

**LEGISLATIVE #**

**210033A**



27 **WHEREAS**, this ordinance, which was noticed as required by law, will amend the Zoning Map  
28 Atlas by rezoning the property that is the subject of this ordinance to Planned Development (PD)  
29 district; and

30 **WHEREAS**, PD district zoning is a zoning category that allows landowners or developers to submit  
31 unique proposals that are not addressed or otherwise provided for in the zoning districts and  
32 land development regulations established by the City of Gainesville Land Development Code; and

33 **WHEREAS**, the PD zoning district, including all of its unique and specific land development  
34 regulations, is freely negotiated and voluntarily agreed to by the owner/developer of the subject  
35 property, thereby precluding any claims or actions under Florida law regarding regulatory  
36 takings, the Bert J. Harris, Jr., Private Property Rights Protection Act, development exactions  
37 under common law or Section 70.45, Florida Statutes, or the affordable housing provisions in  
38 Section 125.01055, Florida Statutes; and

39 **WHEREAS**, the City Plan Board, which acts pursuant to the authority granted in Section 4.02 of  
40 the Charter Laws of the City of Gainesville and which acts as the Local Planning Agency pursuant  
41 to Section 163.3174, Florida Statutes, held a public hearing on May 27, 2021, to consider this  
42 application and provide a recommendation to the City Commission; and

43 **WHEREAS**, an advertisement no less than two columns wide by ten inches long was placed in a  
44 newspaper of general circulation and provided the public with at least seven days' advance notice  
45 of this ordinance's first public hearing to be held by the City Commission; and

46 **WHEREAS**, a second advertisement no less than two columns wide by ten inches long was placed  
47 in the aforesaid newspaper and provided the public with at least five days' advance notice of this  
48 ordinance's second public hearing to be held by the City Commission; and

49 **WHEREAS**, the public hearings were held pursuant to the notice described above at which

50 hearings the parties in interest and all others had an opportunity to be and were, in fact, heard;  
51 and

52 **WHEREAS**, the City Commission finds that the rezoning of the subject property will be consistent  
53 with the City of Gainesville Comprehensive Plan when the amendment to the Comprehensive  
54 Plan adopted by Ordinance No. 210032 becomes effective as provided therein.

55 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF GAINESVILLE,**  
56 **FLORIDA:**

57 **SECTION 1.** The Zoning Map Atlas of the City of Gainesville is amended by rezoning the following  
58 property from Urban 9 (U9) to Planned Development (PD):

59 See legal description attached as **Exhibit A** and made a part hereof as if set forth  
60 in full. The location of the property is shown on **Exhibit B** for visual reference. In  
61 the event of conflict or inconsistency, **Exhibit A** shall prevail over **Exhibit B**.  
62

63 **SECTION 2.** The use and development of the property described in Section 1 of this ordinance  
64 must be consistent with the PD layout plan and building elevations attached as **Exhibit C** and  
65 made a part hereof as if set forth in full, as well as the regulations listed below. Except as expressly  
66 provided in **Exhibit C** and the conditions below, the use, regulation, and development of the  
67 property will be governed as if it were zoned Urban 9 (U9) and all development must be in  
68 conformance with and regulated by the Land Development Code in effect at the time of  
69 development approvals.

- 70 1. Allowable uses, as defined in the City’s Land Development Code, by right are as follows:
- 71 a. Multi-family dwelling
  - 72 b. Single room occupancy residence
  - 73 c. Alcoholic beverage establishment
  - 74 d. Business services
  - 75 e. Civic, social, or fraternal organization
  - 76 f. Day care center

- 77 g. Drive-through facility
  - 78 h. Emergency shelter
  - 79 i. Exercise studio
  - 80 j. Farmers market
  - 81 k. Health services
  - 82 l. Hotel or motel
  - 83 m. Laboratory, medical or dental
  - 84 n. Library
  - 85 o. Light assembly, fabrication and processing
  - 86 p. Medical marijuana dispensing facility
  - 87 q. Microbrewery, microwinery, or microdistillery
  - 88 r. Office
  - 89 s. Office (medical, dental, or other health-related service)
  - 90 t. Personal services
  - 91 u. Place of religious assembly
  - 92 v. Professional school
  - 93 w. Public administration building
  - 94 x. Recreation, indoor
  - 95 y. Research development or testing facility
  - 96 z. Restaurant
  - 97 aa. Retail sales
  - 98 bb. Social service facility
  - 99 cc. Veterinary services
  - 100 dd. Vocational or trade school
- 101 2. The development may have no more than 151 dwelling units, and may have no more than  
102 506 bedrooms.
  - 103 3. A maximum building height of 10 stories is allowed for that portion of the building  
104 abutting the west, West University Avenue, the rear alley, and that portion of the eastern  
105 façade that lies outside of the University Heights-South Historic District 100-foot buffer.  
106 Within the 100-foot buffer, the maximum building height is four (4) stories.
  - 107 4. Total project non-residential square footage may not exceed 6,500 square feet. Accessory  
108 uses to the multi-family residential, such as leasing office and amenities exclusive to  
109 residents, will not count against the maximum non-residential square footage allowed.

