



**City of Phoenix**  
PLANNING AND DEVELOPMENT DEPARTMENT

**Staff Report Z-3-16-4**  
March 28, 2016

**Encanto Village Planning Committee Meeting Date:** Declined to review

**Planning Commission Hearing Date:** April 7, 2016

**Request From:** R-5 (0.25 acre)

**Request To:** R1-6 (0.25 acre)

**Proposed Use:** Single Family Residential

**Location:** Approximately 75 feet west of the northwest corner of 11th Street and Whitton Avenue

**Owner/Applicant/Representative:** Raymond E. Vote

**Staff Recommendation:** Approval, subject to stipulations

General Plan Conformity			
<b>General Plan Land Use Designation</b>		Residential 3.5 to 5 du/acre	
<b>Street Map Classification</b>	Whitton Avenue	Local	20 foot north half
<b><i>CELEBRATE OUR DIVERSE COMMUNITIES AND NEIGHBORHOODS CORE VALUE; CERTAINTY &amp; CHARACTER; LAND USE PRINCIPLE: Protect residential areas from concentrations of incompatible land uses that could change their character or destabilization land values.</i></b>			
The proposed rezoning will return the use of the land to single family residential, a use consistent with adjacent properties.			

Surrounding Land Uses/Zoning		
	<u>Land Use</u>	<u>Zoning</u>
<b>On Site</b>	Single family residential	R-5
<b>North</b>	Single family residential	R1-6
<b>South</b>	Multifamily residential	PAD-13
<b>East</b>	Single family residential	R1-6
<b>West</b>	Single family residential	R1-6

### **Background/Issues/Analysis**

1. This request is to rezone a 0.25 acre site located approximately 75 feet west of the northwest corner of 11th Street and Whitton Avenue from R-5 to R1-6 to facilitate the return of the use of the property to single family residential. A home and two detached accessory structures exist on the site. Single family residences exist to the north, east and west. Townhomes exist across Whitton Avenue to the south.
2. The General Plan Land Use Map designation is Residential 3.5 to 5 du/acre. The request is consistent with the General Plan designation.
3. In 2003, a request was approved (Z-140-03) to change the zoning of the site from R1-6 (single family residential) to R-5 (multifamily/office) to allow legal continuation of a graphic design studio that had been in operation on the property. There were three stipulations of approval:
  - That the existing development, as depicted, shall be in general conformance with the site plan date stamped November 21, 2003.
  - That, as agreed by the property owner, the owner shall initiate an application to rezone the site back to R1-6 prior to any sale or leasing of the property, or upon the ceasing of the site's current use.
  - That no sign shall be permitted on the site.

The graphic design studio has ceased operation and the owner is preparing the property for sale. This application serves to comply with the second stipulation, whereby the zoning of the site is returned to the single family, R1-6 designation.

4. It has been determined that this parcel is not in a Special Flood Hazard Area (SFHA), but is located in a Shaded Zone X, on panel 2210 L of the Flood Insurance Rate Maps (FIRM) dated October 16, 2013.
5. The Aviation Department has provided comments regarding this request. The property is in the Public Airport Disclosure area. This area may be subject to overflights of aircraft operating at the Airport. People are often irritated by repeated overflights regardless of the actual sound level at the overflight site. Therefore, a Notice to Prospective Purchasers, which follows policy regarding properties in the City of Phoenix underlying the flight patterns of Phoenix Sky Harbor International Airport, is required. This is addressed in Stipulation #1.
6. Development of the parcel will require that all improvements are required to comply with all Americans with Disabilities Act (ADA) standards. This is addressed in Stipulation #2.

7. Development and use of the site is subject to all applicable codes and ordinances. Zoning approval does not negate other ordinance requirements. Zoning adjustments, abandonments or other formal actions may also be required.

### **Findings**

1. The proposal is consistent with the General Plan Land Use map.
2. Approval of this request will return the entitlement of the site to single family residential.

