

Agenda Item # R - 2

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

Agenda Item:

PUBLIC HEARING TO CONSIDER APPLICATION 20-113 (SPM), AN APPLICATION BY D.R. HORTON, INC, AND ADOPTION OF RESOLUTION NO. 22-12 CONFIRMING COUNCIL ACTION. THE APPLICANT IS SEEKING A SITE PLAN MODIFICATION IN ORDER TO REMOVE APPROXIMATELY 125,520 SQUARE FEET OF APPROVED AND UNBUILT COMMERCIAL SQUARE FOOTAGE AND A TOTAL OF 12.28± ACRES OF VACANT AND PARTIALLY DEVELOPED LAND FROM THE EXISTING SITE PLAN OF RECORD FOR WATERWAY PLAZA, FOR A PROPERTY LOCATED NORTHWEST OF THE OKEECHOBEE BOULEVARD AND ROYAL PALM BEACH BOULEVARD INTERSECTION; BY AGENT EDWIN MULLER OF WGI, INC.

Issue:

The Applicant is seeking approval for a Site Plan Modification in order to remove approximately 125,520 square feet of approved and unbuilt commercial footage and a total of 12.28± acres of vacant and partially developed land (entrance drive) from the existing Site Plan of Record for Waterway Plaza. The site is located northwest of the Okeechobee Boulevard and Royal Palm Beach Boulevard intersection. The purpose of this Application is to remove 12.28± acres from Waterway Plaza in order to develop the property for 100 townhouses. The Site Plan Application and various other applications for the 12.28± acres are companion applications on the agenda.

Overall, the proposed Site Plan Modification meets all of the Village's requirements of the General Commercial (CG) Zoning District and the 12.28± acre vacant and partially developed land (entrance drive) to be removed meets the requirements of the Multi Family Residential (RM-9) Zoning District.

At the request of the Applicant, this item was postponed at the June 16, 2022 Village Council meeting in order to revise the Site Plan and Landscape Plan to include a 5-foot buffer along the west property line where the proposed plans at the time showed no buffer along the west property line.

This item was originally considered by the Planning and Zoning Commission at its regular meeting on May 24, 2022 and was recommended for Approval by a vote of 4-0. Subsequently, the Planning and Zoning Commission at its regular meeting on May 23, 2023 recommended Approval of Application No. 20-113 (SPM) by a vote of 5-0.

Recommended Action:

Staff is recommending Approval of Application No. 20-113 (SPM) and Resolution No. 22-12.

Initiator:	Village Manager	Agenda Date	Village Council
Director of P & Z	Approval	6-15-2023	Action

Village of Royal Palm Beach - Staff Report

I. General Data:

Project Name: Lakeside Landing (Waterway Plaza)

Application: 20-113 (SPM) (Res. No. 22-12)

Applicant/Owner: D.R. Horton, Inc.
6123 Lyons Road
Coconut Creek, FL 33073

Agent: WGI, Inc.
Edwin Muller
2035 Vista Parkway
West Palm Beach, FL 33411

Request: Site Plan Modification to remove approximately 125,520 square feet of approved and unbuilt commercial square footage and a total of 12.28± acres of vacant and partially developed land (entrance drive) from the existing Site Plan of record for Waterway Plaza, for a property located northwest of the Okeechobee Boulevard and Royal Palm Beach Boulevard intersection.

Hearings: Planning and Zoning Commission: May 23, 2023
Village Council June 15, 2023

Recommendation: Approval

II. Site Data:

Site Area: 18.15± acres

Property Control Numbers: 72-41-43-23-13-003-0010, 0020, 0040, 0050; 72-41-43-23-003-0010, 0030, 0040, 0050; 72-41-43-14-04-000-0033; 72-41-43-23-15-001-0180; 72-41-43-23-15-002-0180; 72-41-43-23-12-003-0020

Existing Land Use: Partially Commercial and Partially Vacant

Existing FLUM Designation: Commercial (COM)

Existing Zoning District: General Commercial (CG)

Table 1: Adjacent Existing, Future Land Uses, and Zoning			
Dir.	Existing:	FLUM:	Zoning:
North	Hidden Harbor (Verse)	Multi-Family High Density (MFH)	Residential Multi-family (RM-18)
South	Village Royal Shopping Center	Commercial (COM)	General Commercial (CG)
East	Lakeview Center	Commercial (COM)	Office Commercial (CO)
West	Madison Green	Single Family Residential (SF)	Planned Unit Development (PUD)

