

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

Agenda Item:

PUBLIC HEARING TO CONSIDER APPLICATION NO. 23-179 (MPM) AN APPLICATION BY GUNSTER ON BEHALF OF EDX ROYAL PROPERTIES, LLC, AND RESOLUTION NO. 23-54 CONFIRMING COUNCIL ACTION. THE APPLICANT IS SEEKING A MASTER PLAN MODIFICATION IN ORDER TO CONVERT THE REFERENCED USE FOR POD 7 ON THE MASTER PLAN FROM A PUBLIC “CHARTER SCHOOL” TO A “PUBLIC AND PRIVATE ACADEMIC INSTITUTION”, FOR A PROPERTY LOCATED ON THE SOUTH SIDE OF SOUTHERN BOULEVARD APPROXIMATELY 0.27 MILES WEST OF STATE ROAD 7 (US 441); BY AGENT: BRIAN M. SEYMOUR, ESQ., OF GUNSTER.

Issue:

The Applicant is requesting Master Plan Modification Approval to modify the Village Royale (f/k/a Tuttle Royale) Master Plan in order to convert the referenced use for Pod 7 on the Master Plan from a public “Charter School” to a “Public and Private Academic Institution”. Village Code Section 26-32 (f)(5)b.8. *Intended use of all buildings and structures* requires that the intended uses for each building be labeled on the Site Plan. In this case, the two (2) buildings totaling 77,674 square feet were originally approved with the intended use of a public charter school, meant to serve the Village Royale community and were labeled public “Charter School” on the approved Master Plan and Site Plan. Now, the Applicant is requesting to change the intended use and the building labels to “Public and Private Academic Institution”. The property is located on the south side of Southern Boulevard approximately 0.27 miles west of State Road 7 (US 441).

The Planning and Zoning Commission considered the application on March 26, 2024, and recommended Approval by a vote of 5-0 having received no public comment at the public hearing and no correspondence whatsoever either in support of or in opposition to the request prior to the public hearing.

On April 4, 2024, the Village received a letter dated February 12, 2024 in opposition to changing the Master Plan signed by the owners of Pod 2 (The Villas at Tuttle Royale), Pod 3 (Southern Blvd Villas), Pod 4 (Tuttle Royale SFH LLC) and Pod 6 (Main Street at Tuttle Royale) with Tuttle Royale. In part, the letter states:

- "It [Tuttle Royale] was planned and designed from the beginning to be a truly new Innovative center where Residents of the Village could Live, Work, Play, Meet and Grow as a Community. It was planned and designed as a walkable community where

Initiator	Village Manager	Agenda Date	Village Council
P & Z Director	Approval	4-18-2024	Action

residents kids could as a walkable community where residents kids could walk to school with 10' sidewalks, and large open spaces, such as parks for the residents to use.”

- “Tuttle Royale was never designed and planned with a high-end Private school, where the Affluent Residents from wellington and downtown west palm could bring their kids into each day and then leave with them, it was designed for the people of Royal Palm Beach.”
- “One of the main attractions of the Tuttle Royale Master plan was the centrally located charter school, where the residents could walk to school and walk home. By making this change, all the attendees to the school will be driven there and driven home, plus this will require our resident school age student to leave the area to attend school. This change drives a stake into the heart of the live work play community for the parents who want to walk their kids to school, who want to live next to the school, and who want to stay in the are[sic] so their kids can attend the same school over multiple years.”

The entire letter is attached.

Recommended Action:

Since the request is not contrary to existing Village Code, Staff is recommending Approval of Application No. 23-179 (MPM) and Resolution No. 23-54.

Initiator	Village Manager	Agenda Date	Village Council
<u>P & Z Director</u>	<u>Approval</u>	<u>4-18-2024</u>	<u>Action</u>

Village of Royal Palm Beach - Staff Report

I. General Data:

Project Name: Basis Independent School – POD 7 (within Village Royale f/k/a Tuttle Royale Master Plan)

Application: 23-179 (MPM) and Res. 23-54

Agent: Brian M. Seymour, Esq. & John Roach, AICP
Gunster
777 S. Flagler Dr, Suite 500 East
West Palm Beach, FL 33401

Property Owner: EDX Royale Property, LLC
1000 N. US Hwy One, Suite 902
Jupiter, FL 33477

Request: Master Plan Modification in order to convert the referenced use for Pod 7 on the Master Plan from a public “Charter School” to a “Public and Private Academic Institution”, for a property located on the south side of Southern Boulevard approximately 0.27 miles west of State Road 7 (US 441).