### **Stipulations**

1. The property owner shall record a Notice to Prospective Purchasers of Proximity to Airport in order to disclose the existence, and operational characteristics of Phoenix Sky Harbor International Airport to future owners or tenants of the property.
2. The development shall comply with all ADA accessibility standards, as per plans approved by the Planning and Development Department.

### **Writer**

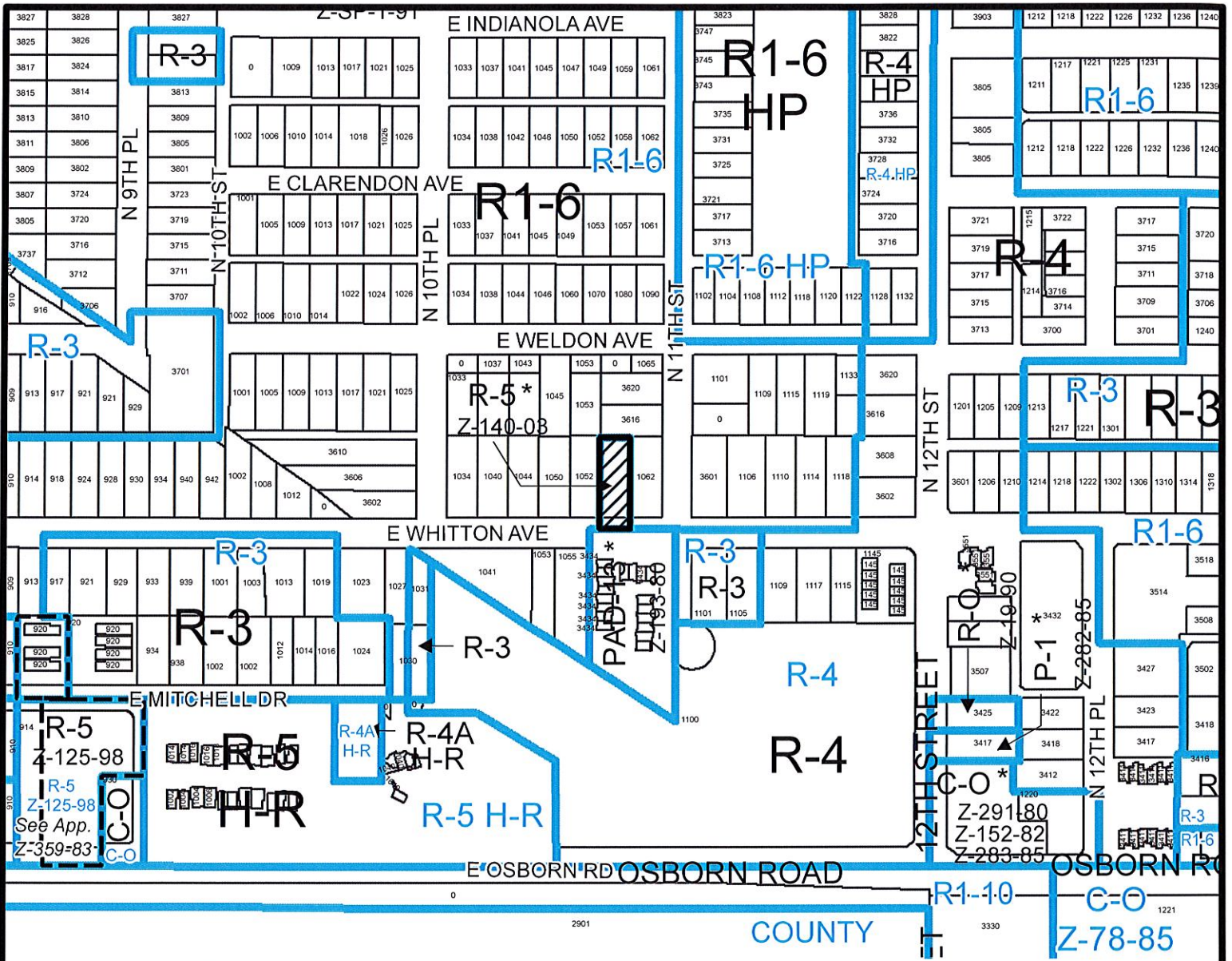
K. Coles  
March 28, 2016

### **Team Leader**

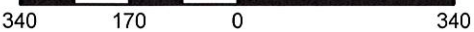
Joshua Bednarek

### **Attachments**

Sketch Map  
Aerial



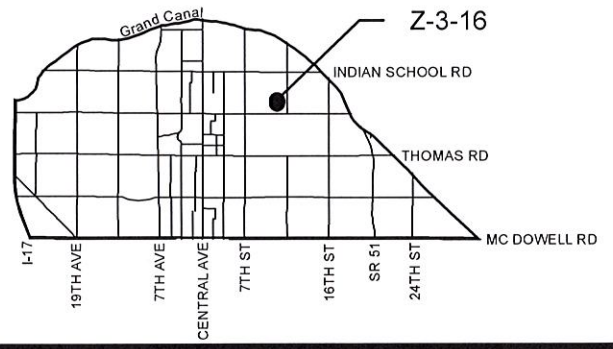
