

## Attachment H

**David O Simmons**

---

**From:** RKWeinberg at RKWeinberg.net <rkweinberg@rkweinberg.net>  
**Sent:** Thursday, December 10, 2020 7:35 PM  
**To:** David O Simmons  
**Cc:** RKWeinberg; Jennifer Hall  
**Subject:** Rezoning Case number: Z-53-20-1

David Simmons,

Regarding:

DEER VALLEY VILLAGE PLANNING COMMITTEE meeting open to the public on Thursday, December 17, 2020, at 6:00 p.m.

Case number: Z-53-20-1

Presentation, discussion, and possible recommendation regarding a request to rezone 15.52 acres located on the northeast corner of 31st Avenue and Pinnacle Vista Drive from S-1 (Ranch or Farm Residence) to R1-8 (Single-family Residence District) to allow single-family residential.

**I oppose the project for various reasons.**

1. The density of the project does not fit in with the community. Although there are three 'developments' in the area, they have all been here since around 2002 and nothing has been built or developed since then except for S1 property as S1 property. The current exception is a Taylor Morrison project located southeast of the Dynamite and 39th Ave alignments. That development has 1.4 du/acre.

This is a rural area and most of us live here because of that lifestyle. The high-density housing proposed by K. Hovnanian Homes does not fit in this area at all. Houses crammed together 10 feet apart on 'postage stamp' size lots will degrade to rural feel of the area. Nothing in this area has lots as small as what is being proposed.

2. Traffic and **traffic noise**.

There will be a lot more traffic and its associated noise will be added to our area.

I live on Pinnacle Vista. Actually, my back yard backs up to Pinnacle Vista. There are 10 homes on the south side of Pinnacle Vista between 33rd Ave. and 31st Ave. (including mine). The speed limit is 30 MPH. Already a lot of people consider it a speedway and speed up and down that road. It is noisy. On the north side of Pinnacle Vista between 31st Ave. and 33rd Ave. are S1 properties.

If the development is built with 61 homes, I estimate that there will be 100+ more cars driving on Pinnacle Vista between 33rd Ave. and 31st Ave. every day. That is a lot of traffic and a lot of noise.

The most common way people enter and exit our area is from Happy Valley Road and 35th Ave.

Another way to enter our area is to travel north on I17 up to Dixileta, make a U-turn and come south on the I17 frontage road.

I talked with Chris Williams of Y2K Engineering at the original meeting with the project personnel and his assumption is that most traffic will enter the area by going up to Dixileta, making the U-turn and coming south on the I17 frontage

road. He assumed 70% of the traffic will use that path. He is **WRONG**. The most commonly used entrance to our area is via Happy Valley Road and 35<sup>th</sup> Avenue.

Where we live is quiet at night. We hear coyotes. We hear horses. We don't need the noise that a dense development will bring (traffic and human related noise).

I am sure that K. Hovnanian Homes develops nice homes. But, the feel of the existing community must be considered when proposing a deviation to the current environment. We are rural and want to remain rural.

With all due respect, I request that this development **NOT** be allowed.

Thank you.

Roy Weinberg  
3132 West Buckhorn Trail  
Phoenix, Arizona 85083-5829  
602-571-1045  
rkweinberg@rkweinberg.net

--

Roy Weinberg  
[rkweinberg@rkweinberg.net](mailto:rkweinberg@rkweinberg.net)  
<http://www.rkweinberg.net> [[rkweinberg.net](mailto:rkweinberg.net)]

## David O Simmons

---

**From:** John/Cheryl Colin <absoclean@msn.com>  
**Sent:** Monday, December 14, 2020 6:34 PM  
**To:** David O Simmons  
**Subject:** #7 Case# Z-53-20-1

Hi David,

I would like to speak regarding the this case. Please register me.

I am very concerned about the traffic in our neighborhood. This is supposed to be a rural comm where horses can be rode etc.. and with this project going in along with the one at deems hill there is going to be a tremendous amount of traffic in the neighborhood. We already have issues with the amount of traffic and cars speeding. This will just add to it. We all moved out here for reason to get away from the city. We are trying to keep this a community rural/farming properties. We don't want the zoning changed at all. Would like to keep this one house per acre. Its all about the money, once the builders come in and make their profit then they leave and we have to put up with all the crime and over populated neighborhood. We also have another project that is going in just north of the canal. How much more are we going to cram back into this once quiet unknown neighborhood.

Thank You  
Cheryl Colin

12/1/2020

Mr. Simmons,

I am writing this to voice my opposition to the proposed zoning change, Case # Z-53-20-1. The proposed development of 61 homes will have a significant impact on traffic in the area and is not compatible with the surrounding area.

