

Jim Harris, Chairman
Don Bergen
David Diaz
Doug Hardy
Dan McGowan
Gabriele Medley
Chad Nelson

Suzannah Ballard, Alternate

Sam Levin, Alternate
Matthew Mitchell, Alternate



Lake Havasu City
Police Facility
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Lake Havasu City, Arizona
86403
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Planning and Zoning Commission Regular Meeting

Minutes - Final

Wednesday, November 3, 2021

9:00 AM

1. CALL TO ORDER

Chairman Harris called the meeting to order at 9:00 a.m.

2. PLEDGE OF ALLEGIANCE

Chairman Harris led the Pledge of Allegiance.

3. ROLL CALL

Alternate member Ballard was seated.

Present: 8 - Jim Harris, Donald Bergen, Dan McGowan, Chad Nelson, Suzannah Ballard, Sam Levin, Gabriele Medley and David Diaz

Absent: 2 - Doug Hardy and Matthew Mitchell

4. CORRESPONDENCE AND ANNOUNCEMENTS

City Council approved the Black Rock Final Plat @ Havasu Riviera at their last meeting.

Annual 1-Day Boards and Commissions Workshop will be held on Friday, December 10, 2021 at 9:00 a.m. Great introduction for boards and commissions training. The \$70 registration fee for Commissioners/Board Members is paid by the City, any other arrangements are on the Commissioner/Board Member. City staff is planning to carpool from City Hall and leave early that morning to arrive in Phoenix by 9:00 am. The workshop runs from 9 a.m. to 2:30 p.m. There are a couple of carpool openings- if interested, contact Luke Morris or Maria Hart. Limited to 100 participants so prompt response is strongly encouraged.

5. MINUTES

A motion was made by Member Bergen, seconded by Member Nelson, that this be Approved as Amended. The motion carried by the following vote:

Aye: 7 - Harris, Bergen, McGowan, Nelson, Ballard, Medley and Diaz
Approval of Regular Meeting Minutes from October 20, 2021.

6. PUBLIC HEARING

[ID 21-3034](#) A Request for a Zone Change for 2972 Amigo Drive, Tract 2240, Block 1, Parcel A, from Public Lands and Facilities (P-1) District to Single-Family Residential (R-1) District.

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

[Area Map shown on screen.]

- The property is located on northern portion of town, between Amigo Drive and Simitan Drive.
- The odd-shaped, multi-sided property is approximately 5 acres and is currently vacant.
- The property's elevation ranges from about 1,040 feet along Simitan Dr to about 960 feet at Amigo Dr.
- The abutting properties are a mix of single-family homes and a couple undeveloped vacant lots.

[Zoning Map shown on screen.]

- The subject property is zoned Public Land (P-1).
- The abutting properties are zoned Single-Family Residential (R-1) and the properties across Simitan Drive are zoned Two-Family Residential (R-2).
- The property was originally City-owned and was sold at auction in 2018.
- The applicant was the winning bidder.
- The applicant's Citizens' Meeting Letter states a desire to rezone the property from P-1 to R-1 in order sell a portion of the Amigo Drive frontage to an adjacent property owner and build a single-family home on the balance of the lot.
- The property is currently zoned P-1, which does not allow a single-family home; therefore, the applicant is asking to re-zone the property as R-1 to allow the future residence.
- Future development of the property will require the appropriate building permits.
- Any lot alterations or splits will require review and approval by City staff.
- No objections were received from any other reviewing agencies or departments.

Mr. Diaz asked Mr. Morris to explain P-1 uses. Mr. Morris stated uses allowed in P-1 are uses for the public such as a sewer station or water tanks. They could also be public facilities such as a park, police station, sub station, etc. The City had no plans for this property so it was offered up for auction. Mr. Diaz asked what the feedback from residents was. Mr. Morris deferred the answer to the applicant present at the meeting. The report stated they addressed the concerns of the neighborhood.

Chairman Harris stated this parcel abuts two properties and, typically in the past, the City has had an objection to creating drive-throughs on parcels. Has this been taken into consideration. Mr. Morris stated this is an existing parcel, any new parcels Staff would

not typically want to allow them to have frontage on two separate streets. This is a unique piece of property and is allowed to continue as its current orientation. In a case like this, Staff would most likely have two fronts on this property, a front yard on Amigo and one on Simitan. In the event of a lot split, Staff would look at development and subdivision code. In it's current state it will be legal non-conforming.

James Hudson, Applicant, stated there will be no drive-through. There will be an entrance on Simitan to a single family home then it goes downhill to Amigo,so there will be no drive-through. Would probably put a driveway and garage, if accepted, down there [Amigo] and that is it.

Chairman Harris opened the Public Hearing.

Jerry Hayward, 3091 Simitan Dr, stated his concerns regarding density and view, if rezoned to R-1. The lot is fairly built up and there is the possibility of dividing into several lots. Mr. Hayward asked what reassurances are there that he will only build on upper section of Simitan. Any other building will block the view of several other lots.

Mr. Hudson stated he will build one house. The lot opens up pretty wide on Simitan. No intention of building anything other than one home and RV Garage. Down below another garage. Those are all the plans.

Chairman Harris closed the Public Hearing.

Mr. Morris stated that based on the findings, the Development Review Committee recommends that the Commission forward a recommendation of approval to the City Council for Land Use Action No. 21-3034, a Zone Change for 2972 Amigo Drive, Tract 2240, Block 1, Parcel A, from Public Lands and Facilities (P-1) to Single-Family Residential (R-1) District. This item will go to the City Council's December 14, 2021 meeting.

Mr. Nelson stated that the applicant has done a great job at neighborhood meeting. Staff has also done a great job. All content has been made available for the Commission to review prior to the meeting. Addressing Mr. Hayward, Mr. Nelson stated the property owner could certainly change his mind and put in a subdivision; however it sounds like his intention is to build a single family home. Mr. Nelson stated he is a little disappointed that this will not be public land or more housing. The applicant has gone through a fair process, could change his mind and subdivide it. Not much the Commission can do; however, if he does change his mind, the item would come before the Commission.

Mr. Morris stated this is already an established lot. The property could be split into two

properties with just Staff review; however, if more than two lots are created, it will be required to go through the Subdivision process which does not require public hearing or notification but does require a preliminary plat be submitted, reviewed by Staff and then brought before the Planning Commission for their review and approval and ultimately Final Plat before City Council.

Chairman Harris suggested that probably would not be happening due to topography of this site. Mr. Nelson agreed.

Mr. Bergan asked if this property is owned by the City. Mr. Morris stated it was owned by the City but sold to the applicant in 2018.

Mr. Diaz made a motion to approve [recommend that the City Council approve] ID. 21-3034, a Zone Change for 2972 Amigo Drive, Tract 2240, Block 1, Parcel A, from Public Lands and Facilities (P-1) District to Single-Family Residential (R-1) District. The motion was seconded by Ms. Medley and carried by the following vote:

Aye: 7 - Harris, Bergen, McGowan, Nelson, Ballard, Medley and Diaz

7. CALL TO PUBLIC

None.

8. FUTURE MEETING

Mr. Morris announced that Lake Havau City has hired a new Planner, Trevor Kearns. Staff is happy to have him aboard and now the Planning Division is fully staffed.

The next Regular meeting will be held on November 17, 2021 - four items will be presented.

9. ADJOURNMENT

Chairman Harris adjourned the meeting at 9:23 a.m.

Jim Harris, Chairman

Maria Hart, Recording Secretary