



PLANNING AND ZONING BOARD (PZB) REPORT

Ordinance 2025-12 (PZHP Main Project Number 25-01000001): Consideration of a request for a Major Planned Development Amendment for the project commonly referred to as "Madison Terrace," including amendments to the following associated applications: Mixed Use Urban Planned Development (residential only), Major Site Plan, Conditional Use Permit, Sustainable Bonus Incentive Program, Affordable/Workforce Housing Program, and Transfer of Development Rights. The subject parcels are located in the Transit Oriented Development - East (TOD-E) zoning district and have a future land use designation of Transit Oriented Development (TOD).

Meeting Date: September 3, 2025

Applicant: Michael J. Oliver – New South Residential, LLC

Property Owners: Patrick E. Law – Madison Terrace, LLC and SP Tract 4, LLC

Addresses: 821 South Dixie Highway, 818-832 South H Street

PCNs: 38-43-44-21-15-253-0110; 38-43-44-21-15-253-0040; 38-43-44-21-15-253-0032; 38-43-44-21-15-253-0031; 38-43-44-21-15-253-0020; and 38-43-44-21-15-253-0010

General Location: North of 9th Avenue South, with frontage on South Dixie Highway to the east and South H Street to the west

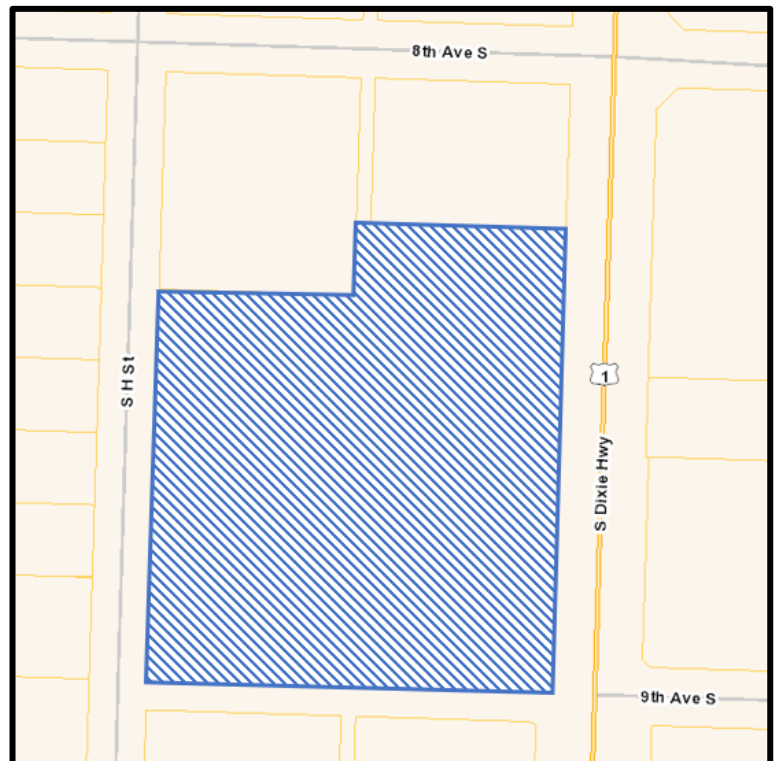
Size: ± 1.882 acres (1.546 acres of private property and 0.1274 acres of abandoned right-of-way)

Existing Land Use: Vacant; formerly auto sales and single-family residential

Future Land Use Designation: Transit Oriented Development (TOD)

Zoning District: Transit Oriented Development – East (TOD-E)

Location Map:



RECOMMENDATION

The documentation and materials provided with the application request were reviewed for compliance with the applicable guidelines and standards found in the City of Lake Worth Beach Land Development Regulations (LDRs) including the City's Major Thoroughfare Design Guidelines, and for consistency with the Comprehensive Plan and Strategic Plan. The proposed Major Planned Development Amendment is consistent with the Comprehensive Plan, Strategic Plan, and LDRs, as conditioned, and, therefore, a **recommendation of approval with conditions** is provided to the PZB for Ordinance 2025-12. The conditions of approval are located on page 11 of this report.

PROJECT DESCRIPTION

The Applicant, Michael J. Oliver with New South Residential LLC, on behalf of Madison Terrace, LLC and SP Tract 4, LLC, are requesting approval of Ordinance 2025-12, which is a Major Planned Development Amendment to increase total site area and dwelling units of a previously approved planned development (Ordinance 2023-16), as well as associated alterations to the site plan and building plans including additional FAR, increased building height, and alterations to surface parking. The amendment is inclusive of the following application types:

- **Mixed use urban planned development (residential only)** to construct two six-story buildings with a total of 182 dwelling units
 - Waivers: TDR fees (continued from Ordinance 2023-16), parking rate of 0.7 spaces/unit (continued from Ordinance 2023-16)
- **Major site plan** for a residential development greater than 7,500 square feet
- **Conditional use permit** for a multi-family residential use greater than 7,500 square feet
- **Sustainable bonus incentive program (SBIP)** for additional density, intensity (FAR), and height
- **Transfer of Development Rights (TDR)** for additional density and height
- **Affordable/Workforce Housing Program (AWFH)** for additional density, reduction in the gross living area for dwelling units, and reduction of the required parking

COMMUNITY OUTREACH

Per LDR Section 23.2-20, Public Neighborhood Meeting, *a public neighborhood meeting shall be required for all Planned Developments, Developments of Significant Impact, and Lake Worth Beach Community Redevelopment Agency sponsored new construction projects along the City's major thoroughfares as well as those utilizing the City's Sustainable Bonus Incentive Program, Transfer of Development Rights Program and/or Economic Investment Incentives.*

On May 15, 2025, the applicant held a meeting with neighborhood residents at the HATCH 1121 building (1121 Lucerne Avenue). Notices were mailed to all property owners within 400 feet of the project and meeting signs were placed on the project's properties. There were two attendees at the meeting. The applicant also created a project webpage: <http://madisonterrace seniors.com/>.

The project has complied with all public notice requirements, including a 400-foot courtesy notice, sign posting, and legal notice. At the time of the completion and dissemination of this staff report, staff have received no letters from the public in support of or opposition to the project.

BACKGROUND

The project area includes six (6) parcels: 821 South Dixie Highway, 818 South H Street, 822 South H Street, 824 South H Street, 826 South H Street, and 832 South H Street. Below is a summary of the properties based on Palm Beach Property Appraiser's records and City records:

821 South Dixie Highway: The subject site is a ± 40,500 square foot vacant lot. A ±780 square foot commercial building was constructed in 1946 and a ±600 square foot commercial building was constructed in 1947. The lot and structures were previously used for vehicular rentals and sales; the structures were demolished in February 2025 as part of the Madison Terrace development process.

