

## Attachment B



### City of Phoenix PLANNING AND DEVELOPMENT DEPARTMENT

#### Staff Report Z-16-22-1 August 8, 2022

Deer Valley Village Planning Committee  
Meeting Date:

August 11, 2022

Planning Commission Hearing Date:

October 6, 2022

Request From:

S-1 (Ranch or Farm Residence) (6.29 acres)

Request To:

R1-10 (Single-Family Residence District) (6.29 acres)

Proposed Use:

Single-family residential

Location:

Approximately 322 feet west of the southwest corner of 31st Avenue and Dynamite Boulevard

Owner:

Randy and Betty Schmille

Applicant/Representative:

Ed Bull, Burch & Cracchiolo P.A.

Staff Recommendation:

Approval, subject to stipulations

<u>General Plan Conformity</u>			
<u>General Plan Land Use Map Designation</u>		Residential 2 to 5 dwelling units per acre	
<u>Street Map Classification</u>	Dynamite Boulevard	Collector	Width varies from 30-foot to 33-foot south half street
	31st Avenue	Local Street	30-foot west half street
<b><i>CELEBRATE OUR DIVERSE COMMUNITIES &amp; NEIGHBORHOODS CORE VALUE; CERTAINTY &amp; CHARACTER; LAND USE PRINCIPLE: New development and expansion or redevelopment of existing development in or near residential areas should be compatible with existing uses and consistent with adopted plans.</i></b>			
The requested R1-10 zoning district is compatible with existing residential developments in the vicinity of the subject site and consistent with the General Plan Land Use Map designation of Residential 2 to 5 dwelling units per acre.			

### General Plan Conformity

**CONNECT PEOPLE AND PLACES CORE VALUE; OPPORTUNITY SITES; LAND USE PRINCIPLE:** *Support reasonable levels of increased intensity, respectful of local conditions and surrounding neighborhoods.*

The requested R1-10 zoning district would allow development of a new residential community that is compatible with surrounding neighborhoods and respectful of local conditions. The proposed density and development pattern is similar to development in the surrounding area, and as stipulated, the proposal incorporates design features, such as enhanced landscaping, that prevent the development from having a negative impact on the surrounding area.

**BUILD THE SUSTAINABLE DESERT CITY CORE VALUE; TREES AND SHADE; DESIGN PRINCIPLE:** *Integrate trees and shade into the design of new development and redevelopment projects throughout Phoenix.*

The proposal will be required to provide shade along the sidewalks within the community and along the adjacent public streets. This will help to provide shade for pedestrians in and around the community and to mitigate the urban heat island effect by covering hard surfaces, thus cooling the micro-climate around the vicinity.

### **Applicable Plans, Overlays, and Initiatives**

[Tree and Shade Master Plan](#): See Background Item No. 6.

[Complete Streets Guiding Principles](#): See Background Item No. 7.

[Zero Waste PHX](#): See Background Item No. 8.

[Housing Phoenix](#): See Background Item No. 9.

### **Surrounding Land Uses and Zoning**

	<u><b>Land Use</b></u>	<u><b>Zoning</b></u>
<b>On Site</b>	Vacant	S-1
<b>North (across Dynamite Boulevard)</b>	Single-family residential	R1-8

<b>Northeast</b>	Single-family residential	S-1
<b>South</b>	Single-family residential	S-1
<b>East (across 31st Avenue)</b>	Single-family residential	R1-6
<b>West</b>	Single-family residential	S-1

<b>R1-10 – Single-Family Residence District (Planned Residential Development Option)</b>		
<b><u>Standards</u></b>	<b><u>R1-10 Requirements</u></b>	<b><u>Provisions on the proposed site plan</u></b>
Gross Acreage	-	6.29 acres
Total Maximum Number of Units	22 units, up to 28 with bonus	19 units (Met)
Maximum Density	3.5 dwelling units per acre, up to 4.5 with bonus	3.02 dwelling units per acre (Met)
Minimum Lot Width	45 feet	56 feet (Met)
Minimum Lot Depth	None, except 110 feet adjacent to freeway or arterial	115 feet (Met)
Maximum Building Height	2 stories and 30 feet	2 stories and 26 feet (Met)
Maximum Lot Coverage	40 percent, up to 50 percent including attached shade structures	40 percent, up to 50 percent including attached shade structures
Minimum Parking	2 spaces per dwelling unit  38 spaces required	<i>Not specified</i>
<b>MINIMUM PERIMETER BUILDING SETBACKS</b>		
Perimeter Streets	15 feet (in addition to landscape setback)	15 feet (Met)
Perimeter Property Lines (Side and Rear)	<u>Rear</u> 1-story building: 15 feet 2-story building: 20 feet  <u>Side</u> 1-story building: 10 feet 2-story building: 15 feet	Rear: 15 feet ( <i>Not Met</i> )*  Side: <i>Not specified</i>

<b>R1-10 – Single-Family Residence District (Planned Residential Development Option)</b>		
<b><u>Standards</u></b>	<b><u>R1-10 Requirements</u></b>	<b><u>Provisions on the proposed site plan</u></b>
<b><i>MINIMUM LANDSCAPE SETBACKS AND STANDARDS</i></b>		
Common landscaped setback adjacent to perimeter streets	15 feet average, 10 feet minimum	15 feet (Met)
Minimum Common Area	5 percent of gross site area	5 percent (Met)

\*Variance or site plan revision required for lots with two-story buildings

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

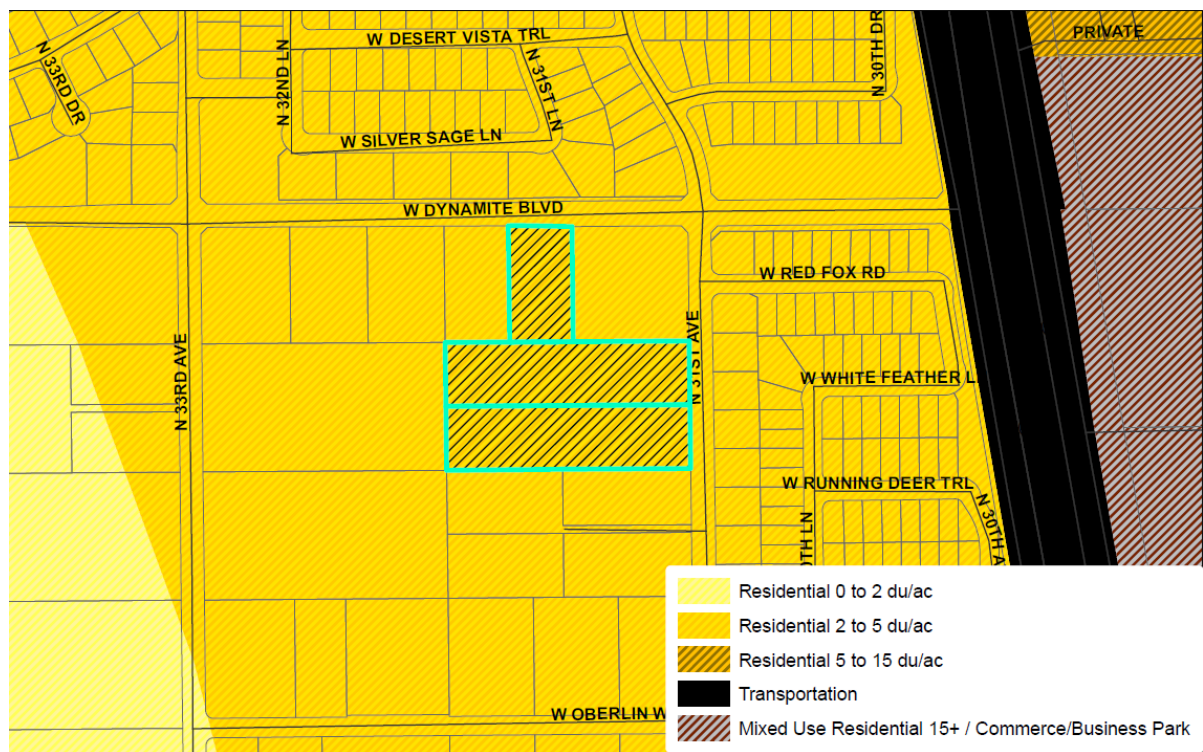
#### **SUBJECT SITE**

1. This request is to rezone 6.29 acres located approximately 322 feet west of the southwest corner of 31st Avenue and Dynamite Boulevard from S-1 (Ranch or Farm Residence) to R1-10 (Single-Family Residence District) for a detached single-family residential development. The subject site is vacant land that was annexed from unincorporated Maricopa County in 1989.

#### **GENERAL PLAN LAND USE MAP DESIGNATIONS**

2. The subject site and the surrounding properties are designated as Residential 2 to 5 dwelling units per acre on the General Plan Land Use Map. Approximately one-quarter-mile to the west, the area transitions to the lower density designation of Residential 0 to 2 dwelling units per acre. East of the I-17 freeway, there are higher density designations of Residential 5 to 15 dwelling units per acre and Mixed Use (Residential 15+ dwelling units per acre / Commerce/Business Park). The proposed R1-10 district is consistent with the General Plan Land Use Map designation.

