



PLANNING DIVISION  
STAFF REPORT

Board of Adjustment

November 1, 2023

CASE No.: <b>BOA23-00617</b>	CASE NAME: <b>Pasadena Duplex</b>
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Owner's Name:	KIRK VANZELL JR / JULIE AMANDA
Applicant's Name:	Robert Long, Design Profile, Inc.
Location of Request:	Within the 500 block of South Pasadena. Located west of Mesa Drive and south of Broadway Road.
Parcel Nos:	139-36-065B
Nature of Request:	Requesting a Development Incentive Permit (DIP) to allow deviations from certain development standards for a duplex development within the Multiple Residence 2 (RM-2) zoning district.
Zone District:	Multiple Residence 2 (RM-2)
Council District:	4
Site size:	0.2± acres
Proposed use:	Multiple Residence
Existing use:	Vacant
Hearing date(s):	<b>November 1, 2023 / 5:30 p.m.</b>
Staff Planner:	Charlotte Bridges
Staff Recommendation:	APPROVAL with Conditions

**HISTORY**

On **July 10, 1930**, the City Council annexed 550± acres of land, including the subject property, into the City of Mesa and established R-2 (equivalent to Multiple Residence 2 [RM-2]) zoning on the property (Ord. No. 157)

**PROJECT DESCRIPTION**

**Background:**

The applicant is requesting a Development Incentive Permit (DIP) to allow for the development of a 2-story duplex (Proposed Project) in the Multiple Residence-2 (RM-2) District. The site is approximately 0.2± acres in size and located west of Mesa Drive and south of Main Street on the east side of Pasadena.

Per Section 11-72-1 of the Mesa Zoning Ordinance (MZO), the purpose of a DIP is to provide incentives for the development of smaller tracts of land that would have difficulty meeting current development standards. Per Section 11-72-2 of the MZO, incentives that may be granted by the DIP are limited to: modifications to building setbacks, landscaping design, on-site parking, building height, and other site development provisions contained in the MZO. Through the DIP, the applicant is requesting to:

1. Modify the development standards related to the private open space area requirements;
2. Reduce the width of the two-way drive aisle;
3. Reduce the number of required on-site parking spaces;
4. Reduce the required landscape yards' width along the north, east and south property lines.
5. Eliminate a parking lot landscape island at the end of a row of parking;
6. Eliminate the foundation base plant material requirement along the north side of the building.

The requested deviations from the MZO ensure the Proposed Project will comply with the other requirements for the site while also allowing development on an infill parcel.

**General Plan Character Area Designation and Goals:**

The General Plan character area designation on the property is Neighborhood. Per Chapter 7 of the General Plan, the goal of the Neighborhood character area is to provide safe places for people to live where they can feel secure and enjoy their surrounding community. Neighborhoods can contain a wide range of housing options and often have associated nonresidential uses such as schools, parks, places of worship, and local serving businesses.

The proposed multiple residence development conforms to the intent of the character area by providing a variety of housing options. Staff reviewed the subject request and determined it is consistent with the development review criteria outlined in Chapter 15 (pg. 15-1) of the Mesa 2040 General Plan.

**Zoning:**

The subject property is zoned RM-2. Per Table 11-5-5 in the MZO, a multiple residence use with a maximum density of 15 dwelling units per acre is permitted in the RM-2 District. The density of the proposed multiple residence (duplex) development is 11 dwelling units per acre.

**Site Characteristics:**

The proposed project is located west of Mesa Drive and south of Main Street on the east side of Pasadena and consists of a single parcel totaling 0.2± acres in size. The proposed site plan shows a two-story building with a 1,997 square foot footprint containing a 1,106± square foot dwelling unit and two-covered parking spaces on the ground floor and a 1,204± square foot second floor dwelling unit sitting above the ground floor unit and covered parking. Both dwelling units with three bedrooms each.