818 South H Street: The subject site is a $\pm$ 13,500 square foot vacant lot.

822 South H Street: The subject site is a $\pm$ 3,750 square foot vacant lot. A $\pm$ 672 square foot residence was constructed c. 1928; the structure was demolished in February 2025 as part of the Madison Terrace development process.

824 South H Street: The subject site is a $\pm$ 3,000 square foot vacant lot.

826 South H Street: The subject site is a $\pm$ 6,750 square foot vacant lot. A $\pm$ 1,210 square foot residence was constructed in 1950; the structure was demolished in February 2025 as part of the Madison Terrace development process.

832 South H Street: The subject site is a $\pm$ 6,750 square foot vacant lot.

At the City Commission meeting on September 19, 2023, the subject properties (with the exception of 822 South H Street) received approval for a project commonly known as Madison Terrace, which included the creation of a Mixed Use Urban Planned Development (Residential Only), Development of Significant Impact, Major Site Plan, Conditional Use, Right-Of-Way Abandonment, Sustainable Bonus Incentive Program, Affordable/Workforce Housing Program, Transfer of Development Rights, Rezoning, and Future Land Use Map Amendment (Ordinances No. 2023-16, 2023-17, and 2023-18).

The 2023 approval included a 176-unit age-restricted senior apartment development with two six-story buildings, each with pedestrian entrances fronting South Dixie Highway. Parking was approved on surface parking lots and on the ground floor of both buildings with vehicular access from South H Street. As part of the planned development, multiple waivers were approved by the City Commission:

- Waiver of the Transfer of Development Rights (TDR) fees
- Waiver of the minimum parking requirements, with a rate of approximately 0.7 parking spaces provided per unit
- Reduction in terminal landscape island width
- Elimination of required landscape strips between rows of parking
- Reduction of the landscape buffer width adjacent to 822 South H Street

A site plan amendment was submitted and approved administratively in December 2024 to address condition of approval #12 from Ordinance 2023-16, including corrections to the site data table, reduction of overall impermeable surface coverage, adding parking space wheel stops, updates to the photometric plan, and corrections and updates to the landscape plans.

Conditions of approval in Ordinance 2023-16 required that a final plat with all necessary easements be recorded prior to the issuance of a Certificate of Occupancy for the buildings. A plat application was brought to the Planning and Zoning Board (PZB) in October 2024; however, the property owners subsequently acquired an additional adjacent parcel (822 South H Street), which altered their phase lines and plat request. An updated plat application to arrange the existing six (6) parcels into two (2) new parcels was brought to the PZB in May 2025, and was approved by the City Commission on June 17, 2025. As of the date of this staff report, the applicants are procuring the required signatures on the mylar copy of the plat in preparation for recording with the Palm Beach County Clerk of Court.

The acquisition of the additional parcel also prompted the subject application for a major amendment to the Planned Development to allow for the development of additional dwelling units, as well as associated alterations to the site plan and building plans including additional FAR, increased building height, and alterations to surface parking.

Code Compliance: There are no active code cases on the subject sites.

ANALYSIS

Consistency with the Comprehensive Plan and Strategic Plan

The subject properties currently have a Future Land Use (FLU) designation of Transit Oriented Development (TOD). Per Comprehensive Plan Future Land Use Policy 1.1.1.6, the TOD FLU is established to *promote compact, mixed-use development near proposed or existing transportation infrastructure to encourage diversity in the way people live, work and commute. The maximum density of permitted residential development is 60 dwelling units per acre. The preferred mix of uses area-wide is 75% residential and 25% non-residential. All buildings are required to provide transitional buffering and design features to mitigate impact of the TOD sites adjacent to residential zoning districts. The implementing zoning districts for this category are TOD-E, TOD-W, SFR, MF-30, MU-DH, MF-20, MU-W, P, PROS, and AI.* The proposed Planned Development Amendment would allow for the redevelopment of multiple properties with the construction of 182 affordable, age-restricted residential units and associated amenities, as well as site improvements including buffers to adjacent sites.

The City's Strategic Plan focuses on fostering safer neighborhoods, encouraging community pride, building a vibrant and diverse economy, planning for the future, and enhancing the natural, historic, and cultural environment of the City. Pillar II and Pilar IV of the Strategic Plan state that the City shall strengthen Lake Worth Beach as a community of neighborhoods and navigate towards a sustainable community. Pillars II.A, II.B, IV.A, and IV.E of the Strategic Plan state that the City shall diversify housing options, continue crime reduction and prevention in achieving a safe, livable and friendly community, achieve economic and financial sustainability through a versatile and stable tax base, and ensure facility placement, construction and development that anticipates and embraces the future. The proposed multi-family buildings and associated site improvements will contribute towards the City's Pillars II.A, II.B, IV.A, and IV.E of the Strategic Plan.

Based on the analysis above, the proposed Planned Development Amendment request for Madison Terrace is consistent with the goals, objectives, and policies of the City of Lake Worth Beach's Comprehensive Plan and Strategic Plan.

Consistency with the Land Development Regulations (LDRs):

The proposed application was reviewed for consistency with all applicable requirements in the City's Land Development Regulations (LDR), including the Transit Oriented Development – East (TOD-E) zoning district and planned development requirements.

Mixed Use Urban Planned Development - Per Section 23.3-25, planned developments are intended to encourage innovative land planning and development techniques through incentives to create more desirable and attractive development within the City. The Department of Community Sustainability is tasked to review planned development applications in accordance with the City's LDRs, to assess compliance with the findings for granting planned developments (analyzed below) and to provide a recommendation for whether the application should be approved, approved with conditions, or denied.

Analysis: The proposed amendment to a Mixed Use Urban Planned Development was reviewed for compliance with Section 23.3-25. The subject planned development received approval for waivers to relax several zoning requirements in Ordinance 2023-16, including a reduction in terminal landscape island width, elimination of required landscape strips between rows of parking, reduction of the landscape buffer width, waiver to the build-to line from South H Street, a parking reduction for a rate of 0.7 parking spaces per dwelling unit, and a waiver of Transfer of Development Rights (TDR) fees.

