

Planning and Zoning Commission

FILE#: ID 16-0796

MEETING DATE: 7/20/2016

STAFF REPORT

TO: Planning & Zoning Commission Members

FROM: Planning Division Staff

REQUEST:

A Request to Amend Planned Development No. 07-00200001, Havasu Foothills Estates Phase II, MU/RE/PD (Mixed Use/Residential Estates Planned Development District) A 204.88-Acre Parcel: Amending the General Development Plan to Reduce the Mixed Use Town Center/Commercial Component from 14.19 Acres to 8.8 Acres; Removing the 100 Foot Right-Of-Way Dedicated for the Parkway; Relocating the Required School Site to Phase III; Changing the Requirements for the Development of the City Park Parcel; Making Minor Adjustments to the Lot Layout and Roadway Configuration; and Changing the Zoning Classifications to Include the Proposed Relocation of Land Uses

GENERAL INFORMATION:

Application No.:	16-0796 (16- 00200004) amending (07-00200001)
Property Legal:	Metes and Bounds
Lot Size:	204 Acres
Applicant:	Mychal Gorden
Owner:	Havasu Foothills Estates, LLC
Staff Project Manager:	Stuart Schmeling
Current/Proposed Zoning:	C-1/PD; MU-UMS/PD
Existing/Proposed Use:	School Site, Park Site, Residential and Commercial
Proposed Number of Lots/Units:	N/A

PROPERTY AND APPLICATION BACKGROUND:

Havasu Foothills Estates was originally approved by City Council in October of 2003. Phase II was approved in September of 2006. The property is zoned MU/RE/A-1//C-1/PD Commercial/Planned Development District.

The Adopted General Development Plan for Phase II includes:

- 14.19 acres town center
 - 15 mixed-use units in the town center
- 15.17 acres zoned A-1
 - school site
- 25 acres of open space
- 178 RE home sites
- 135 single-family lots

The Adopted General Development Plan is included as Attachment #1. Staff received a letter of concern from a property owner in Phase I, which is provided as Attachment #6. The applicant reached out to owners of the entire Phase I for the citizens meeting. As a result, the citizens meeting will not be held until Monday, July 18, 2016. Staff will forward the results prior to the Commission hearing on July 20.

The MU District under the old Development Code allowed single family detached dwellings as originally proposed in the eastern portion of Phase II. However, the recently adopted MU-G District does not allow single-family detached units. The applicant requests that an 8.8 acre portion be changed from MU-G (Mixed Use-General) to C-1 (Limited Commercial) in addition to the 5.6 acres of C-1 from Phase I to encompass all four corners of the Cherry Tree/ Calle del Arroyo Intersection for commercial uses. The balance of the town center area, 6.1 acres, will be a continuation of the Villas home sites that were proposed adjacent to the town center.

SITE ANALYSIS:

The proposed changes to Phase II include the following:

- Removal of the Parkway Corridor
- Town center reduced from 14.19 acres to 8.8 acres of commercial (+5.6 acre commercial Phase I)
- Relocate 8.16 acre school site to Phase III
- Roadway reconfiguration due to elimination of parkway and town center changes
- Community Park physically remains same however, development timing will change

The Proposed General Development Plan is included as Attachment #2.

GENERAL PLAN LAND USE DESIGNATION/CONFORMITY:

The General Plan Future Land Use map designates the property as Rural Residential, Resort Related Mainland, and Commercial Nodal. The Rural Residential classification is appropriate for single-family development for 0-2 DU/acre. The Resort Related Mainland classification is appropriate for mixed-use developments that include medium to high density residential uses that integrate a commercial component of 20%. The Commercial Nodal classification is appropriate for areas of commercial and high-density residential development in a “multi-use nodal” or a “non-strip” setting. Residential densities may be higher; however, no more than 20% of any commercial center may be devoted to residential uses. The proposed development is in conformance with the goals and policies of the Lake Havasu City General Plan and the Havasu Foothills Estates Specific Plan.

The following General Plan Goals and Policies support the request:

LAND USE GOALS AND POLICIES:

Existing Development Patterns

Goal: Carefully manage and phase development that is compatible with the existing development pattern while achieving orderly, sustainable development.

Policies:

1. New development must not negatively impact service levels or increase costs for current users. (Page 16)
5. Allow development areas that can be reasonably serviced by police, fire, and emergency response services. (Page 17)

Residential Character

Goal: To create high quality residential environments that provide for safe and convenient vehicular circulation, open-space and recreational opportunities, access to public schools, and protection of residential areas from non-residential uses.

Policies:

1. Encourage all types of residential development provided each is properly located according to the general plan and the site plans and structural quality are in accordance with City Standards and Ordinances. (Page 17)
7. Locate housing in areas that can reasonably be serviced by police, fire, and ambulance emergency services. (Page 18)
11. Develop land suitable for residential properties according to well-conceived plans that can create a unique identity for the development and still relate positively to adjacent development. (Page 18)
12. Review all residential development proposals with consideration given to whether the proposal provides for residential development that promotes orderly community growth and a quality living environment. (Page 18)
19. Design all residential development, but in particular low-density developments, shall be designed to provide a quiet and safe environment for its residents. (Page 19)

Economic Development

Goal: To promote and maintain a balanced economy that provides jobs, is responsive to the needs of the community, and positions Lake Havasu City to be the major retail center for the Colorado Basin.

