



DEVELOPMENT APPLICATION FORM

Application Form: All Applications | Rev. 06/14/2024

**INSTRUCTIONS:** The following information is required pursuant to the City's Unified Land Development Regulations (ULDR), Section 47-24, Development Permits and Procedures, and must be filled out accurately with all applicable sections completed. Only complete the sections indicated for application type with N/A for those items not applicable. Refer to "Specifications for Plan Submittal" by application type for submittal requirements, which can be found on the City's website.

Select the application type and approval level in **SECTION A** and complete the sections specified under each type.

**A**

APPLICATION TYPE AND APPROVAL LEVEL

Select the application type from the list below and check the applicable type.

|  |  |  |   |
|--|--|--|---|
| <div><input type="checkbox"/></div> <div>LEVEL I<br/>ADMINISTRATIVE REVIEW<br/>COMMITTEE (ADMIN)</div> <div><input type="checkbox"/> New nonresidential less than 5,000 square feet<br/><input type="checkbox"/> Change of use<br/><i>(if same impact or less than existing use)</i><br/><input type="checkbox"/> Plat note or Nonvehicular access line (NVAL) amendment<br/><input type="checkbox"/> Administrative site plan<br/><input type="checkbox"/> Amendment to site plan*<br/><input type="checkbox"/> Affordable Housing per §166.04151(7) Fla. Stat.<br/><i>(Live Local Act)</i><br/><input type="checkbox"/> Property and right-of-way applications<br/><i>(MOTs, construction staging)</i><br/><input type="checkbox"/> Parking Agreements<br/><i>(separate from site plans)</i></div> <div>COMPLETE SECTIONS<br/>B, C, D, G</div> | <div><input type="checkbox"/></div> <div>LEVEL II<br/>DEVELOPMENT REVIEW<br/>COMMITTEE (DRC)</div> <div><input type="checkbox"/> New Nonresidential 5,000 square feet or greater<br/><input type="checkbox"/> Residential 5 units or more<br/><input type="checkbox"/> Nonresidential use within 100 feet of residential property<br/><input type="checkbox"/> Redevelopment proposals<br/><input type="checkbox"/> Change in use<br/><i>(if greater impact than existing use)</i><br/><input type="checkbox"/> Development in Regional Activity Centers (RAC)*<br/><input type="checkbox"/> Development in Uptown Project Area*<br/><input type="checkbox"/> Regional Activity Center Signage<br/><input type="checkbox"/> Affordable Housing (≥10%)</div> <div>COMPLETE SECTIONS<br/>B, C, D, E, F</div> | <div><input checked="" type="checkbox"/></div> <div>LEVEL III<br/>PLANNING AND<br/>ZONING BOARD (PZB)</div> <div><input checked="" type="checkbox"/> Conditional Use<br/><input checked="" type="checkbox"/> Parking Reduction<br/><input type="checkbox"/> Flex Allocation<br/><input type="checkbox"/> Cluster / Zero Lot Line<br/><input type="checkbox"/> Modification of Yards*<br/><input type="checkbox"/> Waterway Use<br/><input type="checkbox"/> Mixed Use Development<br/><input type="checkbox"/> Community Residences*<br/><input type="checkbox"/> Social Service Residential Facility (SSRF)<br/><input type="checkbox"/> Medical Cannabis Dispensing Facility*<br/><input type="checkbox"/> Community Business District for uses greater than 10,000 square feet</div> <div>COMPLETE SECTIONS<br/>B, C, D, E, F</div> | <div><input type="checkbox"/></div> <div>LEVEL IV<br/>CITY<br/>COMMISSION (CC)</div> <div><input type="checkbox"/> Land Use Amendment<br/><input type="checkbox"/> Rezoning<br/><input type="checkbox"/> Plat<br/><input type="checkbox"/> Public Purpose Use<br/><input type="checkbox"/> Central Beach Development of Significant Impact*<br/><input type="checkbox"/> Vacation of Right-of-Way<br/><br/>City Commission Review<br/>No PZB Review<br/><input type="checkbox"/> Vacation of Easement*</div> <div>COMPLETE SECTIONS<br/>B, C, D, E, F</div> |
| <div><input type="checkbox"/></div> <div>MISCELLANEOUS</div> <div><input type="checkbox"/> Affordable Workforce Housing Tax Reimbursement<br/><input type="checkbox"/> Community Residence<br/><input type="checkbox"/> Construction Noise Waiver<br/><input type="checkbox"/> Design Review Team (DRT)</div> <div>COMPLETE SECTIONS<br/>B, C, D, I</div>  | <div><input type="checkbox"/></div> <div>EXTENSION OR<br/>DEFERRAL</div> <div><input type="checkbox"/> Request to defer after an application is scheduled for public hearing<br/><input type="checkbox"/> Request extension to previously approved application<br/><i>(request must be within original approval date timeframe)</i></div> <div>COMPLETE SECTIONS<br/>B, C, H</div>   | <div><input type="checkbox"/></div> <div>APEAL</div> <div><input type="checkbox"/> Appeal decision by approving body and De Novo hearing items</div> <div>COMPLETE SECTIONS<br/>B, C, H</div>  | <div><input type="checkbox"/></div> <div>PROPERTY AND<br/>RIGHT-OF-WAY</div> <div><input type="checkbox"/> Road Closures<br/><input type="checkbox"/> Construction Staging Plan<br/><input type="checkbox"/> Revocable licenses</div> <div>COMPLETE SECTIONS<br/>B, C, H</div>  |

\*Application is subject to specific review and approval process. Levels III and IV are reviewed by Development Review Committee unless otherwise noted.

**B**

APPLICANT INFORMATION

If applicant is the business operator, complete the agent column and provide property owner authorization.

|                              |           |                      |   |
|------------------------------|-----------|----------------------|---|
| Applicant/<br>Property Owner |           | Authorized Agent     |   |
| Address                      |           | Address              |   |
| City, State, Zip             |           | City, State, Zip     |   |
| Phone                        |           | Phone                |   |
| Email                        |           | Email                |   |
| Proof of Ownership           |           | Authorization Letter |   |
| Applicant Signature:         | Signature | Agent Signature:     | Signature<br><i>Paul J. [Signature]</i> |

**C**

PARCEL INFORMATION

|                                  |  |
|----------------------------------|--|
| Address/General Location         |  |
| Folio Number(s)                  |  |
| Legal Description <i>(Brief)</i> |  |
| City Commission District         |  |
| Civic Association                |  |

**D**

LAND USE INFORMATION

|  |                          |
|--|--------------------------|
| Existing Use   |                          |
| Land Use   | Uptown Urban Village TOD |
| Zoning District  |                          |
| Proposed <i>Applications requesting land use amendments and rezonings.</i> |                          |
| Proposed Land Use  | Uptown Urban Village TOD |
| Proposed Zoning District   |                          |



E

PROJECT INFORMATION

Provide project information. Circle yes or no where noted. If item is not applicable, indicate N/A.

|                          |  |     |            |                      |           |                   |  |
|--------------------------|--|-----|------------|----------------------|-----------|-------------------|--|
| Project Name             | Fairfield Cypress Creek Level III site plan amendment (AKA "Pinnacle at Cypress")  |     |            |                      |           |                   |  |
| Project Description      | Phase One of Pinnacle at Cypress includes the following which is the current application:- 8-Story Mixed Use Building- 6,525 SF Office / 100 Senior Affordable residential unitsPhase Two of Pinnacle at Cypress includes the following which is the current application:- 11-Story Multi-Family Building- 96 Senior Affordable residential units (demolition of existing office building) |     |            |                      |           |                   |  |
| Estimated Project Cost   | \$ No (Estimated total project cost including land costs for all new development applications only)  |     |            |                      |           |                   |  |
| Waterway Use             | No   |     |            | No                   |           |                   |  |
| Flex Units               | Redevelopment Units  |     |            | Yes                  |           |                   |  |
| Flex Acreage             |  |     |            | Yes                  |           |                   |  |
| Residential Uses         |  |     |            | Non-Residential Uses |           |                   |  |
| Single Family            |  |     |            | Commercial           |           |                   |  |
| Townhouses               |  |     |            | Restaurant           |           |                   |  |
| Multifamily              | 11-Story Multi-Family Building (96 Senior Affordable)  |     |            | Office               |           |                   |  |
| Cluster/Zero Lot Line    |  |     |            | Industrial           |           |                   |  |
| Other                    | 8-Story Mixed Use Building (100 Senior Affordable)   |     |            | Other                |           |                   |  |
| Total                    | 196 senior affordable housing units  |     |            | 6,525 sq. ft         |           |                   |  |
| Residential Unit Mix     | Efficiency / Studio  | N/A | 1- Bedroom | N/A                  | 2-Bedroom | 3-Bedroom or More |  |
| Affordable Housing Units | 196  |     | % of AMI   | 80%                  |           |                   |  |
| Affordable Unit Mix      | Efficiency / Studio  | 18  | 1- Bedroom | 178                  | 2-Bedroom | 3-Bedroom or More |  |