Per LDR Section 23.3-5(f), amendments to an existing planned development master plan which include an increase in the total number of residential dwelling units or any boundary change cannot be administratively approved by the Development Review Official (DRO, Director of Community Sustainability). As the proposed amendment includes an increase of six (6) dwelling units and a boundary change to incorporate 822 South H Street into the development area, this planned development amendment must be reviewed by the Planning and Zoning Board and approved by the City Commission.

As in the project's original approval, incentives are proposed through planned development provisions, the City's Sustainable Bonus Incentive Program, Transfer of Development Rights, and Affordable/Workforce Housing Program for increased density, intensity, and height. The planned development amendment includes a total increase of six (6) dwelling units, as well as additional Floor Area Ratio (FAR) and additional building height beyond what was approved in Ordinance 2023-16. These changes increase the total parking requirement and TDR fees; the applicants have included a request to continue the waivers to the parking rate and TDR fee payment as part of this amendment.

The applicants have provided the required supporting information and development plans that comprise the amended master development plan.

Transit Oriented Development – East (TOD-E): Per LDR Section 23.3-19, the TOD-E district *is designed for the areas around the FEC railroad tracks and desired future locations for intra-city, light rail transit, specifically Lake Avenue, Lucerne Avenue, 1st Avenue South, 10th Avenue North and 9th Avenue South. The TOD-E district is intended to promote compact, mixed-use development, including multiple-family residential, office and retail, near proposed or existing transportation infrastructure. The TOD-E district is also intended to encourage arts, entertainment and cultural activities in the city.*

Analysis: The proposed multi-family residential use is anticipated and encouraged in the TOD-E zoning district. The use has been reviewed for consistency with the required conditional use review criteria; and that analysis is provided on page 9 of this report.

The proposed amendment to the residential development complies with applicable zoning requirements and waivers approved in the original planned development ordinance (2023-16). The table and topic area analysis below evaluate the proposed site features and the project's compliance with the Code, and factoring in the Sustainable Bonus incentives, Planned Development incentives, Affordable/Workforce Housing Program, Transfer of Development Rights, and the Comprehensive Plan maximums:

Development Standard		Base Zoning District TOD-E	Mixed-Use Urban Planned Development w/ SBIP, AWFH, & TDR	Approved in Ordinance 2036-16 & PZ 24-01400037	Provided in Amendment
Lot Size (min)		13,00 sf	0.5 acres	1.8134 acres	1.882 acres
Lot Width (min)		100'	100'	320'	320'
Setbacks	Front (min build-to line)	10'	10' <i>Additional 8-12' setback required for 3rd story and above</i>	18' S Dixie Hwy* 143' S H St	15.5' (S Dixie Hwy) 15-143' S H St
	Rear (min)	n/a	n/a	n/a	n/a
	Street Side (min)	n/a	n/a	n/a	n/a
	Interior Side (min)	0'	0'	9' North 10' South	7.5' North 9.5' South
Impermeable Surface Coverage (max)		65%	65%	65.78% <i>conditioned to be reduced to 65%</i>	64.93%
Structure Coverage (max)		50%	50%	30.72%	30.64%
Density (max)		40 du/acre (75 units)	97.75 du/acre (189 units w/ bonus units per LDR 23.2-39(b)(1)(g))	97.05 du/acre (176 units)	96.8 du/acre (182 units)

Building Height (max)		30' (max. 2 stories)	71.25' (6 stories)	66'4" (6 stories)	68' (6 stories)
Maximum Wall Height at Side Setback		30'	71.25'	61'4"	68'
Floor Area Ratio (max)		1.10	3.6437	1.7 (134,268 sf)	1.68 (138,004 sf)
Parking		8 studio units 168 one-bedroom units Total: 269 spaces <i>See page 8 for detailed parking analysis.</i>	202 required spaces w/ AWFH reduction	123 spaces (parking rate of 0.7 spaces/unit)	129 Spaces:** - 110 off-street - 2 compact off-street - 8 ADA off-street - 16 bicycle (4 equivalent spaces) - 5 on-street
Is site in Flood Zone or in Wellfield Zone?		Not located in a flood zone; Wellfield Zone 4			
Living Area (minimum)	Studio	400 sf	340 sf w/ AWFH reduction	430 sf	430 sf
	One-bedroom	750 sf	510 sf w/ AWFH reduction	576 sf	576 sf

**reduced to 15.5 feet at site plan amendment due to taking of land for Dixie Highway ROW*

***Continued waiver to parking rate requested*

Section 23.4-10. - Off-street parking: This section provides general provisions for off-street parking. The standards "apply to all parking spaces required for new buildings, new uses, additions, enlargements, or changes."

Analysis: Using the City's standard parking rates, a total of 269 parking spaces are required for the residential buildings with the new density of 182 dwelling units, calculated as follows:

- 8 studio units x 1.25 spaces/unit = 20 spaces
- 116 one-bedroom units x 1.5 spaces/unit = 249 spaces

Using the 0.7 spaces per unit rate approved in Ordinance 2023-16, the project requires 128 parking spaces. The applicant is requesting a continuation of the reduction provided in Ordinance 2023-16 through the waiver provisions of a planned development. The acquisition of 822 South H Street has also enabled the applicants to redesign the proposed parking areas so as to provide a greater number of standard parking spaces as compared to compact and/or alternate spaces (i.e. bicycle and motorcycle spaces) than was originally approved in Ordinance 2023-16. As amended, the project will have a total of 129 parking spaces, provided as follows:

- 110 standard off-street spaces
- 2 compact off-street spaces
- 8 ADA off-street spaces
- 16 bicycle spaces (equivalent 4 off-street spaces)
- 5 standard on-street spaces

Section 12-7, Dumpster Requirements: The location of all dumpsters shall be approved by the public services director or his designee and/or the building official or his designee. All dumpsters shall meet the requirements set forth in this section and all other ordinances, rules, regulations and policies adopted by the city.

Analysis: The proposed dumpster location on the west side of the project (fronting South H Street) was reviewed by Public Works, who determined that the dumpster was consistent with the size and screening requirements. The dumpster will be screened with fencing and landscaping.

Section 23.4-3, Exterior Lighting: *All outdoor lighting shall be installed in conformance with the provisions of this chapter, applicable electrical and energy codes, and applicable sections of the building code.*

Analysis: A photometric plan was provided depicting compliance with the exterior lighting requirements in Section 23.4-3 and does not allow light trespass upon neighboring residential properties or districts in excess of 12.57 lumens. Conditions of approval have already been provided in 2023-16 requiring compliance with Dark Skies lighting recommendations for fixtures to have a warm tone setting of 3000 K or less.