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



III. Intent of Petition:

The Applicant is seeking approval for a Site Plan Modification in order to remove approximately 125,520 square feet of approved and unbuilt commercial square footage and a total of 12.28± acres of vacant and partially developed land (entrance drive) from the existing Site Plan of Record for Waterway Plaza. The site is located northwest of the Okeechobee Boulevard and Royal Palm Beach Boulevard intersection. The purpose of this Application is to remove the 12.28± acres from Waterway Plaza in order to develop the property for 100 townhouses. The Site Plan Application and various other applications for the 12.28± acres are companion applications on the agenda.

IV. History:

The Waterway Plaza Planned Commercial Development was originally approved through the approval of Applications 154-157 by the Village Council on September 28, 1988. On August 20, 2020, Village Council voted to approve a Large Scale Comprehensive Plan Amendment in order to change the Land Use Designation from Commercial (COM) to the Multi-Family Low Density Residential (MFL) Land Use Designation, for the 12.28± acres of land being removed from the Waterway Plaza with this Site Plan Modification application. Following the Comprehensive Plan Amendment, Village Council approved a Rezoning from the General Commercial (CG) to the Multifamily Residential (RS-9) Zoning District for the same 12.28± acres. This item was originally considered by the Planning and Zoning Commission at its regular meeting on May 24, 2022 and was recommended for Approval by a vote of 4-0. At the request of the Applicant, this item was postponed at the June 16, 2022 Village Council meeting in order to revise the Site Plan and Landscape Plan to include a 5-foot buffer along the west property line where the proposed plans at the time showed no buffer along the west property line.

V. Analysis:

The Applicant is seeking approval for a Site Plan Modification in order to remove approximately 125,520 square feet of approved and unbuilt commercial footage and a total of 12.28± acres of vacant and partially developed land (entrance drive) from the existing Site Plan of Record for Waterway Plaza. The site is located northwest of the Okeechobee Boulevard and Royal Palm Beach Boulevard intersection. The purpose of this Application is to remove the 12.28± acres from Waterway Plaza in order to develop the property for 100 townhouses. The Site Plan Application and various other Applications for the 12.28± acres are companion applications on the agenda. Please refer to **Exhibit C** for an illustration of the area of the existing Site Plan of Record for Waterway Plaza. For an illustration of the 12.28± acres of vacant and partially developed land (entrance drive) please refer to **Exhibit D**.

In reviewing this application, Village Staff considered conformity with Chapter 26 of the Village's Code of Ordinances. Specifically, the proposed project meets the requirements for the General Commercial (CG) Zoning District; Multi Family Residential (RM-9) Zoning District; and Section 26-61 *Planned commercial developments*. There are no Site Plan changes or improvements related to this particular application other than the removal of the 12.28± acres of vacant and partially developed land (entrance drive) from the Waterway Site Plan.

Overall, the proposed Site Plan Modification meets all of the Village's requirements of the General Commercial (CG) Zoning District and the 12.28± acre vacant and partially developed

land (entrance drive) to be removed meets the requirements of the Multi Family Residential (RM-9) Zoning District.

VI. Disposition Options:

Approval of the application;

Denial of the application.

VII. Staff Recommendation:

Staff is recommending Approval of Application No. 20-113 (SPM) and Resolution No. 22-12.

VIII. Hearing History:

Planning and Zoning Commission:

This item was originally considered by the Planning and Zoning Commission at its regular meeting on May 24, 2022 and was recommended for Approval by a vote of 4-0. Subsequently, the Planning and Zoning Commission at its regular meeting on May 23, 2023 recommended Approval of Application 20-113 (SPM) by a vote of 5-0.

Village Council:

At the request of the Applicant, this item was postponed at the June 16, 2022 Village Council meeting in order to revise the Site Plan and Landscape Plan to include a 5-foot buffer along the west property line where the proposed plans at the time showed no buffer along the west property line.

**Legal Description
Lakeside Landing (Waterway Plaza)
Application No. 20-113 (SPM)
Resolution No. 22-12**

Directly Below is the Legal Description:

LEGAL DESCRIPTION:

RECORD DESCRIPTIONS PER FIRST AMERICAN TITLE INSURANCE COMPANY COMMITMENT OFFICE FILE NUMBER 149668-0183 BEARING AN EFFECTIVE DATE OF NOVEMBER 30, 2018, ISSUED BY NELSON MULLINS RILEY AND CASSEL.