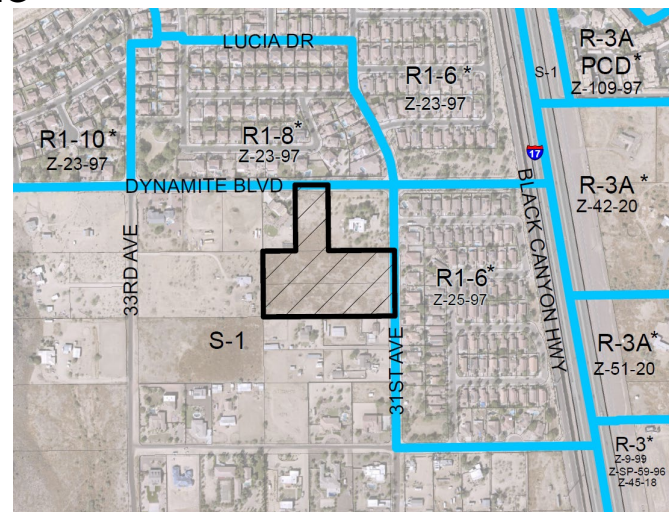




General Plan Land Use Map, Source: Planning and Development Department

### SURROUNDING LAND USES AND ZONING

3. The surrounding area has existing detached single-family subdivisions with single-family zoning, including R1-8 and R1-6 across Dynamite Boulevard and 31st Avenue, respectively. Immediately adjacent to the subject site is S-1 zoning to the west, south, and northwest. These areas are generally characterized by large lot, one-story single-family homes with lots typically greater than one acre.

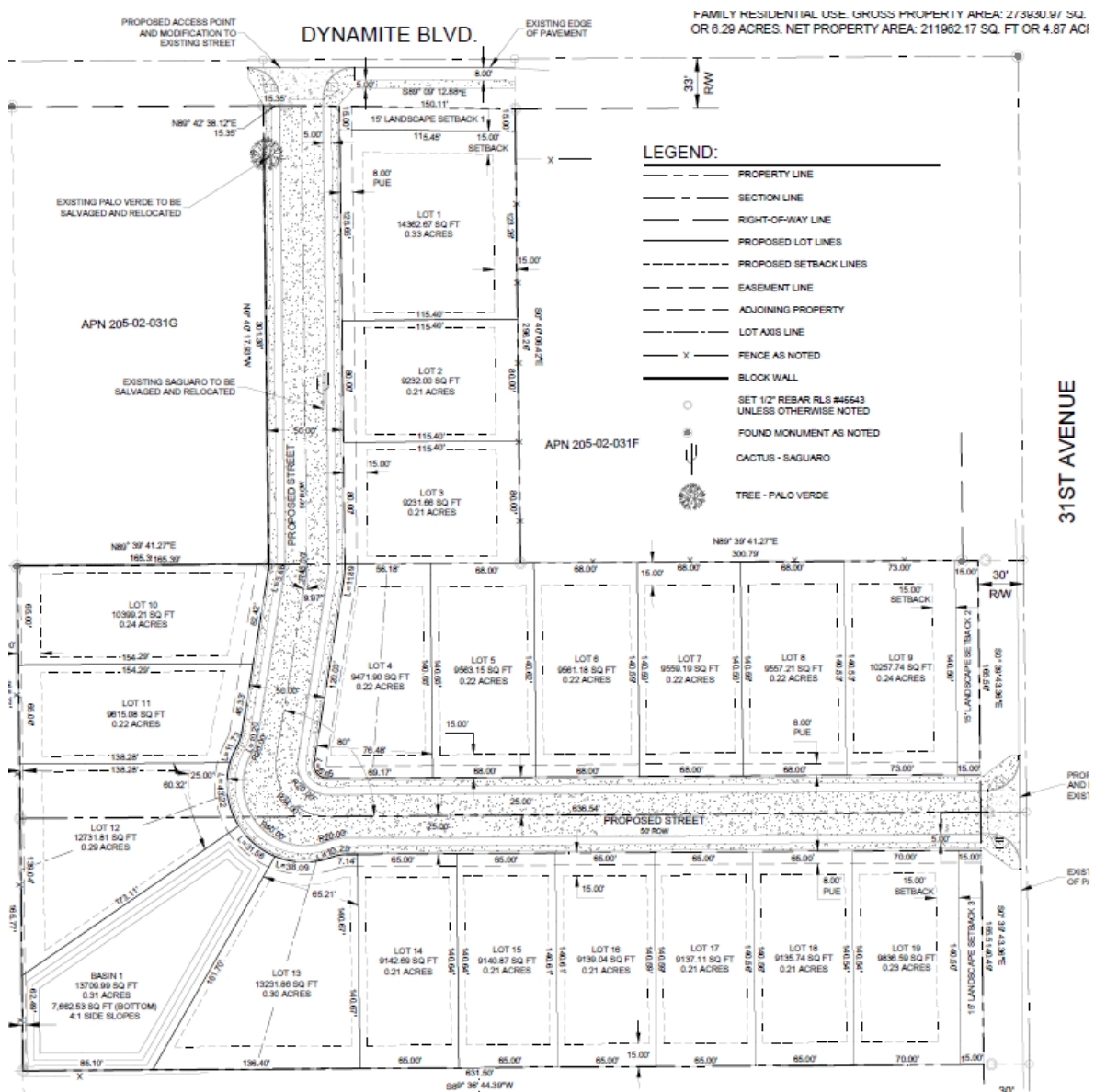


Zoning Aerial Map, Source: Planning and Development Department

## PROPOSAL

4. **Site Plan**

The applicant proposes to develop a new 19-lot single-family residential community. The conceptual site plan depicts a proposed street to traverse the site with access to both existing streets, lot widths ranging from 43 feet to 125 feet, landscaping along both street frontages, and an open space area in the southwest corner of the property, also serving as a drainage basin. Stipulation No. 4 requires a minimum of two active recreational elements within the common open space area.



Conceptual Site Plan, Source: Wilson & Company

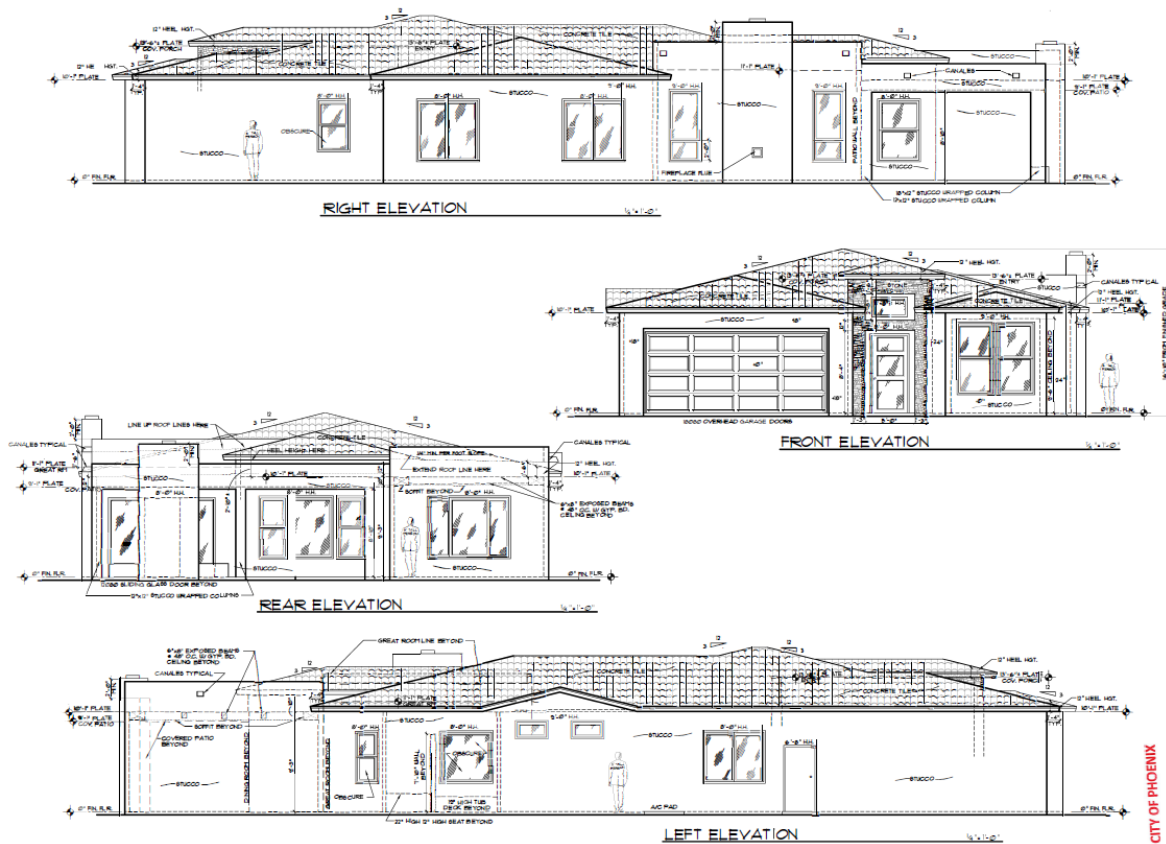
Staff recommends general conformance to the site plan (Stipulation No. 1) to ensure that the site develops as proposed. The proposed site plan depicts appropriate street access, orientation of lots and open space, and large lot sizes along the perimeter of the development to match the existing character across Dynamite Boulevard and 31st Avenue with single-story, single-family homes.

