Deer Valley
VILLAGE PLANNING COMMITTEE

Village Planning Committee Meeting Summary
Z-16-22-1

Date of VPC Meeting	August 11, 2022
Request From	S-1
Request To	R1-10
Proposed Use	Single-family residential
Location	Approximately 322 feet west of the southwest corner of 31st Avenue and Dynamite Boulevard
VPC Recommendation	Denial
VPC Vote	7-4

There were five (5) speakers that spoke in opposition.

VPC DISCUSSION:

STAFF PRESENTATION:

Racelle Escolar, staff, provided an overview of the rezoning request, describing the location of the request, the existing and proposed zoning districts and the surrounding uses as well as the site plan and elevations for the proposed single-family subdivision. Ms. Escolar shared that the proposal has received nine letters of opposition and that staff recommends approval subject to eleven stipulations, including a revised stipulation limiting building height.

APPLICANT PRESENTATION:

Ed Bull, with Burch & Cracchiolo, PA, introduced himself on behalf of applicants Mr. and Mrs. Randy and Betty Schmille who are local developers based in Anthem. Mr. Bull displayed photos of the vacant subject site, the site's general plan designation, and the project's site plan including the lots that would be subject to the one-story maximum as stipulated. Mr. Bull described the project's community outreach process including neighborhood meetings and door knocking.

QUESTIONS FROM THE COMMITTEE:

Ricardo Romero asked for clarification as to the concerns raised during the public meetings. **Mr. Bull** clarified that the primary concerns were maintaining neighborhood

character as it relates to the existing S-1 zoning, concerns about height and the number of stories, and a general disdain for the influx of development in the area.

PUBLIC COMMENT:

Julie Green introduced herself as the owner of the home adjacent to the west. Ms. Green expressed that she believes the project is inappropriate given the surrounding zoning and that the density is inappropriate for the area, mentioning a previous discussion with the applicant in which it was suggested that the proposal be reduced to six homes instead of nineteen. Ms. Green shared her concerns about that the value of her property declining and the lack of consideration for homeowners in the area.

Committee Member **Trilese DiLeo** asked Ms. Green if she received water from the City or via well and **Ms. Green** responded that she was connected to City water services.

Lois Colcord introduced herself as a neighbor to the southwest who does not find the proposal appropriate. Ms. Colcord echoed Ms. Green's concerns about density in contrast with the surrounding S-1 zoning, as well as concerns about traffic and property value decline.

Fred Renn introduced himself as the neighbor directly adjacent to the northeast. Mr. Renn bought his property in the area twenty years ago with the notion that the area would remain low-density. Mr. Renn expressed serious concerns about privacy being so close to the proposed single-family units, as well as concerns about the integrity of the public hearing process.

Dan Cornette introduced himself as a nearby neighbor. Mr. Cornette shared his disdain for the difference in density between the proposal and surrounding property as well as the proposed street. Mr. Cornette stated that he is not anti-development though he finds this proposal to be inappropriate for the area.

Tim Green introduced himself as the neighbor directly adjacent to the west and the spouse of previous speaker Julie Green. Mr. Green shared that he and his wife had retirement in mind when purchasing their home in rural area, and that the project as it proposed threatens the longstanding low-density lifestyle of the area.

Trilese DiLeo asked for clarification as to the location of the Greens' home, as well as if the other neighboring homes in the area are occupied.

Committee Member **Ozzie Virgil** shared that he is familiar with the area and asked if all the property in the area was for equestrian and other farm uses. **Mr. Green** affirmed this.

Committee Member **Mark Lewis** asked about the existing homes to the east and the north and when they were developed. **Mr. Green** shared that he believes they were developed in the early 2000s. **Mr. Lewis** asked Mr. Green how long he has lived in the area to which **Mr. Green** replied since 2019. **Mr. Lewis** asked when the applicant had acquired the vacant land adjacent to the Greens' property; **Mr. Green** shared that it was sold in 2018. **Mr. Lewis** asked Mr. Green to share his greatest concern to which **Mr. Green** replied that it was drastic change in the character of the area.

APPLICANT REPONSE:

Mr. Bull iterated that the project was located within the City of Phoenix corporate limits and reiterated that the General Plan Designation for the property calls for a much higher density than what is being proposed. Mr. Bull shared that S-1 zoning has historically served as a placeholder district upon annexation subject to further development. Mr. Bull addressed concerns about property values citing that the proposed homes will be custom built and range from $750,000-$1,000,000 in value. Mr. Bull concluded by reiterating the staff recommendation for approval with stipulations.