The traffic study presented by the developer is faulty and has no basis for the assumptions made. The study fails to address the already re-zoned properties that are/will be developed and will increase traffic load on the limited egress routes into/out of the area. More importantly, the assumption that only 10-percent of the trips made from and 30-percent of the trip to the proposed development will use 33<sup>rd</sup> Avenue is completely baseless. Consider the following:

- Shopping, including grocery/convenience/Starbucks/etc., are on Happy Valley Road and will be accessed via 33<sup>rd</sup> Ave
- Local Schools are most easily accessed via 33<sup>rd</sup> ave to Happy Valley
- Local gas stations are on Happy Valley Road and will be accessed via 33<sup>rd</sup> Ave
- The shortest driving route to the development from northbound I-17 will be via Happy Valley. Mapping apps on cell phones/computers are going to direct drivers to use this route.

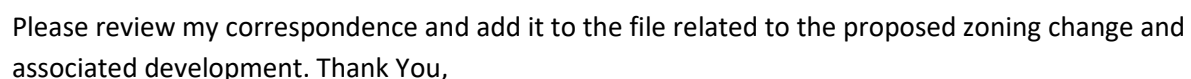
Anyone with an understanding of how people go about their daily activities should understand that the 33<sup>rd</sup> Avenue route will be used significantly more than what is assumed. An “engineered”, and I use that term loosely, document should not take place over a common sense understanding of the situation.

The house density is excessive considering the rural character of the area. Yes, there are some portions of developments in the general area that have similar density, but they are not in the immediate area of the proposed development. These, higher density developments already do not fit into the rural character of the area. There are a sufficient number of these to provide adequate diversity in the neighborhood. We don’t need another one and the additional traffic/people/crime potential that comes with it.

The developer has stated that the houses on the northern part of the project would be restricted to single story, indicating that there are plans for two story units elsewhere. With four-plus houses per acre and two-story units, this development would give a “being in a canyon feeling” when traveling down streets. This would not be compatible with the surrounding properties or the rural nature of the area.

If rezoning is to occur, a maximum density of 3.0 houses/acre should be stipulated. That would ensure the development was compatible with the area and would reduce the negative effect of traffic on the established residents. Please see Figure 1 (next page) for visual representation of egress route limitations and rezoned properties that will increase traffic load in area.

Figure 1



Kenneth A. Vest, 27635 N 37<sup>th</sup> Ave, Phoenix AZ 85083

Dear Committee/ Board Members,

February 2, 2021

Hi, my name is Cheryl Colin I live at 3031 W Oberlin Way. I live on S-1 farming property. We have horses, chickens' turtles etc....

I feel this hearing should be delayed due to the Covid 19, so the people can attend in person. This whole technology thing is difficult for most. We are old school; you know like pen and paper. Half the people can't attend because they don't have a computer or don't know how.

My concern is traffic and over crowding the neighborhood.

It would be nice if you all could come and see our unique little neighborhood. These builders want to come in and build a ridiculous amount of houses in one area. If you had a visual, I think you would better understand.

We are surrounded by so many other places people can live, and there is so much land around us to build on. We don't have a housing shortage. Why build so many houses in such a small condensed area. The builder wants to make a quick buck and leave us to deal with higher crime, more traffic, and rentals. We need to keep it S-1 farming, 1 house per Arce. Let me tell you of all the areas that are going up around us. Some have broke ground and others have not. I made a list below.

The 43 homes (Taylor Morris) going up right now west of us in the neighborhood that must filter thru the neighborhood to get out. We only have 2 ways out, the access road and 33<sup>rd</sup> Ave which turns into 35<sup>th</sup> Ave.

I have heard this saying before and not just this last hearing but other ones we have fought. "but it is unfortunate that this happens" Well it does not have to be unfortunate. Leave it for what it is "Rural S-1 Farming for horses, chickens' cows, goats not a bunch of track homes. This is a unique rural neighborhood we are trying to keep that way. We ride horses and don't need an over whelming amount of traffic. When friends come over, they have said "this is cool never new this existed back here". That is the feeling we are trying to keep. A lot of us are retiring back here. I have been here for over 18+ years and others a lot longer. We are tucked away people don't really know of this neighborhood. There is so much land around us out of this neighborhood that can be built on. I think most of us would settle for 2 houses per acre just to stop the builders from coming into our neighborhood.

Sometimes I ask myself is this committee for the builders or the people. We all don't have the money for fancy lawyers like some of these big builders do to fight this, like Taylor Morrison who we lost against and houses are going in as we speak and Pederson by the high school another one we lost, and 325 units are going in . These all will impact our neighborhood.

At the last meeting the traffic engineer gave statistics on traffic, but he was only counting what they want to build not everything that is in the works or has not stated yet that will also impact our neighborhood. To me this is not accurate.