Signage: Signage is required to comply with the size and design requirements in LDR Section 23.5-1. Proposed signs are reviewed for consistency with the sign code requirements and planned development at building permit.

Analysis: Two (2) freestanding monument signs were proposed in the original planned development approval, and no changes are proposed to that signage. Per LDR Section 23.5-1(E)(5), a lot with frontage between 301-400 feet is permitted to have a total of 150 square feet of signage. A maximum sign height of 8' is permitted with a minimum setback of 3'. Each sign has a height of 4 feet, an area of 48 square feet, and is set back 5 feet from the front property line. Therefore, the two proposed monument signs comply with the requirements in the LDRs.

Section 23.6-1. - Landscape regulations: *The objective of this section is to provide minimum standards for the installation and maintenance of landscaping within the City. Per Section 23.6-1(c)(2), "on the site of a building or open-lot use providing an off-street parking, storage or other vehicular use area, where such an area will not be screened visually by an intervening building or structure from an abutting right-of-way or dedicated alley, shall require landscaping."*

Analysis: The amended landscape plan provides perimeter landscaping and shade trees, and is generally consistent with the City's landscape regulations and the Major Thoroughfare Design Guidelines. Tree species include a mix of Green Buttonwood, Dahoon Holly, Slash Pine, Crepe Myrtle, and Live Oak trees with multiple native shrubs, grasses and groundcovers for the perimeter and interior plantings. The proposed landscape complies with the City's requirement that a minimum 75% of all required plants be Florida native. Multiple trees are proposed to be removed from the site to facilitate the construction, but all mitigation will be met through onsite replacement; no additional tree removals are proposed in the planned development amendment.

Ordinance 2023-16 included three (3) landscape waivers for a reduction in terminal landscape island width, elimination of required landscape strips between rows of parking, and a reduction of the landscape buffer width adjacent to 822 South H Street. No changes have been made affecting the first two waivers, and the third waiver is no longer applicable as the developers have acquired 822 South H Street and are incorporating it into the development area.

The revised landscape plans are missing some required perimeter trees west of Building 2 and along the southern property line. The applicant has agreed to provide additional trees in those locations, and staff has added a condition of approval requiring submittal of a site plan amendment with corrected perimeter landscaping, including root barriers to avoid utility conflicts.

Section 23.2-31 - Site Design Qualitative Standards (Attachment A)

Site Design Qualitative Standards are intended to "promote safety and minimize negative impacts of development on its neighbors by establishing qualitative requirements for the arrangements of buildings, structures, parking areas, landscaping and other site improvements. The qualitative standards are designed to ensure that site improvements are arranged in ways which cannot be otherwise accomplished with quantitative standards." These qualitative standards are applicable to site plan applications as well as all conditional uses. The Major Thoroughfare Design Guidelines are an adopted component of these Site Design Qualitative Standards as per Section 23.2-31(j), which are applicable to

properties adjacent to the City's major thoroughfares inclusive of the subject site. Compliance determination with the applicable standards in Section 23.2-31 are provided in Attachment A, and applicant responses to the applicable standards are provided in their Justification Statement (see attachments to this report). **The following analysis of the site, building, vehicular use area, and appearance support the compliance findings for the applicable standards listed in Attachment A and in the Major Thoroughfare Design Guidelines.**

Site Design Qualitative Standards Analysis & Major Thoroughfare Design Guidelines:

The proposed improvements to the site are consistent with the Major Thoroughfare Design Guidelines and the City's LDRs. The subject site is located along Major Thoroughfare G and Sub-Area 5 as designated in the City's Major Thoroughfare Design Guidelines. The site is configured with two (2), six (6)-story buildings with pedestrian entrances fronting South Dixie Highway. Parking is proposed on surface parking lots and on the ground floor of both buildings. Vehicular ingress and egress is proposed from South H Street. The pedestrian and vehicular site circulation safely connects to the existing public right-of-way. Further, the site pedestrian circulation system is appropriately insulated from vehicular circulation. Refuse will be stored in interior trash rooms and in a screened refuse area near South H Street. Adequate landscaping is proposed to screen the perimeter of the site and provide internal vegetation; these improvements are further discussed in the landscape section of this report.

Transformer locations are proposed adjacent to the public open space at the front of the property; the proposed locations have been approved by the City's Electric Utilities. To mitigate the visual and aesthetic impact of the transformers on the adjacent open space, the applicants have provided landscape screening and have agreed to place a decorative wrap on the transformers.

The City's Major Thoroughfare Design Guidelines recommend a contemporary industrial aesthetic for Sub-Area 5, with aluminum, steel, masonry, and concrete exterior finishes. The proposed building design is contemporary with art deco inspired detailing. The exterior finishes include corrugated metal panels, smooth and scored stucco, vertically-oriented windows, and art deco decorative parapet elements. Both buildings feature a flat roof and identical building designs. During the original planned development process, staff expressed concerns regarding the long expanses of blank façade along the rear elevations of the buildings; a condition of approval was included in Ordinance 2023-16 to propose murals that will be reviewed by both the Planning and Zoning Board and the CRA's LULA program. This public art will create visual interest on the rear elevation that will help mitigate the lack of architectural features. Overall, the building design is contemporary while honoring the art deco design, which is one of Lake Worth Beach's prevailing architectural styles.

Per LDR Section 23.2-31(c)(16), all new buildings that are 7,500 square feet in size or larger must meet additional performance standards, such as overall reduction in greenhouse emissions, reduction in carbon footprint, support of multi-modal transportation options, etc. Verification of these performance standards must be provided by an independent third party. A condition of approval was included in Ordinance 2023-16 requiring submittal of the third-party verification (National Green Building Standard (NGSB) silver certification or equivalent) for the performance standards prior to the issuance of the buildings' certificates of occupancy.

The applicant submitted a separate statement (included as an attachment) that explains how the planned development achieves sustainable qualities, values, and principles as listed in LDR Section 23.2-31(c)(17). The complete compliance analysis is provided in Attachment A. The existing uses in the surrounding area are as follows:

Direction	Future Land Use	Zoning District	Existing Use
North	Mixed Use – East (MU-E) & Transit Oriented Development (TOD)	Mixed Use – Dixie Highway (MU-DH) & Transit Oriented Development – East (TOD-E)	Motel
South	Mixed Use – East (MU-E) & Transit Oriented Development	Mixed Use – Dixie Highway (MU-DH) & Transit Oriented	Auto sales and single family residential

	(TOD)	Development – East (TOD-E)	
East Across S Dixie Hwy	Mixed Use – East (MU-E)	Mixed Use – Dixie Highway (MU-DH)	Motel, office, and store
West Across S H St	Transit Oriented Development (TOD)	Transit Oriented Development – East (TOD-E)	Multi-family residential

The proposed multi-family use is anticipated, desired, and compatible with the TOD-E zoning district and the surrounding mixed-use and residential area. The proposed use and site improvements will not negatively affect the existing surrounding properties and uses. Additional use analysis is located in the Conditional Use Permit section, located on page 11 of this report.