PARCEL 1:

A PARCEL OF LAND BEING A PORTION OF TRACT "C", WATERWAY PLAZA, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 69, PAGE 88, PUBLIC RECORDS, PALM BEACH COUNTY, FLORIDA AND A PORTION OF THAT CERTAIN WATERWAY TRACT LYING NORTHERLY OF AND CONTIGUOUS TO TRACT "C", HAWTHORN II, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 31, PAGE 26, SAID PUBLIC RECORDS; SAID PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGIN AT THE SOUTHEAST CORNER OF TRACT "C-2", WATERWAY PLAZA PLAT NO. 2, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 71, PAGE 82, SAID PUBLIC RECORDS. THENCE, NORTH 88°23'14" WEST, ALONG THE BOUNDARY OF SAID TRACT "C-2", A DISTANCE OF 21.89 FEET; THENCE, SOUTH 46°36'46" WEST, CONTINUING ALONG SAID BOUNDARY FOR THIS AND THE NEXT FIVE COURSES, A DISTANCE OF 35.36 FEET; THENCE, SOUTH 01°36'46" WEST, A DISTANCE OF 7.48 FEET; THENCE, NORTH 88°23'14" WEST, A DISTANCE OF 204.10 FEET; THENCE, SOUTH 89°17'57" WEST, A DISTANCE OF 93.13 FEET; THENCE, NORTH 01°36'46" EAST, A DISTANCE OF 47.87 FEET; THENCE, NORTH 48°04'54" EAST, A DISTANCE OF 125.80 FEET; THENCE, NORTH 41°55'06" WEST, DEPARTING SAID BOUNDARY, A DISTANCE OF 54.81 FEET; THENCE, SOUTH 51°53'20" WEST, A DISTANCE OF 43.80 FEET; THENCE, SOUTH 53°56'46" WEST, A DISTANCE OF 82.10 FEET; THENCE, SOUTH 79°20'24" WEST, A DISTANCE OF 47.08 FEET; THENCE, NORTH 76°58'32" WEST, A DISTANCE OF 61.00 FEET; THENCE, NORTH 51°37'37" WEST, A DISTANCE OF 39.41 FEET; THENCE, NORTH 26°59'45" WEST, A DISTANCE OF 47.60 FEET; THENCE, NORTH 24°21'16" WEST, A DISTANCE OF 48.29 FEET; THENCE, NORTH 21°15'07" WEST, A DISTANCE OF 35.48 FEET; THENCE, NORTH 22°12'29" WEST, A DISTANCE OF 30.51 FEET; THENCE, NORTH 45°19'32" WEST, A DISTANCE OF 69.22 FEET TO A CORNER ON THE BOUNDARY OF SAID TRACT "C", OF WATERWAY PLAZA; THENCE, NORTH 82°40'37" WEST, ALONG SAID BOUNDARY, A DISTANCE OF 100.50 FEET; THENCE, SOUTH 85°54'09" WEST, CONTINUING ALONG SAID BOUNDARY FOR THIS AND THE NEXT FOUR COURSES, A DISTANCE OF 100.50 FEET; THENCE, SOUTH 88°45'01" WEST, A DISTANCE OF 100.12 FEET; THENCE, SOUTH 65°02'52" WEST, A DISTANCE OF 111.80 FEET; THENCE, SOUTH 39°10'53" WEST, A DISTANCE OF 147.33 FEET; THENCE, SOUTH 01°33'56" WEST, A DISTANCE OF 170.24 FEET; THENCE, SOUTH 88°23'14" EAST, DEPARTING SAID BOUNDARY, A DISTANCE OF 201.02 FEET; THENCE, SOUTH 01°36'46" WEST, A DISTANCE OF 306.04 FEET TO A CORNER ON SAID BOUNDARY; THENCE, SOUTH 88°23'14" EAST, ALONG SAID BOUNDARY, A DISTANCE OF 485.92 FEET; THENCE, NORTH 01°36'46" EAST, CONTINUING ALONG SAID BOUNDARY FOR THIS AND THE REMAINING THREE COURSES, A DISTANCE OF 285.00 FEET; THENCE, SOUTH 88°23'14" EAST, A DISTANCE OF 419.00 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTH, HAVING A RADIUS OF 48.00 FEET; THENCE, EASTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 40°13'42", A DISTANCE OF 33.70 FEET TO THE END OF SAID CURVE; THENCE, NORTH 01°36'46" EAST, A DISTANCE OF 95.84 FEET TO THE POINT OF BEGINNING.