Hearings: Planning and Zoning Commission: March 26, 2024
Village Council: April 18, 2024

Recommendation: Approval

II. Site Data:

Site Area: 165.371± acres

Existing Land Use: Vacant and Multi-Family Units Under Construction

Existing FLUM Designation: Multi-family High (MFH), Single-Family (SF)
Commercial (COM), Open Space (OS)

Existing Zoning District: Multi-family residential (RM-14), Single-family residential (RS-3), General commercial (CG), Public Ownership (PO)

Table 1: Adjacent Existing, Future Land Uses, and Zoning			
Dir.	Existing:	FLUM:	Zoning:
<i>North</i>	Various	Commercial (COM), Open Space (OS), Industrial (IND)	General Commercial (CG), Private Recreation (PR), Industrial Limited (IL)
<i>South</i>	Anthony Groves Residential	Residential Mixed Use (RMU)	Residential Mixed Use (RMU)
<i>East</i>	Lowes, Anthony Groves Residential	Commercial (COM), Residential Mixed Use (RMU)	General Commercial (CG), Residential Mixed Use (RMU)
<i>West</i>	Wellington, Pod 1	Multi-Family High Res. (MFH)	Multi-Family Residential (RM-18)

Directly below is an illustration of the affected area.



III. Intent of Petition:

The Applicant is requesting Master Plan Modification Approval to modify the Village Royale (f/k/a Tuttle Royale) Master Plan in order to convert the referenced use for Pod 7 on the Master Plan from a public “Charter School” to a “Public and Private Academic Institution”, for a property located on the south side of Southern Boulevard approximately 0.27 miles west of State Road 7 (US 441). For an Illustration showing the Master Plan please refer to **Attachment C**.

IV. History:

The subject property is a 165.371± acre portion of a larger 208.39-acre tract of land which was annexed into the Village Boundary in three (3) separate phases. The first phase included an 88.40-acre tract of land which was the subject of a voluntary annexation request. The property was annexed into the Village boundaries through the adoption of Ordinance 894 by the Village Council on October 16, 2014. A second phase of annexation included 22.045 acres, which was also annexed voluntarily. The Village Council annexed this tract through the adoption of Ordinance 918, by Village Council on September 17, 2015. The remaining 97.94 acres was the subject of an involuntary annexation, which was completed through the adoption of Ordinance 919, by Village Council on September 3, 2015. All of the land that is part of the Master Plan was assigned Village Land Use and Zoning Designations over the subsequent years. The Master Plan was approved through the adoption of Resolution 19-13 which contains six (6) pods on October 22, 2019. The Master Plan was subsequently

modified by the adoption of Resolution 22-31 in order to add 9.29± acres to the Master Plan on November 17, 2022.

V. Analysis:

The Applicant is requesting Master Plan Modification Approval to modify the Village Royale (f/k/a Tuttle Royale) Master Plan in order to convert the referenced use for Pod 7 on the Master Plan from a public “Charter School” to a “Public and Private Academic Institution”. Village Code Section 26-32 (f)(5)b.8. *Intended use of all buildings and structures* requires that the intended uses for each building be labeled on the Site Plan. In this case, the two (2) buildings totaling 77,674 square feet were originally approved with the intended use of a public charter school, meant to serve the Village Royale community and were labeled “Charter School” on the approved Master Plan and Site Plan. Now, the Applicant is requesting to change the intended use and the building labels to “Public and Private Academic Institution”. The property is located on the south side of Southern Boulevard approximately 0.27 miles west of State Road 7 (US 441).

There will be no change in the operations or physical development of the property and the impacts of the development as a “Public and Private Academic Institution” are no greater than that of a “Charter School”.

While the proposed Master Plan Modification is in conformance with the Village’s requirements for the Village assigned Zoning Districts, the adjustment from a charter school intended to serve the local residential community, to a school that (may or will) be marketed to families from outside the Village Royale community may be contrary to the intent behind the Village Council’s original master plan approval.

VI. Staff Recommendation:

Since the request is not contrary to existing Village code, Staff is recommending Approval of Application No. 23-179 (MPM) and Resolution No. 23-54.

VII. Hearing History:

Planning and Zoning Commission:

The Planning and Zoning Commission considered the application on March 26, 2024, and recommended Approval by a vote of 5-0 having received no public comment at the public hearing and no correspondence in support of or in opposition to the request prior to the public hearing.

On April 4, 2024, the Village received a letter dated February 12, 2024 in opposition to changing the Master Plan signed by the owners of Pod 2 (The Villas at Tuttle Royale), Pod 3 (Southern Blvd Villas), Pod 4 (Tuttle Royale SFH LLC) and Pod 6 (Main Street at Tuttle Royale) with Tuttle Royale. In part, the letter states:

- "It [Tuttle Royale] was planned and designed from the beginning to be a truly new Innovative center where Residents of the Village could Live, Work, Play, Meet and Grow as a Community. It was planned and designed as a walkable community where residents kids could as a walkable community where residents kids could walk to

school with 10' sidewalks, and large open spaces, such as parks for the residents to use.”