Community Appearance Criteria:

The proposed development and associated site improvements represent a substantial improvement in the general appearance of the property and is consistent with the Comprehensive Plan, Major Thoroughfare Design Guidelines, and the City's Land Development Regulations (LDRs). The project is in conformity with the principals of good design and quality and is in harmony with the city and the surrounding area as conditioned.

Section 23.2-29 - Conditional Use Permit (CUP) (Attachment B)

Conditional uses are those uses that are generally compatible with the other uses permitted in a district, but that require individual review of their location, design, structure, configuration, density and intensity of use, and may require the imposition of conditions to ensure the appropriateness and compatibility of the use at a particular location and to prevent or minimize potential adverse impacts to the surrounding area. The multi-family residential use reviewed for consistency with the required conditional use findings (Attachment B).

The conditional use for a residential development over 7,500 square feet is an anticipated use in the TOD-E zoning district. The buildings will be served by existing municipal services, including water, sewer, refuse, fire and police. The proposed associated site improvements would improve the condition of existing parcels while providing new attainable housing options for senior residents in Lake Worth Beach. The proposed conditional use is not anticipated to impact the surrounding area greater than uses permitted by right.

Section 23.2-33(c) - Sustainable Bonus Incentive Program (SBIP)

The City of Lake Worth Beach Sustainable Bonus Incentive Program (SBIP) is intended to implement Objective 1.2.3 of the City's Comprehensive Plan, which states the City shall establish incentives to help support the creation of a compact, sustainable, community-oriented development by implementing a Sustainable Bonus Incentive Program. The Program offers the opportunity to attain an option for increased density, intensity (FAR), and/or height in exchange for the incorporation of sustainable design features, community-based improvements and overall design excellence as part of a development proposal.

Per Policy 1.2.3.4 of the City's Comprehensive Plan, a mixed use urban planned development may obtain a 25% bonus on density, intensity (FAR), and height over the base line as outlined in Table 1 of the Comprehensive Plan. The project was previously approved for a bonus height up to 56.25 feet, a density of 75 units per acre (64 bonus units), and a floor area ratio (FAR) of 1.7. The FAR requested is less than the maximum allowance that can be permitted for intensity through a sustainable bonus incentive in a planned development in the TOD-E zoning district.

The proposed planned development amendment includes an increase in the bonus height request (up to 68 feet); however, this height is accommodated through the TDR program, not SBIP. The project also includes an increase in the overall number of units (66 bonus units), and an increase in the overall FAR square footage, although the density of 75 units per acre and FAR of 1.7 remains the same.

The total square footage of the additional proposed bonus area above the second floor is $\pm 3,544$ square feet in total ($\pm 1,820$ square feet through Tier 1 SBIP for the buildings' third and fourth stories and ± 862 square feet through Tier 2 SBIP for the buildings' fifth stories). Therefore, the value of required improvements for the SBIP bonus areas are \$13,650 ($1,820 \text{ sf} \times \7.50 per sf), plus an additional \$12,930 ($862 \text{ sf} \times \$15 \text{ per square foot}$). The total combined value of both SBIP Tiers is \$26,580. Fifty percent (50%) of this value must be paid to the City (\$13,290); the remaining fifty percent may be achieved through qualifying sustainability features and/or in-lieu payment to the City.

As the project exceeds the minimum amount of affordable dwelling units required by the City's Land Development Regulations (100% of the units will be income-restricted affordable units), the project has opted to use their excess affordable units as a qualifying feature for SBIP. Using the affordable housing incentive values provided in the City's affordable/workforce housing program (LDR Section 23.2-39), the applicants calculated the total value of the additional six (6) units that are proposed in this planned development amendment at \$274,401.

Section 23.3-25(g) - Transfer of Development Rights (TDR):

Section 23.3-25(g) establishes the city's Transfer of Development Rights (TDR) program. Projects located west of Dixie Highway which utilize the TDR program may obtain an increase in overall density of ten units per acre, one additional story of no more than fifteen feet in height, and a ten percent increase in FAR. The rights are valued at a cost of \$15 per square foot, and are paid to the city in exchange for development rights on city-owned properties with a Public (P) future land use designation.

The proposed project has gained an additional 10 units per acre (18 bonus units) and one additional story (sixth story, height up to 71.25 feet) through the transfer of development rights bonus. The total square footage of the additional proposed area on the sixth floor is 862 square feet. Therefore, the additional TDR value is \$12,930 ($862 \text{ sf} \times \15 per sf). The TDR fee was waived by the City Commission as part of Ordinance 2023-16; the applicants have requested the continuation of that waiver as part of this amendment.

Below are the criteria projects must meet to qualify for the program:

1. Projects incorporating transfer development rights must be a mixed use urban planned development, planned development, mixed use planned development or residential planned development.

Analysis: Yes, the proposed project is a Mixed Use Urban Planned Development (residential only).

2. Projects must have incorporated all of the density, height and intensity bonuses available under the sustainable bonus program prior to being eligible for the transfer development rights program.

Analysis: The proposed project has incorporated all of the density, height, and intensity bonuses available under the sustainable bonus program prior to incorporating the density bonus from the TDR program.

Section 23.2-29 - Affordable/Workforce Housing Program:

For the additional six units proposed in this planned development amendment, the applicant has elected to continue to utilize the fifteen percent (15%) unit size reduction through the City's Affordable/Workforce Housing Program (AWFH) for their one-bedroom units. The AWFH Program requires that all units utilizing affordable/workforce incentives be income restricted in accordance with the provisions in the City's program, as well as 15% of the total number of units gained through utilization of any other City incentives or bonus programs.

Analysis: The applicant is proposing 182 dwelling units (a six-unit increase from Ordinance 2023-16, gained through their acquisition of additional land area), all of which will be income-restricted. The project is financed with low-income housing tax credits provided by the federal government, and will be required to remain as affordable housing for a period of at least fifty years. The average rental rate for the units cannot exceed sixty percent of the Area Median Income (AMI), and

at least ten percent of the units must have “Extremely Low Income” rental rates. Additional information regarding the affordable housing requirements for the tax credit program can be found in the applicants’ justification statement.