F

PROJECT DIMENSIONAL STANDARDS

Indicate all required and proposed standards for the project. Circle yes or no where indicated.

|                                       |                   |          |
|---------------------------------------|-------------------|----------|
|                                       | Required Per ULDR | Proposed |
| Lot Size (Square feet/ acres)         |                   |          |
| Lot Density (Units/ acres)            |                   |          |
| Lot Width                             |                   |          |
| Building Height (Feet)                |                   |          |
| Structure Length                      |                   |          |
| Floor Area Ratio (F.A.R.)             |                   |          |
| Lot Coverage                          |                   |          |
| Open Space                            |                   |          |
| Landscape Area                        |                   |          |
| Parking Spaces                        |                   |          |
| SETBACKS (Indicate direction N,S,E,W) | Required Per ULDR | Proposed |
| Front [ ]                             |                   |          |
| Side [ ]                              |                   |          |
| Corner / Side [ ]                     |                   |          |
| Rear [ ]                              |                   |          |

For projects in Downtown, Northwest, South Andrews, and Uptown Master Plans to be completed in conjunction with the applicable items above.

|                                 |                   |          |           |
|---------------------------------|-------------------|----------|-----------|
| Tower Stepback                  | Required Per ULDR | Proposed | Deviation |
| Front / Primary Street [ ]      |                   |          |           |
| Sides / Secondary Street [ ]    |                   |          |           |
| Building Height                 |                   |          |           |
| Streetwall Length               |                   |          |           |
| Podium Height                   |                   |          |           |
| Tower Separation                |                   |          |           |
| Tower Floorplate (square feet)  |                   |          |           |
| Residential Unit Size (minimum) |                   |          |           |

G

AMENDED PROJECT INFORMATION

Provide approved and proposed amendments for project. Circle yes or no where indicated.

|   |                      |   |         |
|---|----------------------|---|---------|
| Project Name  |                      |   |         |
| Proposed Amendment Description  | (Describe in detail) |   |         |
|   | Original Approval    | Proposed Amendment                        | Amended |
| Residential Uses (dwelling units)   |                      |   |         |
| Non-Residential Uses (square feet)  | 9,323                | 15,848                                    |         |
| Lot Size (Square feet/ acres)   | 5.47                 | 45.47                                     |         |
| Lot Density (Units/ acres)  |                      | 90  |         |
| Lot Width   | N/A                  | N/A                                       |         |
| Building Height (Feet)  |                      | Phase I: 84'-3" / Phase II: 108'-8"       |         |
| Structure Length  | existing             | Phase I: 195.5' / Phase II: 124.8'        |         |
| Floor Area Ratio (F.A.R.)   |                      | 2.11                                      |         |
| Lot Coverage  |                      | N/A                                       |         |
| Open Space  |                      | 26,033                                    |         |
| Landscape Area  |                      |   |         |
| Parking Spaces  | 616                  | 750                                       |         |
| Tower Stepback  |                      | N/A                                       |         |
| Building Height   |                      | Phase I: 8 stories / Phase II: 11 stories |         |
| Streetwall Length   |                      | Phase I: 195.5' / Phase II: 124.8'        |         |
| Podium Height   |                      | Phase I: 84'-3" / Phase II: 108'-8"       |         |
| Tower Separation  |                      | N/A                                       |         |
| Tower Floorplate (square feet)  |                      | N/A                                       |         |
| Residential Unit Size (minimum)   |                      | 540 sq. ft                                |         |
| Does this amendment require a revision to the traffic statement or traffic study completed for the project? |                      |   |         |
| Does this amendment require a revised water sewer capacity letter?  |                      |   |         |



H

EXTENSION, DEFERRAL, APPEAL INFORMATION

Provide information for specific request. Circle approving body and yes or no.

|   |  |  |   |
|---|--|--|---|
| Project Name  |  |  |   |
| Request Description   |  |  |   |
| EXTENSION REQUEST   |  | DEFERRAL REQUEST   | APPEAL REQUEST / DE NOVO HEARING                      |
| Approving Body  |  | Approving Body   |   |
| Original Approval Date  |  | Scheduled Meeting Date   |   |
| Expiration Date<br><small>(Permit Submittal Deadline)</small>                     |  | Requested Deferral Date  |   |
| Expiration Date<br><small>(Permit Issuance Deadline)</small>                      |  | Previous Deferrals Granted   |   |
| Requested Extension<br><small>(No more than 24 months)</small>                    |  | Justification Letter Provided  |   |
| Code Enforcement<br><small>(Applicant Obtain by Code Compliance Division)</small> |  | *Note: Deferral requests are subject to a fee per deferral. See Fee Schedule for amount. |   |
|   |  |  | 30 Days from Meeting<br><small>(Provide Date)</small> |
|   |  |  | 60 Days from Meeting<br><small>(Provide Date)</small> |
|   |  |  | Appeal Request  |
|   |  |  | Indicate Approving Body Appealing                     |
|   |  |  | De Novo Hearing Due to City Commission Call-Up        |

I

MISCELLANEOUS

Provide information on the specific request.

|                                       |    |  |  |
|---------------------------------------|----|--|--|
| Project Name                          |    |  |  |
| Request Description                   |    |  |  |
| AFFORDABLE HOUSING TAX REIMBURSEMENT* |    | COMMUNITY RESIDENCE                                  | NOISE WAIVER*  |
| As Is Value                           | \$ | Residence Type                                       |  |
| Date                                  |    | Certification  |  |
| Completion Value                      | \$ | Length of Stay                                       |  |
| Date                                  |    | Number of Residents                                  |  |
| Stabilized Value                      | \$ | Number of Live-in Staff                              |  |
| Date                                  |    | Habitable Rooms                                      |  |
| Acquisition Value                     | \$ | Gross Floor Area                                     |  |
| Date                                  |    | DEVELOPMENT REVIEW TEAM (DRT)*<br>Complete Section F |  |
|                                       |    |  | DRC Case Number  |
|                                       |    |  | Request Start Date   |
|                                       |    |  | Request End Date   |
|                                       |    |  | Construction Start Time  |
|                                       |    |  | Construction End Time  |
|                                       |    |  | Sunday Construction Times  |
|                                       |    |  | Noise Mitigation Plan Date of Plan                               |
|                                       |    |  | Previous Extension Resolution No. <small>(If applicable)</small> |

\*Application is subject to specific fees based on hourly rate with minimum amount of: DRT \$477, Affordable Housing Tax Reimbursement \$2,500, Noise Waiver \$954

**CHECKLIST FOR SUBMITTAL AND COMPLETENESS:** The following outlines the necessary items for submittal to ensure the application is deemed complete. Failure to provide this information will result in your application being deemed **incomplete**.

- ☒ Preliminary Development Meeting completed on the following date:
- ☒ Development Application Form completed with the applicable information including signatures.
- ☒ Proof of Ownership warranty deed or tax record including corporation documents and SunBiz verification name.
- ☒ Address Verification Form that includes all parcels within the proposed development.
- ☒ Project and Unified Land Development Code Narratives project narrative and the applicable ULDR sections and criteria as described in the specifications for submittal by application type.
- ☒ Electronic Files, File Naming, and Documents consistent with the applicable specifications for application type, consistent with the online submittal requirements including file naming convention, plan sets uploaded as single pdf.
- ☒ Traffic Study or Statement submittal of a traffic study or traffic statement.
- ☒ Stormwater Calculations signed and sealed by a Florida registered professional engineer consistent with calculations as described in the specifications for plan submittal for site plan applications.
- ☒ Water and Wastewater Capacity Request copy of email to Public Works requesting the capacity letter.

**OVERVIEW FOR ONLINE SUBMITTAL REQUIREMENTS:** Submittals must be conducted through [LauderBuild](#). No hardcopy application submittals are accepted. Below only highlights the important submittal requirements that applicants must follow to submit online and be deemed complete. View all the requirements at [LauderBuild Plan Room](#).