- “Tuttle Royale was never designed and planned with a high-end Private school, where the Affluent Residents from wellington and downtown west palm could bring their kids into each day and then leave with them, it was designed for the people of Royal Palm Beach.”
- “One of the main attractions of the Tuttle Royale Master plan was the centrally located charter school, where the residents could walk to school and walk home. By making this change, all the attendees to the school will be driven there and driven home, plus this will require our resident school age student to leave the area to attend school. This change drives a stake into the heart of the live work play community for the parents who want to walk their kids to school, who want to live next to the school, and who want to stay in the are[sic] so their kids can attend the same school over multiple years.”

The entire letter is attached.

Attachment A
Legal Description
Basis Independent School – POD 7 (within Village Royale (f/k/a Tuttle Royale)) Master Plan
Application No. 23-179 (MPM)
Resolution No. 23-54

LEGAL DESCRIPTION:

A PARCEL OF LAND BEING A REPLAT OF TUTTLE ROYALE AS RECORDED IN PLAT BOOK 133, PAGE 101, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AND BEING A REPLAT OF A PORTION OF THE PLAT OF PALM BEACH FARMS PLAT NO.3 AS RECORDED IN PLAT BOOK 2, PAGES 45 THROUGH 54, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AND LYING IN SECTION 36, TOWNSHIP 43 SOUTH, RANGE 41 EAST, AND SECTION 1, TOWNSHIP 44 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, LYING WITHIN THE MUNICIPAL LIMITS OF THE VILLAGE OF ROYAL PALM BEACH AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 36, TOWNSHIP 43 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA; THENCE ALONG THE SOUTHERLY LINE OF SAID SECTION 36, N89°00'03"W, A DISTANCE OF 234.75 FEET; THENCE LEAVING SAID SOUTHERLY SECTION LINE, S01°37'59"W A DISTANCE OF 40.00 FEET TO THE POINT OF INTERSECTION OF THE SOUTHERLY LINE OF THE LAKE WORTH DRAINAGE DISTRICT S-4E CANAL (114' WIDE RIGHT-OF-WAY) AS RECORDED IN OFFICIAL RECORD BOOK 2659, PAGE 109 AND OFFICIAL RECORD BOOK 937, PAGE 375, WITH THE WESTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO.7 (U.S. HIGHWAY NO. 441) AS RECORDED IN OFFICIAL RECORD BOOK 5308, PAGE 199, OFFICIAL RECORD BOOK 5345, PAGE 591, AND OFFICIAL RECORD BOOK 10084, PAGE 365, AND BEING THE POINT OF BEGINNING; SAID POINT ALSO BEING THE NORTHEAST CORNER OF THE PLAT OF GROVES AT ROYAL PALM, AS RECORDED IN PLAT BOOK 100, PAGES 158-160 IN THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA;

THENCE ALONG THE NORTHERLY LINE OF SAID PLAT, ALSO BEING THE SOUTHERLY LINE OF SAID LWDD CANAL S-4E, N89°00'03"W A DISTANCE OF 1262.03 FEET; THENCE LEAVING SAID LINE, N01°05'13"W A DISTANCE OF 114.08 FEET TO A POINT ON THE NORTHERLY LINE OF THE LAKE WORTH DRAINAGE DISTRICT S-4E CANAL (80' WIDE RIGHT-OF-WAY) AS RECORDED IN OFFICIAL RECORD BOOK 937, PAGES 375, AND 382 AND AUXILIARY POINT A; THENCE ALONG SAID NORTHERLY LINE, S89°03'00"E A DISTANCE OF 1264.80 FEET TO A POINT ON SAID WESTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO.7; THENCE ALONG SAID RIGHT-OF-WAY LINE S00°18'24"W A DISTANCE OF 114.01 FEET TO THE POINT OF BEGINNING.

THENCE FROM AUXILIARY POINT A, N89°00'03"W A DISTANCE OF 14.46 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTH AND HAVING A RADIUS OF 160.00 FEET AND A CENTRAL ANGLE OF 14°27'49"; THENCE ALONG AND WITH SAID CURVE FOR A DISTANCE OF 40.39 FEET TO THE POINT OF TANGENCY; THENCE N74°32'19"W A DISTANCE OF 26.92 FEET; THENCE S01°05'13"E A DISTANCE OF 45.81 FEET; THENCE N89°00'03"W A DISTANCE OF 1096.91 FEET; THENCE S01°50'51"W A

