



PLANNING DIVISION
STAFF REPORT

Board of Adjustment

August 7, 2024

CASE No.: BOA23-00736	PROJECT NAME: Grand Duplex
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Owner's Name:	Carlos Gomez
Applicant's Name:	Carlos Gomez
Location of Request:	Within the 700 block of South Grand (east side). Located South of Broadway Road and west of Center Street.
Parcel No(s):	139-41-046
Nature of Request:	Requesting a Development Incentive Permit (DIP) for a duplex within the Multiple Residence 2 (RM-2) zoning district
Existing Zoning District:	Multiple Residence 2 (RM-2)
Council District:	4
Site Size:	0.15± acres
Proposed Use(s):	Duplex
Existing Use(s):	Vacant, formerly a Single Residence
Hearing Date:	August 7, 2024 / 5:30 p.m.
Staff Planner:	Josh Grandlienard, AICP
Staff Recommendation:	APPROVAL with Conditions

HISTORY

On **June 10, 1930**, the City Council voted to annex 550.8± acres including the project site into the City of Mesa (Ordinance No. 157); the project site was subsequently zoned RM-2.

PROJECT DESCRIPTION

Background:

The applicant is requesting approval of a Development Incentive Permit (DIP) to allow two residential units in the RM-2 zoning district. The site is approximately 0.15 acres in size and located west of Center Street and south of Broadway Road on the east side of Grand. 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 current DIP request, the applicant is requesting: 1) reductions to building setbacks along the north, south and east property lines; and 2) a reduction to the minimum Front Porch Space. 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 Employment. Per Chapter 7 of the General Plan, the goal of the Employment character area is to be primarily oriented around multi-story office developments and usually include supporting commercial activities such as retail, business support, restaurants and hotels. Secondary zoning districts are permitted provided the minimum percentage of primary uses is established for the character area and the secondary uses are developed as part of a mixed use environment. Per Chapter Four of the Mesa 2040 General Plan, multiple-residence housing plays an important role in the city’s economy because it serves employees of hundreds of Mesa businesses who live and shop in Mesa. 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 2 (RM-2). The purpose of the RM-2 district is to provide areas for a variety of housing types including single residences and townhouses. Per Section 11-5-5 of the MZO, the maximum density for RM-2 is 15 dwelling units per net acre; the proposal is for 13.3 dwelling units per acre.

The proposed residential duplex development conforms to the intent of the RM-2 District.

Site Characteristics:

The subject property is located in the neighborhood southwest of Center Street and Broadway Road, along the east side of Grand, and consists of one parcel approximately 0.15 acres in size.

The proposed site plan shows a new 1,380 square feet two-story building with landscaping and bike parking located in the front yard of the property. The new building contains two new residential units. Each unit has a private yard or balcony. Primary access to the site is provided from Grand, and parking is shown in the rear of the property. A pedestrian walkway will connect each of the units with the parking area and the sidewalk adjacent to Grand.

Surrounding Zoning Designations and Existing Use Activity:

Northwest (Across Grand) RM-2 Single residential	North RM-2 Single residential	Northeast RM-2 Single residential
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West (Across Grand) RM-2 Multiple residential	Subject Property RM-2 Proposed Duplex	East RM-2 Single residential
Southwest (Across Grand) RM-2 Single residential	South RM-2 Multiple residential	Southeast RM-2 Single residential

Mesa Zoning Ordinance Requirements and Regulations:

Development Incentive Permit (DIP) Chapter 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
Minimum Yards Interior Side: 2 units on a lot – MZO Section 11-5-5.A	10 Feet	5 feet	As proposed
Minimum Yards Rear: 2 units on a lot – MZO Section 11-5-5.A	15 feet	14 feet	As proposed
Building Entrances Projection or Recess – MZO Section 11-5- 5.B.3.c	Minimum horizontal area of 50 square feet	Minimum horizontal area of 34 square feet	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 subject property is 0.15± acres and has been in its current configuration for more than 10 years according to Maricopa County aerials.