- Uploading Entire Submittal** upload all documents at time the application is submitted to prevent delay in processing.
- File Naming Convention** file names must adhere to the City's [File Naming Convention](#).
- Reduce File Size** plan sets and other large files must be merged or flattened to reduce file size.
- Plan Sets** plan sets like site plans, plats, etc. must be submitted as a single pdf file. Staff will instruct when otherwise.
- Document Categories** choose the correct document category when uploading.

October 9, 2025

Porshia Garcia, Acting Director  
Development Services Department  
City of Fort Lauderdale  
700 NW 19<sup>th</sup> Avenue  
Fort Lauderdale, FL 33311

RE: Fairfield Cypress Creek - Site Plan Amendment (AKA "Pinnacle at Cypress") Case#S25026

Dear Ms. Garcia,

### Introduction

On behalf of POLIAKOFF BECKER & STREITFELD LLP (with PINNACLE AT CYPRESS, LLLP as Agent), the design team hereby submits our application for a Site Plan Amendment to PLN-SITE-20050005 previously known as Fairfield Cypress Creek for the property located at 6500 and 6520 North Andrews Ave. The project site currently consists of two parcels (Folios 494210130074 & 494210130081). The property has a zoning designation of Uptown Urban Village – Northeast (UUV-NE) with an underlying future land use of Uptown Urban Village TOD. The northern parcel (Folio 494210130074) received certificate of occupancy in January of 2025 for 295 rental units. The southern portion of the approved site plan, owned by the above-captioned entity, is being amended. The northern portion of the approved site plan owned by Fairfield Cypress, LP is unchanged with and unaffected by the amendments proposed to the southern portion.

The original unified site plan proposed a Mixed-Use Project containing:

- 295 Residential Flex Units, inclusive of 8 Affordable Housing Units *(Built)*
- 2,323 SF Retail *(Built)*
- 6,850 SF Restaurant *(Built)*
- 21,715 SF of Office *(Not Built)*
- 15,847 SF Existing Office *(Existing, to be demolished)*

The original unified site plan approval proposed a 2-story Office Building together with an existing stand-alone office building for the development of southern parcel. The proposed office building was not built and the existing office building is now proposed to be demolished as part of the proposed two-phased affordable housing project.

The purpose of this Site Plan Amendment application is to amend previously approved site plan (PLN-SITE-20050005) to permit a two-phase affordable housing project with a total of 196 units. In addition to the site plan amendment application, the request also includes:

- A conditional use application for building heights greater than 75 feet
- A staff level parking reduction request per code section 47-20.3.A.4.b.iii
- An affordable housing bonus density request per section 47-23.16.B.2.a.
- A DRT application for (4) deviation requests per code section 47-37B.3.B.2 for alternate design solutions to the following requirements of Sec. 47-37B.5. - Table of dimensional requirements for the Uptown Urban Village Zoning Districts: Shoulder Height, Front Step-back, Maximum Tower Floorplate, and 47-37B.6.H.6 Table 1: Long Term Bike Storage Spaces.

### Pinnacle's Previous Developments

Among Pinnacle's 11,000+ affordable housing units developed throughout Florida and the southeastern United States is the iconic Pinnacle at Tarpon River at 805 S.E. 3<sup>rd</sup> Avenue in Fort Lauderdale, completed in 2015. Pinnacle at Tarpon River ushered in a new era of revitalization in the Downtown RAC and has blended affordable housing with a highly successful commercial use (SoFL Physical Therapy) and market rate housing. Pinnacle

[www.KEITHteam.com](http://www.KEITHteam.com)

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also developed the luxury rental community ELYPS in the Marina Bay area off State Road 84. Pinnacle's success in developing multi-phase affordable housing was recently demonstrated in Broward County with the completion of Pinnacle 441 in Hollywood, which received the Structures Award from the South Florida Business Journal as the best new affordable community in South Florida in 2024.

### **Proposed Site Plan Amendment**

The revised development plan for the southern project site area includes two phases. The first phase will be 100-units of senior affordable housing, which will contain ground floor office space for the relocation of the Multiple Sclerosis (MS) Foundation. The second phase of Pinnacle at Cypress will contain 96 units of senior affordable housing for individuals in need of quality affordable housing in close proximity to jobs in the Cypress Creek area. The MS Foundation would relocate from the existing office building to the new office space in phase one.

Phase One of Pinnacle at Cypress includes the following:

- 8-Story Mixed-Use Building
- 6,318 SF Office
- 100 Senior Affordable housing units

Phase Two of Pinnacle at Cypress includes the following:

- 11-Story Multi-Family Building
- 96 Senior Affordable housing units (includes demolition of existing office building)

Pinnacle at Cypress will be an age restricted (age 62+) and income inclusionary project to support the City's vision of a pedestrian friendly/active commercial environment along the North Andrews Avenue Corridor in the Urban Uptown. The site is designated as "Commerce" on the Broward County Land Use Plan and Uptown Urban Village TOD on the City's land use plan. The project fronts North Andrews Avenue, a 106' arterial on the Broward County Trafficways Map. Per Broward County Natural Resource Maps Series, the project site does not fall within the limits of Archeological Sites, Historic Districts, Wellfield Zones, Wetlands, or Environmentally Sensitive Lands.

The site plan amendment application is being submitted under code provisions 47-28.3(F)(2)(b) Allocation of Affordable Housing Units and bonus Flexibility units. Affordable housing is an ongoing issue in South Florida and in the City. The lack of affordable housing in City Commission District 1 is particularly noteworthy, given the Cypress Creek corridor's access to services, jobs and public transportation. In fact, Florida Housing Finance Corporation's database suggests there is only one affordable rental community financed by Florida Housing in the entire District 1 (125 units at 5500 NW 31<sup>st</sup> Avenue).

Pinnacle at Cypress will offer the best in quality living with amenities including secure access entry to the buildings, homebuilder-grade finishes in kitchens and baths, energy efficient construction and appliances (with National Green Building Standard certification) and common areas including a dog walk area, fitness facilities and cyber lounges. Pinnacle will also install a sculpture from its renowned Art in Public Places program and installed it at the entrance to the development along North Andrews Avenue. The project has connectivity to mass transit including nearby bus stops and within walking distance of Tri-Rail. The project also benefits from an array of commercial options and a medical clinic within walking distance.

In connection with the site plan amendment application, the applicant is providing the narrative responses to the following applicable ULDR criteria:

- Section 47-20.3 – Parking Reduction
- Section 47-24.3.E-Conditional Use
- Section 47-28.3.F – Allocation of affordable housing units and bonus flexibility units
- Section 47-23.16.B.2.a.i – Uptown Urban Village Affordable Housing Density Incentives
- Section 47-25.2. - Adequacy requirements
- Section 47-25.3 – Neighborhood Compatibility



### **Section 47-20.3 – Parking Reduction**

Per City code section 47-20.2.b, required parking can also be reduced for Multifamily residential developments which provide affordable housing units. An applicant may submit a formal "Parking Study" which documents and supports the criteria submitted by the applicant for a parking reduction. Please refer to submitted Parking Demand Analysis, Traffic Statement, and Shared Parking Analysis for criteria responses provided by TrafTech.

### **Section 47-24.3.E – Conditional Use Criteria**

E. *Criteria.* The following review criteria shall be applied in considering an application for a conditional use permit:  
1. Impact on abutting properties as evaluated under the Neighborhood Compatibility Requirements, Sec. 47-25.3.

**Response: Please see Neighborhood Compatibility Responses further in narrative.**

2. Access, traffic generation and road capacities. Consideration will be given to the design capacity of the adjacent roadways, the particular traffic generation characteristics of the proposed conditional use, including the type of vehicular traffic associated with such uses, and traffic generation characteristics of other uses permitted in particular zoning districts.

**RESPONSE: Please refer to attached traffic analysis.**

3. The applicant must show and it must be found by the reviewing body that the following have been met:

a. The location of the use or structure is not in conflict with the city's comprehensive plan;

**Response: Mixed-Use Developments are permitted within the City's Uptown Urban Village Northeast (UUV-NE), subject to flexibility rules. The applicant believes the proposed development will be consistent and compatible with the goals, objectives and policies of the City of Fort Lauderdale Comprehensive Plan.**

b. Off-site or on-site conditions exist which reduce any impact of permitting the use or structure;

**Response: There are no on-site or off-site conditions existing which reduce any impact of permitting the use or structure.**

c. On-site improvements have been incorporated into the site plan which minimize any adverse impacts as a result of permitting the use or structure;

**Response: The proposed project incorporates the requirements set forth in the underlying zoning district of Uptown Urban Village Northeast (UUV-NE).**

d. The location of the use in proximity to a similar use does not impact the character of the zoning district in which the use is located;

**Response: The proposed project supports the intent and purpose of the UUV-NE district by providing a mixed-use development that contributes to the redevelopment of the Andrews Avenue Corridor. The district encourages mixed-use development opportunities where people can live, work and play and assumes more intensive development to accommodate a variety of retail, restaurant and entertainment uses with a compatible mix of residential and office.**

e. There are no adverse impacts of the use which effect the health, safety and welfare of adjacent properties.