DISTANCE OF 40.00 FEET TO A POINT ON THE SOUTH LINE OF SECTION 36, TOWNSHIP 43 SOUTH, RANGE 41 EAST; THENCE ALONG SAID SOUTH LINE N88°59'05"W A DISTANCE OF 572.85 FEET; THENCE LEAVING SAID SOUTH LINE S01°50'01"W A DISTANCE OF 914.38 FEET; THENCE S88°59'20"E A DISTANCE OF 572.63 FEET TO A POINT ON THE WEST LINE OF A 80 FOOT WIDE LAKE WORTH DRAINAGE DISTRICT CANAL EASEMENT AS RECORDED IN OFFICIAL RECORD BOOK 937, PAGES 378, 379 AND 382, PUBLIC RECORDS OF PALM BEACH COUNTY; THENCE ALONG SAID WEST LINE S01°50'51"W A DISTANCE OF 710.35 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF THE 60 FOOT S-4W CANAL FOR LAKE WORTH DRAINAGE DISTRICT AS RECORDED IN OFFICIAL RECORD BOOK 937, PAGE 374, PUBLIC RECORDS OF PALM BEACH COUNTY; THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE N88°59'05"W A DISTANCE OF 2607.66 FEET TO A POINT ON THE WESTERLY SECTION LINE OF SECTION 1, TOWNSHIP 44 SOUTH, RANGE 41 EAST; THENCE ALONG SAID WESTERLY SECTION LINE N01°50'01"E A DISTANCE OF 1624.68 FEET TO THE SOUTHWEST CORNER OF SECTION 36, TOWNSHIP 43 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA; THENCE ALONG THE WEST LINE OF SAID SECTION 36, N01°30'19"E, A DISTANCE OF 142.27 FEET; THENCE LEAVING SAID WESTERLY SECTION LINE, S88°59'05"E A DISTANCE OF 1252.51 FEET; THENCE N04°44'26"E A DISTANCE OF 550.90 FEET; THENCE N88°59'05"W A DISTANCE OF 348.57 FEET; THENCE N01°30'19"E A DISTANCE OF 471.00 FEET; THENCE S87°52'10"E A DISTANCE OF 656.66 FEET; THENCE N04°06'31"E A DISTANCE OF 85.04 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF THE WEST PALM BEACH CANAL (C-51) SAID LINE BASED ON A LETTER FROM BLAIR LITTLEJOHN (COUNSEL TO THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT), TO JERALD CANTON ESQ. DATED NOVEMBER 29, 2000 (VERIFIED BY MEETING WITH SFWMD MARCH 2007); THENCE ALONG SAID SOUTH RIGHT-OF-WAY LINE S87°52'10"E A DISTANCE OF 1103.60 FEET; THENCE CONTINUE S87°52'04"E A DISTANCE OF 36.50 FEET; THENCE S88°13'01"E A DISTANCE OF 957.09 FEET TO THE CENTERLINE OF THE LAKE WORTH DRAINAGE DISTRICT S-4 CANAL EASEMENT AS RECORDED IN OFFICIAL RECORD BOOK 937, PAGE 382 OF SAID PUBLIC RECORDS, THENCE S88°18'13"E A DISTANCE OF 210.43 FEET TO THE NORTHWEST CORNER OF LOWE'S HOME CENTER, AS RECORDED IN PLAT BOOK 87, PAGES 193-195 OF SAID PUBLIC RECORDS; THENCE LEAVING SAID SOUTH RIGHT-OF-WAY LINE AND ALONG THE WESTERLY LINE OF SAID PLAT S01°41'47"W A DISTANCE OF 320.01 FEET; THENCE CONTINUE ALONG SAID PLAT LINES N88°18'13"W A DISTANCE OF 154.82 FEET; THENCE S01°05'13"E A DISTANCE OF 805.67 FEET TO AUXILIARY POINT A.

CONTAINING 165.371 ACRES MORE OR LESS.

Attachment B
Conditions of Approval
Basis Independent School – POD 7 (within Village Royale (f/k/a Tuttle Royale) Master Plan)
Application No. 23-179 (MPM)
Resolution No. 23-54

1. Development Order:

This development order constitutes approval for Master Plan Modification Approval in order to convert the referenced use for Pod 7 on the Master Plan from a public “Charter School” to a “Public and Private Academic Institution”, for a property located on the south side of Southern Boulevard approximately 0.27 miles west of State Road 7 (US 441)