Staff recommends the following stipulations to enhance the development and minimize the impact to the surrounding area:

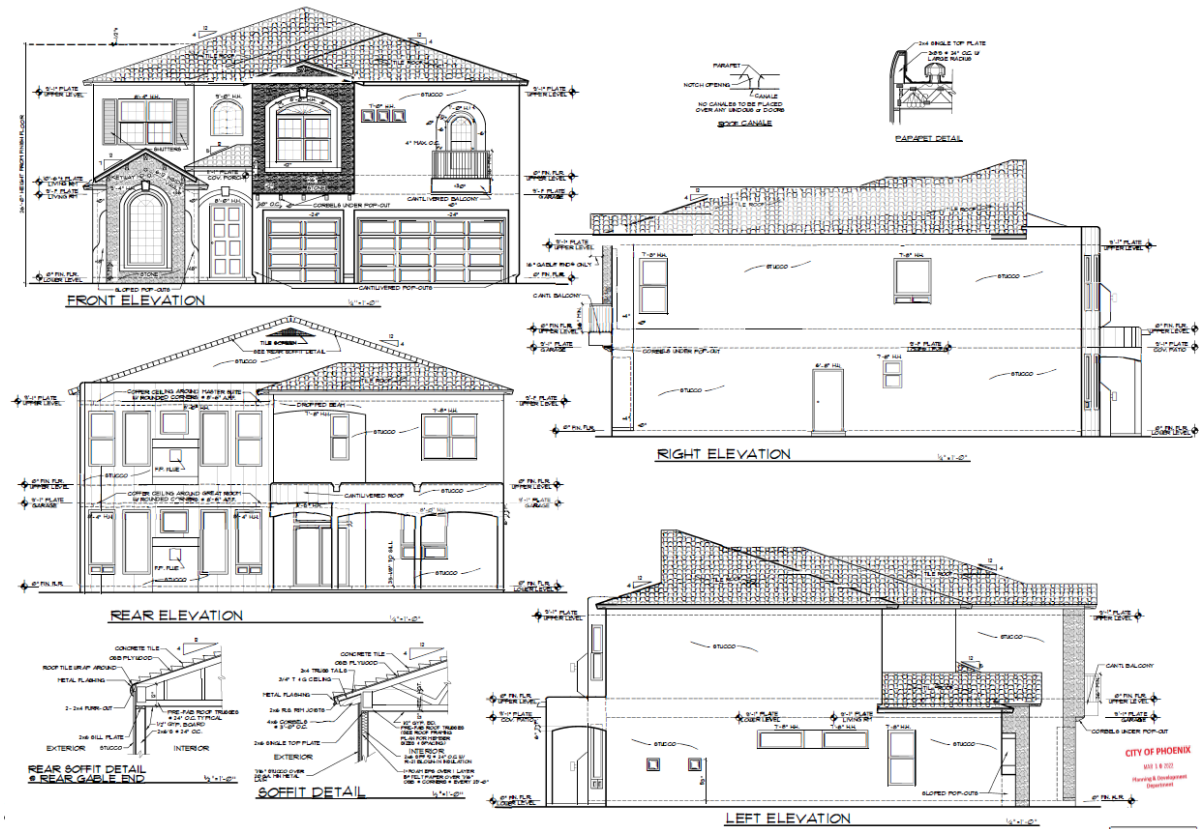
- A maximum height of one story and 20 feet for perimeter lots (Stipulation No. 3);
- A minimum of two active recreational elements in the common open space area (Stipulation No. 4);
- Enhanced landscaping with 50 percent two-inch and 50 percent three-inch caliper trees planted 20 feet on center within the required landscape setbacks (Stipulation No. 5).

5. **Elevations**

The conceptual building elevations depict one-and two-story homes with a variety of architectural styles, variation in textures and facades, and four-sided architecture. Staff recommends general conformance to the conceptual elevations (Stipulation No. 2).



Conceptual Building Elevations, Source: Tomenstock LLC



Conceptual Building Elevations, Source: Tomenstock LLC

## STUDIES AND POLICIES

### 6. [Tree and Shade Master Plan](#)

The Tree and Shade Master Plan encourages treating the urban forest as infrastructure to ensure the trees are an integral part of the City's planning and development process. Sidewalks on the street frontages should be detached from the curbs to allow trees to be planted on both sides of the sidewalk to provide thermal comfort for pedestrians and to reduce the urban heat island effect. To support these policies, staff is recommending the following stipulations designed to provide trees and enhance shade within the development.

- Fifty percent two-inch caliper and 50 percent three-inch caliper trees within the required landscape setbacks (Stipulation No. 5);
- The sidewalks within the development shall be detached with landscaped areas between the sidewalk and the back of the curb (Stipulation No. 6).
- The sidewalks along Dynamite Boulevard shall be detached with a landscaped area between the sidewalk and the back of the curb, providing 75 percent shade at maturity (Stipulation No. 7);



7. **Complete Streets Guiding Principles**

In 2014, the City of Phoenix City Council adopted the Complete Streets Guiding Principles. The principles are intended to promote improvements that provide an accessible, safe, connected transportation system to include all modes, such as bicycles, pedestrians, transit, and vehicles. As stipulated, the proposed development would enhance the streetscape for pedestrians by providing detached sidewalks along Dynamite Boulevard and within the development. These are addressed in Stipulation Nos. 6 and 7.

8. **Zero Waste PHX**

The City of Phoenix is committed to its waste diversion efforts and has set a goal to become a zero-waste city, as part of the city's overall 2050 Environmental Sustainability Goals. One of the ways Phoenix can achieve this is to improve and expand its recycling and other waste diversion programs. The City of Phoenix offers recycling services for single-family residential properties.

9. **Housing Phoenix**

In June 2020, the Phoenix City Council approved the Housing Phoenix Plan. This Plan contains policy initiatives for the development and preservation of housing with a vision of creating a stronger and more vibrant Phoenix through increased housing options for residents at all income levels and family sizes. Phoenix's rapid population growth and housing underproduction has led to a need for over 163,000 new housing units, according to the Housing Phoenix Plan. Current shortages of housing supply relative to demand are a primary reason why housing costs are increasing. The proposed development supports the Plan's goal of preserving or creating 50,000 housing units by 2030 by contributing to a variety of housing types that will address the supply shortage at a more rapid pace while using vacant land in a more sustainable fashion.

COMMUNITY INPUT SUMMARY

10. As of the writing of this report, staff received five letters in opposition to this request. The letters cited issues with the proposed density and impacts to property values in the area.

INTERDEPARTMENTAL COMMENTS

11. The Street Transportation Department commented that the developer shall provide detached sidewalks along Dynamite Boulevard and construct streets within and adjacent to the development, including compliance with ADA accessibility standards. These comments are addressed in Stipulation Nos. 7 and 8.
12. The Water Services Department commented that the property has existing water and sewer mains that can potentially serve the development. In addition, the Water

Services Department commented that capacity is a dynamic condition that can change over time due to a variety of factors.

13. The Aviation Department requires that the property owner record a Notice to Prospective Purchasers of Proximity to Airport in order to disclose the existence, and operational characteristics of Deer Valley Airport to future owners or tenants of the property. This is addressed in Stipulation No. 9.
14. The Fire Department commented that the development will need to comply with the Phoenix Fire Code, including requirements for water supply for fire flow, provision of fire hydrants, and requirements for fire lanes.

#### OTHER

15. The site has not been identified as being archeologically sensitive. However, in the event archaeological materials are encountered during construction, all ground disturbing activities must cease within a 33-foot radius of the discovery and the City of Phoenix Archaeology Office must be notified immediately and allowed time to properly assess the materials. This is addressed in Stipulation No. 10.
16. Staff has not received a completed form for the Waiver of Claims for Diminution in Value of Property under Proposition 207 (A.R.S. 12-1131 et seq.), as required by the rezoning application process. Therefore, a stipulation has been added to require the form be completed and submitted prior to preliminary site plan approval. This is addressed in Stipulation No. 11.
17. The developer shall provide a hydraulic/hydrologic analysis of offsite storm water flows, when present, at the time of preliminary site plan submittal for verification of required infrastructure in regard to lot space and density.
18. Development and use of the site is subject to all applicable codes and ordinances. Zoning approval does not negate other ordinance requirements. Other formal actions such as, but not limited to, zoning adjustments and abandonments, may be required.

#### **Findings**

1. The requested R1-10 zoning district will result in development that is consistent with the General Plan Land Use Map designation and with the character of the surrounding area.
2. As stipulated, the proposed development incorporates design elements that prevent the development from negatively impacting the surrounding area.

3. As stipulated, the proposed development enhances connectivity in the immediate vicinity, including enhanced shade elements.

### **Stipulations**

1. The development shall be in general conformance with the conceptual site plan date stamped July 5, 2022, as modified by the following stipulations and approved by the Planning and Development Department.
2. The development shall be in general conformance with the conceptual elevations date stamped March 10, 2022, as approved by the Planning and Development Department.
3. The development shall be limited to 1 story and 20 feet in height for lots adjacent to 31st Avenue and Dynamite Boulevard.
4. The common open space area shall provide a minimum of 2 active recreational elements, such as, but not limited to, playground sets, ramadas, barbeque area, as approved by the Planning and Development Department.
5. The required landscape setbacks along 31st Avenue and Dynamite Boulevard shall include minimum 50 percent 2-inch caliper and minimum 50 percent 3-inch caliper trees planted 20 feet on center or in equivalent groupings, as approved by the planning and development department.
6. All sidewalks within the subdivision shall be detached with a minimum 5-foot-wide landscaped strip located between the sidewalk and back of curb and shall include minimum 2-inch caliper shade trees planted a minimum of 20 feet on center or in equivalent groupings along both sides of the sidewalk, as approved by the Planning and Development Department.
7. The developer shall construct a minimum 5-foot-wide detached sidewalk and a minimum 8-foot-wide landscape area between the back of curb and sidewalk along Dynamite Boulevard, planted to the following standards and as approved by the Planning and Development Department.
  - a. Minimum 2-inch caliper drought-tolerant shade trees that provide shade to a minimum 75 percent at maturity.
  - b. Drought-tolerant vegetation to achieve 75 percent live coverage at maturity.

Where utility conflicts arise, the developer shall work with the Planning and Development



Department on an alternative design solution consistent with a pedestrian environment.

8. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
9. The property owner shall record documents that disclose the existence, and operational characteristics of Deer Valley Airport to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.
10. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.
11. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

**Writer**

Anthony Grande

August 8, 2022

**Team Leader**

Racelle Escolar

**Exhibits**

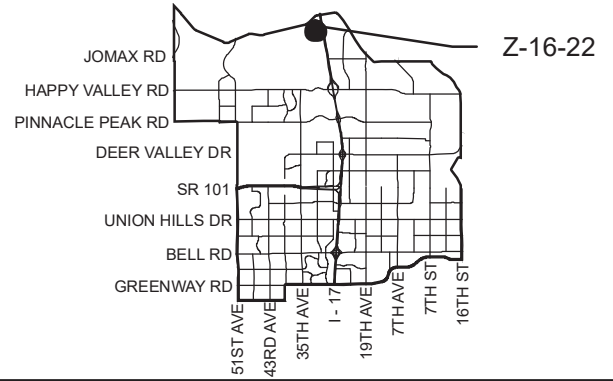
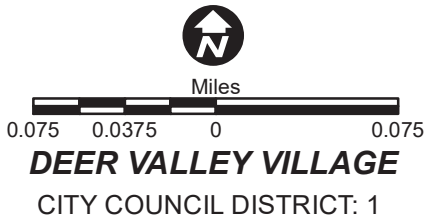
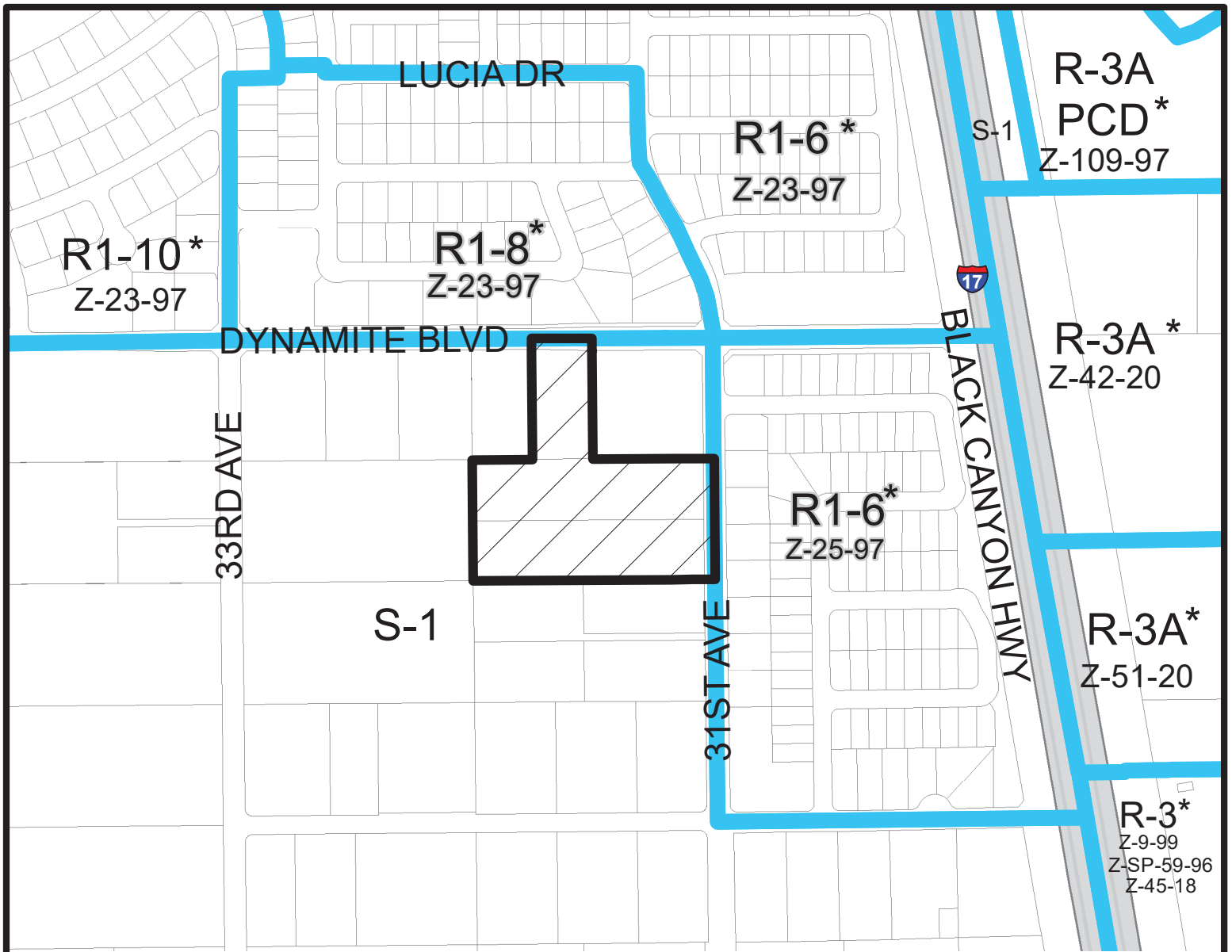
Zoning sketch map

Aerial sketch map

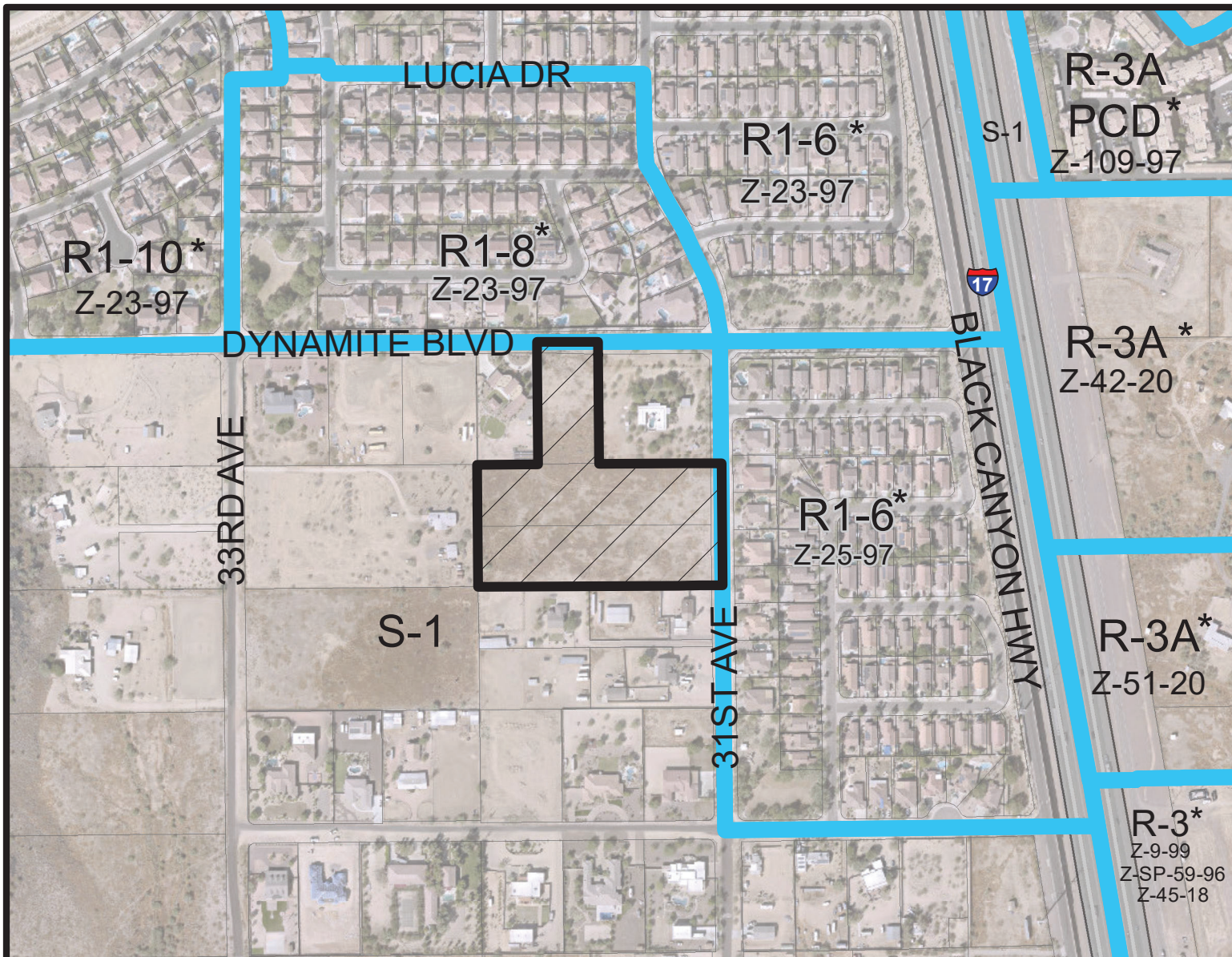
Conceptual Site Plan date stamped July 5, 2022

Conceptual Building Elevations date stamped March 10, 2022 (5 pages)

Community Correspondence (6 pages)



<b>APPLICANT'S NAME:</b> Ed Bull - Burch & Cracchiolo P.A.		<b>REQUESTED CHANGE:</b>	
<b>APPLICATION NO.</b> Z-16-22	<b>DATE:</b> 1/15/2022 <b>REVISION DATES:</b>	<b>FROM:</b> S-1 ( 6.29 a.c.)	
<small>GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.</small> <b>6.29 Acres</b>	<small>AERIAL PHOTO &amp; QUARTER SEC. NO.</small> <b>QS 50-21</b>	<small>ZONING MAP</small> <b>P-6</b>	<b>TO:</b> R1-10 ( 6.29 a.c.)
<b>MULTIPLES PERMITTED</b> S-1 R1-10	<b>CONVENTIONAL OPTION</b> 6 22		<b>* UNITS P.R.D. OPTION</b> N/A 28
* Maximum Units Allowed with P.R.D. Bonus			



Miles

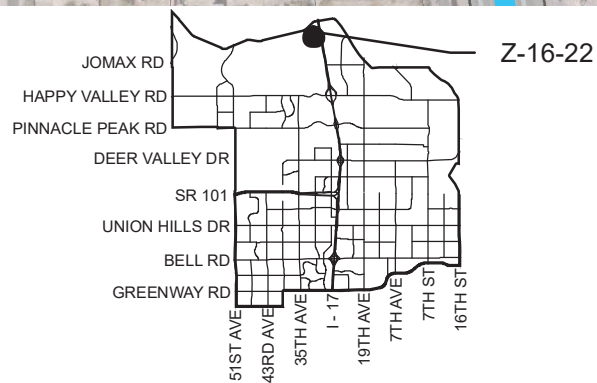
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**DEER VALLEY VILLAGE**

CITY COUNCIL DISTRICT: 1



**City of Phoenix**  
PLANNING AND DEVELOPMENT DEPARTMENT



APPLICANT'S NAME: Ed Bull - Burch & Cracchiolo P.A.