The one-bedroom unit size provided is 576 square feet, which is within the program’s allowable area reduction. The program also allows a parking reduction of up to twenty-five percent (25%), provided that at least one parking space is provided per unit. Using the City’s standard parking rates, the project requires 269 parking spaces, which could be reduced to 202 parking spaces with the AWFH reduction; using the 0.7 spaces per unit rate approve in Ordinance 2023-16, the project requires 128 parking spaces. The applicant has provided 129 spaces in the proposed amendment, and is requesting a continuation of the reduction provided in Ordinance 2023-16 through the waiver provisions of a planned development.

Project Phasing and Plat

As depicted on the master development plan, the project has two phases. The phase lines also match the approved plat of the project site into two parcels. The plat also contains utility easements for the abandoned rights-of-way and cross-access easements to ensure both phases have accessed the project’s parking, site features, and amenities. Conditions of approval were also included in Ordinance 2023-16 to establish requirements should phase two not be constructed, including provisions for finalizing the parking lot and providing additional landscaping.

CONCLUSION AND CONDITIONS

The TOD-E district is intended to promote compact, mixed-use development, including multiple-family residential, office and retail, near proposed or existing transportation infrastructure. Based on the data and analysis in this report and the supporting materials by the applicant, the proposed amendment to a mixed use urban planned development appropriate and consistent with the City’s Comprehensive Plan, Strategic Plan, Major Thoroughfare Design Guidelines, and Land Development Regulations. The development, as proposed, will be complimentary to the adjacent residential and commercial properties and will provide affordable age-restricted units with access to public transportation. **Therefore, a recommendation of approval is provided to the PZB with the following conditions:**

Planning & Zoning

1. All conditions from Ordinance 2023-16 and PZ #24-01400037 still apply, unless specifically superseded in this approval. See Development Orders for full conditions of approval.
2. A restrictive covenant shall be recorded for the age-restricted units prior to the issuance of a Certificate of Occupancy for the buildings, or the developer shall pay to the PBC school district any required school concurrency fees
3. Ordinance 2025-12 shall be recorded with the Clerk of Court so that all development conditions will be of record for future purchasers and lienholders.
4. Transformers shall have decorative wrapping to help mitigate the visual impact of their proximity to the public open space.

Landscape

1. Prior to building permit application, submit a site plan amendment to address the following:
 - a. Revise landscape plans to provide required perimeter trees west of Building 2 and along the southern property line. Provide root barriers where necessary to prevent issues with nearby utilities.

Building Division

1. Submit a revision to building permit #24-3184 to correct 2nd floor occupant load (sheet A010).

BOARD POTENTIAL MOTION:

I MOVE TO RECOMMEND APPROVAL WITH CONDITIONS of Ordinance 2025-12, commonly referred to as the “Madison Terrace Planned Development Amendment” based on upon the competent and substantial evidence provided in the staff report and in the testimony at the public hearing.

I MOVE TO NOT RECOMMEND APPROVAL of Ordinance 2025-12, commonly referred to as the “Madison Terrace Planned Development Amendment.” The project does not meet the review criteria [Board member state applicable review criteria] for the following reasons [Board member please state reasons].

Consequent Action: *The PZB recommendation will be forwarded to the City Commission as part of the supporting documents and materials upon first reading of Ordinance 2025-12.*

ATTACHMENTS

- A. Qualitative Development Standards
- B. Conditional Use Findings
- C. Ordinance 2025-12
- D. Ordinance 2023-16 and Site Plan Amendment #24-01400037
- E. Application Package (survey, site plan, architectural plans, & supporting documents)

ATTACHMENT A – Qualitative Development Standards

Section 23.2-31(c) –Qualitative Development Standards	Analysis
1. Harmonious and efficient organization. All elements of the site plan shall be harmoniously and efficiently organized in relation to topography, the size and type of plot, the character of adjoining property and the type and size of buildings. The site shall be developed so as to not impede the normal and orderly development or improvement of surrounding property for uses permitted in these LDRs.	In compliance
2. Preservation of natural conditions. The natural (refer to landscape code, Article 6 of these LDRs) landscape shall be preserved in its natural state, insofar as practical, by minimizing tree and soil removal and by such other site planning approaches as are appropriate. Terrain and vegetation shall not be disturbed in a manner likely to significantly increase either wind or water erosion within or adjacent to a development site. Natural detention areas and other means of natural vegetative filtration of stormwater runoff shall be used to minimize ground and surface water pollution, particularly adjacent to major waterbodies. Fertilizer/pesticide conditions may be attached to development adjacent to waterbodies. Marinas shall be permitted only in water with a mean low tide depth of four feet or more.	Not applicable
3. Screening and buffering. Fences, walls or vegetative screening shall be provided where needed and practical to protect residents and users from undesirable views, lighting, noise, odors or other adverse off-site effects, and to protect residents and users of off-site development from on-site adverse effects. This section may be interpreted to require screening and buffering in addition to that specifically required by other sections of these LDRs, but not less.	In compliance
4. Enhancement of residential privacy. The site plan shall provide reasonable visual and acoustical privacy for all dwelling units located therein and adjacent thereto. Fences, walks, barriers and vegetation shall be arranged for the protection and enhancement of property and to enhance the privacy of the occupants.	In compliance
5. Emergency access. Structures and other site features shall be so arranged as to permit emergency vehicle access by some practical means to all sides of all buildings.	In compliance
6. Access to public ways. All buildings, dwelling units and other facilities shall have safe and convenient access to a public street, walkway or other area dedicated to common use; curb cuts close to railroad crossings shall be avoided.	In compliance
7. Pedestrian circulation. There shall be provided a pedestrian circulation system which is insulated as completely as reasonably possible from the vehicular circulation system.	In compliance
8. Design of ingress and egress drives. The location, size and numbers of ingress and egress drives to the site will be arranged to minimize the negative impacts on public and private ways and on adjacent private property. Merging and turnout lanes traffic dividers shall be provided where they would significantly improve safety for vehicles and pedestrians.	In compliance
9. Coordination of on-site circulation with off-site circulation. The arrangement of public or common ways for vehicular and pedestrian circulation shall be coordinated with the pattern of	In compliance

existing or planned streets and pedestrian or bicycle pathways in the area. Minor streets shall not be connected to major streets in such a way as to facilitate improper utilization.

