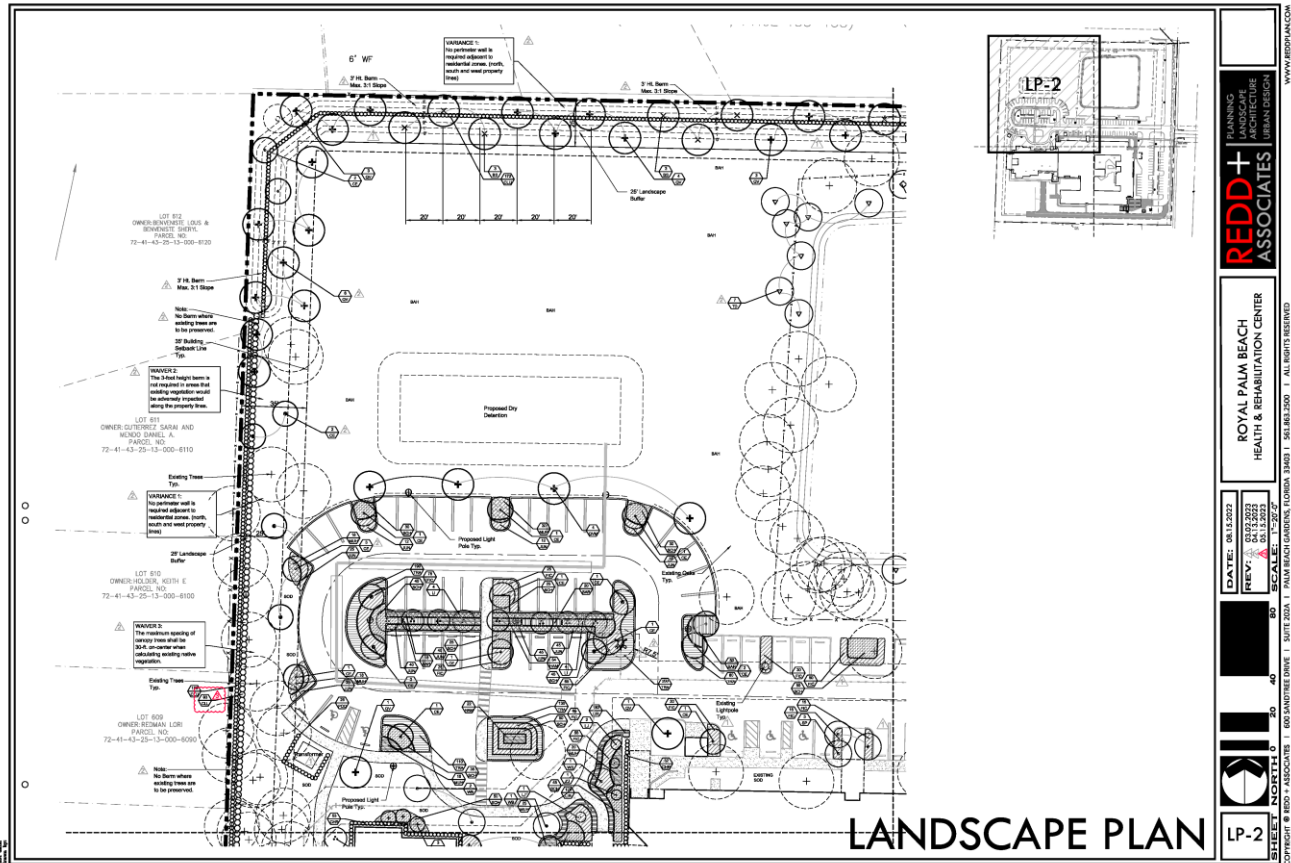
- A. Prior to the issuance of a Certificate of Occupancy the developer's Registered Landscape Architect shall provide a signed and sealed statement of completion.
- B. Vegetation removal shall not commence until a building permit has been applied for and vegetation removal permits have been issued.
- C. The property owner/s or association shall be responsible for the maintenance of landscaping in adjacent public and private roads up to the edge of pavement and waters edge.
- D. All perimeter landscape buffers shall be installed prior to issuance of the first certificate of occupancy.
- E. The developer shall submit a landscape maintenance plan to the Village Landscape Inspector prior to the issuance of a Certificate of Occupancy.
- F. The landscape plan shall be revised and resubmitted to the Village to ensure that all landscaping is located outside of all easements prior to the issuance of a building permit.
- G. All Village Code required shrub materials shown on the proposed landscape plan shall be installed at no less than twenty-four (24) inches in height, and must be maintained at no less than thirty-six inches (36) in height.
- H. The practice of "hat racking" defined as the severe cutting back of branches, making internodal cuts to lateral limbs, leaves branch stubs larger than 1 inch in