- 110 5. A minimum of 10% of the residential dwelling units developed must be Affordable  
111 Housing Units. Affordable Housing Units means units that are affordably priced for  
112 households earning between 50% and 80% of the Gainesville Metropolitan Statistical  
113 Area (MSA) Area Median Income (AMI), as established by the United States Department  
114 of Housing and Urban Development (HUD). Affordably priced means that no more than  
115 30% of household income is spent on housing. These units must remain permanent  
116 Affordable Housing Units through a binding legal document as approved to form and  
117 legality by the City Attorney's Office and recorded in the Public Records of Alachua  
118 County, Florida, which ensures that the units will permanently (for the life of the  
119 development) remain Affordable Housing Units.
- 120 6. Affordable Housing Units must be constructed such that all unit finishes are identical to  
121 market-rate units and locations within the structure are equally dispersed relative to  
122 market-rate units. In addition, occupants of Affordable Housing Units must have equal  
123 access to all amenities constructed on the property, relative to market-rate units.
- 124 7. During development plan review, the owner/developer shall submit a list of building  
125 materials and architectural standards for review, subject to approval by the City Manager  
126 or designee, to ensure that all development within the PD is consistent with the elevations  
127 and this ordinance.
- 128 8. Building facades oriented toward University Avenue must have non-reflective,  
129 transparent windows or glazing area covering at least 65 percent of their surface area at  
130 pedestrian level (between 3 feet above grade and 8 feet above grade) on the first floor.  
131 Operable entrance doors must be included in the calculation of total surface area for  
132 purposes of glazing.
- 133 9. The PD is located in Zone A of the Transportation Mobility Program Area (TMPA). Prior to  
134 the second reading of this ordinance, the owner/developer shall sign a TMPA Zone A  
135 Agreement or agreement for transportation mitigation based on the program in effect at  
136 the time.
- 137 10. The development shall incorporate the following building placement standards:
- 138 a. University Avenue: a 20-25-foot (min-max) setback from the back of curb;  
139 b. SW 12th Street: a 16-21-foot (min-max) setback from the back of curb;  
140 c. Rear: a 3-foot setback to the south along the alley, measured from the shared  
141 property line; and  
142 d. Side interior: a 0-foot setback to the west, adjacent to tax parcel 13230-001-000,  
143 measured from the shared property line.
- 144 11. Landscaping shall include a minimum 5-foot wide landscape zone along University Avenue  
145 and SW 12th Street. The location of the landscape zone may be modified by the City  
146 Manager or designee at development plan review in order to accommodate any Florida  
147 Department of Transportation (FDOT) right-of-way and public utility conflicts.
- 148 12. Sidewalks shall be a minimum of 10-foot wide on University Avenue and 6-foot wide on  
149 SW 12th Street. Sidewalk area may include street furniture, trash cans, light poles, and  
150 similar infrastructure.

- 151 13. All parking shall be internal to the development structure or on-street; no surface parking  
152 shall be allowed on the site. The minimum number of parking spaces in the structured  
153 parking shall be 90, plus one bicycle space per 2,000 square feet of Gross Floor Area (GFA),  
154 one bicycle space per 3 bedrooms, and one scooter/moped space per 6 bedrooms. On-  
155 street parking spaces may be converted to a pick-up/drop-off lane, subject to FDOT and  
156 City of Gainesville approval.
- 157 14. The University Avenue sidewalk will serve as pedestrian/bicycle access to developments  
158 west of the property.
- 159 15. The owner/developer shall fund at its full cost and expense any operational and safety  
160 modification(s) to the surrounding public rights-of-way which are deemed necessary by  
161 the City or County in conjunction with the final development plan.
- 162 16. A maximum of one (1) primary access point is allowed for the PD, off of the alley to the  
163 rear of the site, as preliminarily depicted on the PD Layout Plan attached as **Exhibit C**.
- 164 17. Each building must include a primary public entrance oriented toward the public right-of-  
165 way, and may be located at the building corner facing the intersection of two streets.  
166 Additional entrances may be provided on other sides of the building. Primary public  
167 entrances must be operable, clearly-defined, and highly-visible. In order to emphasize  
168 entrances, they must be accented by a change in materials around the door, recessed into  
169 the façade (alcove), or accented by an overhang, awning, canopy, or marquee. Building  
170 frontages along the street must have functional entrances at least every 150 feet.

