

Jim Harris, Chairman
Lucas Still, Vice-Chairman
Mychal Gorden
Doug Hardy
John Kendig
Dan McGowan
Chad Nelson
Christy Cunningham, Alternate
Allen Windholz, Alternate



Lake Havasu City
Police Facility
2360 McCulloch Blvd North
Lake Havasu City, Arizona 86403
www.lhcaz.gov

Planning and Zoning Commission Regular Meeting Minutes - Final

Wednesday, September 7, 2016

9:00 AM

1. CALL TO ORDER

Chairman Harris called the meeting to order at 9:05 a.m.

2. PLEDGE OF ALLEGIANCE

Chairman Harris lead in the Pledge of Allegiance.

3. ROLL CALL

Present: 6 - Lucas Still, Mychal Gorden, Doug Hardy, Jim Harris, Chad Nelson and Dan McGowan

Absent: 3 - Christy Cunningham, Allen Windholz and John Kendig

4. MINUTES

Approve Regular Meeting Minutes from July 20, 2016.

Mr. Still made a motion to approve the minutes as is, seconded by Mr. McGowan, and carried by the following vote:

Aye: 6 - Still, Gorden, Hardy, Harris, Nelson and McGowan

Absent: 3 - Cunningham, Windholz and Kendig

5. CORRESPONDENCE AND ANNOUNCEMENTS

At the July 20, 2016 meeting, Chairman Harris asked Mr. Schmeling for an update regarding the recommendation made by the Commission to change the zoning district Business Park to Light Industrial. Mr. Schmeling reported that this item is set to go to Council on September 13, 2016.

6. PUBLIC HEARING

[ID 16-0862](#) A Request to Rezone Tract 2289, Block 2, Lot 2, 3570 Sweetwater Avenue, from C-1, Limited Commercial District, to C-2, General Commercial District.

Mr. Schmeling thanked the Chairman and presented a PowerPoint slideshow and narrative including some of the following key points:

- Property location and description
- Lot dimensions, zoning, and adjacent uses within the block
- Owner's intent is to use the property as an open storage yard
- Zone change to C-2 would require a conditional use permit, which is the second item on this agenda

Mr. Nelson asked Mr. Schmeling if the C-2 parcel adjacent to this parcel has a conditional use permit.

Mr. Schmeling responded that he looked at the property history for that parcel and he could not locate a conditional use permit, however; it has been an open storage yard for so long (earlier than 1990) that it was probably allowed under one of the previous codes.

Chairman Harris asked if the applicant was present and would they like to make a presentation.

Applicant stated he would answer questions if there were any, but did not address the Commission.

Chairman Harris opened the Public Hearing, hearing none, he closed the Public Hearing.

Mr. Schmeling stated Staff finds that the proposed rezoning meets all the requirements set forth in 14.05.04(K)(6)(a)(1-2) and 14.05.04(K)(6)(c)(1-6). Based on the findings, the Development Review Committee recommends that land use action #16-0862 be forwarded to the City Council with a recommendation of approval for Tract 2289, Block 2, Lot 2, rezoning the properties from C-1 to C-2, General Commercial District.

Mr. McGowan asked Mr. Schmeling if he had received any letters or phone calls not in accord with this.

Mr. Schmeling responded that I have had a couple of people come in to the counter and ask questions about what was happening, none of them objected once I explained what the proposed use was.

Mr. Gorden made a motion to approve land use action #16-0682 rezoning Tract 2289, Block 2, Lot 2, from C-1, Limited Commercial, to C-2, General Commercial District, seconded by Mr. Hardy (Chairman Harris clarified that we have a motion made by Mr. Gorden, seconded by Mr. Hardy, to approve land use action #16-0862, not #16-0682) and carried by the following vote:

Aye: 5 - Still, Gorden, Hardy, Harris and McGowan

Nay: 1 - Nelson

Absent: 3 - Cunningham, Windholz and Kendig

[ID 16-0861](#) Approval of a Conditional Use Permit to Allow an Open Storage Yard in the C-2, General Commercial District

Mr. Schmeling thanked the Chairman and presented a PowerPoint slideshow and narrative including some of the following key points:

- Property location and description
- Lot dimensions
- Uses on adjacent properties, specifically open storage yards
- Owner intends to fence the property and use it for open storage

Chairman Harris asked if there was any indication as to what type of storage, not that it makes any difference.

Mr. Schmeling stated I believe it is for boats and RV's, just like the property next door.

Mr. Still asked if the fence was a requirement or proposed.

Mr. Schmeling responded the fence would be a requirement.

Mr. Still, Mr. Schmeling, Mr. Gorden, Mr. Nelson, and Chairman Harris continued discussion regarding fencing, screening, off-site improvements, etc.

Mr. Nelson asked the applicant if the entrance to this facility would be off of Sweetwater or the alley.

Mr. Carl Flusche addressed the Commission as a representative for the applicant. He provided information regarding the entrance to the property and why Sweetwater would not be a good choice for access due to the grade of the road at this property location.

Chairman Harris asked if the applicant was present and would they like to make a presentation.

Mr. Carl Flusche returned to the podium and stated that the applicant will be using this for personal use and not rental storage. They are moving their entire family down here from Washington and they are going to use this to store their motorhomes and boats. Eventually they will want to build a building, but that is a couple of years down the road.

Chairman Harris asked if they would be willing to stipulate to that in lieu of a concession.

Mr. Flusche responded that he did not know but he would have to get ahold of them. I did not bring that up with them.

Chairman Harris said in my opinion, it makes a difference whether it's going to be used for commercial application.

Mr. Flusche responded they do not intend to use it for commercial application.

Chairman Harris opened the Public Hearing, hearing none, he closed the Public Hearing.

Mr. Schmeling stated Staff recommends that land use action #16-0861 be approved by the Commission with the following conditions:

1. The rezone request from C-1 to C-2 must be approved by City Council prior to the allowance of the conditional use permit.
2. A 10-foot landscape area provided along the Right-of-Way shall be completed within one year.
3. All required off-site improvements shall be completed within one year of approval.

Mr. Still asked Mr. Schmeling if the off-sites besides the landscaping buffer would include a 50-foot sidewalk and 50-foot widening of the road.

Mr. Schmeling responded possibly, I believe that the roadway needs to be widened a little bit, yes. Off-site improvements would include the sidewalk and potentially street widening.

Mr. Still made a motion to approve conditional use permit #16-0861 allowing a storage yard with the following conditions:

- 1. The rezone request from C-1, Limited Commercial, to C-2, General Commercial, must be approved by City Council prior to the allowance of the conditional use permit.**
- 2. A 10-foot landscape area provided along the Right-of-Way shall be completed within one year.**
- 3. All required off-site improvements shall be completed within one year of approval.**

Seconded by Mr. McGowan, and carried by the following vote:

Aye: 6 - Still, Gorden, Hardy, Harris, Nelson and McGowan

Absent: 3 - Cunningham, Windholz and Kendig

7. CALL TO PUBLIC

None

8. FUTURE MEETING

Wednesday, September 21, 2016, at 9:00 a.m. - Regular Meeting will be canceled.

Wednesday, October 5, 2016 at 9:00 a.m. - Regular Meeting

Wednesday, October 19, 2016 at 9:00 a.m. - Regular Meeting canceled, the room is not available.

Mr. Gorden stated he would be absent October 5, 2016.

9. ADJOURNMENT

Chairman Harris adjourned the meeting at 9:32 a.m.

Jim Harris, Chairman

Diane Libby, Recording Secretary