PARCEL 2:

A PARCEL OF LAND LYING IN TRACT "C", WATERWAY PLAZA, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 69, PAGE 88, PUBLIC RECORDS, PALM BEACH COUNTY, FLORIDA; SAID PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE SOUTHWEST CORNER OF SAID TRACT "C", THENCE, NORTH 01°33'56" EAST, ALONG THE WEST LINE OF SAID TRACT "C", A DISTANCE OF 223.60 FEET FOR A POINT OF BEGINNING; THENCE, CONTINUE NORTH 01°33'56" EAST, ALONG SAID WEST LINE OF TRACT "C", A DISTANCE OF 434.61 FEET; THENCE, SOUTH 88°23'14" EAST, DEPARTING SAID WEST LINE, A DISTANCE OF 200.65 FEET TO THE INTERSECTION THEREOF WITH THE EAST LINE OF SAID TRACT "C", THENCE, SOUTH 01°36'46" WEST, ALONG SAID EAST LINE, A DISTANCE OF 434.61 FEET; THENCE, NORTH 88°23'14" WEST, DEPARTING SAID EAST LINE, A DISTANCE OF 200.29 FEET TO THE POINT OF BEGINNING.
LESS THE FOLLOWING TRACT:
COMMENCING AT THE SOUTHWEST CORNER OF SAID TRACT "C", THENCE, NORTH 01°33'56" EAST, ALONG THE WEST LINE OF SAID TRACT "C", A DISTANCE OF 223.60 FEET FOR A POINT OF BEGINNING. THENCE, CONTINUE NORTH 01°33'56" EAST, ALONG SAID WEST LINE A DISTANCE OF 15.74 FEET; THENCE, NORTH 88°10'42" EAST, DEPARTING SAID WEST LINE, A DISTANCE OF 200.67 FEET TO THE INTERSECTION THEREOF WITH THE EAST LINE OF SAID TRACT "C"; THENCE, SOUTH 01°36'46" WEST, ALONG SAID EAST LINE, A DISTANCE OF 27.76 FEET; THENCE, NORTH 88°23'14" WEST, DEPARTING SAID EAST LINE, A DISTANCE OF 200.29 FEET TO THE POINT OF BEGINNING.

PARCEL 3:

A PARCEL OF LAND LYING IN TRACT "C", WATERWAY PLAZA, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 69, PAGE 88, PUBLIC RECORDS, PALM BEACH COUNTY, FLORIDA; SAID PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE SOUTHWEST CORNER OF SAID TRACT "C", THENCE, NORTH 01°33'56" EAST, ALONG THE WEST LINE OF SAID TRACT "C", A DISTANCE OF 658.21 FEET FOR A POINT OF BEGINNING; THENCE, CONTINUE NORTH 01°33'56" EAST, ALONG SAID WEST LINE, A DISTANCE OF 21.81 FEET; THENCE, SOUTH 88°23'14" EAST, DEPARTING SAID WEST LINE, A DISTANCE OF 200.67 FEET TO THE INTERSECTION THEREOF WITH THE EAST LINE OF SAID TRACT "C"; THENCE, SOUTH 01°36'46" WEST, ALONG SAID EAST LINE, A DISTANCE OF 21.81 FEET; THENCE, NORTH 88°23'14" WEST, DEPARTING SAID EAST LINE, A DISTANCE OF 200.65 FEET TO THE POINT OF BEGINNING.