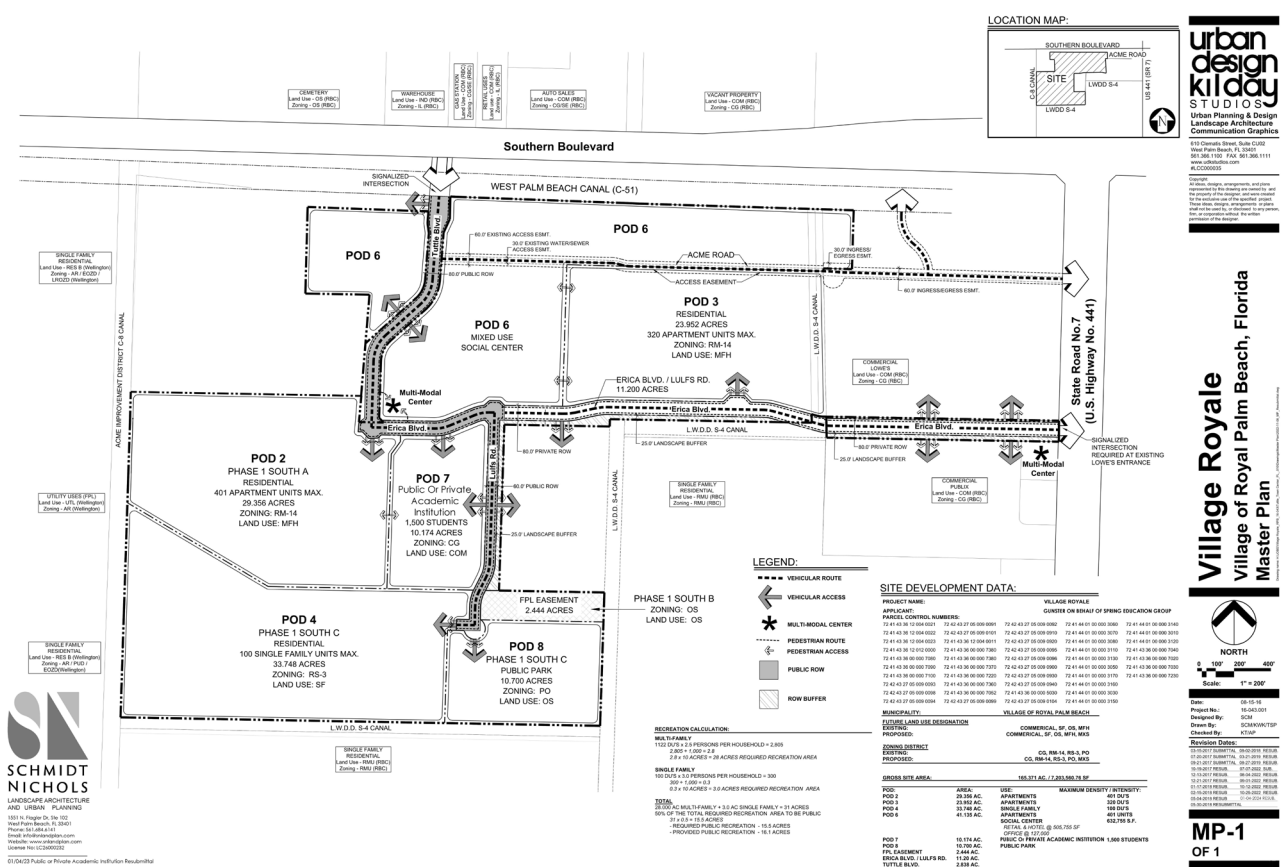
Unless specifically discussed in this condition or subsequent specific conditions of approval, no other approval is granted or implied. All previous conditions of approval associated with this site remain in full force and effect.

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.

Attachment C
Basis Independent School – POD 7 (within Village Royale (f/k/a Tuttle Royale) Master Plan)
Application No. 23-179 (MPM)
Resolution No. 23-54

Directly below is an illustration showing the proposed Master Plan.




SCHMIDT NICHOLS
 LANDSCAPE ARCHITECTURE AND URBAN PLANNING
 1001 N. Hague St., 3rd Floor
 West Palm Beach, FL 33411
 Phone: (561) 844-1471
 Website: www.schmidtnichols.com
 License No. LC190000010
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Urban design Kilday STUDIOS
 Urban Planning & Design
 Landscape Architecture
 Communication Graphics
 10715 Sandalwood Forest Circle
 West Palm Beach, FL 33413
 688.366.1100 FAX: 688.366.1111
 www.urbandesign.com
 KIL000000010

Village Royale
 Village of Royal Palm Beach, Florida
 Master Plan

 Scale: 1" = 200'
 Project No.: 16-04-001
 Date: 02/04
 Drawn By: SCAM/W/PTP
 Checked By: STMP
 Revision Dates:
 02/04/16 (REVISED: ADDITIONAL NOTES)
 02/04/16 (REVISED: ADDITIONAL NOTES)
 02/04/16 (REVISED: ADDITIONAL NOTES)
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 02/04/16 (REVISED: ADDITIONAL NOTES)