REQUESTED CHANGE:

FROM: S-1 ( 6.29 a.c.)

APPLICATION NO. Z-16-22

DATE: 1/15/2022  
REVISION DATES:

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

6.29 Acres

AERIAL PHOTO &  
QUARTER SEC. NO.  
QS 50-21

ZONING MAP  
P-6

TO: R1-10 ( 6.29 a.c.)

MULTIPLES PERMITTED

S-1

R1-10

CONVENTIONAL OPTION

6

22

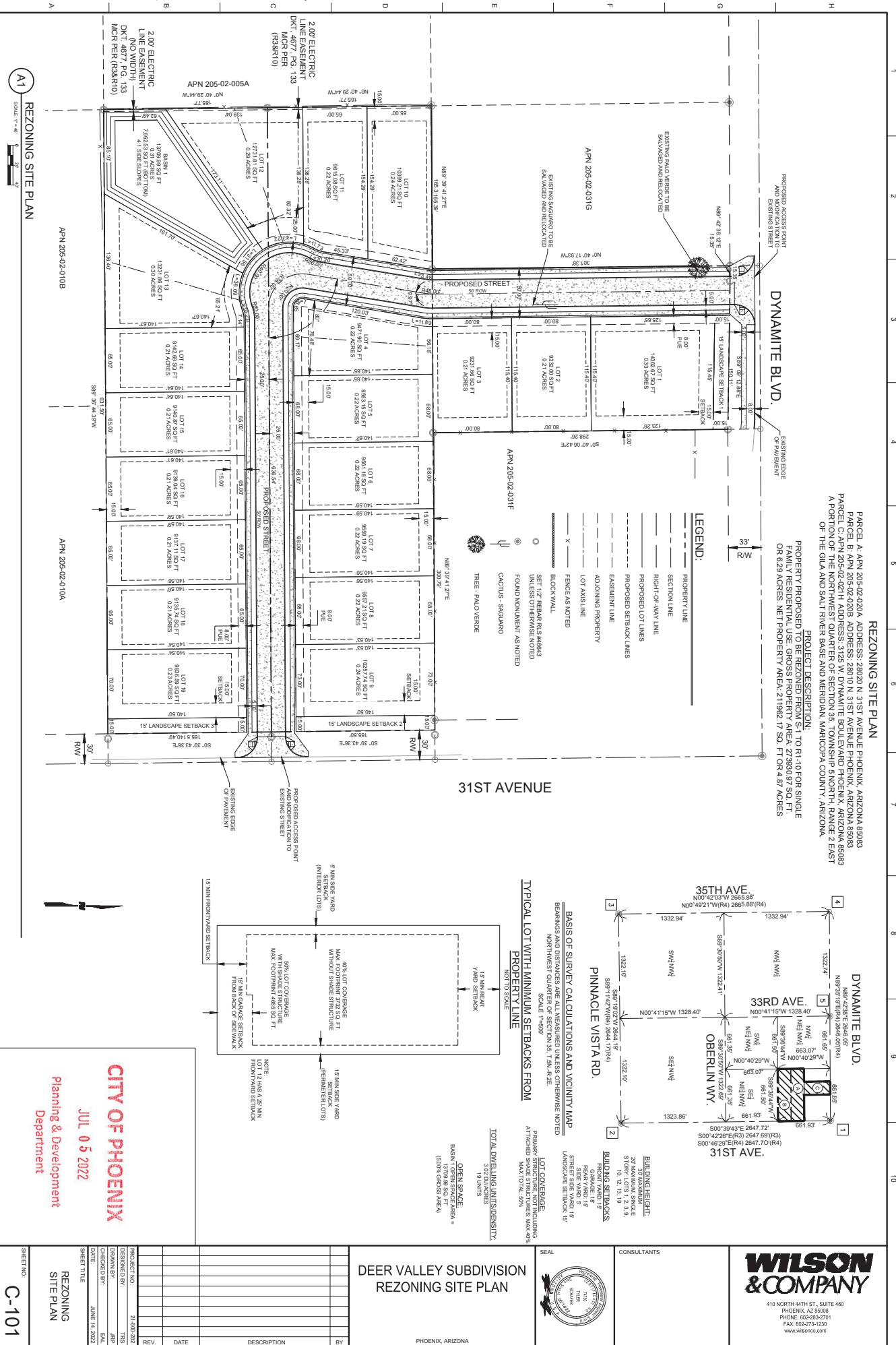
\* UNITS P.R.D. OPTION

N/A

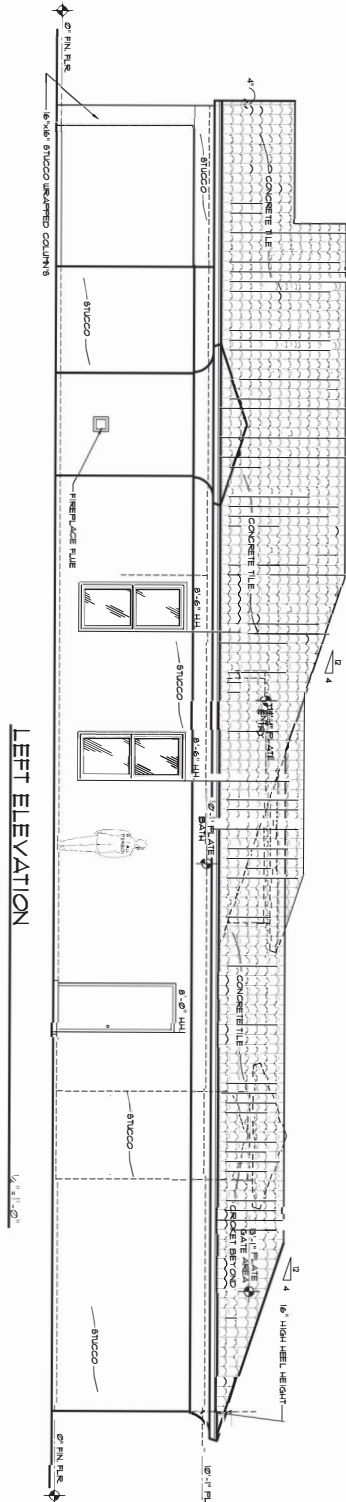
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\* Maximum Units Allowed with P.R.D. Bonus

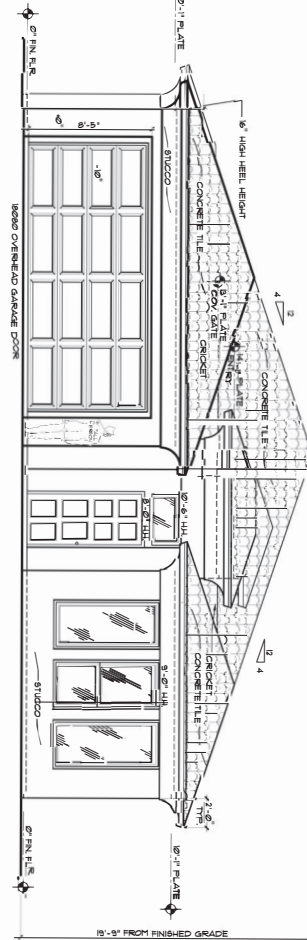




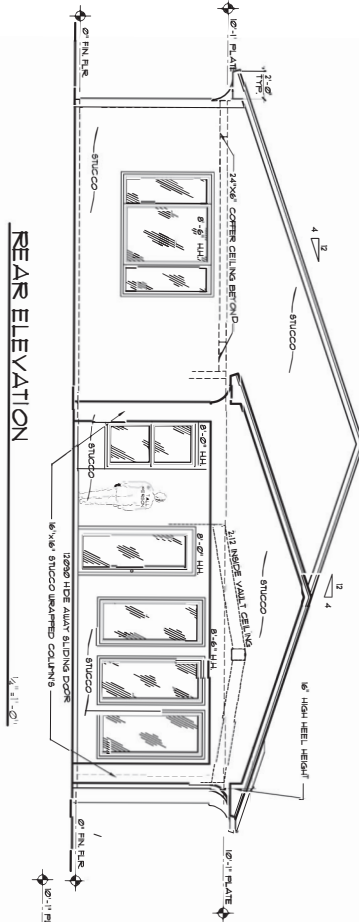
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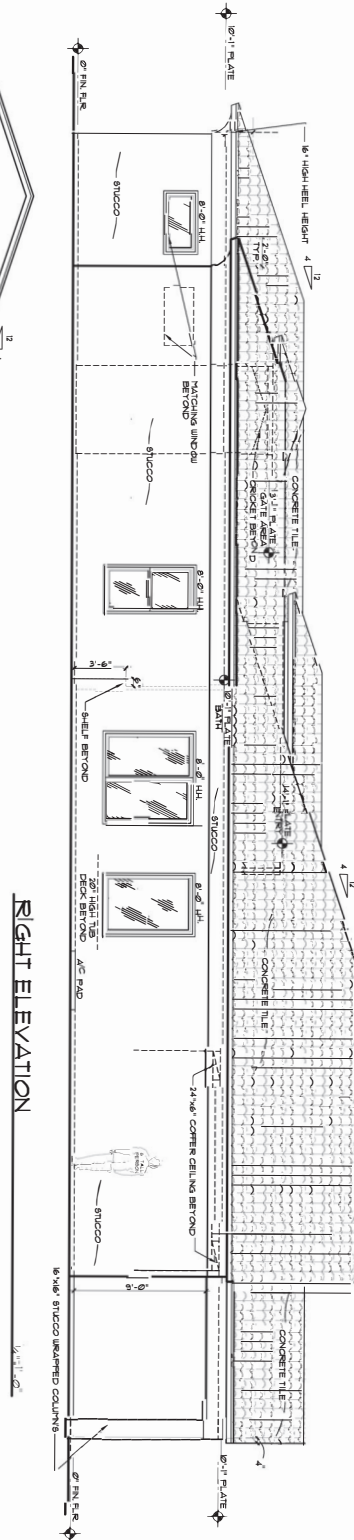
# FRONT ELEVATION