In addition, each of the dwelling units have separate entrances. The ground floor dwelling unit has a covered entrance at the front (west elevation) and rear (east side) of the unit. The ground floor unit’s rear entrance is accessed from the covered parking area. An outdoor staircase located at the northeast corner of the building provides access to a 200+ square foot deck on the second floor, which acts as a landing to the second floor dwelling unit’s covered entrance on the east elevation. This deck will also serve as the second floor dwelling unit’s private open space area. A fenced, 500+ square foot private open space area for the ground floor dwelling unit is provided along the south side of the building and is directly accessible from the unit.

A drive entrance from Pasadena provides access to the site. Then, a driveway along the north side of the building provides access to the onsite parking spaces. In addition to the two covered parking spaces, to the south of the building are two additional uncovered parking spaces for a total of four on-site parking spaces. At the rear (east side) of the building and to the south of the uncovered parking spaces, is a 970± square foot common open space area with a bench. Around the perimeter of the site, trees, shrubs and inert ground cover are provided in the landscape yards along Pasadena and the north, east and south property lines.

**Surrounding Zoning Designations and Existing Use Activity:**

<b>Northwest</b> (Across Pasadena) RM-2 Single Residence	<b>North</b>  RM-2 Single Residence	<b>Northeast</b>  RM-2-BIZ Multiple Residence
<b>West</b> (Across Pasadena) RM-2 Single Residence	<b>Subject Property</b>  RM-2 Vacant	<b>East</b>  RM-2-BIZ Multiple Residence
<b>Southwest</b> (Across Pasadena) RM-2 Single Residence	<b>South</b>  RM-2-BIZ Multiple Residence	<b>Southeast</b>  RM-2-BIZ Multiple Residence

**Mesa Zoning Ordinance Requirements and Regulations:**

**Development Incentive Permit (DIP) Section 11-72 of the MZO:**

The purpose of a DIP is to provide incentives for smaller tracts of land that would have difficulty meeting current development standards. To qualify for consideration, a parcel must meet the criteria set forth in Section 11-72-1 of the MZO. After review of the application, the subject

property qualifies as a by-passed parcel as it is less than 2.5 acres in size and has been in its current configuration for more than 10 years. The lot has direct access to City utilities; is within an area where not more than 25% of developable land is vacant, and more than 50% of the surrounding parcels have been developed for more than 15 years. The requested modifications will result in a development that is commensurate with existing development in the area.

Table 1 below compares MZO requirements, the applicant’s proposal, and staff’s recommendation for the subject property. Items in bold face type indicate deviation from code requirements:

**Table 1: Development Standards**

Development Standard	MZO Requirement	Applicant Proposed	Staff Recommendation
<i>Private Open Space – Section 11-5-5(A)(3)(e)(i), Accessibility and Location:</i>	Private open space shall be accessible to only one living unit by a doorway to a habitable room or hallway.	<p><b>Ground Floor Unit:</b>  <b>The fenced private open space is accessible by a doorway to a habitable room and by gates in the surrounding six foot tall fence/wall</b></p> <p><b>Second Floor Unit:</b>  <b>The private open space is only accessible by outside stairs</b></p>	<b>As proposed</b>
<i>Private Open Space – Section 11-5-5(A)(3)(e)(ii), Openness:</i>	Private open space shall be at least 50 percent (50%) covered and shall have at least one exterior side that is open and unobstructed between three (3) and eight (8) feet above its floor level.	<p><b>Ground Floor Unit:</b>  <b>The private open space is uncovered and bounded by the unit on one side with a 6 foot tall fence/wall on the remaining three sides</b></p> <p><b>Second Floor Unit:</b>  <b>The private open space is uncovered</b></p>	<b>As proposed</b>
<i>Two-Way Drive Aisle Width – Table 11-32-2(H)(1):</i> Minimum dimension	24 feet	<b>Minimum of 17 feet</b>	<b>As proposed</b>

