

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

**Agenda Item:**

**PUBLIC HEARING TO CONSIDER APPLICATION NO. 23-092 (SE) AN APPLICATION BY COREY O’GORMAN OF PLACE PLANNING & DESIGN AND ADOPTION OF RESOLUTION NO. 23-27 CONFIRMING COUNCIL ACTION. THE APPLICANT IS SEEKING SPECIAL EXCEPTION USE APPROVAL FOR A “PUBLIC OR PRIVATE ACADEMIC INSTITUTION” WITHIN THE GENERAL COMMERCIAL (CG) ZONING DISTRICT, FOR A PROPERTY LOCATED AT 200 ROYAL PALM BEACH BOULEVARD.**

**Issue:**

The applicant is seeking Special Exception Use Approval to permit a “Public or Private Academic Institution” for grades Pre-Kindergarten through Eighth grade on the subject site which is located in the General Commercial (CG) Zoning District. The school is seeking to occupy the former Wester Academy location with the Royal Plaza South Shopping Center in order to service 150 children with Autism. There will be an overall reduction in the number of students at this location.

1. The proposed Special Exception is consistent with the policies and standards of the village comprehensive plan; or

The Applicant states: “The existing Building and current Tenants are consistent with the Village Comprehensive Plan. The proposed Tenant, a charter school serving approximately 150 students, will be a further improvement on the current users. The prior tenant, Western Academy Charter, was also a charter school which served 458 students. The proposal is consistent with Policy LU-1.5.8 allowing schools in each land use category except Golf Course, Open Space, Utility and Conservation.”

2. The proposed Special Exception complies with all applicable development regulations of the Village Code; or

The Applicant states: “The proposed Special Exception, a charter school, will comply with all applicable development regulations of the Village if Royal Palm Beach, Palm

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Beach County, and the State of Florida. There are no proposed building or site modifications and will be used generally as-is.”

3. The proposed Special Exception does not have adverse environmental impacts which cannot be prevented by the imposition of conditions; or

The Applicant states: “The proposed Special Exception, a Charter School, has no adverse environmental impacts whatsoever as it will utilize the building and site generally as-is. It will have an almost identical use as the prior tenant, Western Academy Charter.”

4. The proposed Special Exception does not have adverse vehicular or pedestrian traffic impacts which cannot be prevented by the imposition of conditions; or

The Applicant states: “The proposed Special Exception will not have any adverse vehicular or pedestrian traffic impacts, and traffic patterns will be generally remain the same.”

5. The proposed Special Exception does not have an adverse impact upon public facilities, including, but not limited to, impacts on police and fire protection, drainage systems, refuse disposal, water, sewers, and schools, which cannot be prevented by the imposition of conditions; or

The Applicant states: “The proposed Special Exception will reduce the student body from that which was previously approved and will not have any adverse impact upon public facilities.”

6. The design of the proposed Special Exception does not have adverse impacts on adjacent properties or is detrimental to their use and peaceful enjoyment and will cause objectionable noise, vibrations, [and/or] fumes; or

The Applicant states: “The Charter School will operate within the existing building, will function generally the same as the prior approved use, and will have no detrimental effect and peaceful enjoyment to the adjacent property.”

7. The proposed Special Exception is compatible with the character and living conditions of the existing neighborhood in which it is to be located; or

The Applicant states: “The Special Exception proposes no site or exterior improvements and will maintain the existing traffic pattern, and as such is compatible with the character and living conditions of the existing neighborhood, and it does not impair public safety.”

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8. The proposed Special Exception does not have an adverse impact on property values in adjacent areas which cannot be prevented by the imposition of conditions; or

The Applicant states: "The proposed Special Exception will utilize the site and building substantially as is and will not have any adverse impact on property values in the immediate vicinity."

9. The proposed Special Exception is not a deterrent to the improvement or development of adjacent property, in accordance with applicable Village Code development regulations, which cannot be prevented by the imposition of conditions; or

The Applicant states: "The proposed Charter School will utilize the existing building and site as-is and will not deter the improvement or development of adjacent property."

10. The proposed Special Exception will not seriously reduce the quality or quantity of light and air available to adjacent properties which cannot be prevented by the imposition of conditions.

The Applicant states: "The proposed "Special Exception" will utilize the existing building and site generally as-is and will not reduce the quality or quantity of light and air available to adjacent properties."

The Local Planning Agency will consider Application No. 23-092 (SE) at a Special Meeting on August 14, 2023.

**Recommended Action:**

Staff is recommending Approval of Application No. 23-092 (SE) and Resolution No. 23-27.

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**RESOLUTION NO. 23-27**

**A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF ROYAL PALM BEACH, FLORIDA, APPROVING LAND DEVELOPMENT APPLICATION NO. 23-092(SE) – THE APPLICATION OF COREY O’GORMAN OF PLACE PLANNING & DESIGN - PERTAINING TO APPROVAL OF A SPECIAL EXCEPTION USE FOR A “PUBLIC OR PRIVATE ACADEMIC INSTITUTION” WITHIN THE GENERAL COMMERCIAL (CG) ZONING DISTRICT, FOR A PROPERTY LOCATED AT 200 ROYAL PALM BEACH BOULEVARD; 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. 23-092(SE) was presented to the Village Council at its public hearing conducted on August 17, 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, APPLICATION NO. 23-092(SE), THE APPLICATION OF COREY O’GORMAN OF PLACE PLANNING & DESIGN, 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 17th day of August, 2023.

