

ZONING	2001-016C (MX-3 Innovative)
LOCATION	South of Highway 49, north of Tulloch Road and west of Grand Palisades Parkway, parcel 21722245

STAFF RESOURCE: John Kinley

REQUEST:

- John Carmichael/Robinson Bradshaw & Jonathan Coste/Kimley-Horn on behalf Blackburn Group (developer) is requesting approval of Innovative provisions for the subject MX-3 zoned site associated with petition 2001-016C also known as the Palisades development. The site is located south of Highway 49, north of Tulloch Road and west of Grand Palisades Parkway. The site requested for Innovative provisions is parcel 21722245.
 1. Reduction of rear yard from 40 ft to 20 ft (20 ft reduction) along western, northern and eastern property lines.
 2. Reduction of the front setback measured from ROW along Tulloch Road from 30 feet to 20 feet (10-foot reduction).
 3. Reduction of the front setback measured from the public access easement of required internal street from 30 ft to 17 ft (13-foot reduction).

STAFF RECOMMENDATION	Staff recommends approval of the Innovative Request.
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The parcel is located within an area denoted as TOWN CENTER on the original approved rezoning plan. The TOWN CENTER area is zoned MX-3, a legacy conditional zoning district. Certain legacy zoning districts allow applicants to seek innovative standards for regulations such as setbacks.

A portion of the original rezoning plan for the TOWN CENTER, including the subject parcel, was modified by an Administrative Amendment in September of 2024 which modified the site layout of a portion of the center, confirming the proposed development of multi-family and attached multifamily buildings on the subject parcel.

The TOWN CENTER, MX-3 zoned portion of the development contains the following yard and setback provisions per page 9, note 17 of the "Approved Development Guidelines" (conditional zoning standards).

"The Petitioner, in accordance with the provisions of Section 11.208, "Innovative Development Standards", may propose modifications to the follow standards:

- Street right-of-way widths
- Street type and construction methods
- Minimum lot size
- Setbacks and yards
- Off street parking
- Lot width"

The setback and yard standards default to the base Ordinance standards where not specified on the rezoning plan or by an innovative standard. The base MX-3 standards for the front setback and rear yard are as follows:

- 40 ft rear yard, based on building orientation
- 30 ft front setback measured from ROW on public streets and/or public access easement on private streets network required streets.

The applicant is requesting approval of modifications to the front setback and rear yard in accordance with Note 17 and Section 11.208 of the legacy Zoning Ordinance. The attached Palisades Multi-family Conceptual Site Plan shows the proposed site layout and proposed innovative setbacks and yard.

- 20 ft rear yard, based on building orientation (20 ft reduction) (red dash line on image below)
- 20 ft front setback along Tulloch Rd. (10 ft reduction) (magenta dash line on image below)
- 17 ft front setback along internal network required street (13 ft reduction) (magenta solid line on image below)

Staff recommends approval of the proposed innovative standards based on the following:

- The site is located in the TOWN CENTER portion of the Palisades development. The TOWN CENTER area is intended to be developed in a walkable, mixed-use form.
- The parcel is shaped like a Y which creates odd building/development envelopes. The proposed reduced rear yard allows a more efficient layout and compact design within the TOWN CENTER area of the Palisades.
- Along the eastern property line, abutting the church, a privately agreed upon Tree Buffer of 37.5 ft in width supersedes the proposed reduced 20 ft rear yard.
- The proposed reduced front setbacks support a more compact development placing buildings closer street enhancing the pedestrian experience and pedestrian access to the buildings.
- The proposed setbacks and yard are consistent with N2-A standards of the UDO for multifamily stacked and attached development.
- The requested innovative yards and setbacks are consistent with other innovative approvals for other parts of the Palisade's development.
- The standard 30 ft front setback remains for Hwy 49 and Grand Palisades Parkway as they are major thoroughfares.

Concept site plan showing proposed innovative standards.