- 10. Design of on-site public right-of-way (ROW).** On-site public street and rights-of-way shall be designed to for maximum efficiency. They shall occupy no more land than is required to provide access, nor shall they unnecessarily fragment development into small blocks. Large developments containing extensive public rights-of-way shall have said rights-of-way arranged in a hierarchy with local streets providing direct access to parcels and other streets providing no or limited access to parcels. **Not applicable**
- 11. Off-street parking, loading and vehicular circulation areas.** Off-street parking, loading and vehicular circulation areas shall be located, designed and screened to minimize the impact of noise, glare and odor on adjacent property. **In compliance**
- 12. Refuse and service areas.** Refuse and service areas shall be located, designed and screened to minimize the impact of noise, glare and odor on adjacent property. **In compliance**
- 13. Protection of property values.** The elements of the site plan shall be arranged so as to have minimum negative impact on the property values of adjoining property. **In compliance**
- 14. Transitional development.** Where the property being developed is located on the edge of the zoning district, the site plan shall be designed to provide for a harmonious transition between districts. Building exteriors shall complement other buildings in the vicinity in size, scale, mass, bulk, rhythm of openings and character. Consideration shall be given to a harmonious transition in height and design style so that the change in zoning districts is not accentuated. Additional consideration shall be given to complementary setbacks between the existing and proposed development. **In compliance**
- 15. Consideration of future development.** In finding whether or not the above standards are met, the review authority shall consider likely future development as well as existing development. **In compliance**

Section 23.2-31(d) - Qualitative Buildings, generally	Analysis
1. Buildings or structures which are part of a present or future group or complex shall have a unity of character and design. The relationship of forms of the use, texture and color of material shall be such as to create one (1) harmonious whole. When the area involved forms an integral part of, is immediately adjacent to, or otherwise clearly affects the future of any established section of the city, the design, scale and location of the site shall enhance rather than detract from the character, value and attractiveness of the surroundings. Harmonious does not mean or require that the buildings be the same.	In compliance
2. Buildings or structures located along strips of land or on a single site, and not a part of a unified multi-building complex shall achieve as much visual harmony with the surroundings as is possible under the circumstances. If a building is built in an undeveloped area, three (3) primary requirements shall be met, including honest design construction, proper design concepts, and appropriateness to the city.	In compliance
3. All façades visible to public or adjacent property shall be designed to create a harmonious whole. Materials shall express their function clearly and not appear foreign to the rest of the building.	In compliance

4. *The concept of harmony shall not infer that buildings must look alike or be of the same style. Harmony can be achieved through the proper consideration of scale, mass, bulk, proportion, height, orientation, site planning, landscaping, materials, rhythm of solids to voids and architectural components including but not limited to porches, roof types, fenestration, orientation and stylistic expression.* **In compliance**
5. *Look-alike buildings shall not be allowed unless, in the opinion of the board, there is sufficient separation to preserve the aesthetic character of the present or evolving neighborhood. This is not to be construed to prohibit the duplication of floor plans and exterior treatment in a planned development where, in the opinion of the board, the aesthetics or the development depend upon, or are enhanced by the look-alike buildings and their relationship to each other.* **In compliance**
6. *Buildings, which are of symbolic design for reasons of advertising, unless otherwise compatible with the criteria herein, will not be approved by the board. Symbols attached to the buildings will not be allowed unless they are secondary in appearance to the building and landscape and are an aesthetic asset to the building, project and neighborhood.* **Not applicable**
7. *Exterior lighting may be used to illuminate a building and its grounds for safety purposes, but in an aesthetic manner. Lighting is not to be used as a form of advertising in a manner that is not compatible to the neighborhood or in a manner that draws considerably more attention to the building or grounds at night than in the day. Lighting following the form of the building or part of the building will not be allowed if, in the opinion of the board, the overall effect will be detrimental to the environment. All fixtures used in exterior lighting are to be selected for functional as well as aesthetic value.* **In compliance**
8. *Building surfaces, walls and roofs shall be compatible and in harmony with the neighborhood.* **In compliance**
9. *"Take-out" or "pick-up" windows of retail or wholesale establishments shall not be located on a building façade that faces a public right-of-way, unless they are designed in such a manner as to constitute an aesthetic asset to the building and neighborhood.* **Not applicable**
10. *All exterior forms, attached to buildings, shall be in conformity to and secondary to the building. They shall be an asset to the aesthetics of the site and to the neighborhood.* **In compliance**
11. *All telephones, vending machines, or any facility dispensing merchandise, or a service on private property, shall be confined to a space built into the building or buildings or enclosed in a separate structure compatible with the main building, and where appropriate and feasible, should not be readily visible from off-premises.* **Not applicable**
12. *Buildings of a style or style-type foreign to south Florida or its climate will not be allowed. It is also to be understood that buildings which do not conform to the existing or to the evolving atmosphere of the city, even though possessing historical significance to south Florida, may not be approved.* **In compliance**
13. *No advertising will be allowed on any exposed amenity or facility such as benches and trash containers.* **In compliance**
14. *Light spillage restriction. The applicant shall make adequate provision to ensure that light spillage onto adjacent residential properties is minimized.* **In compliance**

15. All buildings shall address both the public right-of-way and improve the overall pedestrian experience through the inclusion of the following components: **In compliance**
- a. Clearly articulated entrances,
 - b. Expanses of fenestration at the ground level,
 - c. Provision of shade through porches, awnings, galleries, arcades and/or loggias as well as other appropriate forms to the chosen architectural style(s),
 - d. Integrated signage,
 - e. Pedestrian scaled lighting,
 - f. Buildings that define at least fifty (50) percent of the street frontage, and
 - g. Openings that approximate a golden ratio of 1.618.
16. All new buildings of seven thousand five hundred (7,500) gross square feet or larger shall incorporate design principles, practices and performance standards to achieve the following through a project proforma description and analysis prepared by the developer and verified by an independent third party: **In compliance as conditioned**
- a. Overall ten (10) percent reduction in greenhouse emissions over the life of the building as compared to industry standards,
 - b. Overall ten (10) percent reduction in carbon footprint during construction and operation of the building as compared to industry standards,
 - c. Overall twenty (20) percent reduction in refuse stream during construction and operation of the building as compared to industry standards,
 - d. Overall utilization of at least twenty (20) percent recycled materials and/or materials that are recyclable,
 - e. Overall twenty (20) percent reduction in water usage during operation of the building as compared to industry standards,
 - f. Efficient use of natural resources through use reduction, reuse, reclamation, and recycling,
 - g. Incorporation of design features and uses that support multi-modal transportation options,
 - h. Incorporation of appropriate safety features to ensure the security and comfort of both occupants and visitors,
 - i. Incorporation of amenities that are conducive to enhancing community pride and social interaction, and
17. In addition to the items enumerated above, all new planned developments shall strive to incorporate design elements, performance standards and/or specifications to enhance the public's awareness and appreciation of the community's commitment to the preservation and enhancement of the following sustainability qualities, values and principles: **In compliance**
- a. Cultural resources,
 - b. Historical resources,
 - c. Ecological/natural resources,
 - d. Diversity and inclusion,
 - e. Social justice,
 - f. Economic investment,
 - g. Neighborhood vitality,
 - h. Sense of place,
 - i. Education, and
 - j. Recreation.