diameter within the tree's crown, is strictly prohibited for all trees listed in the approved landscape plan for installation. Trees shall be allowed to grow in a shape natural to their species, and shall only be pruned to remove limbs or foliage which presents a hazard to power lines or structures, or to remove dead, damaged or diseased limbs. In no case shall pruning result in trees which are smaller than the minimum requirements for spread or height, or are unnaturally shaped.

- I. All exotic invasive species of plants shall be removed from the site prior to commencement of installing the required landscaping.

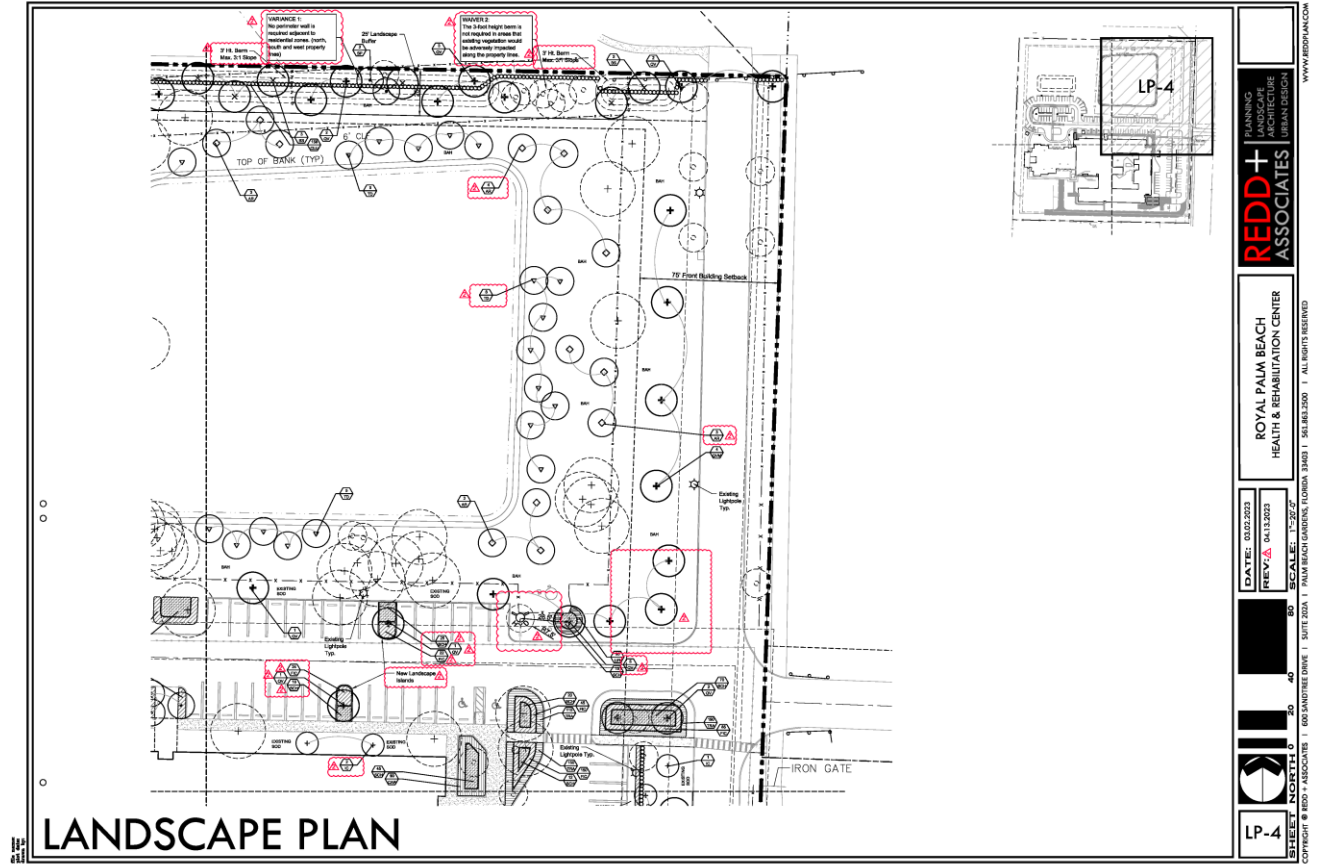
**Attachment D
Landscape Plan
RPB Health and Rehabilitation Center
Application No. 22-126 (SPM, SE, AAR)
Resolution No. 23-20**