Policies:

1. Permit professional offices, and retail and service commercial uses in neighborhood commercial centers, but only at a development scale compatible with residential development. (Page 21)

GROWTH MANAGEMENT GOALS AND POLICIES

Goal: Ensure community sustainability by managing growth within the planning area in a systematic, proactive manner.

Policies:

1. Encourage a mix of residential development provided each development is properly located according to the general plan and the site plans and structural quality are in accordance with City standards and ordinances. (Page 42)

13. Encourage development in locations where infrastructure exists or can be financed by the development and installed and maintained cost-effectively by users. (Page 43)

FINDINGS REQUIRED FOR PLANNED DEVELOPMENTS:

Section 14.05.04(L)(4)(a-h) of the Lake Havasu City Development Code requires eight findings be met before a Planned Development is approved. Those eight findings and Staff's analysis of each finding is as follows:

a. The proposed development shall be consistent with and conform to the Lake Havasu City General Plan.

The proposed amendment is consistent with the maps and policies of the currently adopted General Plan and supported within the soon to be ratified General Plan. Both Plans contain many policies that support and promote the completion of the Havasu Foothills Specific Plan.

b. The exceptions from the standards of the underlying district are warranted by the design and amenities incorporated into the development plan and program.

This proposed development includes some exceptions, but is not requesting additional exceptions at this time.

c. The proposal is in harmony with the surrounding area or its potential future use, and incorporates unified or internally compatible architectural treatment.

The proposed changes will minimally impact the existing Phase I. The changes will provide a better transition into future Phases of the development.

d. The system of ownership and the means of developing, preserving, and maintaining open spaces is suitable.

The property is owned by an individual company, which is suitable for development. The HOA will be responsible for all common property in order to preserve and maintain.

e. The approval will have a beneficial effect on the area which could not be achieved under the primary planning designation for the area.

The current request is a major amendment to the approved plan. The original planned development (General Development Plan) included all the same uses proposed. The changes allow a smaller commercial element and a better roadway network into future Phases.

f. The proposed development, or a unit thereof, can be substantially completed within 3 years from the date of approval.

The applicant indicated they will be able to complete the necessary infrastructure for Phase II within the three

year limitation.

g. Adequate public facilities and services are available or are proposed to be made available in the construction of the project.

Adequate facilities are currently available to the parcel.

h. The general objectives of the PD district and the applicable objectives of the various categories of planned development have been met.

The proposed use meets the general objectives of the PD District and all other objectives of the planned development section of the Lake Havasu City Development Code.

ATTACHMENTS:

1. Adopted General Development Plan
2. Proposed General Development Plan
3. Letter of intent
4. Ordinance No. 06-814
5. Ordinance No. 03-717
6. Citizen Letter of Concern

STAFF RECOMMENDATIONS:

Staff recommends Planning Commission approve the major amendment to the Planned Development by adopting the new General Development Plan rezoning portions of the property to accommodate changes to the roadway network, relocation of the school parcel to Phase III, reducing the town center (MU), adding commercial (C-1), by approving the proposed General Development Plan with the following conditions:

1. Phase II shall be subject to all conditions contained in Lake Havasu City Ordinance No. 03-717.
2. Phase II shall be subject to the following conditions contained in Lake Havasu City Ordinance No. 06-814;
 - The maximum building height for the 14.19 acres known as Foothills Town Center be 36 feet.
 - The minimum lot size for the portion known as the Arroyo Homesites to include 115 lots, be 11,250 square feet and the setbacks be 25 feet front and rear and 5 on each side.
 - Adhere to all requirements of the amended and Restated Development Agreement for Havasu Foothills Estates between the developer and the City and all applicable conditions of Ordinance No. 03-717.
3. Condition #3 within Lake Havasu City Ordinance No. 06-814 shall be modified as follows:

The proposed park shall be improved by the developer in two phases. Phase one will be the development of at least half of the park prior to the issuance of 100 Certificates of Occupancies within Phase II of the development. Phase two will be the development of the remaining portion of the park prior to the issuance of 200 Certificates of Occupancies within Phase II the development. A park improvement plan must be submitted for review and approval by Lake Havasu City prior to the issuance of any permits. The developer is responsible for the cost of the park improvements per the development agreement. Developer shall dedicate the park to City upon completion.
4. School site shall be relocated to Phase III.
5. Any addition/changes to water mains, services, or fire hydrants will be at the developer's expense.
6. Any existing electrical facilities within the boundary of Phase II that may be in conflict with a new proposed plat based on the amendment shall be addressed and resolved prior to any future final plat

approval.

SUGGESTED MOTION:

I move to recommend approval of the major amendment to Planned Development No. 07-00200001 adopting a new General Development Plan subject to the following conditions:

1. Phase II shall be subject to all conditions contained in Lake Havasu City Ordinance No. 03-717.
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