171

172 **SECTION 3.** The conditions and requirements in this ordinance will remain effective until such  
173 time as, upon either the City or the property owner(s) filling an application for rezoning, the City  
174 adopts an ordinance rezoning the subject property to another zoning district consistent with the  
175 Comprehensive Plan and Land Development Code.

176 **SECTION 4.** The City Manager or designee is authorized and directed to make the necessary  
177 changes to the Zoning Map Atlas to comply with this ordinance.

178 **SECTION 5.** If any word, phrase, clause, paragraph, section, or provision of this ordinance or the  
179 application hereof to any person or circumstance is held invalid or unconstitutional, such finding  
180 will not affect the other provisions or applications of this ordinance that can be given effect  
181 without the invalid or unconstitutional provision or application, and to this end the provisions of  
182 this ordinance are declared severable.

183 **SECTION 6.** All ordinances or parts of ordinances in conflict herewith are to the extent of such  
184 conflict hereby repealed.

185 **SECTION 7.** This ordinance will become effective immediately upon adoption; however, the  
186 rezoning will not become effective until the amendment to the City of Gainesville Comprehensive  
187 Plan adopted by Ordinance No. 210032 becomes effective as provided therein.

188

189 **PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

190

191

192

193

194

195

196 Attest:

197

198

199

200 \_\_\_\_\_  
201 OMICHELE D. GAINEY  
202 CITY CLERK

203

204

205

206

207

\_\_\_\_\_  
LAUREN POE  
MAYOR

Approved as to form and legality:

\_\_\_\_\_  
NICOLLE M. SHALLEY  
CITY ATTORNEY

205 This ordinance passed on first reading the \_\_\_\_\_ day of \_\_\_\_\_, 2021.

206 This ordinance passed on adoption reading the \_\_\_\_\_ day of \_\_\_\_\_, 2021.

Exhibit A to Ordinance 210033

PARCEL I:

LOT 4, BLOCK 3 OF UNIVERSITY PLACE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK A, PAGE(S) 77, OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA.

PARCEL II:

LOT 5, BLOCK 3 OF UNIVERSITY PLACE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK A, PAGE(S) 77, OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA.

PARCEL III:

THE EAST 39.28 FEET OF LOT 6, BLOCK 3, UNIVERSITY PLACE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK A, PAGE(S) 77, OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA.

PARCEL IV:

THE WEST 13.09 FEET OF LOT 6 AND THE EAST 26.91 FEET OF LOT 7, BLOCK 3, UNIVERSITY PLACE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK A, PAGE(S) 77, OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA.

PARCEL V:

LOTS 1, 2 AND 3, BLOCK 3 OF UNIVERSITY PLACE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK A, PAGE(S) 77, OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA.



