



PLANNING DIVISION
STAFF REPORT

Board of Adjustment

October 2, 2024

CASE No.: BOA24-00523	PROJECT NAME: 718 W Pepper
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Owner's Name:	Monaco Ventures Properties, LLC
Applicant's Name:	Bret Martin
Location of Request:	718 West Pepper Place. Located west of Country Club Drive and north of Main Street.
Parcel No(s):	135-57-126B
Nature of Request:	Requesting a Development Incentive Permit (DIP) for a multiple residence development in the Multiple Residence 3 (RM-3) district
Existing Zoning District:	Multiple Residence 3 (RM-3)
Council District:	4
Site Size:	0.16± acres
Proposed Use:	Multiple residence
Existing Use:	Duplex
Hearing Date:	October 2, 2024 / 5:30 p.m.
Staff Planner:	Tulili Tuiteleapaga-Howard, Planner I
Staff Recommendation:	APPROVAL with Conditions

HISTORY

On **December 21, 1948**, the City Council annexed approximately ±2,419.5 acres, including the project site, into the City of Mesa (Ord. 228).

On **January 8, 1992**, the City of Mesa Planning Director approved a land split on approximately ±0.32 acres, including the project site, into two subsequent lots in the Multiple Residence-3 (RM-3) zoning district to allow multiple residences (Case No. LS92-001).

PROJECT DESCRIPTION

Background:

The applicant is requesting approval of a Development Incentive Permit (DIP) to allow three residential units in the RM-3 zoning district. The site is approximately 0.16 acres in size and located east of North Extension Road and north of West Main Street. 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: 1) reductions to building setbacks along the east and west property lines; 2) reductions to the landscape yard widths along the east, west and south property lines; 3) deviations from landscape design standards; 4) reductions to the minimum required foundation base; 5) a reduction to the minimum required covered parking spaces; and 6) reductions to the minimum number of trees and/or shrubs along the north, west and south property lines. The requested deviations from the MZO ensure the proposed development 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, and the sub-type is Traditional. 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. Traditional neighborhoods are predominantly single residence in character, but may contain a variety of lot sizes and dwelling types. Multi-residence is listed as one of the primary land uses in Traditional neighborhoods. The proposed multiple residential use conforms with the intent of the character area because it provides additional residential units with private and common/shared amenity areas as well as adequate parking in an established residential neighborhood.

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 District Designations:

The existing zoning for the property is Multiple Residence 3 (RM-3). The purpose of the RM-3 district is to provide areas for a variety of housing types including townhouses, cluster housing, and multiple residence housing. Per Section 11-5-5 of the MZO, the maximum density for RM-3 is 20 dwelling units per net acre; the proposal is for 18.8 dwelling units per acre. The proposed multiple residential development conforms to the intent of the RM-3 District.

Site Characteristics:

The subject property is located in the neighborhood northeast of Extension Road and Main Street, along the north side of Pepper Place, and consists of one parcel approximately 0.16 acres in size.

The proposed site plan shows an existing 1,280 square foot duplex building, and a 1,336 square foot addition behind it. The building addition features a new common area, mechanical room, and one new residential unit, bringing the total number of units on the property to three. Each unit has a private yard and covered patio. The rear yard of the site provides 1,184 square feet of common open space as an added amenity for the residential units. Primary access to the site is provided from Pepper Place, and five parking spaces are provided along the south property line. A pedestrian walkway west of the building will connect each of the units with the parking area and the sidewalk.

Surrounding Zoning Designations and Existing Use Activity:

Northwest RM-2 Multiple residential	North RM-2 Multiple residential	Northeast RM-2 Multiple residential
West RM-3 Multiple residential	Subject Property RM-3 Multiple residential	East RM-3 Multiple residential
Southwest (Across Pepper Pl.) RM-3 Multiple residential	South (Across Pepper Pl.) RM-3 Multiple residential	Southeast (Across Pepper Pl.) RM-3 Multiple residential

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>Minimum Lot Width (ft.) Multiple-Residence Table 11-5-5</i>	60 feet	50 feet	As Proposed
<i>Minimum Front Yard, Local Street Table 11-5-5</i>	20 feet	0 feet	As Proposed
<i>Minimum Interior Side Yard: 3 or more units on lot, single-story Table 11-5-5</i>	20 feet	10 feet	As Proposed

<i>Required Landscape Yard: Landscaping for Non-Single Residence Uses Adjacent to Other Non-Single Residence Uses Section 11-33-3.B.2.a</i>	15 feet	5 feet on the east; 10' on the west	As Proposed
<i>Landscape Islands Section 11-33-4.B</i>	Parking lot landscape islands installed at each end of a row of stalls	No landscape islands installed at either end of the row of stalls	As Proposed
<i>Foundation Base along Exterior Walls without a Public Entrance Section 11-33-5-A.2</i>	10 feet adjacent to parking stalls	0 feet adjacent to parking stalls	As Proposed
<i>Covered Parking Spaces Section 11-32-3-D</i>	3 covered parking spaces	0 covered parking spaces	As Proposed
<i>Perimeter Landscaping: Required Number of Plants by Street Type – Public or Private Local Streets Section 11-33-3.A.4</i>	2 trees and 8 shrubs	1 tree and 7 shrubs	As Proposed

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 total area of the parcel is ±0.16 acres, and the parcel has been in its current configuration for more than 10 years.

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.

The parcel is surrounded by properties within a 1,200-foot radius in which the total developable land area is not more than 25 percent vacant, 50 percent of which have been developed 15 or more years ago.

The request complies with these criteria.

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 multi-family residential development complies with the intent and goals of the 2040 Mesa General Plan and land use designation of the area.

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 proposed development complies with the density of the RM-3 zoning district. The improvements to add an additional third unit are consistent with the overall design and existing multi-family residential neighborhood in this area.

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 architectural elements and materials would be a significant improvement to the existing building structure and would introduce a greater compliance with the design goals of the MZO.

The request complies with this criterion.

Findings:

- A. The subject property is 0.16± 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.
- 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. The 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.
- H. The proposed development meets the intent of the Design Standards of this Ordinance.

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 October 2, 2024.

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 plan, elevations 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 ZON24-00665 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 – Narrative
- Exhibit 4 – Site Plan
- Exhibit 5 – Landscape Plan
- Exhibit 6 – Elevations
- Exhibit 7 – DIP Exhibit