PARCEL 4:

A PARCEL OF LAND LYING IN TRACT "C", WATERWAY PLAZA, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 69, PAGE 88, PUBLIC RECORDS, PALM BEACH COUNTY, FLORIDA; SAID PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE SOUTHWEST CORNER OF SAID TRACT "C", THENCE, NORTH 01°33'56" EAST, ALONG THE WEST LINE OF SAID TRACT "C", A DISTANCE OF 680.02 FEET FOR A POINT OF BEGINNING. THENCE, CONTINUE NORTH 01°33'56" EAST, ALONG SAID WEST LINE, A DISTANCE OF 434.20 FEET; THENCE, SOUTH 88°23'14" EAST, DEPARTING SAID WEST LINE, A DISTANCE OF 201.02 FEET; THENCE, SOUTH 01°36'46" WEST, A DISTANCE OF 306.04 FEET TO A BOUNDARY CORNER ON THE EASTERLY BOUNDARY OF SAID PLAT; THENCE, CONTINUE SOUTH 01°36'46" WEST, ALONG SAID EASTERLY BOUNDARY, A DISTANCE OF 128.16 FEET; THENCE, NORTH 88°23'14" WEST, DEPARTING SAID EASTERLY BOUNDARY, A DISTANCE OF 200.67 FEET TO THE POINT OF BEGINNING.

Exhibit B
Conditions of Approval
Lakeside Landing (Waterway Plaza)
Application No. 20-113 (SPM)
Resolution No. 22-12

1. Development Order:

This development order constitutes approval for:

Site Plan Modification Approval for in order to remove approximately 125,520 square feet of approved and unbuilt commercial footage and a total of 12.28± acres of vacant and partially developed land (entrance drive) from the existing Site Plan of Record for Waterway Plaza.

Unless specifically discussed in this condition or subsequent specific conditions of approval, no other approval is granted or implied. All other conditions imposed by previous approvals shall remain in full force and effect unless specifically modified herein.

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. Revise all plans to reflect all required changes and resubmit to the Village.
- C. The site shall be maintained free of all trash at all times.

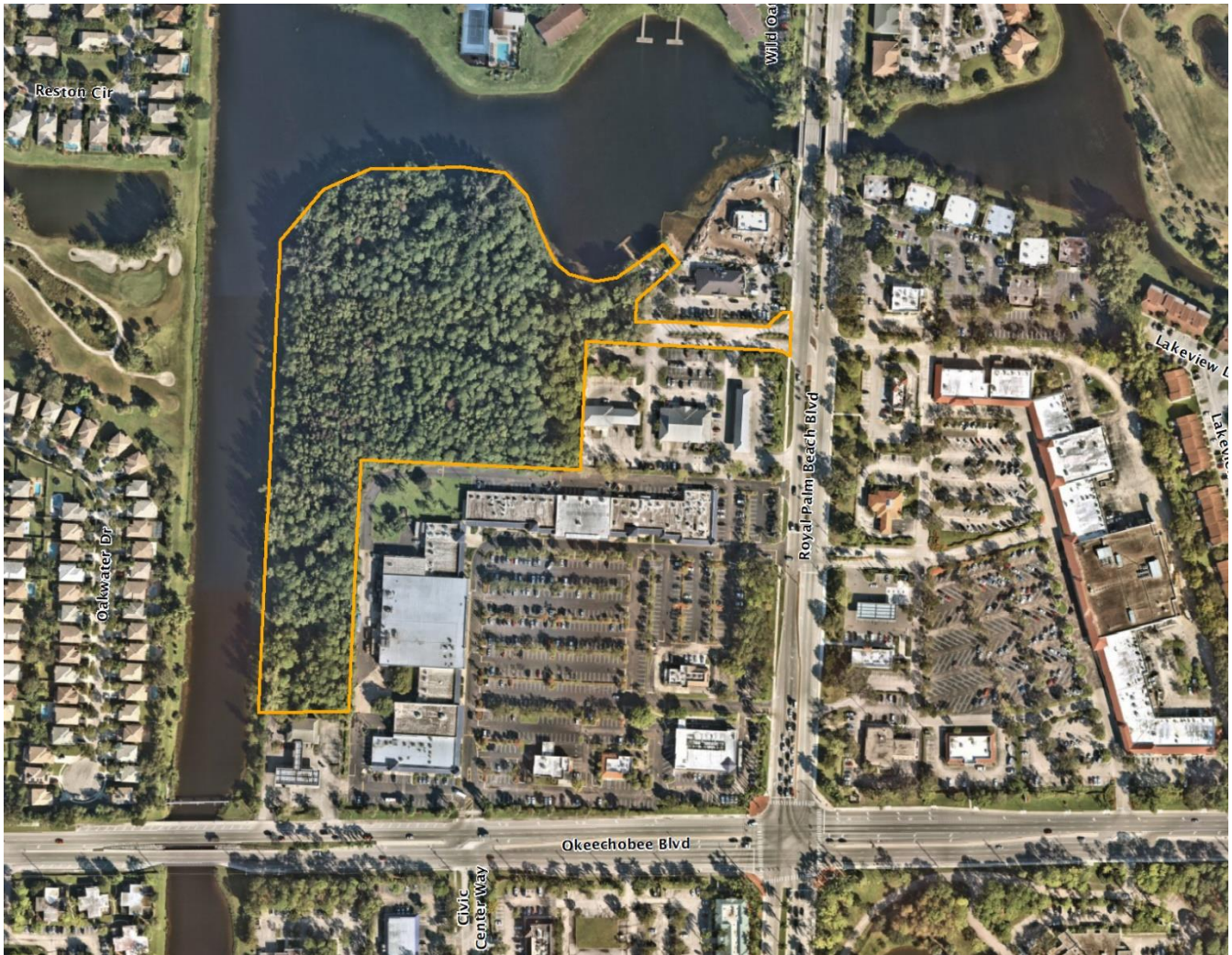
Exhibit C
Area Showing the Extent of the Site Plan of Record for Waterway Plaza
Lakeside Landing (Waterway Plaza)
Application No. 20-113 (SPM)
Resolution No. 22-12