# REAR ELEVATION



# RIGHT ELEVATION



**CITY OF PHOENIX**

MAR 10 2022

Planning & Development  
Department

REVIEW ANY QUESTIONS W/ CONTRACTOR

SHEET NO.	5 OF 8
DATE	5/3/17

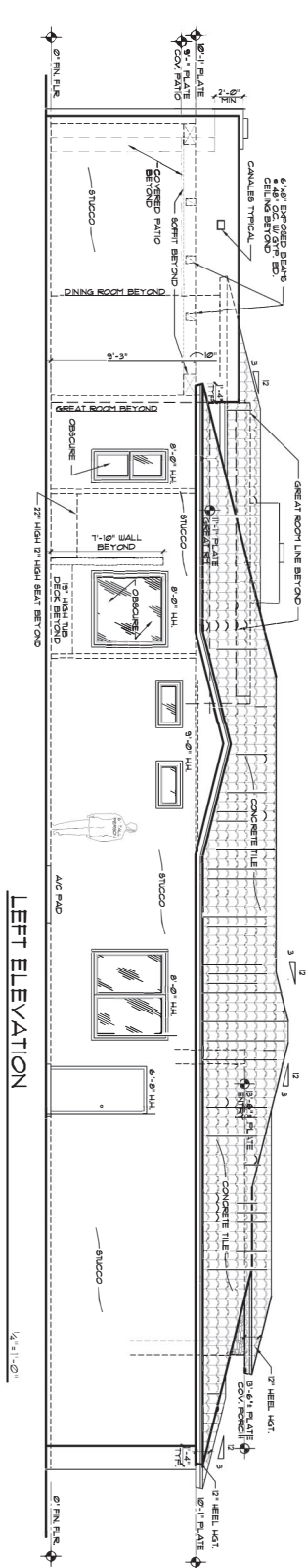
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DATE: 10/20/16	CHECKED BY:	TEV OWNER
1/4/17	REVIEWED BY:	OWNER
2/2/17		
3/1/17		

<b>2568 MODEL</b>
THE ESTATES AT GLENDALE, UNIT - 2
LOT - 4
9115 NORTH STAR LANE NE.
ALBUQUERQUE, NEW MEXICO

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ALL MEASUREMENTS & DIMENSIONS TO BE CHECKED & CONFIRMED BY OWNER AND CONTRACTOR.
THE STRUCTURAL INTEGRITY OF THIS PROJECT IS THE RESPONSIBILITY OF THE CONTRACTOR AND OWNER.
<b>ELEVATION PLAN</b>

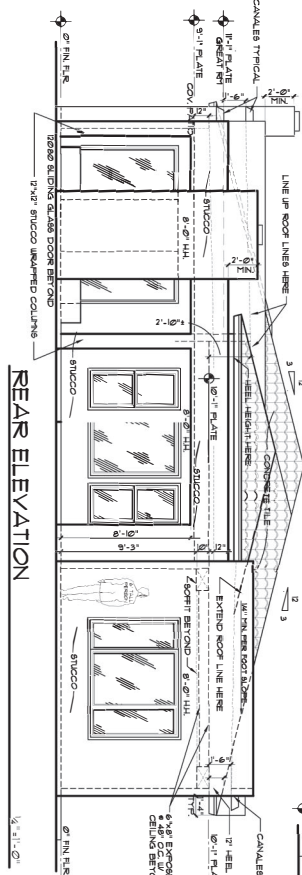
<b>DESERT WEST DEVELOPMENT LTD, LLC</b>
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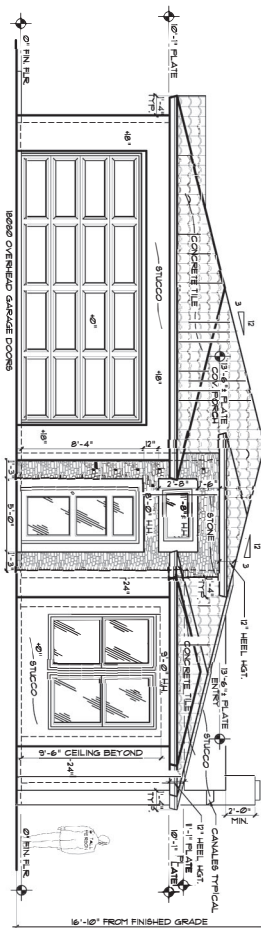


CITY OF PHOENIX  
MAR 10 2022  
Planning & Development  
Department

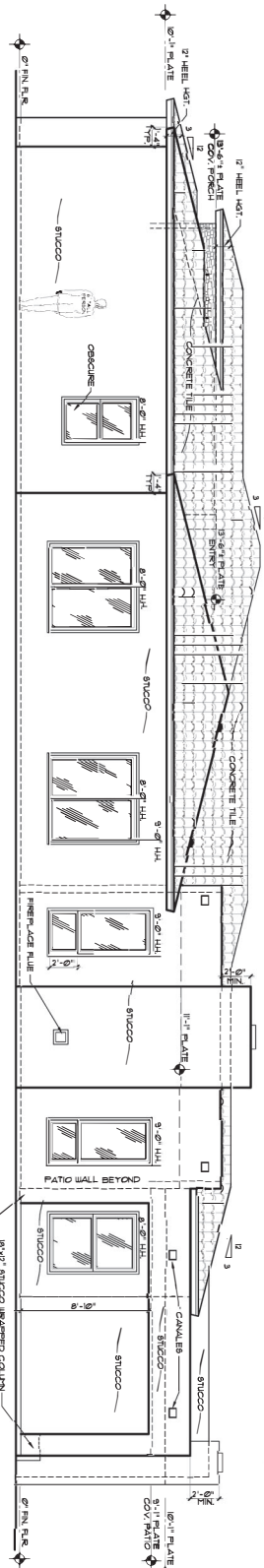
REVIEW ANY QUESTIONS W/ CONTRACTOR



FRONT ELEVATION



RIGHT ELEVATION



LEFT ELEVATION

1/4" = 1'-0"

REVISIONS (2)	DRAWN BY:
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DATE: 6/1/21	CHECKED BY:
NOR 6/22/21	TB/OWNER
NK 11/5/21	REVIEWED BY:
11/16/21	OWNER
12/24/21	
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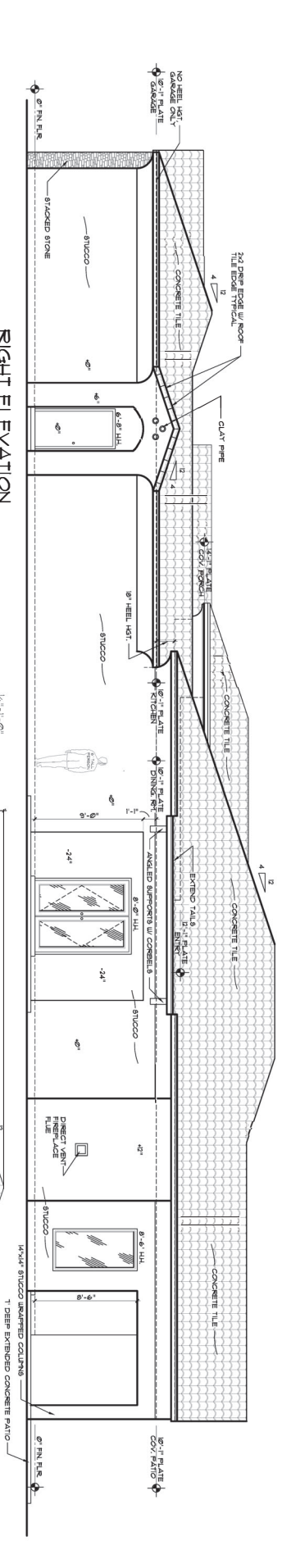
2879 MODEL  
THE ESTATES AT GLENDALE, UNIT - 2  
LOT - 1  
9121 MOON DUST LANE NE.  
ALBUQUERQUE, NEW MEXICO

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ALL REQUIREMENTS & DIMENSIONS TO BE CHECKED &  
CONFIRMED BY OWNER AND CONTRACTOR  
THE STRUCTURAL INTEGRITY OF THIS PROJECT IS THE  
RESPONSIBILITY OF THE CONTRACTOR AND OWNER  
ELEVATION PLAN