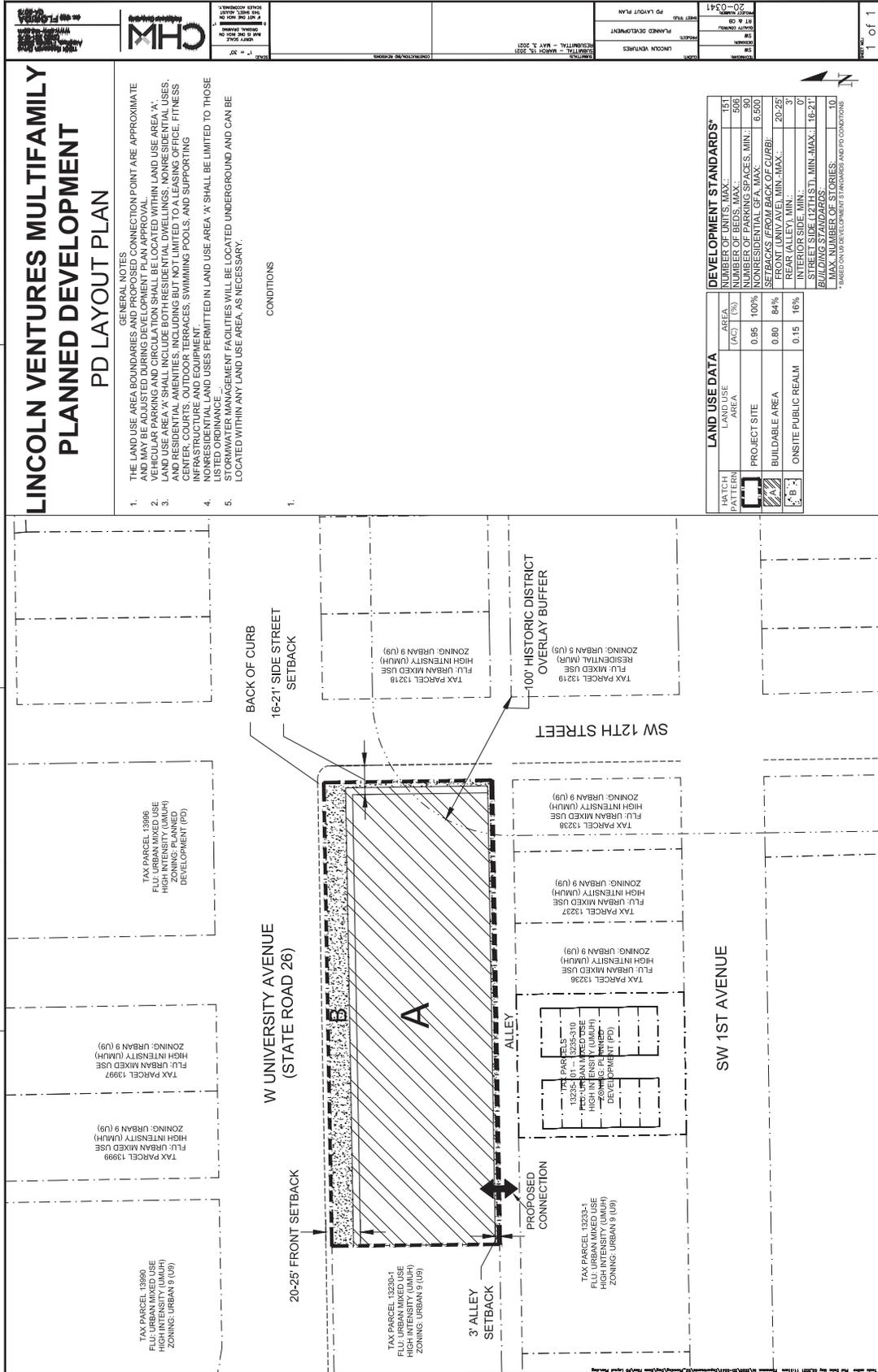
# PB-21-00057 - Lincoln Ventures Rezoning - Existing Zoning





# PB-21-00057 - Lincoln Ventures Rezoning - Proposed Zoning





# LINCOLN VENTURES MULTIFAMILY PLANNED DEVELOPMENT PD LAYOUT PLAN

- GENERAL NOTES**
1. THE LAND USE AREA BOUNDARIES AND PROPOSED CONNECTION POINT ARE APPROXIMATE AND SUBJECT TO FIELD SURVEY.
  2. VEHICULAR PARKING AND CIRCULATION SHALL BE LOCATED WITHIN LAND USE AREA 'A'.
  3. LAND USE AREA 'A' SHALL INCLUDE BOTH RESIDENTIAL DWELLINGS, NONRESIDENTIAL USES, AND RESIDENTIAL AMENITIES, INCLUDING BUT NOT LIMITED TO A LEASING OFFICE, FITNESS CENTER, COURTS, OUTDOOR TERRACES, SWIMMING POOLS, AND SUPPORTING AMENITIES.
  4. NONRESIDENTIAL LAND USES PERMITTED IN LAND USE AREA 'A' SHALL BE LIMITED TO THOSE LISTED ORDINANCE.
  5. STORMWATER MANAGEMENT FACILITIES WILL BE LOCATED UNDERGROUND AND CAN BE LOCATED WITHIN ANY LAND USE AREA, AS NECESSARY.

**CONDITIONS**

- 1.