<b>Development Standard</b>	<b>MZO Requirement</b>	<b>Applicant Proposed</b>	<b>Staff Recommendation</b>
adjacent 90° parking stalls			
<i>Drive Aisle without Associated Parking Spaces – Section 11-32-2(J):</i> Two-way drive aisles	20 feet	<b>12 feet</b>	<b>As proposed</b>
<i>Required Parking Spaces By Use – Table 11-32-3(A):</i> Multiple residence buildings, not located with a quarter mile radius (1,320 feet) of bus rapid transit or light rail station, regardless of bedroom count	2.1 spaces per dwelling unit of for a total of five parking spaces	<b>Four parking spaces</b>	<b>As proposed</b>
<i>Landscape yard – Section 11-33-3(B)(1), Non-single residence use adjacent to single residence use:</i>  North property line  East property line  South property line	20 feet  20 feet  20 feet	<b>Minimum 3 feet</b>  <b>Minimum 10 feet, 2-inches</b>  <b>Minimum 10 feet</b>	<b>As proposed</b>
<i>Interior Parking Lot Landscaping – Section 11-33-4(B)(1):</i>  Landscape Islands:	Parking lot landscape islands shall be installed at each end of a row of stalls and in between for maximum 8 contiguous parking spaces.	<b>No parking lot landscape islands</b>	<b>As proposed</b>
<i>Foundation Base – Section 11-33-5(B)(3)(b), Exterior Walls without a Public Entrance Visible from Public</i>			

Development Standard	MZO Requirement	Applicant Proposed	Staff Recommendation
<i>Parking or Right-of-Way:</i>  North Elevation	A 10-feet, 9-inches (minimum 25 percent of adjacent exterior wall) shall be landscaped	<b>Zero feet</b>	<b>As proposed</b>

Pursuant to Section 11-72-1 of the MZO, a Development Incentive Permit (DIP) may be approved to allow incentives for the development of parcels that meet the following criteria:

A. AREA

1. Total area of the parcel does not exceed 2.5 net acres, and the parcel has been in its current configuration for more than 10 years; or
2. Total area of the site does not exceed 5 net acres and was created by the assembly of 2 or more individual, contiguous parcels.

**The subject property is 0.2± acres and has been in its current configuration for more than 10 years according to Maricopa County records.**

***The request complies with this criterion.***

- B. UTILITIES. The parcel is served by, or has direct access to, existing utility distribution facilities.

**The parcel has access to City of Mesa utilities.**

***The request complies with this criterion.***

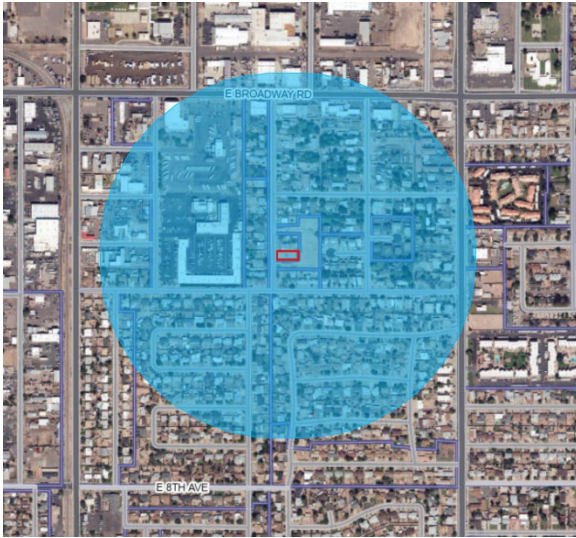
- C. SURROUNDING DEVELOPMENT. The parcel is surrounded by properties within a 1,200-foot radius in which:

1. The total developable land area is not more than 25 percent vacant; and
2. Greater than 50 percent of the total number of lots or parcels have been developed 15 or more years ago.