DESERT WEST DEVELOPMENT  
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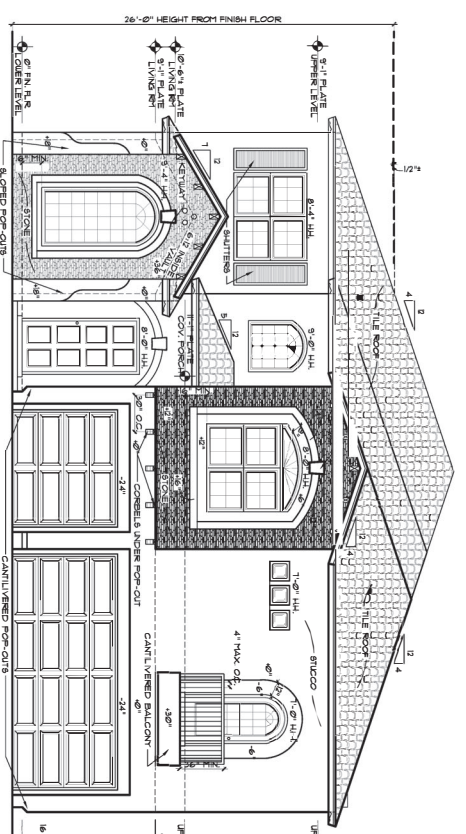
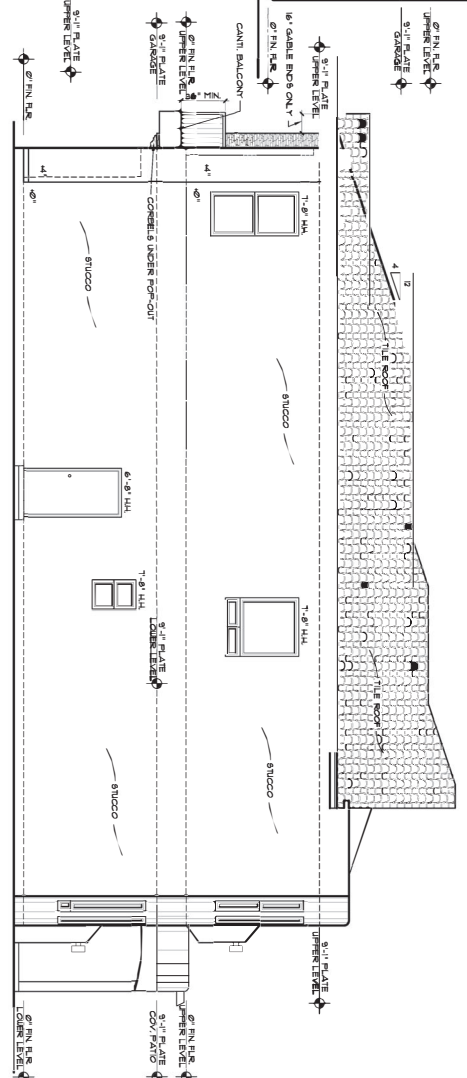
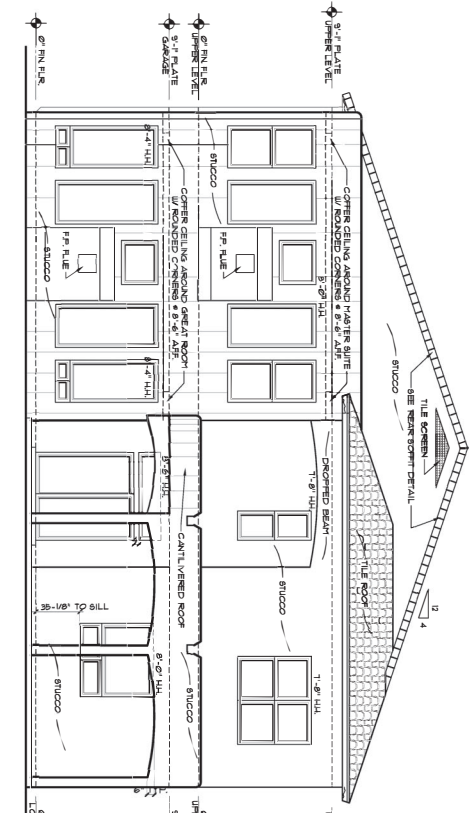
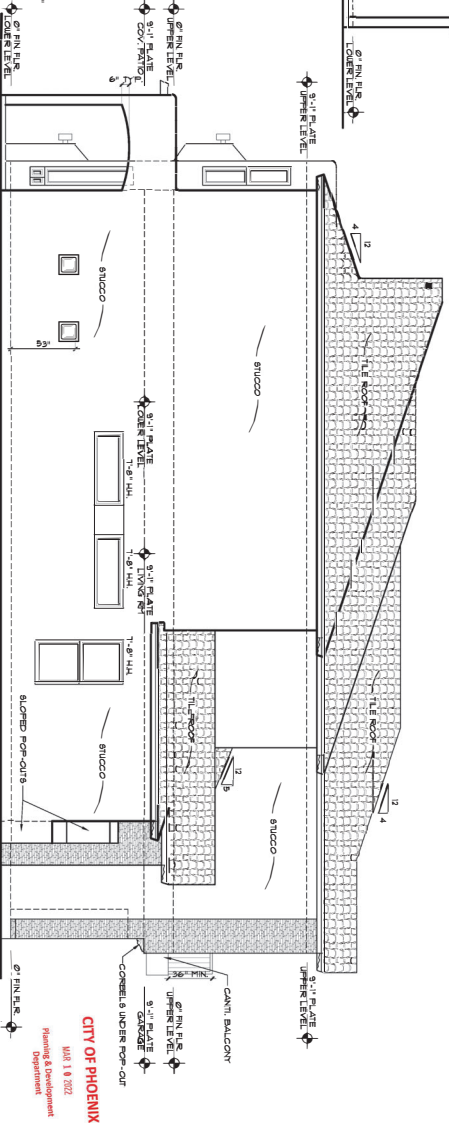
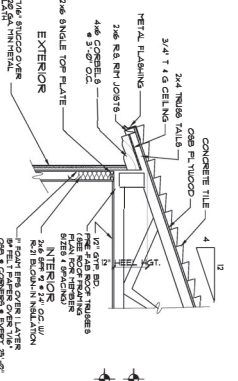
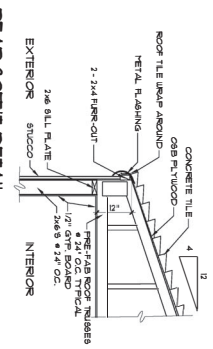




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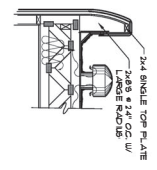
PARAPET

NOTCH OPENING

Z-CANAL

NO CANALS TO BE PLACED OVER ANY WINDOWS OR DOORS

ROOF CANAL



3,329 SQ. FT.

**CITY OF PHOENIX**  
MAR 10 2022

3,329 PLAN

SHEET No. 6 OF 8  
DATE: 12/27/02

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WRITTEN CONSENT OF RANDALL HOMES

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**ELEVATION PLAN**

**RANDALL HOMES, LLC.**  
**SCHMILLE CONSTRUCTION Co.**  
 A NM Corporation  
**NM Lic. 9252751**

P.O. Box 90848  
 Albuquerque,  
 New Mexico 87109

Office: 505-781-0250  
 Mobile: 221-5326  
 Fax: 766-0187

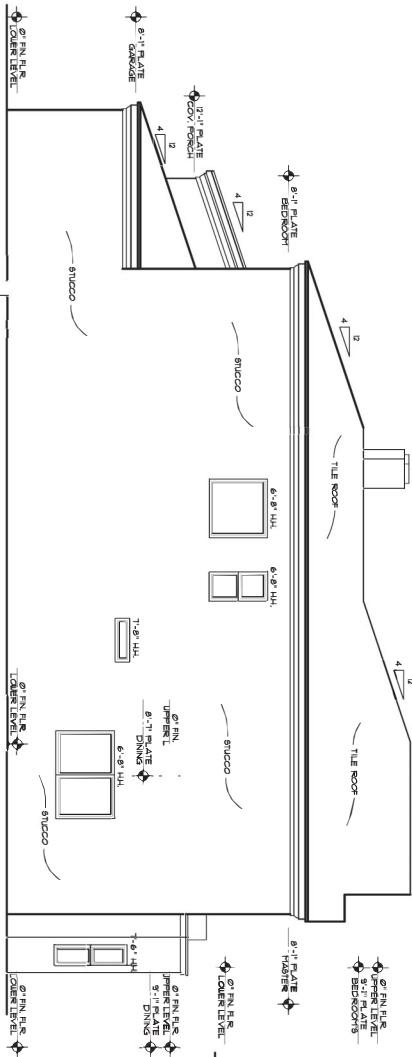
**Tomenstock**  
Computer Designed Homes  
& Drafting Services

Tom Burkhalter

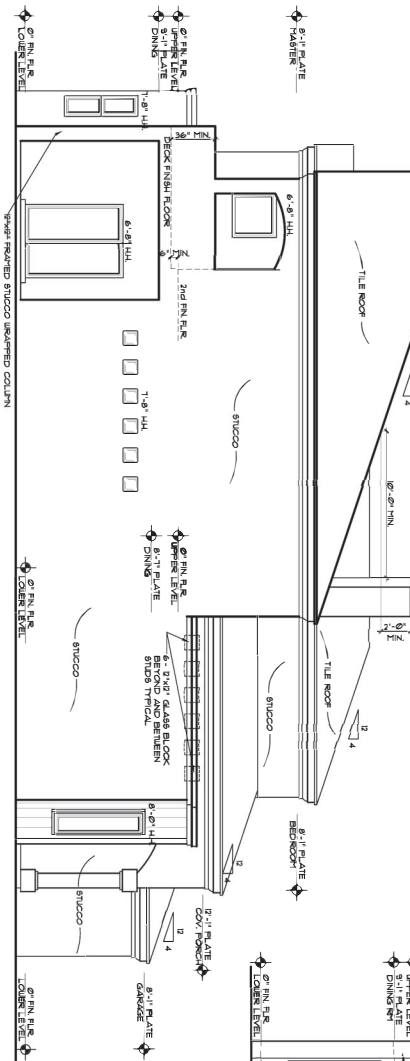
10000 Candelaria Blvd., N.E. Suite 107-11 Phone 505-235-2811  
Albuquerque, New Mexico 87121 Fax 505-255-2348