LAND USE DATA		DEVELOPMENT STANDARDS*	
HATCH PATTERN	LAND USE AREA (AC)	AREA (%)	NUMBER OF UNITS, MAX.
	PROJECT SITE	0.95	100%
	BUILDABLE AREA	0.80	84%
	ONSITE PUBLIC REALM	0.15	16%

SETBACKS FROM BACK OF CURB	MIN.	MAX.
REAR ALLEY	20-25'	3'
INTERIOR SIDE	MIN.	0'
STREET SIDE (12TH ST.)	MIN.	MAX.
	16-21'	

NUMBER OF STORES	MIN.	MAX.
BUILDING STANDARDS		
	1	10

\* FIGURES DO NOT INCLUDE STAIRWAYS AND POOL DECKS

MANAGEMENT & CONSULTING

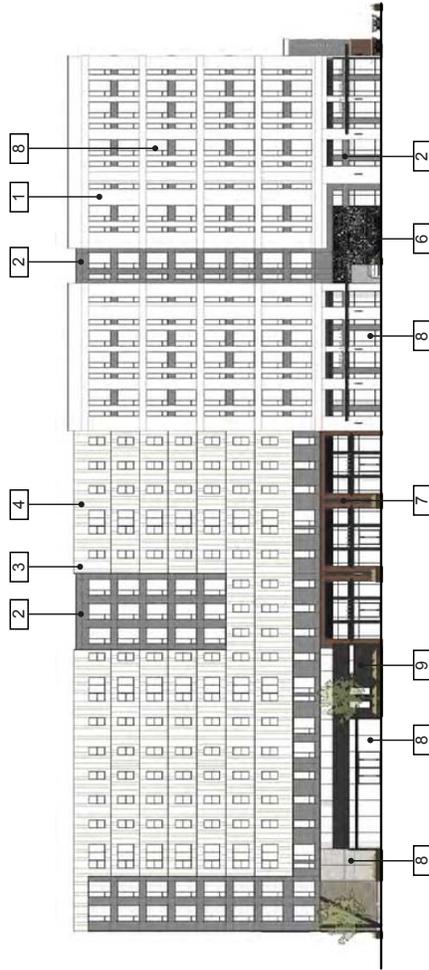
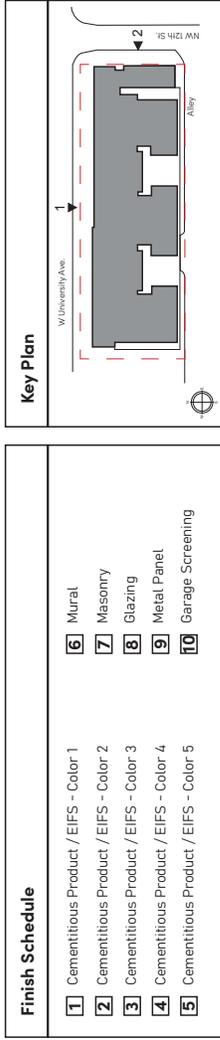
1000 W. UNIVERSITY AVENUE, SUITE 200  
MILWAUKEE, WI 53233