Feet



**ENCANTO VILLAGE**  
CITY COUNCIL DISTRICT: 4

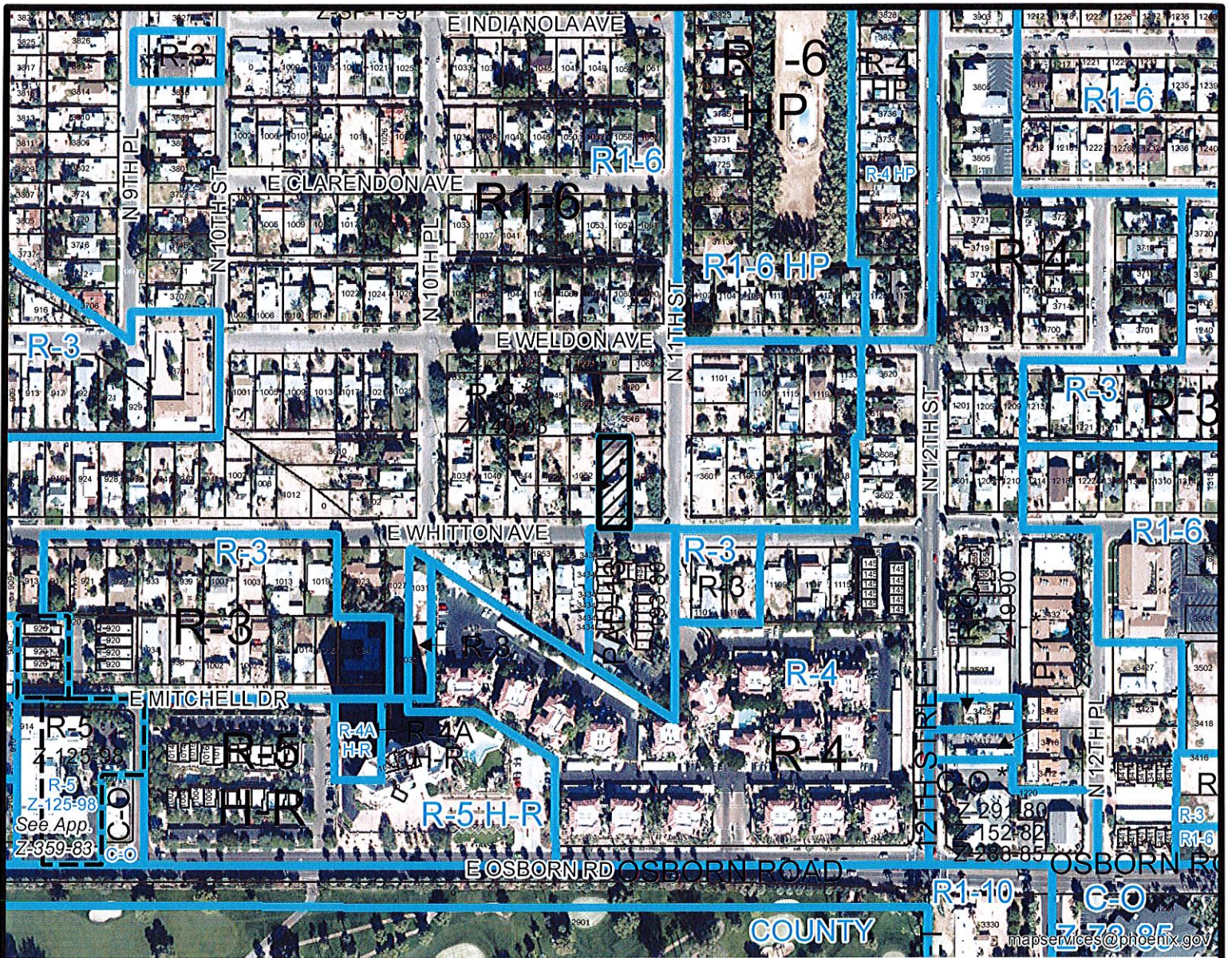


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<b>APPLICANT'S NAME:</b> Raymond E Vote		<b>REQUESTED CHANGE:</b> FROM: R-5 (0.25 ac)  TO: R1-6 (0.25 ac)	
<b>APPLICATION NO.</b> Z-3-16	<b>DATE:</b> 2/17/16 <b>REVISION DATES:</b>		
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.  0.25 Acres	<b>AERIAL PHOTO &amp; QUARTER SEC. NO.</b> QS 16-29	<b>ZONING MAP</b> H-8	
<b>MULTIPLES PERMITTED</b> R-5 R1-6	<b>CONVENTIONAL OPTION</b> 11 1	<b>* UNITS P.R.D. OPTION</b> 13 1	

\* Maximum Units Allowed with P.R.D. Bonus



mapservices@phoenix.gov