**Response: The proposed project proposes development that is permitted under the underlying zoning district. The proposed development aims to minimize any adverse impacts to adjacent existing development. See responses to residential compatibility standards within this narrative letter.**



### **Section 47-28.3.F Density and Flexibility Rules**

#### ***F. Allocation of affordable housing units and bonus flexibility units.***

1. The city may allocate affordable housing units to a development parcel for affordable housing projects in residential, commercial, employment center, community facility, and RAC land use designations, subject to the following:

- a. The allocation shall not exceed the density permitted by the city's future land use plan designation for the development parcel and no greater than fifty (50) dwelling units per acre for nonresidential land use designations. There is no density limitation for development parcels within a RAC land use designation unless specified in the applicable RAC zoning district.

**Response: Per Code Section 47-37B.3.D.2, density may exceed fifty (50) dwelling units per acre in accordance with Section 47-23.16. - Affordable Housing Regulations. Section 47-23.16.B.2.a.i allows affordable housing density of a maximum 100 units per acre.**

- b. For development parcels with an underlying land use of residential, the development parcel must have a future land use designation that permits a density greater than five (5) dwelling units per net acre.

**Response: The project site currently has an underlying land use of Uptown Urban Village TOD and anticipates complying with allowable density increases per City code for Affordable Housing Projects.**

- c. Development applications shall meet the requirements for affordable housing as established by BrowardNext restricting the parcel for a period of thirty (30) years.

**Response: Acknowledged.**

- d. The allocation of affordable housing units shall be done in conjunction with a Site Plan Level II development permit approval for the proposed development in accordance with Section 47-24.1, Development Permits and Procedures.

**Response: An application for site plan amendment is being submitted for review/approval to the City with review by the City Commission.**

2. The city may allocate affordable housing bonus units and bonus flexibility units to development parcels resulting in a density that exceeds the limitation of subsection 47-28.3.F.1.a, provided that:

- a. The allocation of affordable housing bonus units shall be in addition to the permitted density for development parcel as indicated by the city's future land use plan but shall not exceed one hundred (100) percent of such permitted density and no greater than one hundred (100) dwelling units per acre for nonresidential land use designations. There is no density limitation for the allocation of affordable housing bonus units for development parcels within a RAC land use designation.

**RESPONSE: The total project (including all phases) proposes a density of 90 dwelling units per acre within a non-residential land use designation.**

#### **Permitted Density:**

**5.47 Gross Acres x 50 DU/AC = 273 units permitted by zoning**

**5.47 Gross Acres x 100 DU/AC= 547 units permitted with affordable housing density bonus**

#### **Proposed Development program using affordable housing density bonus:**

**295 units (Fairfield / includes 8 affordable) - Existing**

**196 units (Pinnacle / 100% affordable) - Proposed**

**491 total units**

#### **Bonus Unit Calculations:**

**Phase 0 - Fairfield (Existing)**

**273 market rate units per zoning density**

**22 affordable bonus units**

**8 affordable units (120% AMI)**



14 bonus market rate units (2:1 with two (2) market rate units unused)  
295 total units

Phase I & II - Pinnacle (Proposed)  
196 affordable bonus units (80% AMI)  
40 affordable units (80% AMI)  
156 market rate bonus units but being restricted affordable  
196 total units

Total Proposed Density:  
491 / 5.47 = 90 DU/AC

Alternate Bonus Unit Calculation:  
547 maximum units available with affordable density bonus  
- 273 units permitted by zoning  
274 maximum bonus units allowed

|                            |  |
|----------------------------|--|
| 8 units (120% AMI)         | 16 market rate bonus units                           |
| <u>196 units (80% AMI)</u> | <u>784 market rate bonus units</u>                   |
| 204 affordable units       | 800 market rate units (total based affordable units) |

750 market rate units - unused

- b. Bonus flexibility units may be permitted to a development project based on income categories for affordable housing units as defined by BrowardNext and based on the following formulas:
1. Six (6) bonus flexibility units per every one (1) moderate-income affordable housing unit.
  2. Nine (9) bonus flexibility units per every one (1) low-income affordable housing unit.
  3. Nineteen (19) bonus flexibility units per every one (1) very low-income affordable housing unit.

**RESPONSE: This site plan amendment proposes 196 Low Income Units (100 Low-Income units for Phase I and 96 Low-Income units for Phase II) and will utilize the affordable housing unit calculation as indicated in prior response to Section 47-23.16.B.2.a.i.**

- c. Notwithstanding the provisions of subsection 47-28.3.F.2.a, the total combined number of affordable housing bonus units and bonus flexibility units shall not exceed fifty (50) percent of permitted density for development parcels that contain residential land use and no greater than one hundred (100) dwelling units per acre for nonresidential land use designations. There is no density limitation for development parcels within a RAC land use designation unless specified in the applicable RAC zoning district.

**RESPONSE: The site plan amendment proposes a density of approximate 90-dwelling units per acre.**

- d. Development applications must demonstrate that the development project will meet Section 47-25.3, Neighborhood Compatibility to receive affordable housing bonus units and bonus flexibility units.

**Response: Please refer to the portion of the attached narrative responding to the Neighborhood Compatibility Requirement Criteria per section 47-25.3**

- e. Development applications shall meet the requirements for affordable housing as established by BrowardNext restricting the affordable housing units for a period of thirty (30) years.

**RESPONSE: The intent for this development is to restrict the affordable housing units for a period of at least (30) years.**

- f. The allocation of affordable housing bonus units shall be done in conjunction with a Site Plan Level II development permit approval for the proposed development in accordance with Section 47-24.1, Development Permits and Procedures.



**RESPONSE: Due to the nature of this application to amend an existing approved site plan, a parking reduction, and bonus unit allocation this application will require Site Plan Amendment approval.**

- g. The allocation of bonus flexibility units shall be done in conjunction with a Site Plan Level III development permit approval for the proposed development in accordance with Section 47-24.1, Development Permits and Procedures.

**RESPONSE: Due to the nature of this application to amend an existing approved site plan, a parking reduction, and bonus unit allocation this application will require Site Plan Amendment approval.**

#### **Section 47-23.16.B.2.a. – Uptown Urban Village Affordable Housing Density Incentives**

Any development requesting the application of affordable housing density may exceed fifty (50) dwelling units per acre through the allocation of affordable housing units, not to exceed one hundred (100) dwelling units per acre, based on the following formula:

1. One (1) affordable housing unit restricted to rental or sale to a person or household with an annual gross income less than or equal to eighty (80) percent of the MFI, may be allocated for every four (4) market rate units.

**RESPONSE: Acknowledged.**

2. One (1) affordable housing unit restricted to rent or sale to a person or household with an annual gross income less than or equal to one hundred (100) percent of the MFI, may be allocated for every two (2) market rate units.

**RESPONSE: Please see below density analysis. Fairfield was previously approved with (8) affordable housing units allowing 16 bonus units per this requirement. The proposed Pinnacle Development consists of 196 affordable housing units.**

3. Minimum floor area of four hundred (400) square feet per restricted residential dwelling unit.

**RESPONSE: The project will comply.**

#### **Section 47-25.2. - Adequacy requirements**

A. Applicability. The adequacy requirements set forth herein shall be used by the city to evaluate the demand created on public services and facilities created by a proposed development permit.

**Response: Acknowledged.**

B. Communications network. Buildings and structures shall not interfere with the city's communication network. Developments shall be modified to accommodate the needs of the city's communication network, to eliminate any interference a development would create or otherwise accommodate the needs of the city's communication network within the development proposal.

**Response: Acknowledged. The project is not expected to interfere with the City's communication network.**

C. Drainage facilities. Adequacy of stormwater management facilities shall be evaluated based upon the adopted level of service requiring the retention of the first inch of runoff from the entire site or two and one-half (2½) inches of runoff from the impervious surface whichever is greater.