DATE: 08/15/2023

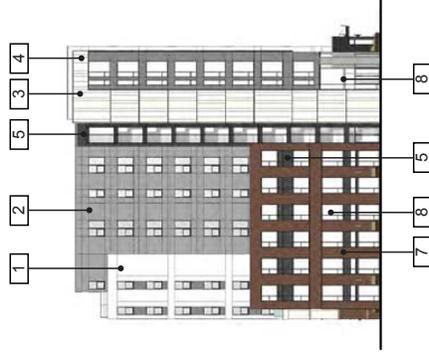
PROJECT: PLANNED DEVELOPMENT

NO. LAYOUT PLAN: 20-0341

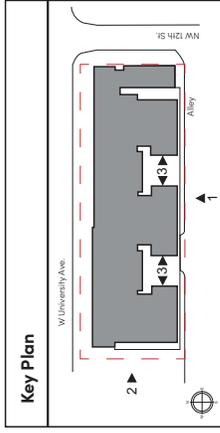
1 of 1



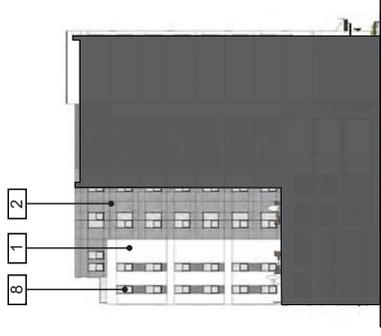
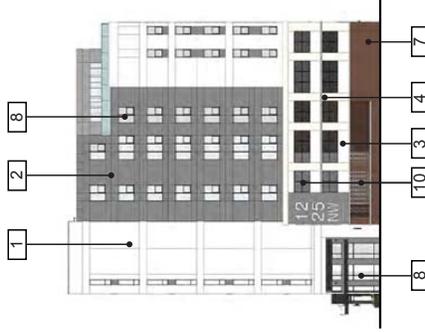
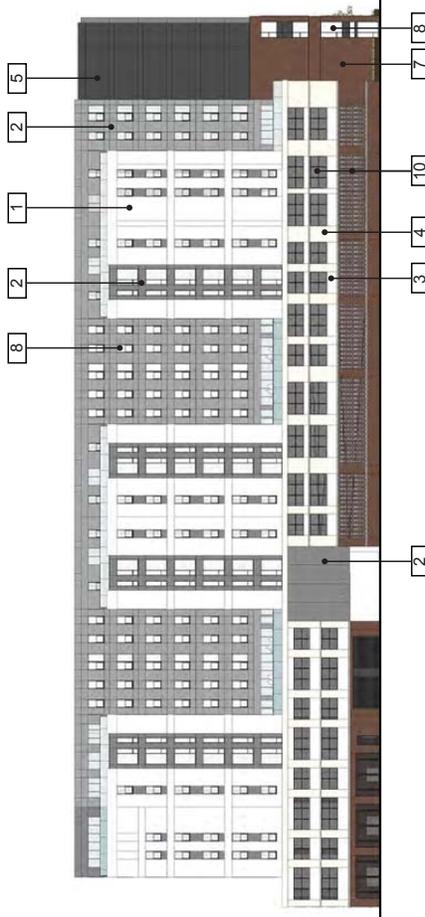
1 Elevation: W. University Ave. (facing North)  
Scale: 1" = 40'-0"



2 Elevation: SW 12th St. (facing East)  
Scale: 1" = 40'-0"



Finish Schedule	
1	Cementitious Product / EIFS - Color 1
2	Cementitious Product / EIFS - Color 2
3	Cementitious Product / EIFS - Color 3
4	Cementitious Product / EIFS - Color 4
5	Cementitious Product / EIFS - Color 5
6	Mural
7	Masonry
8	Glazing
9	Metal Panel
10	Garage Screening





