

Justification & Compatibility Statement

Variances, Section 11-80 of the Mesa Zoning Ordinance (MZO)

CIMARRON APARTMENTS EXPANSION

May 24, 2021

This document summarizes the proposed project variance request, including the required information that applies to the Cimarron Apartments Expansion variance application.

1) SPECIAL CIRCUMSTANCES OR CONDITIONS

Explain what special circumstances or conditions apply to this property that may not apply to other properties in this area or zoning district (example: size, shape, topography, location or surroundings).

Parking Access Drive

According to section 11-58-9(F), the form-based code specifies a maximum parking access drive width of 20', which is in direct conflict with the Mesa Standard Details (M-42 and M-42.01). The project team submits for a variance in order to conform to the Mesa Standard Details, per the explicit direction of the City Traffic Engineer, Sabine Ellis. Our plan for the access drive includes a 40-foot stacking distance to the sidewalk, 15-foot radius per detail M-42, and maintains the minimum 30 feet distance from controls to the gate to allow for vehicle turnaround. Dimensioned site plan attached to online application for reference.

Building Footprint

Per section 11-59-14(D) of the MZO, the maximum depth for floors 1-2 is 150 feet, and the maximum depth of floors 3-5 is 65 feet. The design team is requesting a variance based on lot dimensions, building orientation, and coverage allotments. The proposed building footprint depth is as follows; floors 1-5 are 315' - 8". The maximum code depth is not conducive to the urban-focused project and contradicts the intent of a dense urban population for this site and its site conditions. Please see attached floor plans for the proposed floor depths referenced above.

2) ORIGIN OF SPECIAL CIRCUMSTANCES OR CONDITIONS

Explain how the special circumstances or conditions cited in Question #1 originated. Are these conditions pre-existing and not self-imposed? Why or why not?

Parking Access Drive

The conflicting code references were discovered through extensive review and discussion with the Traffic Engineer and collaboration with the City Planner. Upon pre-submittal review, City Planning suggested the request for the variance.

Building Footprint

The corner site proposed for development can accommodate a deep building footprint and therefore requires a variance from the required maximum depth. Additionally, the adjacent property to the south is zoned T5 Main Street Flex (T5MSF) and would not be impacted by the footprint depth. The same owner owns the west side adjoining property, and this depth would enhance the adjoining property as designed.

3) STRICT COMPLIANCE EFFECTS ON PROPERTY USE

Explain how strict compliance of the Zoning or Sign Ordinance would deprive the property of uses or development options available to other properties in the same zoning district.

Parking Access Drive

Strict compliance would contradict the city traffic engineer and restrict traffic flow at this location, potentially compromising vehicle maneuvering, including fire access.

Building Footprint

Strict compliance would negatively impact the property and urban fabric by limiting the density of the site. This unused portion of the site would not fit within the intent of the code and be a detriment to the current and future residents.

4) NO SPECIAL PRIVILEGE OR UNUSUAL FAVOR

Explain why the requested variance will not grant special privilege or unusual favor to this property or development over other sites with similar circumstances and zoning.

Parking Access Drive

Granting this variance would place the property in compliance with the Mesa Standard Details, the standard applied to current developments.

Building Footprint

By granting this variance, the city would be upholding the intent of the Form-Based Code main street flex, providing more density and activity to the otherwise underutilized portion of the site. If granted a larger footprint, the project would fulfill the other prerequisites required to adhere to the Form-Based Code.

ATTACHMENTS/ EXHIBITS

Exhibit A- Site Plan and Building Footprint