**Response: The project is designed to meet all the drainage and stormwater facilities requirements, and the applicant will obtain all required stormwater management permits prior to construction.**

D. Environmentally sensitive lands.

1. In addition to a finding of adequacy, a development shall be reviewed pursuant to applicable federal, state, regional and local environmental regulations. Specifically, an application for development shall be reviewed in accordance with the following Broward County Ordinances which address environmentally sensitive lands and wellfield protection which ordinances are incorporated herein by reference:

- a. Broward County Ordinance No. 89-6.
- b. Section 5-198(I), Chapter 5, Article IX of the Broward County Code of Ordinances.



c. Broward County Ordinance No. 84-60.

2. The applicant must demonstrate that impacts of the proposed development to environmentally sensitive lands will be mitigated.

**Response: In review of the Broward County interactive map series, there are no environmentally sensitive lands (Contaminated Sites, Archeological Sites, Protected Natural Lands, Wetlands, Wellfields) on or in the vicinity of the site.**

E. Fire protection. Fire protection service shall be adequate to protect people and property in the proposed development. Adequate water supply, fire hydrants, fire apparatus and facilities shall be provided in accordance with the Florida Building Code, South Florida Fire Code and other accepted applicable fire and safety standards.

**Response: The project is designed to meet all fire protection requirements, and the proposed building will be fully sprinkled. The applicant will obtain a letter from Public Works confirming that adequate capacity exists to service the site.**

F. Parks and open space.

1. The manner and amount of providing park and open space is as provided in [Section 47-38A](#), Park Impact Fees, of the ULDR.

2. No building permit shall be issued until the park impact fee required by [Section 47-38A](#) of the ULDR has been paid in full by the applicant.

**Response: Acknowledged. The project will be designed to be consistent with park and open space requirements. There is a separate companion application to vacate 5,275 square feet of surplus right-of-way along Andrews Avenue. The square footage of the vacation is factored into the open space calculations.**

G. Police protection. Police protection service shall be adequate to protect people and property in the proposed development. The development shall provide improvements which are consistent with Crime Prevention Through Environmental Design (CPTED) to minimize the risk to public safety and assure adequate police protection.

**Response: The site plan amendment is designed to be consistent with CPTED guidelines and principles.**

H. Potable water.

1. Adequate potable water service shall be provided for the needs of the proposed development. The proposed development shall be designed to provide adequate areas and easements which may be needed for the installation and maintenance of potable water systems in accordance with city engineering standards, the Florida Building Code, and applicable health and environmental regulations. The existing water treatment facilities and systems shall have sufficient capacity to provide for the needs of the proposed development and for other developments in the service area which are occupied, available for occupancy, for which building permits are in effect or for which potable water treatment capacity has been reserved. Capital expansion charges for water and sewer facilities shall be paid by the developer in accordance with Resolution 85-265, as it is amended from time to time. Improvements to the potable water service and system shall be made in accordance with city engineering standards and other accepted applicable engineering standards.

2. Potable water facilities.

a. If the system is tied into the city treatment facility, the available capacity shall be determined by subtracting committed capacity and present flow from design capacity. If there is available capacity, the city shall determine the impact of the proposed development utilizing Table 3, Water and Wastewater, on file with the department.

b. If there is adequate capacity available in the city treatment plant to serve the proposed development, the city shall reserve the necessary capacity to serve the development.

c. Where the county is the projected service provider, a similar written assurance will be required.

**Response: The project is designed to provide adequate potable water services. The applicant will obtain a letter from Public Works confirming that adequate capacity exists to service the site.**

I. Sanitary sewer.

1. If the system is tied into the city treatment facility, the available capacity shall be determined by subtracting committed capacity and present flow from the design capacity. If there is available capacity, the city shall



determine the impact of the proposed development utilizing Table 3, Water and Wastewater, on file with the department.

2. If there is adequate capacity available in the city treatment plant to serve the proposed development, the city shall reserve the necessary capacity to serve the proposed development.

3. Where the county is the projected service provider, a written assurance will be required.

4. Where septic tanks will be utilized, the applicant shall secure and submit to the city a certificate from the Broward County Health Unit that certifies that the site is or can be made suitable for an on-site sewage disposal system for the proposed use.

**Response: The project is designed to provide adequate sanitary sewer services. The applicant will obtain a letter from Public Works confirming that adequate capacity exists to service the site.**

J. Schools. For all development including residential units, the applicant shall be required to mitigate the impact of such development on public school facilities in accordance with the Broward County Land Development Code or [section 47-38C](#). Educational Mitigation, as applicable and shall provide documentation to the city that such education mitigation requirement has been satisfied.

**Response: The proposed project will comply with Broward County Land Development Code and Section 47-38C Educational Mitigation. An application has been submitted for a preliminary SCAD from the School Board of Broward County Growth Management Section, but since both phases of the development will be age-restricted to residents age 62+, there will be no impact on school capacity.**

K. Solid waste.

1. Adequate solid waste collection facilities and service shall be obtained by the applicant in connection with the proposed development and evidence shall be provided to the city demonstrating that all solid waste will be disposed of in a manner that complies with all governmental requirements.

2. Solid waste facilities. Where the city provides solid waste collection service and adequate service can be provided, an adequacy finding shall be issued. Where there is another service provider, a written assurance will be required. The impacts of the proposed development will be determined based on Table 4, Solid Waste, on file with the department.

**Response: Adequate solid waste collection facilities and service are provided with the current phase and will be provided with the proposed development.**

L. Stormwater. Adequate stormwater facilities and systems shall be provided so that the removal of stormwater will not adversely affect adjacent streets and properties or the public stormwater facilities and systems in accordance with the Florida Building Code, city engineering standards and other accepted applicable engineering standards.

**Response: Adequate stormwater facilities will be provided with the proposed development, and the applicant will obtain all required stormwater management permits prior to construction.**

M. Transportation facilities.

1. The capacity for transportation facilities shall be evaluated based on Table 1, Generalized Daily Level of Service Maximum Volumes, on file with the department. If a development is within a compact deferral area, the available traffic capacity shall be determined in accordance with Table 2, Flowchart, on file with the department.

2. Regional transportation network. The regional transportation network shall have the adequate capacity, and safe and efficient traffic circulation to serve the proposed development. Adequate capacity and safe and efficient traffic circulation shall be determined by using existing and site-specific traffic studies, the adopted traffic elements of the city and the county comprehensive plans, and accepted applicable traffic engineering standards. Site-specific traffic studies may be required to be made and paid for by the applicant when the city determines such a study is needed in order to evaluate the impacts of the proposed development on proposed or existing roadways as provided for in subsection M.4. An applicant may submit such a study to the city which will be considered by the DRC in its review. Roadway improvements needed to upgrade the regional transportation network shall be made in accordance with the city, the county, and Florida Department of Transportation traffic engineering standards and plans as applicable.

3. Local streets. Local streets shall have adequate capacity, safe and efficient traffic circulation, and appropriate



functional classification to serve the proposed development. Adequate capacity and safe and efficient traffic circulation shall be determined by using existing and site-specific traffic studies, the city's comprehensive plan and accepted applicable traffic engineering standards. Site-specific traffic studies may be required to be made and paid for by the applicant when the city determines such a study is required in order to evaluate the impact of the proposed development on proposed or existing roadways as provided for in subsection M.4. An applicant may submit to the city such a study to be considered as part of the DRC review. Street improvements needed to upgrade the capacity or comply with the functional classification of local streets shall be made in accordance with the city engineering standards and acceptable applicable traffic engineering standards. Local streets are those streets that are not classified as federal, state or county roadways on the functional classification map adopted by the State of Florida.