Directly below is an illustration of the Landscape Plan.



Attachment D Cont'd

Directly below is an illustration of the Landscape Plan.



Attachment E Architecture RPB Health and Rehabilitation Center Application No. 22-126 (SPM, SE, AAR) Resolution No. 23-20

Directly below is an illustration of the Townhouse Architecture.

2 OVERALL EXTERIOR NORTH ELEVATION
SCALE: 1/8" = 1'-0"

3 OVERALL EXTERIOR SOUTH ELEVATION
SCALE: 1/8" = 1'-0"

4 OVERALL EXTERIOR WEST ELEVATION
SCALE: 1/8" = 1'-0"

350 FLOOR 1 / A133 MAIN TERRACE

TAG	DESCRIPTION	MANUFACTURER	CATALOG NUMBER	FINISH	LAMP	VOLT	WATT	LUMEN	LOCATION	NOTES	TAG
PH	HIGH CHANDLER	SHADES OF LIGHT	MLC10204 ML	N/A	INCAN/LED	120V	100W	10,000	OVERHEAD	REFERENCE INTERIOR DESIGN DRAWINGS FOR FIXTURE TYPE, FINISH, AND MOUNTING HEIGHT	PH
T1	OUTDOOR WALL PACK ARCHITECTURAL WALL SCONCE	LITHONIA	WET-LED FS-4W-1/2-18-8MM-DMG-EMMO-0002	DARK BRONZE	LED	120V	30	300	OVERHEAD (CEILING) AND AT TOWER AREA	FIXTURES EQUIPPED WITH BATTERY BACKUP. VERIFY FIXTURE FINISHING AND EXACT LOCATION	T1
A8	POCK-OUT-AZ	PROGRESS LIGHTING	PROGRESS LIGHTING	CLEAR GLASS / STEEL / POLY CONCRETE	INCAN/LED	120V	40	400	EXTERIOR (WALL) AND AT TOWER AREA	VERIFY FIXTURE FINISHING AND PLANS FOR LOCATION	A8
Z2	OUTDOOR WALL SCONCE - IRISH	PROGRESS LIGHTING	PMWA-11	BLACK ALUMINUM EXTRUSION / WHITE LINER GLASS	INCAN/LED	120V	75	750	EXTERIOR SCONCE	TO BE MOUNTED AT 8" AFF. TO BOTTOM OF FIXTURE	Z2

GENERAL NOTES

- SEE FINISH SCHEDULE FOR MATERIALS AND FINISHES.
- SEE MATERIAL SCHEDULE FOR MATERIALS AND FINISHES.
- SEE COLOR SCHEDULE FOR PAINT AND TRIM COLORS.
- SEE LIGHTING SCHEDULE FOR LIGHTING FIXTURES.