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:

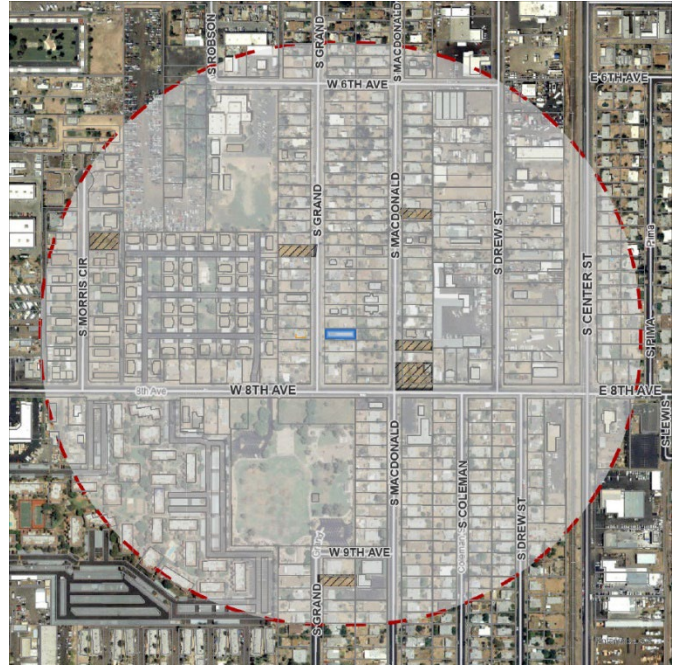
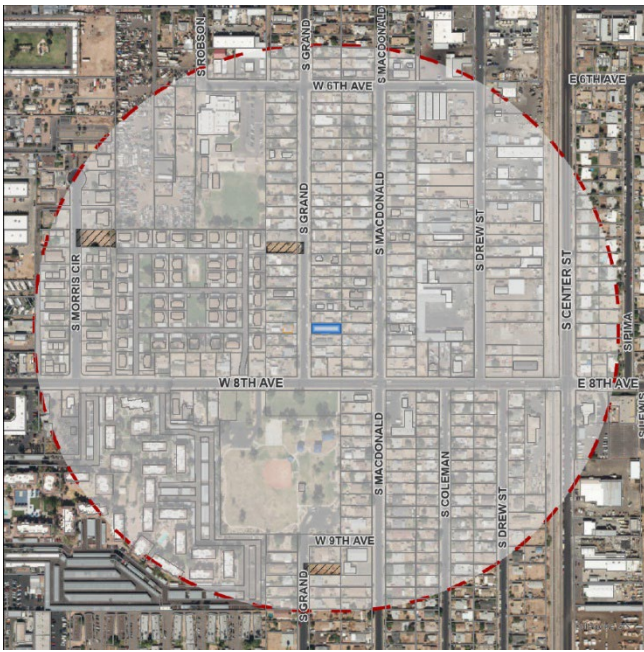
1. The total developable land area is not more than 25 percent vacant; and
2. Greater than 50 percent of the total number of lots or parcels have been developed 15 or more years ago.

Based on current aerial photography, the total developable land area (within the 1,200-foot radius of the subject property) is 0.59% vacant, which meets criterion #1. Additionally, after comparing the 15-year historical aerial photo with the current aerial photo, staff determined that over 98.81% of the total number of lots (within the 1,200-foot radius of the subject property) were developed more than 15 years ago, which meets criterion #2.

The request complies with these criteria.

2024 Aerial Photo

15-year Historical 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 residential development with a density of 13.3 du/ac is permitted in the RM-2 zoning 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 a 1,200-foot radius of the property. Surrounding properties contain similar densities of multiple-residential uses. 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 project includes quality materials and design that coordinate with the existing building; the proposal meets the intent of the Design Standards of the MZO.

The request complies with this criterion.

Findings:

- A. The subject property is 0.15± 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. 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.
- 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 August 7, 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 ZON23-00739 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 – Floor Plans