Directly below is an illustration of the extent of the Site Plan of Record for Waterway Plaza.



Exhibit D
Area Showing the 12.28± Acres of Vacant and Partially Developed Land
Lakeside Landing (Waterway Plaza)
Application No. 20-113 (SPM)
Resolution No. 22-12

Directly below is an illustration showing the 12.28± acres of Vacant and Partially Developed Land (Entrance Drive) that will be removed from the Site Plan of record for Waterway Plaza.



RESOLUTION NO. 22-12

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF ROYAL PALM BEACH, FLORIDA, APPROVING LAND DEVELOPMENT APPLICATION NO. 20-113 (SPM) – THE APPLICATION OF WGI, INC. ON BEHALF OF OWNER D.R. HORTON, INC. - PERTAINING TO A SITE PLAN MODIFICATION APPROVAL TO REMOVE APPROXIMATELY 125,520 SQUARE FEET OF APPROVED AND UNBUILT COMMERCIAL SQUARE FOOTAGE AND A TOTAL OF 12.28± ACRES OF VACANT AND PARTIALLY DEVELOPED LAND (ENTRANCE DRIVE) FROM THE EXISTING SITE PLAN OF RECORD FOR WATERWAY PLAZA FOR A PROPERTY LOCATED NORTHWEST OF THE OKEECHOBEE BOULEVARD AND ROYAL PALM BEACH BOULEVARD INTERSECTION, 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. 20-113 (SPM) was presented to the Village Council at its public hearing conducted on June 16, 2022; 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. 20-113 (SPM), THE APPLICATION OF WGI, INC. ON BEHALF OF OWNER D.R. HORTON, INC., 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 15th day of June, 2023.

VILLAGE OF ROYAL PALM BEACH

MAYOR FRED PINTO

ATTEST:

(SEAL)

DIANE DISANTO, VILLAGE CLERK

Exhibit A
Legal Description
Lakeside Landing (Waterway Plaza)
Application No. 20-113 (SPM)
Resolution No. 22-12

Directly Below is the Legal Description:

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PARCEL 1:

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PARCEL 2:

A PARCEL OF LAND LYING IN TRACT "C", WATERWAY PLAZA, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 69, PAGE 88, PUBLIC RECORDS, PALM BEACH COUNTY, FLORIDA; SAID PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID TRACT "C", THENCE, NORTH 01°33'56" EAST, ALONG THE WEST LINE OF SAID TRACT "C", A DISTANCE OF 223.60 FEET FOR A POINT OF BEGINNING; THENCE, CONTINUE NORTH 01°33'56" EAST, ALONG SAID WEST LINE OF TRACT "C", A DISTANCE OF 434.61 FEET; THENCE, SOUTH 88°23'14" EAST, DEPARTING SAID WEST LINE, A DISTANCE OF 200.65 FEET TO THE INTERSECTION THEREOF WITH THE EAST LINE OF SAID TRACT "C", THENCE, SOUTH 01°36'46" WEST, ALONG SAID EAST LINE, A DISTANCE OF 434.61 FEET; THENCE, NORTH 88°23'14" WEST, DEPARTING SAID EAST LINE, A DISTANCE OF 200.29 FEET TO THE POINT OF BEGINNING.