PAINT COLORS

PT-1: SHOWS WILLIAMS FINE WHITE (OR TRIM - WHITE)

TRIM COLORS

TRIM-1: BLACK
TRIM-2: BRASS
TRIM-3: BRASS
TRIM-4: BRASS
TRIM-5: BRASS
TRIM-6: BRASS
TRIM-7: BRASS
TRIM-8: BRASS
TRIM-9: BRASS
TRIM-10: BRASS
TRIM-11: BRASS
TRIM-12: BRASS
TRIM-13: BRASS
TRIM-14: BRASS
TRIM-15: BRASS
TRIM-16: BRASS
TRIM-17: BRASS
TRIM-18: BRASS
TRIM-19: BRASS
TRIM-20: BRASS

KEY PLAN

2/A201
3/A201
1/A201

BESSOLO DESIGN GROUP, INC.
4401 E. 15TH AVE. SUITE 200 DENVER, CO 80232
303.755.1111
WWW.BESSOLODESIGN.COM

PROFESSIONAL SEAL

KEVIN J. BESSOLO

ROYAL PALM BEACH
SKILLED NURSING ADDITION
650 BUSINESS PARKWAY, ROYAL PALM BEACH, FL 33411

REVISIONS

NO.	DATE	DESCRIPTION
1	08/15/23	ISSUED FOR PERMIT
2	08/15/23	ISSUED FOR PERMIT
3	08/15/23	ISSUED FOR PERMIT
4	08/15/23	ISSUED FOR PERMIT
5	08/15/23	ISSUED FOR PERMIT
6	08/15/23	ISSUED FOR PERMIT
7	08/15/23	ISSUED FOR PERMIT
8	08/15/23	ISSUED FOR PERMIT
9	08/15/23	ISSUED FOR PERMIT
10	08/15/23	ISSUED FOR PERMIT
11	08/15/23	ISSUED FOR PERMIT
12	08/15/23	ISSUED FOR PERMIT
13	08/15/23	ISSUED FOR PERMIT
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16	08/15/23	ISSUED FOR PERMIT
17	08/15/23	ISSUED FOR PERMIT
18	08/15/23	ISSUED FOR PERMIT
19	08/15/23	ISSUED FOR PERMIT
20	08/15/23	ISSUED FOR PERMIT

ARCH002
ARCHITECTURAL DRAWINGS

RESOLUTION NO. 23-20

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF ROYAL PALM BEACH, FLORIDA, APPROVING LAND DEVELOPMENT APPLICATION NO. 22-126 (SPM, SE, AAR) – THE APPLICATION OF REDD & ASSOCIATES - PERTAINING TO A SITE PLAN MODIFICATION, SPECIAL EXCEPTION, AND ARCHITECTURAL APPROVAL FOR A 15,291 SQUARE FOOT EXPANSION TO THE EXISTING 120-BED “SENIOR HOUSING FACILITY (SHF)” WITHIN THE INDUSTRIAL GENERAL ZONING DISTRICT ON A 10.24± ACRE PARCEL OF LAND LOCATED AT 600 BUSINESS PARKWAY, IN THE VILLAGE OF ROYAL PALM BEACH, FLORIDA; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the Village Council of the Village of Royal Palm Beach, Florida (“Village”), as the governing body, pursuant to the authority vested in Chapter 163 and Chapter 166 Florida Statutes, is authorized and empowered to consider applications relating to zoning and land development; and

WHEREAS, the notice and hearing requirements provided for in the Village Code have been satisfied where applicable; and

WHEREAS, Application No. 22-126 (SPM, SE, AAR) was presented to the Village Council at its public hearing conducted on July 13, 2023; and

WHEREAS, the Village Council has considered the evidence and testimony presented by the applicant and other interested parties and the recommendations of the various Village review agencies, boards, and commissions, where applicable; and

WHEREAS, this approval is subject to all applicable Zoning Code requirements that development commence in a timely manner.

NOW THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF THE VILLAGE OF ROYAL PALM BEACH, FLORIDA, THAT APPLICATION NO. 22-126 (SPM, SE, AAR), THE APPLICATION OF REDD & ASSOCIATES, ON A PARCEL OF LAND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PLEASE SEE EXHIBIT “A” ATTACHED HERETO AND INCORPORATED HEREIN BY THIS REFERENCE.

Was approved, subject to the following conditions and site plan depiction:

PLEASE SEE EXHIBIT “B” and “C” ATTACHED HERETO AND INCORPORATED HEREIN BY THIS REFERENCE.

This resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED this 13th day of July, 2023.