**Response: Acknowledged. See Traffic Engineering Analysis submitted on meeting adequacy requirements.**

4. Traffic impact studies.

- a. When the proposed development may generate over one thousand (1,000) daily trips; or
- b. When the daily trip generation is less than one thousand (1,000) trips; and (1) when more than twenty percent (20%) of the total daily trips are anticipated to arrive or depart, or both, within one-half ( $\frac{1}{2}$ ) hour; or (2) when the proposed use creates varying trip generation each day, but has the potential to place more than twenty percent (20%) of its maximum twenty-four (24) hour trip generation onto the adjacent transportation system within a one-half ( $\frac{1}{2}$ ) hour period; the applicant shall submit to the city a traffic impact analysis prepared by the county or a registered Florida engineer experienced in trafficways impact analysis which shall:
  - i. Provide an estimate of the number of average and peak hour trips per day generated and directions or routes of travel for all trips with an external end.
  - ii. Estimate how traffic from the proposed development will change traffic volumes, levels of service, and circulation on the existing and programmed trafficways.
  - iii. If traffic generated by the proposed development requires any modification of existing or programmed components of the regional or local trafficways, define what city, county or state agencies have programmed the necessary construction and how this programming relates to the proposed development.
  - iv. A further detailed analysis and any other information that the review committee considers relevant.
  - v. The traffic impact study may be reviewed by an independent licensed professional engineer contracted by the city to determine whether it adequately addresses the impact and the study supports its conclusions. The cost of review by city's consultant shall be reimbursed to the city by the applicant.
  - vi. When this subsection M.4.b. applies, the traffic study shall include an analysis of how the peak loading will affect the transportation system including, if necessary, an operational plan showing how the peak trips will be controlled and managed.

**Response: A traffic impact statement is included with the site plan amendment application.**

5. Dedication of rights-of-way. Property shall be conveyed to the public by plat, deed or grant of easement as needed in accordance with the Broward County Trafficways Plan, the city's comprehensive plan, subdivision regulations and accepted applicable traffic engineering standards.

**Response: All rights-of-way have been dedicated in accordance with code requirements. The conveyance of right of way is in process with Broward County, and the Board of County Commissioners will vote on a surplus determination to convey on October 21, 2025. The County has executed a Letter of Authorization allowing the conveyance area to be part of this site plan submission. Please Refer to Site Plan SP-101.**

6. Pedestrian facilities. Sidewalks, pedestrian crossing and other pedestrian facilities shall be provided to encourage safe and adequate pedestrian movement on-site and along roadways to adjacent properties. Transit service facilities shall be provided for as required by the city and Broward County Transit. Pedestrian facilities shall be designed and installed in accordance with city engineering standards and accepted applicable engineering standards.

**Response: The master development plan enhanced the sidewalk experience along Andrews Avenue and the proposed building fronting Andrews will continue the experience with a pedestrian plaza. The**



**proposed building is immediately adjacent to the bus stop adjacent to the pedestrian plaza.**

7. Primary arterial street frontage. Where a proposed development abuts a primary arterial street either existing or proposed in the trafficways plan, the development review committee (DRC) may require marginal access street, reverse frontage with screen planting contained in a non-access reservation along the rear property line, deep lots with or without rear service alleys, or such other treatment as may be necessary for adequate protection of residential properties and to assure separation of through and level traffic.

**Response: Acknowledged.**

8. Other roadway improvements. Roadways adjustments, traffic control devices, mechanisms, and access restrictions may be required to control traffic flow or divert traffic, as needed to reduce or eliminate development generated traffic.

**Response: Acknowledged.**

9. Street trees. In order to provide for adequate landscaping along streets within the city, street trees shall be required along the length of the property abutting a street. A minimum of fifty percent (50%) of the required street trees shall be shade trees, and the remaining street trees may be provided as flowering or palm trees. These percentages may be varied based on existing or proposed physical conditions which may prevent the ability to comply with the street tree requirements of this subsection. The street trees shall be planted at a minimum height and size in accordance with the requirements of [Section 47-21](#), Landscape and Tree Preservation Requirements, except in the downtown RAC districts the requirements of Sec. 47-13.20.H.8 shall apply. The location and number of street trees shall be determined by the department based on the height, bulk, mass and design of the structures on the site and the proposed development's compatibility to surrounding properties. The requirements for street trees, as provided herein, may be located within the public right-of-way as approved by the entity with jurisdiction over the abutting right-of-way.

**Response: The proposed project will comply with the street tree requirements of the ULDR. A landscape plan is included in the site plan application.**

N. Wastewater.

1. Wastewater. Adequate wastewater services shall be provided for the needs of the proposed development. The proposed development shall be designed to provide adequate areas and easements which may be needed for the installation and maintenance of a wastewater and disposal system in accordance with applicable health, environmental and engineering regulations and standards. The existing wastewater treatment facilities and systems shall have adequate capacity to provide for the needs of the proposed development and for other developments in the service area which are occupied, available for occupancy, for which building permits are in effect or for which wastewater treatment or disposal capacity has been reserved. Capital expansion charges for water and sewer facilities shall be paid by the developer in accordance with Resolution 85-265, as it is amended for time to time. Improvements to the wastewater facilities and system shall be made in accordance with the city engineering and accepted applicable engineering standards.

**Response: Adequate wastewater services be provided. The applicant will obtain a letter from Public Works confirming that adequate capacity exists to service the site.**

O. Trash management requirements. A trash management plan shall be required in connection with non-residential uses that provide prepackaged food or beverages for off-site consumption. Existing non-residential uses of this type shall adopt a trash management plan within six (6) months of the effective date of this provision.

**Response: Acknowledged and not applicable.**

P. Historic and archaeological resources.

1. If a structure or site has been identified as having archaeological or historical significance by any entity within the State of Florida authorized by law to do same, the applicant shall be responsible for requesting this information from the state, county, local governmental or other entity with jurisdiction over historic or archaeological matters and submitting this information to the city at the time of, and together with, a development permit application. The reviewing entity shall include this information in its comments.

**Response: There are no historic or archaeological resources on or in the vicinity of the site.**



Q. Hurricane evacuation. If a structure or site is located east of the Intracoastal Waterway, the applicant shall submit documentation from Broward County or such agency with jurisdiction over hurricane evacuation analysis either indicating that acceptable level of service of hurricane evacuation routes and hurricane emergency shelter capacity shall be maintained without impairment resulting from a proposed development or describing actions or development modifications necessary to be implemented in order to maintain level of service and capacity.

**Response: This project is not located east of the Intracoastal Waterway.**

### **Section 47-25.3 – Neighborhood Compatibility Requirements**

A. The neighborhood compatibility requirements are as follows:

1. *Adequacy requirements.* See [Sec. 47-25.2](#).

**RESPONSE: See adequacy responses in previous section of this narrative.**

2. *Smoke, odor, emissions of particulate matter and noise.*

- a. Documentation from the Broward County Department of Natural Resource Protection (DNRP) or a report by a certified engineer, licensed in the State of Florida, that the proposed development will not exceed the maximum levels of smoke, odor, emissions of particulate matter and noise as regulated by Chapter 27, Pollution Control, of the Code of Broward County, and that a DNRP permit for such facility is not required.
- b. Where a DNRP license is required in accordance with Chapter 27, Pollution Control, of the Code of Broward County, all supporting documentation and information to obtain such permit shall be submitted to the DRC as part of a site plan review.
- c. Such DNRP licenses shall be required to be issued and copies provided to the city prior to the issuance of a building permit for the proposed development.

**RESPONSE: To the extent that any DPEP (formerly DNRP) permits are required, the applicant will apply for and obtain such permits. However, the proposed use as primarily residential will not generate smoke, odor, emissions of particulate matter and/or noise.**

3. Design and performance standards.

- a. Lighting. No lighting shall be directed from a use which is subject to the requirements of this [Sec. 47-25.3](#) in a manner which illuminates abutting residential property and no source of incandescent or mercury vapor illumination shall be directly visible from any abutting residential property. No neon lights inside or outside structures shall be visible from any abutting residential property.
  - i. Glare. Any nonresidential operation or activity producing glare shall be conducted so that direct or indirect illumination of light shall not cause illumination in excess of one (1) footcandle on any abutting residential property except as provided in subsection iii. of this subsection a.
  - ii. Control of effects of lights from automobiles or other sources. Where the site plan indicates potential adverse effects of parking or of other sources on the lot on which the nonresidential use is to be located, such effects shall be eliminated or at a minimum prevented so that lights do not illuminate adjacent residential property below a height of five (5) feet at the residential lot line, or from shining into any residential window if there is to be nonresidential parking on the premises after dark.
  - iii. In addition to the above, parking lots and garages will be subject to the provisions of Sections [47-20.14](#) and if in conflict with the provisions of this section, the more restrictive provisions shall apply.