VILLAGE OF ROYAL PALM BEACH

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MAYOR FRED PINTO

ATTEST:

(SEAL)

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DIANE DISANTO, VILLAGE CLERK

**Exhibit A**  
**Legal Description**  
**The Learning Center @ 200 Royal Palm Beach Boulevard**  
**Application No. 23-092(SE)**  
**Resolution No. 23-27**

LEGAL DESCRIPTION:

LEGAL DESCRIPTION:

A PARCEL OF LAND LYING IN SECTION 35, TOWNSHIP 43 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE CENTERLINE OF STATE ROAD 80 AND THE CENTERLINE OF ROYAL PALM BEACH BOULEVARD AS RECORDED IN PLAT BOOK 28, PAGE 107, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, RUN NORTH 00°00'00" EAST ALONG SAID CENTERLINE FOR A DISTANCE OF 136.50 FEET; THENCE, SOUTH 89°25'10" EAST, DEPARTING SAID CENTERLINE, A DISTANCE OF 488.01 FEET TO A POINT ON THE NORTH LINE OF THE ADDITIONAL RIGHT OF WAY OF STATE ROAD 80 AS RECORDED IN OFFICIAL RECORDS BOOK 12099, PAGE 1550, PUBLIC RECORDS, PALM BEACH COUNTY, FLORIDA, SAID POINT BEING THE POINT OF BEGINNING;

FROM THE POINT OF BEGINNING CONTINUE ALONG SAID RIGHT OF WAY LINE SOUTH 89°25'10" EAST A DISTANCE OF 22.78 FEET TO A POINT; THENCE, NORTH 00°00'00" E, DEPARTING SAID RIGHT OF WAY LINE, A DISTANCE OF 1114.7 FEET; THENCE, NORTH 90°00'00" EAST, A DISTANCE OF 200.00 FEET; THENCE, SOUTH 00°00'00" EAST, A DISTANCE OF 113.50 FEET TO A POINT ON SAID NORTH RIGHT OF WAY LINE; THENCE, SOUTH 89°25'10" EAST, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 54.88 FEET; THENCE, NORTH 00°34'50" EAST, DEPARTING SAID RIGHT OF WAY LINE, A DISTANCE OF 823.81 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF CAMELLIA PARK DRIVE, THENCE, NORTH 90°00'00" WEST, ALONG SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 718.99 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF ROYAL PALM BEACH BOULEVARD; THENCE, SOUTH 00°00'00" WEST, ALONG SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 621.81 FEET; THENCE, SOUTH 90°00'00" EAST, DEPARTING SAID EAST LINE, A DISTANCE OF 217.39 FEET; THENCE, SOUTH 00°00'00" WEST, A DISTANCE OF 0.96 FEET; THENCE, SOUTH 90°00'00" EAST, A DISTANCE OF 215.00 FEET; THENCE, SOUTH 00°00'00" WEST, A DISTANCE OF 198.18 FEET; TO THE POINT OF BEGINNING.

CONTAINING: 10.99 ACRES, MORE OR LESS.

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS, AND RIGHTS-OF-WAY OF RECORD.

**Exhibit B**  
**Conditions of Approval**  
**The Learning Center @ 200 Royal Palm Beach Boulevard**  
**Application No. 23-092(SE)**  
**Resolution No. 23-27**

**1. Development Order:**

This development order constitutes approval for:

A Special Exception Use for a "Public and private academic institution" consisting of 31,959 square feet located at 200 Royal Palm Beach Boulevard. The total student population shall be limited to a maximum of 150 students.

This constitutes the only approval granted by this resolution. Unless specifically discussed in this condition or subsequent specific conditions of approval, no other approval is granted or implied.

**2. Site Specific Conditions:**

- A. This Special Exception use approval shall become null and void should the operator cease operations at this location.
- B. Should the Village determine that traffic issues have arisen in the future which need to be addressed, the Applicant will cooperate with the Village to provide for a mutually agreed upon solution which may include, but not be limited to, staggered pick-up/drop-off times or altered traffic flow patterns from Seminole Palms Drive, Royal Palm Beach Boulevard and/or Southern Boulevard.
- C. The traffic flow shall be as depicted on a Site Plan showing pick-up and drop-off within 60 days of receipt of the Business Tax Receipt, and shall be generally consistent with the traffic flow pattern approved for Western Academy and shown on the Site Plan dated March 26, 2010.

**3. Standard Conditions:**

- A. This Special Exception approval shall expire one (1) year from the date of Council approval unless development is commenced within that time frame or appropriate applications for extensions are submitted pursuant to Section 26-66 of the Village Code or Ordinances. In no case shall the approval be extended beyond code-established timeframes.
- 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. The developer shall submit copies of permits from all agencies with regulatory jurisdiction prior to the issuance of a building permit.
- D. All advertising, legal documents, and correspondence shall refer to this location as being located within the Village of Royal Palm Beach.