VILLAGE OF ROYAL PALM BEACH

MAYOR FRED PINTO

ATTEST:

(SEAL)

DIANE DISANTO, VILLAGE CLERK

Exhibit A
Legal Description
RPB Health & Rehabilitation Center @ 600 Business Parkway
Application 22-126 (SPM, SE, AAR)
Resolution No. 23-20

LEGAL DESCRIPTION:

PARCEL A:

THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 25, TOWNSHIP 43 SOUTH, RANGE 41 EAST, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PARCEL OF LAND LYING IN SECTION 25, TOWNSHIP 43 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, BEING PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE CENTER OF SAID SECTION 25; THENCE SOUTH 02°02'31" WEST ALONG THE EAST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 25, A DISTANCE OF 677.56 FEET; THENCE NORTH 88°55'39" WEST, ALONG THE SOUTH LINE OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 25, A DISTANCE OF 658.92 FEET; THENCE NORTH 02°07'11" EAST, ALONG THE WEST LINE OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 25, A DISTANCE OF 678.06 FEET; THENCE SOUTH 88°53'05" EAST ALONG THE NORTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 25, A DISTANCE OF 657.99 FEET TO THE POINT OF BEGINNING.

AND

PARCEL B:

NON-EXCLUSIVE RIGHTS OF INGRESS, EGRESS AND REGRESS TO VEHICLES AND PEDESTRIAN OVER AND ACROSS THAT CERTAIN PRIVATE ROAD KNOWN AS BUSINESS PARK WAY, AS SHOWN ON THE PLAT OF ROYAL PALM BEACH BUSINESS PARK, AS SHOWN ON THE PLAT THEREOF, RECORDED IN PLAT BOOK 52, PAGE 71, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA FOR THE BENEFIT OF PARCEL A, BY VIRTUE OF THE GRANT OF EASEMENT RECORDED IN OFFICIAL RECORD BOOK 4816, PAGE 1656, AS AFFECTED BY THE JOINDER AND CONSENT RECORDED IN OFFICIAL RECORD BOOK 5275, PAGE 979, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

AND

THOSE EASEMENT FOR THE BENEFIT OF THE SUBJECT PROPERTY CONTAINED IN THE GRANT OF EASEMENT FOR INSTALLATION, MAINTENANCE, REPAIR AND USE OF ACCESS ROAD BRIDGE BY AND BETWEEN VILLAGE OF ROYAL PALM BEACH AND JORDEN HOLDINGS IV LLC DATED APRIL 15, 1999, RECORDED MAY 7, 1999 IN OFFICIAL RECORD BOOK 11095, PAGE 400, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

Exhibit B
Conditions of Approval
RPB Health and Rehabilitation Center
Application No. 22-126 (SPM, SE, AAR)
Resolution No. 23-20

1. Development Order:

Site Plan Modification Approval for upgrades to the site including construction of an approximately 15,291 square foot expansion of the existing structure to add 20 beds to the existing 120-bed facility, Special Exception Approval to allow for a “Senior housing facility (SFH)” within the Industrial General (IG) Zoning District, and Architectural Approval for exterior updates including paint, new metal roof, doors and screen walls and courtyard improvements, for a property located at 600 Business Parkway.

Unless specifically discussed in this condition or subsequent specific conditions of approval, no other approval is granted or implied.

2. Site Specific Conditions:

- A. The project is subject to and shall remain consistent with the provisions of the Palm Beach County Traffic Concurrency Standards.
- B. Applicant shall assist with coordinating a meeting with the POA to discuss granting the Village an easement to construct a walkway connecting the SR-7 right of way to the funeral home.

3. Standard Conditions:

- A. This site plan approval shall expire one (1) year from the date of council approval, unless appropriate applications for site plan extension are submitted pursuant to Sec. 26-66 of the Village Code of Ordinances. In no case shall the approval be extended beyond code-established time frames.
- B. Failure of the developer to comply with any of the Conditions of Approval at any time may result in the denial or revocation of building permits, issuance of a stop work order, denial of certificates of occupancy or the denial or revocation of other Village issued permits or approvals. Failure to commence development in a timely manner may also result in the revocation of development approval.
- C. While the site plan approval process requires the submission of certain preliminary drawings, plans and specifications, such items are subject to change to some degree during the detailed design and construction-permitting phase of the final approvals. Thus except where specifically noted herein, the specific Village Code provisions governing design standards will apply.
- D. All utility services shall be underground.
- E. Lighting shall be required on all roadways and parking facilities and shall be installed on all streets on which any building construction has commenced.