**Response: The proposed development will not feature neon lighting nor create illumination in excess of one (1) footcandle on any neighboring property.**

- a. *Control of appearance.* The following design standards are provided to protect the character of abutting residential areas from the visual impact which may result from a use which is subject to the requirements of this [Sec. 47-25.3](#).
  - i. *Architectural features.* The facade of any side of a nonresidential building facing the residential property shall be constructed to compliment a residential structure and shall include the following:
    - a) Fenestration such as windows, doors and openings in the building wall; and
    - b) Shall contain a minimum of one (1) feature from each of the following architectural feature groups with a total of four (4) architectural features from the following list:



1. Detail and embellishments:
  - a. Balconies,
  - b. Color and material banding,
  - c. Decorative metal grates over windows,
  - d. Uniform cornice heights,
  - e. Awnings.
2. Form and mass:
  - a. Building mass changes including projection and recession,
  - b. Multiple types and angles of roofline, or any combination thereof.
  - c. The above required facade treatment shall be required to continue around the corner onto the adjoining wall for a distance of twenty (20) feet.

**Response: The proposed site plan amendment application considered the transition to the adjacent use, by providing a sensitive design solution to the nearby building and environment. Overall, a well-thought design is being proposed to enhance the visual appearance of the site and improve the public space. The building was designed with increased articulation and artistic use of quality materials.**

- ii. Loading facilities. Loading and service facilities shall be screened so as not to be visible from abutting residential uses or vacant residential zoned property.

**Response: The proposed building location provides visual concealment of loading activity from the street. Adjacent land surrounding the project site is not zoned residential.**

- iii. Screening of rooftop mechanical equipment. All rooftop mechanical equipment, stair and elevator towers shall be designed as an integral part of the building volume and shall be required to be screened with material that matches the material used for the principal structure and shall be at least as high as six (6) inches above the top most surface of the roof mounted structure.

**Response: The mechanical equipment on the roof top will be screened.**

a. *Setback regulations.* When a nonresidential use which is subject to the requirements of this [Sec. 47-25.3](#) is contiguous to any residential property, there shall be an additional setback required for any yard of that use which is contiguous to the residential property, as follows:

- i. When any side of a structure greater in height than forty (40) feet is contiguous to residential property, that portion of the structure shall be set back one (1) foot for each one (1) foot of building height over forty (40) feet up to a maximum width equal to one-half ( $\frac{1}{2}$ ) the height of the building, in addition to the required setback, as provided in the district in which the proposed nonresidential use is located.

**Response: The building does not abut residential zoned property.**

a. *Buffer yard requirements.* Excluding parks, open space and conservation areas, when a use which is subject to the requirements of this [Sec. 47-25.3](#) is contiguous to any residential property, the property where the use is located shall be required to have a landscaped strip area and a physical barrier between it and the residential property. Such landscape strip shall meet the following requirements:

- i. *Landscape strip requirements.* A ten (10) foot landscape strip shall be required to be located along all property lines which are adjacent to residential property. Such landscape strip shall include trees, shrubs and ground cover as provided in the landscape provisions of [Section 47-21](#), Landscape and Tree Preservation Requirements. The width of the landscape area shall extend to the property line. All required landscaping shall be protected from vehicular encroachment. When walls are required on nonresidential property abutting an alley, required shrubbery shall be installed and located within the landscape area on the exterior of the wall.

**Response: The proposed development will comply with all landscaping buffer yard requirements of the zoning code, and the project is not contiguous to residential zoned property.**

- ii. *Parking restrictions.* No parking shall be located within twelve (12) feet of the property line, within the yard area required by the district in which the proposed nonresidential use is located, when such yard is contiguous to residential property.

**Response: Surface parking is not adjacent to any residential zoned property.**

- iii. *Dumpster regulations.* All solid waste refuse containers (dumpsters) shall be set back a minimum of twelve (12) feet from any property line which is contiguous to residential property, and shall be screened in



accordance with the Dumpster requirements, as provided in [Section 47-19](#), Accessory Uses, Buildings and Structures.

**Response: The proposed trash collection will be within the proposed buildings.**

iv. *Wall requirements.* A wall shall be required on the nonresidential property, a minimum of five (5) feet in height, constructed in accordance with [Section 47-19.5](#) and subject to the following:

a. Decorative features shall be incorporated on the residential side of such wall according to the requirements of [Section 47-19.5](#),

**Response: Not Applicable. The proposed project is not contiguous to any residentially zoned land.**

b. Shall be located within, and along the length of the property line which abuts the residential property,

**Response: Not Applicable.**

c. When the nonresidential property is located adjacent to an alley such wall shall be located at least five (5) feet from the right-of-way line located closest to the nonresidential property,

**Response: Not Applicable.**

d. When a utility, or other public purpose easement, on the nonresidential property precludes the construction of a wall, then an opaque fence, constructed in accordance with the standards described in [Section 47-19.5](#), may be erected in lieu of the wall required by subsection iv. above. The use of an opaque fence as a physical barrier between nonresidential and residential property shall be reviewed and recommended by the city engineer.

**Response: Not Applicable.**

v. *Application to existing uses.* Within five (5) years from the effective date of subsections A.3.c and d (effective date: September 19, 1989), all nonconforming uses of land which were in existence prior to such date shall comply with the requirements of subsections A.3.c and d unless compliance would cause one (1) or more of the following to occur:

a. Demolition of any load-bearing portion of a building as it exists on September 19, 1989, the effective date of subsections A.3.c and d;

b. Reduction of required parking spaces;

c. A reduction in the number of parking spaces provided for use of a parcel which would be required if based on the parking requirements of [Section 47-20](#), Parking and Loading Requirements in effect on and applicable to such use on March 6, 1990;

d. Relocation of an existing wall which complied with the Code prior to September 19, 1989, the effective date of subsections A.3.c and d;

e. Access to the land would be substantially impaired;

f. Installation of the wall as provided in subsection iv. would require a modification of the existing vehicular use area, which would impair traffic circulation on the site and a minimum five (5) foot high hedge, fence or other physical barrier is in place along the length of the nonresidential property line which abuts the residential property;

g. In such cases, the use shall otherwise comply with the requirements of this section to the maximum possible extent; however, the requirement of subsections A.3.d.i to install a landscape strip shall be met if an abutting residential property owner agrees in writing that the landscape strip may be placed on his or her property. An agreement in form provided by the department must be executed by the applicant and the abutting property owner. If the abutting property owner removes the landscape strip after it has been installed, there shall be no further requirement to install another landscape strip on the abutting property in connection with the commercial use which existed at the time of the initial installation.

**Response: Not applicable.**

h. *Neighborhood compatibility and preservation.* In addition to the review requirements provided in subsections A.1, A.2 and A.3.a, b, c, and d, the following review criteria shall also apply as provided below:

1. All developments subject to this [Sec. 47-25.3](#) shall comply with the following:

a. Development will be compatible with, and preserve the character and integrity of adjacent neighborhoods, the development shall include improvements or modifications either on-site or within the public rights-of-way to mitigate adverse impacts, such as traffic, noise, odors, shadow, scale, visual nuisances, or other similar adverse effects to adjacent neighborhoods. These improvements or modifications may include,



but shall not be limited to, the placement or orientation of buildings and entryways, parking areas, buffer yards, alteration of building mass, and the addition of landscaping, walls, or both, to ameliorate such impacts. Roadway adjustments, traffic control devices or mechanisms, and access restrictions may be required to control traffic flow or divert traffic as needed to reduce or eliminate development generated traffic on neighborhood streets.

**Response: The proposed development is compatible with the character of the neighborhood and is designed to support the overall character of the neighborhood and its economic vibrancy by providing much needed affordable housing. The mass and scale are compatible with the Urban Village Northeast design guidelines. Landscaping and other streetscape and architecture features, such as planters and public art are also proposed to enhance the public realm experience with a design that accommodates seamless pedestrian connections around the site.**

- b. Consideration shall be given to the recommendations of the adopted neighborhood master plan in which the proposed development is to be located, or which it abuts, although such neighborhood master plan shall not be considered to have the force and effect of law. When recommended improvements for the mitigation of impacts to any neighborhood, conflicts with any applicable ULDR provision, then the provisions of the ULDR shall prevail. In order to ensure that a development will be compatible with, and preserve the character and integrity of adjacent neighborhoods, the development shall include improvements or modifications either on-site or within the public rights-of-way to mitigate adverse impacts, such as traffic, noise, odors, shadow, scale, visual nuisances, or other similar adverse effects to adjacent neighborhoods. These improvements or modifications may include, but shall not be limited to, the placement or orientation of buildings and entryways, parking areas, buffer yards, alteration of building mass, and the addition of landscaping, walls, or both, to ameliorate such impacts. Roadway adjustments, traffic control devices or mechanisms, and access restrictions may be required to control traffic flow or divert traffic as needed to reduce or eliminate development generated traffic on neighborhood streets.