1225 University Ave. | Gainesville, Fl.

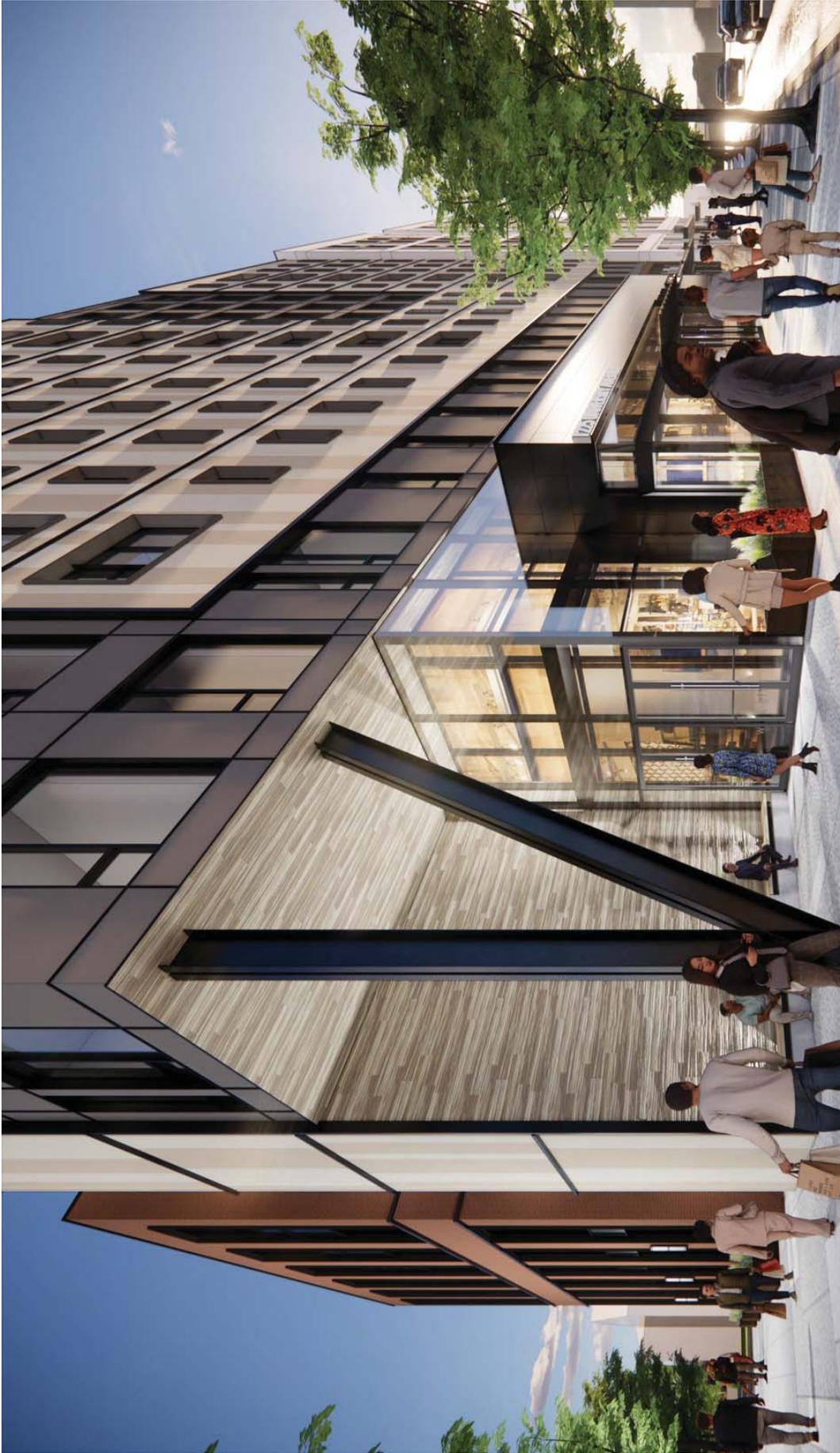
April 26, 2021

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View 1 - Corner of W University Ave. & NW 12th St. (Leasing Lobby)





View 6 - Lobby/ Amenity along University Ave. with Residential Language Above

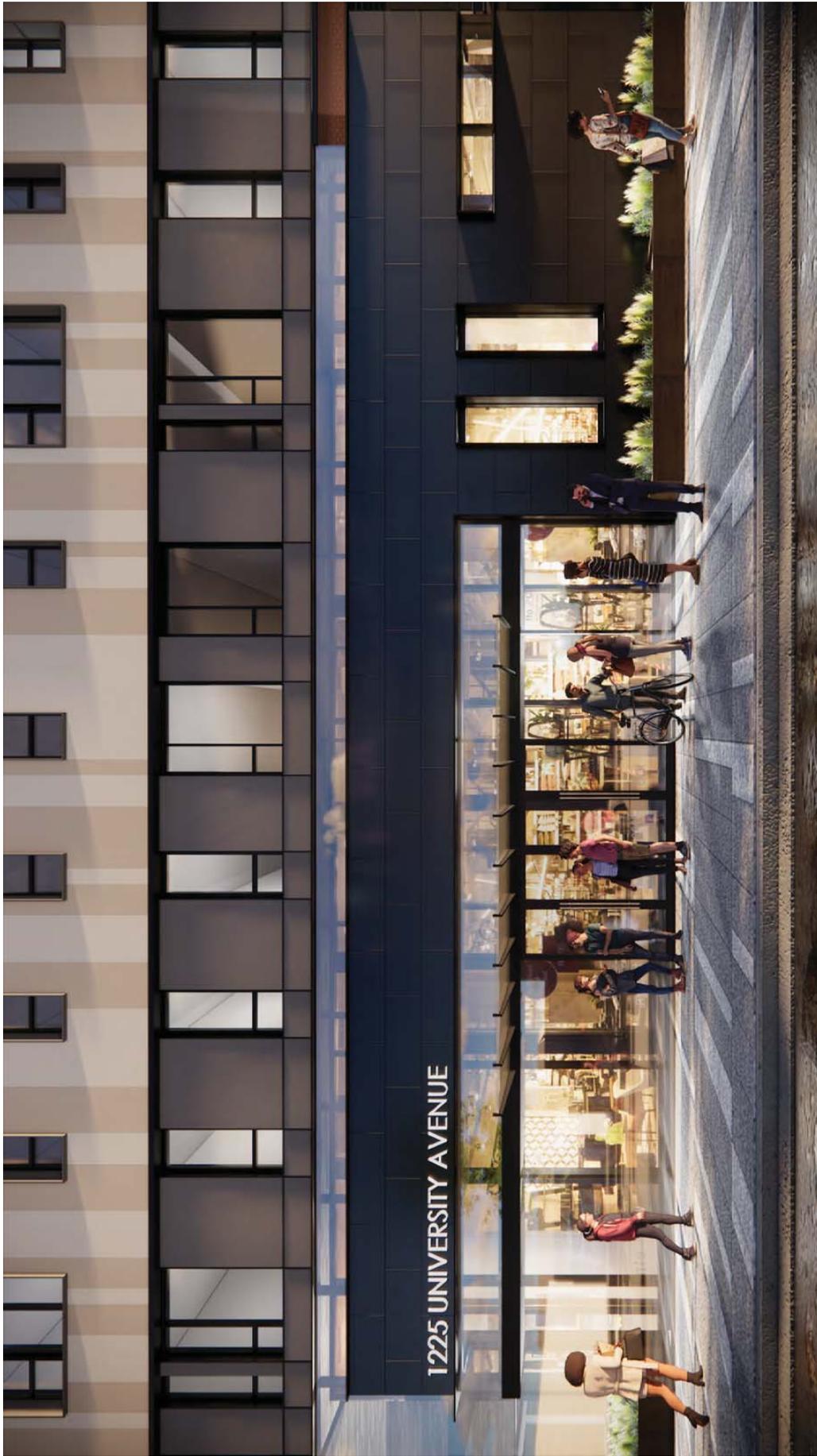
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PAGE 5