February 12, 2024

To: Fred Pinto, Mayor, Village of Royal Palm Beach
Jan Rodusky, Vice Mayor, Village of Royal Palm Beach
Jef Hmara, Councilman, Village of Royal Palm Beach
Selena Samios, Councilwoman, Village of Royal Palm Beach
Richard Valuntas, Councilman, Village of Royal Palm Beach

From: Property Owners of Tuttle Royale

Subj: Tuttle Royale Master Plan

Re: Pod 7, Charter school change to Private School

Mayor, Vice Mayor, Councilwoman, and Councilmen:

The purpose of the letter is to formalize our opposition to a change on the Master plan requested by Pod 7 from "Charter School" to "School". Tuttle Royale is a mixed-use project in the Village of Royal Palm Beach with 1600 residential Units and over 750,000 sq ft of retail, commercial, hotel space. It took 10 years to assemble the project and annex into the Village. It was planned and designed from the beginning to be a truly new Innovative center where Residents of the Village could Live, Work, Play, Meet and Grow as a Community. It was planned and designed as a walkable community where residents kids could walk to school with 10' wide sidewalks, and large open spaces, such as park for the residents to use.

We understand from conversations the owners of Pod 7 have requested a Master plan change to allow a private school to be built instead of a Charter School. The cost of Attending this private school will be out of the reach of most, if not all the residents of Tuttle Royale and surrounding Communities. Tuttle Royale was never designed and planned with a high-end Private school, where the Affluent Residents from wellington and downtown west palm could bring their kids into each day and then leave with them, it was designed for the people of Royal Palm Beach.

While we support High end private schools and feel there is the need for one in the area, Tuttle Royale is not the right location. One of the main attractions of the Tuttle Royale Master plan was the centrally located charter school, where the residents could walk to school and walk home. By making this change, all the attendees to the school will be driven there and driven home, plus this will require our resident school age student to leave the area to attend school. This change drives a stake into the heart of the live work play community for the parents who want to walk their kids to school, who want to live next to the school, and who want to stay in the are so their kids can attend the same school over multiple years.

Tuttle Royale Will Impact the residents who live closest to the project. One of the main mitigating factors we, meaning the village and the owners, designed in was a walkable community with a charter school centrally located. By approving this change, it will remove that main mitigating factor and impact the adjacent neighbors, both in Wellington and in The Village of royal Palm Beach.

You will be presented arguments that the charter school model doesn't work anymore, that due to rising interest rates they are not economically feasible. Tuttle Royale was not designed for this year's high interest rates environment; it was designed for a 50-year life span. We don't feel it is appropriate to make such fundamental changes given a one-year interest rate environment. Only 392 units of the 1600 units are built and occupied, within 2 to 3 years, the rest of the units will be built and occupied and will generate numerous students to attend this school. The surrounding public schools are at capacity or near capacity, and as the area grows no one can argue that more public-school space won't be needed.

You will also be presented arguments that the surrounding charter schools don't want this school and that by building it as a charter school it will negatively impact them. We feel these arguments are selfish arguments, what business would want a competitor to be built to compete with them in their area? Charter schools were allowed and designed to compete against each other and against the public schools. America Business is the best survive and the if you are not the best you must modify yourself to be the best.

We would be willing to support the change if 25 % at minimum of the seats in the private school were reserved for the surrounding residents with one mile. This would keep some of the intent of the live work walk community for the adjacent residents and allow them to compete to get into the school. This can easily be written into the conditions of approval of the site plan.

We would also support exploring making the site a public school owned and managed by the Palm beach county school system or having the village use funds it owns to subsidize a charter school at this location.

This project is truly unique in Florida. It is the newest, best planned, best located project in Florida. It will be widely successful for the residents of Tuttle royale, the residents of the village, and the surrounding areas, we should not make a one-year interest rate decision to change the intent of the plan until all the residential units are built and other options are explored in detail

Sincerely

The Master Plan owners of Pod 2, Pod 3, Pod 4, Pod 6

Pod 2
The Villas at Tuttle royale



Anthony Tiritilli

Pod 4
Tuttle Royale SFH, llc



David Lynd

Pod 3
Southern Blvd Villas

Juan Porro

Pod 6
Mainstreet at Tuttle Royale

Brian Tuttle

You will be presented arguments that the charter school model doesn't work anymore, that due to rising interest rates they are not economically feasible. Tuttle Royale was not designed for this years high interest rates environment; It was designed for a 50-year life span. We don't feel it is appropriate to make such fundamental changes given a one-year interest rate environment. Only 392 units of the 1600 units are built and occupied, within 2 to 3 years, the rest of the units will be built and occupied and will generate numerous students to attend this school. The surrounding public schools are at capacity or near capacity, and as the area grows no one can argue that more public-school space won't be needed.