**Response: The proposed development is designed to comply with the guidelines established in the Uptown Urban Village Northeast (UUV-NE) Zoning Code which is intended to promote a mix of uses. The project aims to preserve the character and integrity of adjacent neighborhoods by providing improvements that mitigate adverse impacts of traffic, noise, odors, shadow, scale, and visual nuisances in the following ways:**

- a. Traffic –
- b. Noise / Visual Nuisance – **It is not anticipated that the office portion of the building fronting Andrews Avenue will generate any noise and will visually be compatible with surroundings. The senior/affordable component will also not produce any noise, now will the affordable second building on the easternmost portion of the site.**
- c. Shadow / Scale – **The proposed buildings will be in scale with the adjacent tower.**
- i) Odors
- ii) Reserved.
- iii) Reserved.
- iv) All development that is located on land within the CBA zoning districts;
- v) All development that is zoned RMM-25, RMH-25 and RMH-60 east of the Intracoastal Waterway;
- vi) All nonresidential development lying east of the Intracoastal Waterway.

**Response: Not applicable.**

Respectfully Submitted,

*Michael Amodio*

Michael Amodio, AICP  
Principal Planner I, KEITH

CC:

Timothy P. Wheat, Partner, Pinnacle  
Keith Poliakoff, Esq, Government Law Group





## KallerArchitecture

August 8, 2025

Porshia Garcia, Acting Director  
Development Services Department  
City of Fort Lauderdale  
700 NW 19<sup>th</sup> Avenue  
Fort Lauderdale, FL 33311

RE: Pinnacle at Cypress – Phase I DRT Application for Alternative Design Solution

Dear Ms. Garcia,

On behalf of the property owner POLIAKOFF BECKER & STREITFELD LLP, the design team hereby submits a DRT Application for (4) deviation requests per code section 47-37B.3.B.2 for alternate design solutions to the following requirements of Sec. 47-37B.5. - Table of dimensional requirements for the Uptown Urban Village Zoning Districts: Shoulder Height, Front Stepback, Maximum Tower Floorplate, Long-term Bicycle Parking. This application accompanies a concurrent Site Plan Amendment Application (UDP-A25015) for review.

The development Team offers the following responses to the review criteria outlined in City Code Section 47-37B.3

**Sec. 47-37B.3. - Applicability and general regulations.**

- A. *Applicability.* The following regulations shall apply to all development permitted within the Uptown Urban Village Zoning Districts as listed in Section 47-37B.4, List of Permitted and Conditional Uses, and shall be read in conjunction with the adopted design standards referenced herein Section 47-37B.3.A.1.
1. Uptown Urban Village Illustrations of Design Standards. Document adopted by ordinance as part of the creation of the Uptown zoning districts and incorporated as if fully set out herein and filed with the department.

**RESPONSE: Acknowledged.**

- B. *Development permit and approval process.* Development applications shall be reviewed in accordance with Section 47-24, Table 1. Development Permits, and as provided below.

**RESPONSE: Acknowledged.**

1. An application for a development permit shall be reviewed for compliance with the applicable criteria as provided in the ULDR and shall demonstrate consistency with adopted design standards for Uptown.

**RESPONSE: Acknowledged.**

2. An application for a development permit that seeks alternate design solutions to the regulations provided herein shall be reviewed as a site plan level III and is subject to the following restrictions:

- a. Alternate design solutions shall not exceed more than three (3) regulation standards.

**RESPONSE: The alternative design solution involves four (4) regulation standards. The Applicant is proposing an alternative design solution to allow for increased shoulder height, 30-foot minimum stepback above shoulder height, and maximum tower floor plate.**

**Regulation 1: Maximum shoulder height of 75' (6-stories). Applicant is proposing a maximum shoulder height of 83'-10" (8-stories).**

The front setback of the Phase 1 building, which is adjacent to N. Andrews Ave., remains on the same plane above the required 75'-0" required shoulder height where the setback is required to increase to 30'-0" to begin the tower portion of the structure. This occurs for an additional 8'-10" above the 75'-0", less than the height of one floor. This was done to maximize the number of affordable units provided, as well as to maintain an identical floor layout on each floor which allows for the most cost-effective construction.

The 8'-10" portion above 75'-0", if setback, would not provide the visual intent that the UUV Design Standards illustrate on page 65. That of a tall slender tower setback atop of a wide prominent base. The intent of the NE District, as stated in the design Standards, is to assume a more intensive development that can accommodate a variety of commercial and residential uses. Pinnacle at Cypress, Phase 1, does just that. See sheet A-41.

**Regulation 2: Minimum 30-foot front building step-back above max shoulder height.**

In lieu of the required front step-back of 30'-0" above the 75'-0" shoulder height, the base setback of +10'-0", continues the full height of the Phase 1 building, an additional 8'-10" above the 75'-0" shoulder height. The 30'-0" front step-back would eliminate 3 units, and a different layout of the units would be needed on the 8<sup>th</sup> floor. This would mean additional costs to the project because of the deviation of the 8th floor plan from the lower floors. The Fire Stair location would also be affected. As designed, the building is compact, and each residential floor is identical to keep building costs feasible. As designed, the building does not go against the intent of the design standards of the Uptown Urban Village District. See sheet A-41.

### **Regulation 3: Maximum 12,000 SF Tower Floorplate**

Technically the floor plate of the 8th floor occurs at 74'-0" which is below shoulder height. The continuation of wall at the setback of the building base for an additional 8'-10" in height above the 75'-0" shoulder height, means that the floor area remains the same square footage above the 75'-0" shoulder height as it is below. Maintaining the same area means maintaining the same number of units, the same unit layouts as well as lining up all the plumbing, mechanical and electrical systems on every floor. These are important factors in providing cost-effective construction for affordable housing projects. The 8th floor exceeds the floor plate design standard by 635 sf.

### **Regulation 4: Long-term Bicycle Parking**

*The Applicant hereby submits a request for reduction of 20 bicycle parking spaces for our proposed mixed use senior affordable housing development located at 6520 North Andrews Ave. This request is based on the unique characteristics of the proposed resident population and the need to optimize site design for accessibility, safety, and livability.*

*The City's Land Development Code (Section 47-37B.6.H.6. Table 1) requires projects within the Uptown Urban Village District to provide long-term bike storage spaces at a ratio of 1 space per 5 units for the residential component of the project. Pinnacle at Cypress requires 20 long term bike spaces for Phase I and 20 long term bike spaces for Phase II of the project, as shown on the parking data table on Sheet SP-102.*

*Pinnacle at Cypress proposes 20 long-term bike storage spaces within an enclosed, secure Phase I building space with direct access to the internal sidewalk network and is intended to serve both phases of this Pinnacle at Cypress Development.*

*The project is specifically designed to serve income restricted seniors aged 62 and older. Bicycle usage among this specific demographic is expected to be limited. Age-related physical limitations, safety concerns, and mobility preferences make cycling an uncommon mode of transportation for most senior residents. Instead, there is more of a reliance on walking and public transit—modes that our project actively supports through pedestrian infrastructure and proximity to transit stops.*

*Thank you for considering this request. We believe this adjustment will better serve the needs of our future residents while maintaining the integrity of the city's planning goals.*

- b. Development applications must demonstrate that the proposed alternate solution(s) maintain the overall intent of the standard.

**RESPONSE:** The proposed alternate design solution maintains the overall intent of the standard. The shoulder height is intended to provide uniformity and consistency to frame the street/pedestrian realm, while also mitigating the mass. These deviation requests are

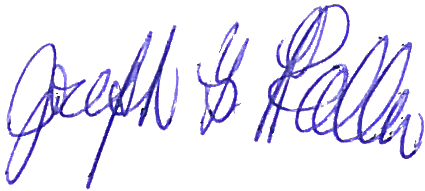
minimal in comparison to a larger scale building with a true tower element. The building provides ground floor public space and commercial opportunities to activate the building frontage along the Andrews Avenue corridor and is in line with the intended use and occupancy of the building.

- c. Such alternate solutions cannot include deviations to density, building height, or maximum floor area ratio unless provided herein.

**RESPONSE: The proposed alternate design solution does not include deviations from density, overall building height, or maximum floor area per Section 47-37B.5 – Table of Dimensional Requirements for the Uptown Urban Village Zoning District.**

Should you have any questions, please feel free to contact our office at any time.

Sincerely,  
Kaller Architecture



-Joseph B. Kaller, LED BD+C  
President