<u>Section 23.2-31(h) – Criteria for parking lots and vehicular use areas</u>	<u>Analysis</u>
1. <i>Parking lots and other vehicular use areas are to be designed as an aesthetic asset to a neighborhood and to the building, group of buildings, or facility they serve. A parking lot is to be considered an outside space; a transitional space that is located between access areas (such as roads) and the building, group of buildings or other outside spaces which it serves. The parking lot, because it is viewed from above as well as at eye level, should be designed accordingly.</i>	In compliance
2. <i>Parking lots, vehicular use areas, and vehicles parked therein are to be effectively screened from the public view and from adjacent property in a manner that is attractive and compatible with safety, the neighborhood and the facility served.</i>	In compliance
3. <i>The responsibility for beautification and design of a parking lot is the same as that which a homeowner has to his residential lot. The atmosphere within a parking lot or vehicular use area is to be as pleasant and park-like as possible, rather than a harsh stand of paving. Trees are of primary importance to the landscape and are not to be minimized in either height or quantity. Trees impart a sense of three-dimensional space in a relatively flat area. Trees cast shadows that help to reduce the monotony of an expanse of paving and create a refuge from the tropical sun. Signs designating entrances, exits and regulations are to be of a tasteful design and shall be subject to review by the board. Consideration may be given to use of pavement which is varied in texture or color to designate lanes for automobile traffic, pedestrian walks and parking spaces. Brightly colored pavement is to be used with restraint. In order to create a pleasant atmosphere, it is recommended that consideration be given to sculpture, fountains, gardens, pools and benches. Design emphasis is to be given to the entrance and exit areas of the lot. Trash, refuse and unaesthetic storage and mechanical equipment shall be screened from the parking lot.</i>	In compliance
4. <i>Lighting is to be designed for visual effects as well as safety and resistance to vandalism. Care should be taken not to create a nuisance to the neighborhood from brightness or glare. Low lights in modest scale can be used along with feature lighting emphasizing plants, trees, barriers, entrances and exits. The fixtures are to be selected for functional value and aesthetic quality. Fixtures should be regarded as "furniture of the parking lot" which are visible both day and night.</i>	In compliance
<u>Section 23.2-31(m) – Community Appearance Criteria</u>	<u>Analysis</u>

1. <i>The plan for the proposed structure or project is in conformity with good taste, good design, and in general contributes to the image of the city as a place of beauty, spaciousness, harmony, taste, fitness, broad vistas and high quality.</i>	In compliance
2. <i>The proposed structure or project is not, in its exterior design and appearance, of inferior quality such as to cause the nature of the local environment or evolving environment to materially depreciate in appearance and value.</i>	In compliance
3. <i>The proposed structure or project is in harmony with the proposed developments in the general area, with code requirements pertaining to site plan, signage and landscaping, and the comprehensive plan for the city, and with the criteria set forth herein.</i>	In compliance as conditioned
4. <i>The proposed structure or project is in compliance with this section and 23.2-29, Conditional Use Permits (CUP), as applicable.</i>	In compliance

ATTACHMENT B - Findings for Granting Conditional Uses

Prior to approving any conditional use permit, the decision-making authority shall find based on competent and substantial evidence that the following criteria related to conditional uses are met:

Section 23.2-29(d) General findings relating to harmony with LDRs and protection of public interest.	Analysis
1. <i>The conditional use exactly as proposed at the location where proposed will be in harmony with the uses which, under these LDRs and the future land use element, are most likely to occur in the immediate area where located.</i>	In compliance
2. <i>The conditional use exactly as proposed at the location where proposed will be in harmony with existing uses in the immediate area where located.</i>	In compliance
3. <i>The conditional use exactly as proposed will not result in substantially less public benefit or greater harm than would result from use of the site for some use permitted by right or some other conditional use permitted on the site.</i>	In compliance
4. <i>The conditional use exactly as proposed will not result in more intensive development in advance of when such development is approved by the future land use element of the comprehensive plan.</i>	In compliance

Section 23.2-29(e) Specific findings for all conditional uses.	Analysis
1. <i>The proposed conditional use will not generate traffic volumes or movements which will result in a significant adverse impact or reduce the level of service provided on any street to a level lower than would result from a development permitted by right.</i>	In compliance
2. <i>The proposed conditional use will not result in a significantly greater amount of through traffic on local streets than would result from a development permitted by right and is appropriately located with respect to collector and arterial streets</i>	In compliance
3. <i>The proposed conditional use will not produce significant air pollution emissions, or will appropriately mitigate anticipated emissions to a level compatible with that which would result from a development permitted by right.</i>	In compliance
4. <i>The proposed conditional use will be so located in relation to the thoroughfare system that neither extension nor enlargement nor any other alteration of that system in a manner resulting in higher net public cost or earlier incursion of public cost than would result from development permitted by right.</i>	In compliance
5. <i>The proposed conditional use will be so located in relation to water lines, sanitary sewers, storm sewers, surface drainage systems and other utility systems that neither extension nor enlargement nor any other alteration of such systems in a manner resulting in higher net public cost or earlier incursion of public cost than would result from development permitted by right.</i>	In compliance
6. <i>The proposed conditional use will not place a demand on municipal police or fire protection service beyond the capacity of those services, except that the proposed facility may place a</i>	In compliance

demand on municipal police or fire protection services which does not exceed that likely to result from a development permitted by right.

7. *The proposed conditional use will not generate significant noise, or will appropriately mitigate anticipated noise to a level compatible with that which would result from a development permitted by right. Any proposed use must meet all the requirements and stipulations set forth in section 15.24, Noise control.* **In compliance**
8. *The proposed conditional use will not generate light or glare which encroaches onto any residential property in excess of that allowed in section 23.4-10, Exterior lighting.* **In compliance**