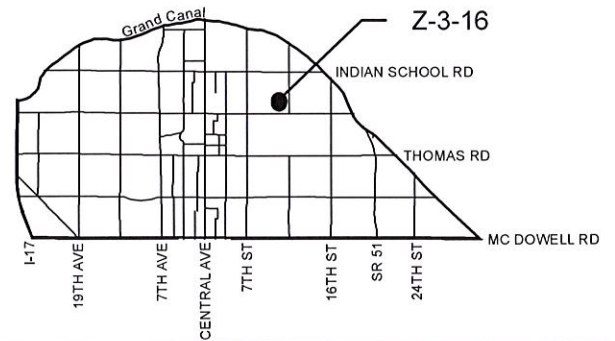
Feet

340 170 0 340

**ENCANTO VILLAGE**  
CITY COUNCIL DISTRICT: 4



**City of Phoenix**  
PLANNING & DEVELOPMENT DEPARTMENT



APPLICANT'S NAME: **Raymond E Vote**

REQUESTED CHANGE:

FROM: R-5 (0.25 ac)

APPLICATION NO. **Z-3-16**

DATE: **2/17/16**  
REVISION DATES:

GROSS AREA INCLUDING 1/2 STREET  
AND ALLEY DEDICATION IS APPROX.

**0.25 Acres**

AERIAL PHOTO &  
QUARTER SEC. NO.  
**QS 16-29**

ZONING MAP  
**H-8**

TO: **R-16 (0.25 ac)**

**MULTIPLES PERMITTED**

**R-5**  
**R1-6**

**CONVENTIONAL OPTION**

**11**  
**1**

**\* UNITS P.R.D. OPTION**

**13**  
**1**

\* Maximum Units Allowed with P.R.D. Bonus