Lobby/ Amenity along University Ave.



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PAGE 6



1280 HIGHTOWER TRAIL  
ATLANTA, GA 30350  
PHONE: 770.864.1035  
dwelldesignstudio.com

1225 W UNIVERSITY  
1225 WEST UNIVERSITY AVENUE  
GAINESVILLE, FLORIDA  
32601

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SHEET NAME:  
**BUILDING ELEVATIONS**

JOB NUMBER:  
21366501

DRAWN BY:  
Author

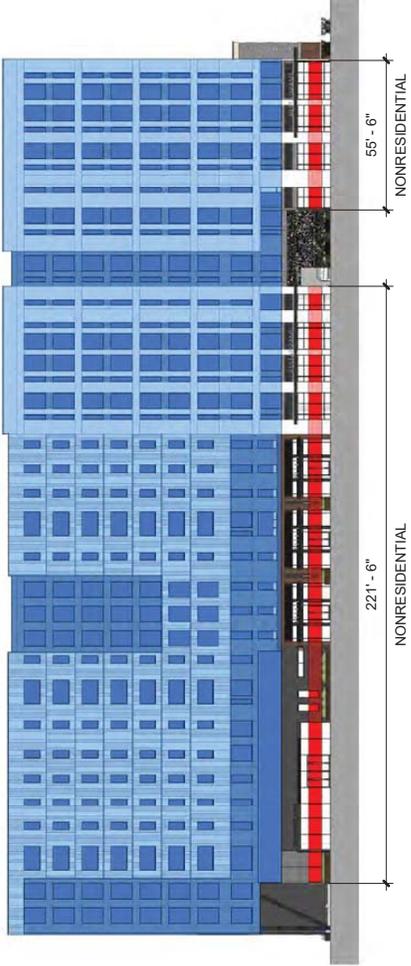
DATE:  
Checker

DS-06

GLAZING CALCULATIONS					
ELEVATION	FLOOR LEVEL	FAÇADE AREA (SF)	GLAZING AREA (SF)	PERCENTAGE REQUIRED	PERCENTAGE PROVIDED
UNIVERSITY AVE	FIRST FLOOR - NONRESIDENTIAL	1385	895	65%	65%
	UPPER LEVELS - MULTI-FAMILY	32958	9511	15%	29%
12TH STREET	FIRST FLOOR - MULTI-FAMILY	385	138	30%	36%
	UPPER LEVELS - MULTI-FAMILY	4948	1050	15%	21%



2 12TH STREET ELEVATION  
1" = 40'-0"



1 UNIVERSITY AVE ELEVATION  
1" = 40'-0"

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