FLOOR/PUBLIC DISCUSSION CLOSED: MOTION, DISCUSSION, AND VOTE:

Ozzie Virgil asked Mr. Bull to confirm the projected market rate of the homes and stated that projected value of the homes is too high considering the size of the lots. Mr. Bull replied that the rising costs of land acquisition has created the conditions for homes in this price range notwithstanding the 10,000 square foot lot size.

Trilese DiLeo expressed concerns about equestrian activity in the area. Ms. DiLeo shared that while she finds the project well-designed, she does not find it appropriate given the surrounding context and that it will likely lower the value of the adjacent homes. Ms. DiLeo referenced nearby residential development as a better example of development that is denser yet not surrounded entirely by rural zoning. Ms. DiLeo concluded by stating perhaps half-acre lots would be more appropriate.

Ozzie Virgil stated that the proposal goes against the character of the area that the property owners sought when choosing to live there, sharing that the existing nearby residential developments are not surrounded by one-acre per unit lots. Mr. Virgil echoed Ms. DiLeo's two lots per acre suggestion.

MOTION

Trilese DiLeo motioned to recommend denial Z-16-22-1. **James Sutphen** seconded the motion for denial.

Chair Joseph Grossman stated that while he understands the concerns of neighbors, the request and proposal is within the rights of the property owners and does not defy recent trends in development. Chair Grossman cited the limit on height as a proper response to concerns for privacy, though he is concerned about the roadway as proposed.

James Sutphen stated that the project is a misfit for the area and that it takes away valuable open space and detracts from the mountain views and neighborhood charm.

Trilese DiLeo emphasized the importance of offering diverse housing stock and the need for compromise, reiterating the sentiment that the project will severely interrupt the existing neighborhood.

Mark Lewis echoed Ms. DiLeo's comments stating that the proposal will bisect existing homeowners, though he believes the proposal may increase property values.
Ricardo Romero shared his experience in real estate and his opinion that the request is odd and improper given the neighboring homes.

Susan Herber expressed her support for the project citing the inevitability of development on the parcel.

Mark Lewis responded to Ms. Herber reminding the Committee of extensive build-to-rent communities being built in the area while the current proposal being for sale provides an advantage, though it is still not appropriate for the site itself.

Trilese DiLeo reiterated that the project is inconveniently situated between many neighbors and perhaps could be redesigned to fit better and that the Committee should not be hasty in approving projects for the sake of housing units.

Mark Lewis requested input from staff about the proposed road connecting Dynamite Boulevard. **Racelle Escolar**, staff, responded that the road is likely not required for fire access and is for ease of ingress/egress.

Trilese DiLeo asked staff which zoning district would allow for two dwelling units per acre. **Ms. Escolar** replied that the closest zoning district would be R1-18, though the proposal does not use the max density allotted by the requested R1-10 district. **Ms. DiLeo** asked if the Committee could recommend approval for the R1-18 district; **Ms. Escolar** responded that while the Committee could recommend denial as proposed and approval for R1-18, it would severely impact the current stipulations and site plan conformance.

Chair Grossman asked if the applicant would have to refile in the case that R1-18 zoning is approved by the Committee. **Ms. Escolar** responded that they applicant would not necessarily have to refile and that the committee could continue the application and ask the applicant to amend it to R1-18. **Ms. DiLeo** asked if that would prevent the application from moving forward. **Ms. Escolar** replied that it would be up to the applicant's discretion to ask for a continuance at the Planning Commission and at the Planning Commission's discretion to grant the continuance.

Ms. DiLeo stated that she would like to move forward with the motion on the table in order to have the committee's opinions are heard and ask the applicant to refile with an R1-18 zoning district.

Chair Grossman stated that a recommendation of denial from the committee will cause the Planning Commission likely to pause and try to determine the reason for the opposition, at which time the applicant could redesign the project to fit the R1-18 district.

Ms. Escolar stated that the motion could be amended to be for denial with direction to consider amending the proposal to R1-18. **Ms. DiLeo** stated that she agreed with that approach.

Chair Grossman asked the applicant to state whether he would be amenable to a continuance.

Ed Bull stated that he did not have contact with the applicant at the moment and did not have authority to agree to any particular proposal. He suggested that the committee vote on the motion on the table.

VOTE

7-4, the motion to recommend denial of Z-16-22-1 passes; Members Davenport, DiLeo, Field, Lewis, Romero, Sutphen, and Virgil in favor; and committee members Herber, Novak, Kenney, and Grossman opposed.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

None.