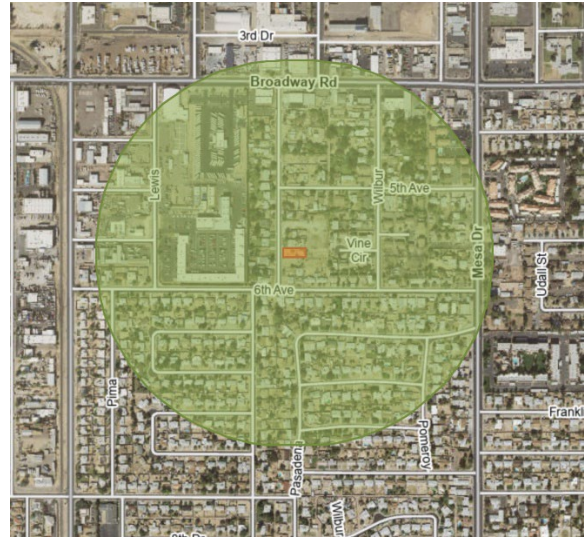
**Based on current aerial photography, the total developable land area (within the 1,200-foot radius of the subject property) is less than 25% vacant. Additionally, after comparing the 15-year historical aerial photo with the current aerial photo, staff determined that more than half of the total number of lots (within the 1,200-foot radius of the subject property) were developed more than 15 years ago.**

***The request complies with this criterion.***

2023 Aerial Photo



2008 Aerial Photo



Per Section 11-72-3 of the MZO, the Board of Adjustment shall find upon sufficient evidence when making a decision on a DIP that:

1. The proposed development is consistent with the General Plan, any other applicable Council adopted plans and/policies, and the permitted uses as specified in this Ordinance;

**The proposed development is consistent with the General Plan’s Neighborhood character area designation; a multiple residence use with a density of 11 dwelling units per acre is permitted in the RM-2 District.**

***The request complies with this criterion.***

2. The incentives do not allow development that is more intense than the surrounding neighborhood; commensurate with existing development within a 1,200-foot radius of the by-passed property; and

**The incentives will allow development that is commensurate with existing development within 1,200 feet radius of the property. Multiple residence exists to the south and east of the subject site. The proposed development will be compatible with surrounding development.**

***The request complies with this criterion.***

3. The architectural elements, construction and landscape materials, and other site improvements of the proposed development meet the intent of the Design Standards of this Ordinance.

**The proposed initial site plan review, including a request for “Alternative Compliance” to the design standards of Section 11-5-5(B) of the MZO, associated with the project will be administratively reviewed by the Planning Director after the DIP request is approved by the Board of Adjustment. The proposed project meets the intent of the Design Standards of the Ordinance.**

***The request complies with this criterion.***

Findings:

- A. The subject property is 0.2± acres and has been in its current configuration for more than 10 years.
- B. The subject property is served by, or has direct access to, existing utilities with Pasadena.
- C. The total developable land area within 1,200 feet of the subject property is not more than 25 percent vacant.
- D. Greater than 50 percent of lots within 1,200 feet of the subject property have been developed for more than 15 years.
- E. This requested deviations through the DIP will allow for the development of a bypassed parcel.
- F. The proposed development is consistent with the General Plan’s Neighborhood character area designation.
- G. The requested modifications will result in a development that is commensurate with existing development in the vicinity.

**Neighborhood Participation Plan and Public Comments:**

The applicant completed a Citizen Participation Process, which included mailing letters to property owners within 500-feet of the site. As of the writing of this report, neither the applicant nor staff received any comments/concerns from surrounding property owners. Staff will provide the Board with any new information during the scheduled Study Session on November 1, 2023.

**Staff Recommendation:**

Based on the application received and preceding analysis, Staff finds the request for a Development Incentive Permit meets the required findings in Section 11-72-1 and Section 11-72-3 of the MZO, and therefore recommends approval with the following conditions:

**Conditions of Approval:**

- 1. Compliance with the final site and landscape plan as submitted.
- 2. Compliance with all City development codes and regulations, except as identified in Table 1 of this report.
- 3. Compliance with all requirements of ZON23-00697 for site plan approval.
- 4. Compliance with all requirements of the Development Services Department regarding the issuance of building permits.

**Exhibits:**



- Exhibit 1 – Vicinity Map
- Exhibit 2 – Staff Report
- Exhibit 3 – Project Narrative
- Exhibit 4 – Site Plan
- Exhibit 5 – Landscape Plan
- Exhibit 6 – Grading and Drainage Report
- Exhibit 7 – Elevations
- Exhibit 8 – Floor Plans