No certificates of occupancy shall be issued until street lighting is installed and operating in accordance with the provisions of Section 22-50 (a)(10). Light spill over onto adjacent properties or roadways shall be less than 0.1-foot candles.

- F. The developer shall submit copies of permits from all agencies with regulatory jurisdiction prior to the issuance of a building permit.
- G. Following Council approval, the Applicant shall submit three (3) sets of final plans and one (1) electronic copy in .TIF format.
- H. At any time before the issuance of a building permit but after Council approval, submit two (2) sets of site construction engineering plans and an electronic copy in .TIF format to the Engineering Department for review and approval. Site construction plans shall include a final signed off version of the site plan. Allow 30 days for review and comment. A certified cost estimate for the total site development shall be included in the engineering submittal. An engineering plan review and inspection fee of three percent (3%) of the cost estimate for clearing, grading, earthwork, paving and drainage shall be paid to the Building Department. Fifty percent of the said fee shall be due at time of plan submission, and the remaining 50% will be required prior to the mandatory pre-construction meeting. Approval of site civil engineering elements will be required prior to the issuance of a building permit. Site plan approval shall not be construed as final engineering department approval.
- I. At any time before the issuance of a building permit but after Council approval, submit two (2) sets of landscape and irrigation plans for review and approval, incorporating any changes requested by the Planning and Zoning Commission and/or Village Council. A landscape and irrigation plan review and inspection fee of three percent (3%) of the cost estimate shall be paid to the Building Department at the time permits are issued.
- J. All public improvements associated with the project shall be complete prior to the issuance of any certificate of occupancy.
- K. Prior to the issuance of any building permit or conditional building permit the following must be completed:
 - 1. No building permits shall be issued until the construction drawings have been approved.
 - 2. The site plan, plat and engineering drawings must be submitted in AutoCAD electronic format.
- L. All advertising, legal documents, and correspondence shall refer to this location as being located within the Village of Royal Palm Beach.

4. Landscaping Conditions:

- A. Prior to the issuance of a Certificate of Occupancy the developer's Registered Landscape Architect shall provide a signed and sealed statement of completion.
- B. Vegetation removal shall not commence until a building permit has been applied for and vegetation removal permits have been issued.

- C. The property owner/s or association shall be responsible for the maintenance of landscaping in adjacent public and private roads up to the edge of pavement and waters edge.
- D. All perimeter landscape buffers shall be installed prior to issuance of the first certificate of occupancy.
- E. The developer shall submit a landscape maintenance plan to the Village Landscape Inspector prior to the issuance of a Certificate of Occupancy.
- F. The landscape plan shall be revised and resubmitted to the Village to ensure that all landscaping is located outside of all easements prior to the issuance of a building permit.
- G. All Village Code required shrub materials shown on the proposed landscape plan shall be installed at no less than twenty-four (24) inches in height, and must be maintained at no less than thirty-six inches (36) in height.
- H. The practice of “hat racking” defined as the severe cutting back of branches, making internodal cuts to lateral limbs, leaves branch stubs larger than 1 inch in diameter within the tree’s crown, is strictly prohibited for all trees listed in the approved landscape plan for installation. Trees shall be allowed to grow in a shape natural to their species, and shall only be pruned to remove limbs or foliage which presents a hazard to power lines or structures, or to remove dead, damaged or diseased limbs. In no case shall pruning result in trees which are smaller than the minimum requirements for spread or height, or are unnaturally shaped.
- I. All exotic invasive species of plants shall be removed from the site prior to commencement of installing the required landscaping.

**Exhibit C
Site Plan
RPB Health and Rehabilitation Center
Application No. 22-126 (SPM, SE, AAR)
Resolution No. 23-20**

Directly below is an illustration of the Site Plan.