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The Master Plan owners of Pod 2, Pod 3, Pod 4, Pod 6

Pod 2
The Villas at Tuttle royale

Anthony Titilli

Pod 3
Southern Blvd Villas

Juan Porro

Pod 4
Tuttle Royale SFH, lie

David Lynd

Pod 6
Mainstreet at Tuttle Royale

Brian Tuttle

RESOLUTION NO. 23-54

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF ROYAL PALM BEACH, FLORIDA, APPROVING LAND DEVELOPMENT APPLICATION NO. 23-179 (MPM) – THE APPLICATION OF GUNSTER – PERTAINING TO MASTER PLAN MODIFICATION APPROVAL FOR A 165.371± ACRE SITE LOCATED ON THE SOUTH SIDE OF SOUTHERN BOULEVARD APPROXIMATELY 0.27 MILES WEST OF STATE ROAD 7 (U.S. 441), 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. 23-179 (MPM) was presented to the Village Council at its public hearing conducted on April 18, 2024; 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. 23-179 (MPM), THE APPLICATION OF GUNSTER, 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:

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

This resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED this 18th day of April, 2024.

VILLAGE OF ROYAL PALM BEACH

MAYOR FRED PINTO

ATTEST:

(SEAL)

DIANE DISANTO, VILLAGE CLERK

Exhibit A
Legal Description
Basis Independent School – POD 7 (within Village Royale (f/k/a Tuttle Royale))
Application No. 23-179 (MPM)
Res. No. 23-54

LEGAL DESCRIPTION:

A PARCEL OF LAND BEING A REPLAT OF TUTTLE ROYALE AS RECORDED IN PLAT BOOK 133, PAGE 101, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AND BEING A REPLAT OF A PORTION OF THE PLAT OF PALM BEACH FARMS PLAT NO.3 AS RECORDED IN PLAT BOOK 2, PAGES 45 THROUGH 54, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AND LYING IN SECTION 36, TOWNSHIP 43 SOUTH, RANGE 41 EAST, AND SECTION 1, TOWNSHIP 44 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, LYING WITHIN THE MUNICIPAL LIMITS OF THE VILLAGE OF ROYAL PALM BEACH AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 36, TOWNSHIP 43 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA; THENCE ALONG THE SOUTHERLY LINE OF SAID SECTION 36, N89°00'03"W, A DISTANCE OF 234.75 FEET; THENCE LEAVING SAID SOUTHERLY SECTION LINE, S01°37'59"W A DISTANCE OF 40.00 FEET TO THE POINT OF INTERSECTION OF THE SOUTHERLY LINE OF THE LAKE WORTH DRAINAGE DISTRICT S-4E CANAL (114' WIDE RIGHT-OF-WAY) AS RECORDED IN OFFICIAL RECORD BOOK 2659, PAGE 109 AND OFFICIAL RECORD BOOK 937, PAGE 375, WITH THE WESTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO.7 (U.S. HIGHWAY NO. 441) AS RECORDED IN OFFICIAL RECORD BOOK 5308, PAGE 199, OFFICIAL RECORD BOOK 5345, PAGE 591, AND OFFICIAL RECORD BOOK 10084, PAGE 365, AND BEING THE POINT OF BEGINNING; SAID POINT ALSO BEING THE NORTHEAST CORNER OF THE PLAT OF GROVES AT ROYAL PALM, AS RECORDED IN PLAT BOOK 100, PAGES 158-160 IN THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA;

THENCE ALONG THE NORTHERLY LINE OF SAID PLAT, ALSO BEING THE SOUTHERLY LINE OF SAID LWDD CANAL S-4E, N89°00'03"W A DISTANCE OF 1262.03 FEET; THENCE LEAVING SAID LINE, N01°05'13"W A DISTANCE OF 114.08 FEET TO A POINT ON THE NORTHERLY LINE OF THE LAKE WORTH DRAINAGE DISTRICT S-4E CANAL (80' WIDE RIGHT-OF-WAY) AS RECORDED IN OFFICIAL RECORD BOOK 937, PAGES 375, AND 382 AND AUXILIARY POINT A; THENCE ALONG SAID NORTHERLY LINE, S89°03'00"E A DISTANCE OF 1264.80 FEET TO A POINT ON SAID WESTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO.7; THENCE ALONG SAID RIGHT-OF-WAY LINE S00°18'24"W A DISTANCE OF 114.01 FEET TO THE POINT OF BEGINNING.