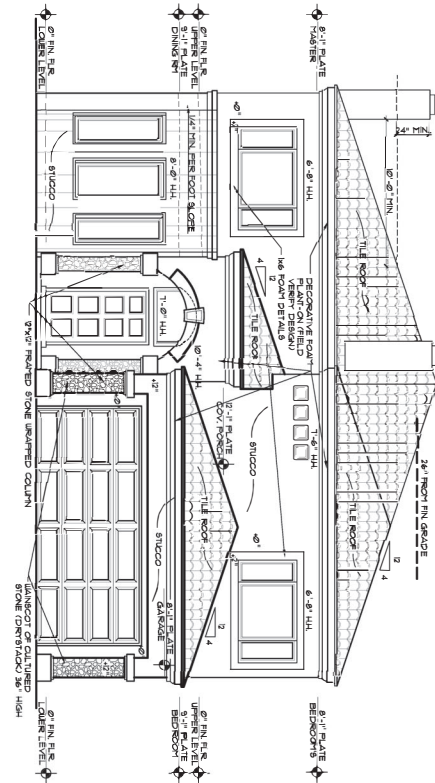
Ri ht Elevation



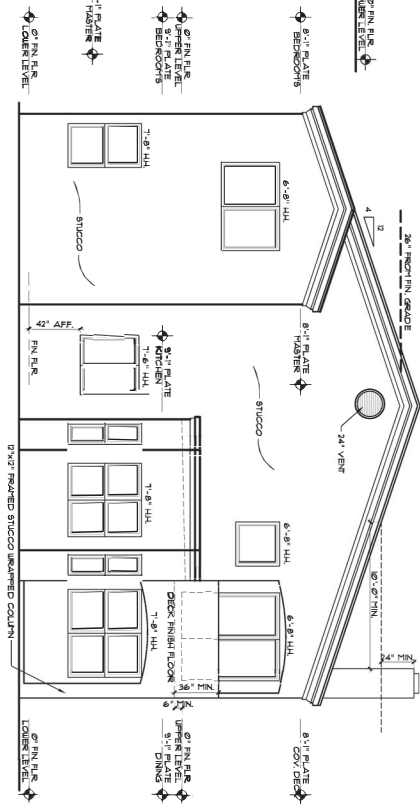
Left Elevation



Front Elevation



Rear Elevation



2818 SQ. FT.

CITY OF PHOENIX  
MAR 10 2022  
Planning & Development  
Department

REVISIONS	DATE	DRAWN BY	CHECKED BY	REVIEWED BY
1	5/2/20	TB		
2	5/25/20			
3	5/30/20	TB/RS		
4	5/4/20			
5	6/14/20	RS		

PLAN 2818

SHEET NO.  
6 OF 8  
DATE: 6/14/20

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ELEVATION PLAN

RANDALL HOMES, LLC.  
SCHMILLE CONSTRUCTION CO.  
A WHI COMPANY  
NM, L.L.C. 0252751  
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Tomenstock  
Computer Drafting Services  
Tom Burkhalter  
1000 Cedarvale Blvd. NE, Suite 6740 Phone 505-235-251  
Albuquerque, NM 87112 Fax 505-235-2348

**From:** [Annaliese Cox](#)  
**To:** [Sarah Stockham](#)  
**Subject:** Sunset Ridge Proposed Rezoning 31st Ave and Dynamite Blvd  
**Date:** Sunday, April 3, 2022 5:12:52 PM

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Hello,

We received a notification about rezoning a site near us. We and several neighbors are strongly opposed to the proposal of 19 houses in such a small area directly in the middle of a block of S-1 acre and multi-acre lots.

What resources are available for us to learn more about this proposal and be involved in the decision making process?

Thank you,  
—Annaliese Cox  
801-836-1651

**From:** [Julie Green](#)  
**To:** [Sarah Stockham](#)  
**Subject:** Case No. Z16-22  
**Date:** Monday, April 4, 2022 7:50:47 AM

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Hello Sarah,

My name is Julie Green. I am writing in response to a letter I received regarding property located at Dynamite and 31st Ave. A future zoning meeting is to be held, and I would like information as to when and where I can attend and speak.

This proposal is incredibly upsetting to myself and neighbors. This area is an S-1 zone. All the property owners surrounding this area have over 1+acres. We cherish the open space. Many of these homes and farms were built well over 25 years ago.

I just happen to be the homeowner, that has property adjacent to the proposed new street and 4 homes on the 1 lot.

R&B Trust, is taking a 1 acre lot that is sandwiched in between my property and the corner lot, trying to turn it into a street with 4 homes. The other part of his proposed property wants to put 15 more homes onto a 5 acre parcel.

This builder has absolutely no regard for the surrounding homes that are so invested in the area. Our properties will be devalued if he turns this into a high density housing area. Where are the homeowner rights? Just because he can, doesn't mean he should.

I appreciate any information you can share.

Thank you for your time. Sincerely,

Tim and Julie Green

3135 W Dynamite Blvd.

Phoenix, Az 85083

480-414-9001

## Anthony M Grande

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**From:** Fred Renn <renn.fred@yahoo.com>  
**Sent:** Monday, April 25, 2022 11:20 AM  
**To:** Anthony M Grande  
**Cc:** Ed Bull; Randy Schmille; Julie Green  
**Subject:** Z-16-22

I want to go down on record as as being 100% opposed to the proposed zoning change to the 5.79-acres, which is the subject o the subject case number. I live on a 2-acre parcel at [28036 N. 31st Ave \[google.com\]](#) (SWC of Dynamite and 31st Ave). An outsider to the area, Randy Schmille, purchased the property in question wants to change the zoning on property that borders my property on two sides from S1 to R1-10 so he can build 19 homes, under the pretense of providing much needed homes for desperate people that can afford \$1 million dollar homes. Nine of the proposed homes will back up to my property. I am livid, especially since I know what happened with the whole Deem Hills/Taylor Morrison debacle over on 37th Avenue, when we were ignored by a majority of the Village Planning Committee first after we provided approximately 90 letters in opposition, and then the City Council went ahead and approved it even after the Planning Commission unanimously voted it down. With all of the opposition from the neighborhood it should have been voted down immediately and the case closed. However, the majority of the Village Planning Committee failed to to protect us and the City Council didn't seem to care, I guess because it was wasn't their neighborhood and were looking at additional revenue to be gained.

I've lived there for over 20 years and have no issues if somebody wants to build one house on one acre like the current zoning stipulates. Unlike the Deem Hills development, this one encroaches into the interior of the remaining block of S-1 zoned area and is not across the street from S-1 residents like Deem Hills is, plus this proposed change is nearly twice as dense. Allowing this to take place will greatly impact the quality of life for me and my neighbors. Mr. Schmille appears to have the same mindset that Taylor Morrison did. "It's in the General Plan, so they can do what they want and the City can ignore the people that live there." To me General Plan means "general", not something set in stone. This change will have a huge impact on the current residents and battling it will be an incredibly time consuming effort for me and my neighbors that we did not ask for. Additionally, it's not what we bought into and I for one was never asked for input to change the general plan. I also oppose any proposed two-story homes on 1-acre lots next to me for privacy concerns.

Fred Renn  
28036 N. 31st Ave.

**From:** [Julie Green](#)  
**To:** [Anthony M. Grande](#)  
**Subject:** REZONING case Z-16-22  
**Date:** Wednesday, May 11, 2022 8:13:03 AM

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Mr. Grande,

My name is Julie Green. My husband and I are asking for your help. I could make this a very long, and time consuming email, but I would rather ask you to look at a website we put together regarding rezoning S-1 properties, to an R1-10. The site is: [luvmyland.com](http://luvmyland.com) [[luvmyland.com](http://luvmyland.com)]

This will be before the Deer Valley planning committee soon. The entire proposed area is surrounded by 1 story, acre lot homes.

Our home would have a new street by our driveway, and 4 houses facing it. My neighbor, who has lived there for 20 years, would have 9 homes backing up to his property!

We are NOT saying don't build, we are just asking to keep it S-1. I would love to show you in person if you would be willing to meet at the property.

Please visit this site to understand our frustrations: [luvmyland.com](http://luvmyland.com) [[luvmyland.com](http://luvmyland.com)]

Thank you for your time,

Julie Green

480-414-9001

**From:** [Julie Green](#)  
**To:** [PDD Deer Valley VPC](#); [Sarah Stockham](#); [Anthony M Grande](#); [Trilese DilLeo](#); [Joseph Grossman](#); [matthewikenney85@gmail.com](#); [william.novak@gmail.com](#)  
**Subject:** Rezoning case: Z-16-22-1  
**Date:** Thursday, August 4, 2022 10:12:25 AM

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Hello DV Planning committee,

I am not sure if you are familiar with the upcoming rezoning hearing case Z-16-22.

May I ask you to please consider driving to the location. The 5.98 acres in question are completely surrounded by S-1 homes.

Without going in to lengthy details, I just ask that you please take a look at the website: [luvmyland.com](http://luvmyland.com) [[luvmyland.com](http://luvmyland.com)]. The surrounding neighbors put together a website to explain why we oppose it. We are not opposed to building 5 or 6 homes, we are just asking that they be S-1 homes.

One of the owners home would have 9 houses surrounding him. He has lived on his property for 20 years. Another owner would be dealing with a new street directly beside their property, and 5 homes surrounding it, including 2 story homes.

Mr. Schmille sent me an email about the website we posted asking me to take down the following :

Tim and Julie,

I have noticed on your website <http://www.luvmyland.com>, [[luvmyland.com](http://www.luvmyland.com),] that you two make a reference to the builder, that he was stating the following:

**The builder states that the property is not suitable for the current zoning because "The larger lots, if developed with landscaping commensurate with other large lots in the area, will require greater water use per lot and greater costs for maintenance."**

Would you kindly remove this as I did not say, in any way, shape, or form, this statement? I have no idea where that could have come from unless you two were referring to another builder that may have told you this. Your website makes it sound like you two are referring to me.

Thank you.

**Randy Schmille, MM**

**ASHCON LLC  
R & B Arizona Land LLC  
Ashton 33rd Avenue LLC  
Desert West Development Ltd LLC  
[39506 N Daisy Mountain Dr](#) [[google.com](#)] 122611  
Anthem, AZ 85086  
505.315.0312**

**Mr. Schmille wrote on page 17 of 56 of his APPLICATION INFORMATION FORM this exact statement.** What else is he being deceptive about?

Thank you for your time and consideration,  
Julie Green