Here is a list of other areas that exist, broke ground or is going to break ground:

Avilla Canyon Apts and the Bungalow at Jomax on the East side of the freeway. They must go north onto Dixaletta and south down our Access road. The only way out for them. (Exists)

43 houses by Taylor Morrison in our neighborhood at Deems Hill recreation area (broke ground)

173 houses North of the Canal (west side of freeway) only way out is access Rd (have not broke ground)

325 Units across from high school 35<sup>th</sup> ave and Happy Valley (broke ground)

57 houses 31<sup>st</sup> Ave and Pinnacle Peak (Nothing)

Pocono way and 33<sup>rd</sup> Ave Houses going up on the hill. Only way out of the neighborhood is down 35<sup>th</sup> ave. (have not broke ground)

Next to USAA across from Norterra Shopping more housing ( broke ground)

Union Park 19<sup>th</sup> Ave between Happy Valley and Jomax 1100 single family homes in progress and 1100 multi family units. (broke ground halfway completed).

**More Apts** east of 19<sup>th</sup> ave on Happy Valley. I can go on and on

Not a housing shortage in this area.

I want to thank Russell Osborne (member of the board) for being our voice he stated exactly what we are trying to say.

Please vote to keep this what we live for "Our Rural neighborhood" S-1 Farming 1 house per Arce. Living this type of lifestyle has really molded my boys into the respectable, hardworking young men they are today. I would recommend this lifestyle to anyone.

Thank You,

Cheryl Colin



My name is Dustin Hamilton. I live at 3115 W Oberlin Way

I am opposed to this zoning change Z-53-20-1

My main concern is that there has been no clear explanation as to how all the new construction in this area will affect our local schools. I have a son who attends Sandra Day Oconner High School. We accompanied him last year to see the school, and it was clearly overcrowded.

I cannot understand how the city can keep approving housing developments while the schools around this area are so overcrowded. There is a huge problem in our state retaining quality teachers and providing a good education for our students. There is a correlation between the amount of housing being granted and the number of new students going into our schools. I believe part of the education problem in our state is due to overcrowding and not enough infrastructure. How can a student get quality education in an overcrowded classroom? Why would a teacher want to teach in a situation where there are almost 40 pupils in a class?

I realize that right now class sizes are small due to COVID 19, but as we edge out of this the kids will start coming back to full capacity, especially now that the CDC has said the classroom is the best places for students.

In the last year, the district area around Sandra Day Oconner has approved a 300 plus unit apartment complex, and two other new housing tracts, about another 70 homes. The zoning change Z-53-20-1 is requesting another change to our zoning from 1 house per acre to 4 houses per acre, adding another 57 homes to this area. These homes will have kids that need to go to school somewhere. How is it responsible to continue to approve all these homes without having a proper educational environment in place???? I have not heard of any proposal to build a new school to accommodate the influx of students.

This question was asked at the village planning committee meeting, and someone mumbled something about there were studies done to show that this was all ok. What studies??? Who is doing these studies? Where are the results of these studies to be found? Any sort of clarification on how all these developments are impacting our schools should be made public knowledge. I am skeptical that these studies exist, and if they do, where are the results?

The builder does not need to build so many houses in this proposed area. They can easily build fewer homes, but as I have seen so many times before, they suffer no consequences for the impact they have on the area they build in. It's just another example of greed over responsibility. Can someone please put a hold on more development until some more infrastructure is in place?

I understand that the city is in need of more housing, but can it be done responsibly? I am not opposed to this tract of land being developed, but the number of houses they are proposing is too high. There has been a frenzy of zoning change approvals and soon to be an influx of people in this area. This area is almost built out and I just don't see the sense in approving another irresponsible tract of homes to an already overcrowded area.

The city has made it clear that support the Red for Ed movement, yet they continue to support home developers without acknowledging that they are a part of the problem when it comes to our education system.

Therefore, I feel like the builder has an opportunity to develop this property at a reasonable number of homes, but refuses to do so because they really want to maximize their profits... at our expense. That high number homes will affect our area.

I know the builder has had some traffic experts look at our area, but that person does not live around here. We all complain about the traffic in this area because it really is a problem. Between the drag racing



on the frontage road and the reckless driving on 33rd ave, we have all experienced bad situations while driving around here. This is another example of not enough infrastructure. There is never a police patrol in this area. We need a police officer around once in awhile.

There are no tract homes between Pinnacle Vista and Oberlin way. Or from the I17 to 39<sup>th</sup> Ave. This is a small area with a more rural feel in the middle of the city. These small lots don't belong here. All we ask is less density for this particular neighborhood. This tract of homes does not flow with the surrounding one acre homesites.

We are all personally invested in this area. I paid for the speed humps all along 31<sup>st</sup> Ave. I also built my home myself. I built here, what I hoped would be my forever home, because I was under the impression that this area was going to maintain it's great zoning, not be reduced to a high density zoned area.

In conclusion, how many kids can we squeeze into the schools around here?. My son and all the kids around here deserve a decent educational experience. What's the breaking point for the schools around here, especially Sandra Day Oconner high School? The lack of infrastructure around here is a real issue. Allowing more high density is compounding that problem.

I ask that that representatives for the city of Phoenix deny this zoning change... there are some critical infrastructure issues that need to be resolved here before granting more builders the ability to profit off of our area.

Thank you.

Dustin Hamilton