LESS THE FOLLOWING TRACT:

COMMENCING AT THE SOUTHWEST CORNER OF SAID TRACT "C", THENCE, NORTH 01°33'56" EAST, ALONG THE WEST LINE OF SAID TRACT "C", A DISTANCE OF 223.60 FEET FOR A POINT OF BEGINNING. THENCE, CONTINUE NORTH 01°33'56" EAST, ALONG SAID WEST LINE A DISTANCE OF 15.74 FEET; THENCE, NORTH 88°10'42" EAST, DEPARTING SAID WEST LINE, A DISTANCE OF 200.67 FEET TO THE INTERSECTION THEREOF WITH THE EAST LINE OF SAID TRACT "C"; THENCE, SOUTH 01°36'46" WEST, ALONG SAID EAST LINE, A DISTANCE OF 27.76 FEET; THENCE, NORTH 88°23'14" WEST, DEPARTING SAID EAST LINE, A DISTANCE OF 200.29 FEET TO THE POINT OF BEGINNING.

PARCEL 3:

A PARCEL OF LAND LYING IN TRACT "C", WATERWAY PLAZA, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 69, PAGE 88, PUBLIC RECORDS, PALM BEACH COUNTY, FLORIDA; SAID PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID TRACT "C"; THENCE, NORTH 01°33'56" EAST, ALONG THE WEST LINE OF SAID TRACT "C", A DISTANCE OF 658.21 FEET FOR A POINT OF BEGINNING; THENCE, CONTINUE NORTH 01°33'56" EAST, ALONG SAID WEST LINE, A DISTANCE OF 21.81 FEET; THENCE, SOUTH 88°23'14" EAST, DEPARTING SAID WEST LINE, A DISTANCE OF 200.67 FEET TO THE INTERSECTION THEREOF WITH THE EAST LINE OF SAID TRACT "C"; THENCE, SOUTH 01°36'46" WEST, ALONG SAID EAST LINE, A DISTANCE OF 21.81 FEET; THENCE, NORTH 88°23'14" WEST, DEPARTING SAID EAST LINE, A DISTANCE OF 200.65 FEET TO THE POINT OF BEGINNING.

PARCEL 4:

A PARCEL OF LAND LYING IN TRACT "C", WATERWAY PLAZA, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 69, PAGE 88, PUBLIC RECORDS, PALM BEACH COUNTY, FLORIDA; SAID PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID TRACT "C", THENCE, NORTH 01°33'56" EAST, ALONG THE WEST LINE OF SAID TRACT "C", A DISTANCE OF 680.02 FEET FOR A POINT OF BEGINNING. THENCE, CONTINUE NORTH 01°33'56" EAST, ALONG SAID WEST LINE, A DISTANCE OF 434.20 FEET; THENCE, SOUTH 88°23'14" EAST, DEPARTING SAID WEST LINE, A DISTANCE OF 201.02 FEET; THENCE, SOUTH 01°36'46" WEST, A DISTANCE OF 306.04 FEET TO A BOUNDARY CORNER ON THE EASTERLY BOUNDARY OF SAID PLAT; THENCE, CONTINUE SOUTH 01°36'46" WEST, ALONG SAID EASTERLY BOUNDARY, A DISTANCE OF 128.16 FEET; THENCE, NORTH 88°23'14" WEST, DEPARTING SAID EASTERLY BOUNDARY, A DISTANCE OF 200.67 FEET TO THE POINT OF BEGINNING.

Exhibit B
Conditions of Approval
Lakeside Landing (Waterway Plaza)
Application No. 20-113 (SPM)
Resolution No. 22-12

1. Development Order:

This development order constitutes approval for:

Site Plan Modification Approval for in order to remove approximately 125,520 square feet of approved and unbuilt commercial footage and a total of 12.28± acres of vacant and partially developed land (entrance drive) from the existing Site Plan of Record for Waterway Plaza.

Unless specifically discussed in this condition or subsequent specific conditions of approval, no other approval is granted or implied. All other conditions imposed by previous approvals shall remain in full force and effect unless specifically modified herein.

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. Revise all plans to reflect all required changes and resubmit to the Village.
- C. The site shall be maintained free of all trash at all times.

Exhibit C
Site Plan
Lakeside Landing (Waterway Plaza)
Application No. 20-113 (SPM)
Resolution No. 22-12