THENCE FROM AUXILIARY POINT A, N89°00'03"W A DISTANCE OF 14.46 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTH AND HAVING A RADIUS OF 160.00 FEET AND A CENTRAL ANGLE OF 14°27'49"; THENCE ALONG AND WITH SAID CURVE FOR A DISTANCE OF 40.39 FEET TO THE POINT OF TANGENCY; THENCE N74°32'19"W A DISTANCE OF 26.92 FEET; THENCE S01°05'13"E A DISTANCE OF 45.81 FEET; THENCE N89°00'03"W A DISTANCE OF 1096.91 FEET; THENCE S01°50'51"W A DISTANCE OF 40.00 FEET TO A POINT ON THE SOUTH LINE OF SECTION 36, TOWNSHIP 43 SOUTH, RANGE 41 EAST; THENCE ALONG SAID SOUTH LINE N88°59'05"W A DISTANCE OF 572.85 FEET; THENCE LEAVING SAID SOUTH LINE S01°50'01"W A DISTANCE OF 914.38 FEET; THENCE S88°59'20"E A DISTANCE OF 572.63 FEET TO A POINT ON THE WEST LINE OF A 80 FOOT WIDE LAKE WORTH DRAINAGE DISTRICT CANAL EASEMENT AS RECORDED IN OFFICIAL RECORD BOOK 937, PAGES 378, 379 AND 382, PUBLIC RECORDS OF PALM BEACH COUNTY; THENCE ALONG SAID WEST LINE S01°50'51"W A DISTANCE OF 710.35 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF THE 60 FOOT S-4W CANAL FOR LAKE WORTH DRAINAGE DISTRICT AS RECORDED IN OFFICIAL RECORD BOOK 937, PAGE 374, PUBLIC RECORDS OF PALM BEACH COUNTY; THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE N88°59'05"W A DISTANCE OF 2607.66 FEET TO A POINT ON THE WESTERLY SECTION LINE OF SECTION 1, TOWNSHIP 44 SOUTH, RANGE 41 EAST; THENCE ALONG SAID WESTERLY SECTION LINE N01°50'01"E A DISTANCE OF 1624.68 FEET TO THE SOUTHWEST CORNER OF SECTION 36, TOWNSHIP 43 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA; THENCE ALONG THE WEST LINE OF SAID SECTION 36, N01°30'19"E, A DISTANCE OF 142.27 FEET; THENCE LEAVING SAID WESTERLY SECTION LINE, S88°59'05"E A DISTANCE OF 1252.51 FEET;

THENCE N04°44'26"E A DISTANCE OF 550.90 FEET; THENCE N88°59'05"W A DISTANCE OF 348.57 FEET; THENCE N01°30'19"E A DISTANCE OF 471.00 FEET; THENCE S87°52'10"E A DISTANCE OF 656.66 FEET; THENCE N04°06'31"E A DISTANCE OF 85.04 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF THE WEST PALM BEACH CANAL (C-51) SAID LINE BASED ON A LETTER FROM BLAIR LITTLEJOHN (COUNSEL TO THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT), TO JERALD CANTON ESQ. DATED NOVEMBER 29, 2000 (VERIFIED BY MEETING WITH SFWMD MARCH 2007); THENCE ALONG SAID SOUTH RIGHT-OF-WAY LINE S87°52'10"E A DISTANCE OF 1103.60 FEET; THENCE CONTINUE S87°52'04"E A DISTANCE OF 36.50 FEET; THENCE S88°13'01"E A DISTANCE OF 957.09 FEET TO THE CENTERLINE OF THE LAKE WORTH DRAINAGE DISTRICT S-4 CANAL EASEMENT AS RECORDED IN OFFICIAL RECORD BOOK 937, PAGE 382 OF SAID PUBLIC RECORDS, THENCE S88°18'13"E A DISTANCE OF 210.43 FEET TO THE NORTHWEST CORNER OF LOWE'S HOME CENTER, AS RECORDED IN PLAT BOOK 87, PAGES 193-195 OF SAID PUBLIC RECORDS; THENCE LEAVING SAID SOUTH RIGHT-OF-WAY LINE AND ALONG THE WESTERLY LINE OF SAID PLAT S01°41'47"W A DISTANCE OF 320.01 FEET; THENCE CONTINUE ALONG SAID PLAT LINES N88°18'13"W A DISTANCE OF 154.82 FEET; THENCE S01°05'13"E A DISTANCE OF 805.67 FEET TO AUXILIARY POINT A.

CONTAINING 165.371 ACRES MORE OR LESS.

Exhibit B
Conditions of Approval
Basis Independent School – POD 7 (within Village Royale (f/k/a Tuttle Royale))
Application No. 23-179 (MPM)
Res. No. 23-54

1. Development Order:

This development order constitutes approval for Master Plan Modification Approval in order to convert the referenced use for Pod 7 on the Master Plan from a “Charter School” to a “Public and Private Academic Institution”, for a property located on the south side of Southern Boulevard approximately 0.27 miles west of State Road 7 (US 441)

Unless specifically discussed in this condition or subsequent specific conditions of approval, no other approval is granted or implied. All previous conditions of approval associated with this site remain in full force and effect.

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.