

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

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, October 6, 2021

9:00 AM

1. CALL TO ORDER

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

2. PLEDGE OF ALLEGIANCE

Vice Chairman Nelson led the Pledge of Allegiance.

3. ROLL CALL

Alternate members Ballard and Levin were seated.

Present: 6 - Dan McGowan, Chad Nelson, Suzannah Ballard, Sam Levin, Gabriele Medley and David Diaz

Absent: 4 - Jim Harris, Doug Hardy, Donald Bergen and Matthew Mitchell

4. CORRESPONDENCE AND ANNOUNCEMENTS

Mr. Morris stated City Council recently approved the Lake Havasu Ave rezone and the Desert Kearsage final plat, which were recommended for approval by the Commission.

5. MINUTES

Approval of Regular Meeting Minutes from September 15, 2021.

A motion was made by Member McGowan, seconded by Member - Alternate Ballard, that this be Approved. The motion carried by the following vote:

Aye: 6 - McGowan, Nelson, Ballard, Levin, Medley and Diaz

6. PUBLIC HEARING

[ID 21-2989](#) A Request for a Preliminary Subdivision Plat for V-LTD Homes, 1820 Bimini Lane, Tract 115, Block 4, Lot 10, Creating a 5-Unit Residential Condominium Subdivision in the Multiple-Family (R-M) District.

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

- The 1.13-acre property is located on Bimini Lane east of Bahama Avenue.
- The property is zoned Multiple-Family (R-M). The R-M District allows multi-family

residential as a permitted use.

- Properties along Bimini Lane zoned R-M and are a mix of multiple-family development and vacant lots.
- Properties to the South are Single- Family Residential (R-1) properties with homes, couple of vacant lots.

[Proposed Condominium Preliminary Plat Map shown on screen]

- The owner proposes a condominium plat in order to sell each of the residential units.
- The proposed plat will allow the five units to be individually owned as part of an association for the common portions of the site.
- The project includes 5 residential units with attached garages and Parcel A, Common Area.
- All on-site sewer and water services will be privately owned and maintained.
- Building Permit and Design Review applications for one of the units has been submitted and is pending review.
- The project will have a property owners association to manage and maintain the private drives and improvements.

Per Vice Chairman Nelson's request, Mr. Morris explained the condition of the R-M zoning district. The R-M is a Multiple Family district that has setbacks of 15 feet in the front and rear of the property and 5 feet on the sides, allows a maximum building height of 30 feet, minimum square feet per dwellings of 500 sq feet, which this project exceeds the minimum requirement, and units are limited to 20 dwelling units per acre.

Applicant present; however, had no additional comments to provide.

Vice Chairman Nelson opened the Public Hearing, hearing none, he closed the Public Hearing.

Mr. Morris stated that based on the findings, the Development Review Committee recommends approval of land use action ID #21-2989, a preliminary subdivision plat for V-LTD Homes, 1820 Bimini Lane, Tract 115, Block 4, Lot 10, creating a 5-unit residential condominium subdivision in the R-M District.

When questioned by Mr. Diaz, Wil Wengert, applicant, stated the units are large units, smallest having a ground footprint of about 3,000 square feet. They are pull through units with aprons on both sides, approximately 50 to 60 feet on each side. Ground floor of the unit, because it is a pull through garage, can be used for boat or RV parking. General idea has an area for pull through garage, elevator shaft, regular garage, and "man cave" garage. Outside dedicated spaces are governed very well through CC&RS and nothing is allowed to be parked outside overnight.

Mr. Levin made a motion to approve with staff recommendation [ID #21-2989, a

preliminary subdivision plat for V-LTD Homes, 1820 Bimini Lane, Tract 115, Block 4, Lot 10, creating a 5-unit residential condominium subdivision in the Multiple-Family District]. The motion was seconded by Ms. Medley, and carried by the following vote:

Aye: 6 - McGowan, Nelson, Ballard, Levin, Medley and Diaz

ID 21-2991 Request for a Zone Change to Amend the Zoning Classification and District Boundary of the Centre Planned Development 97-005 Removing and Rezoning 6701 Highway 95, Parcel 1 from General Commercial/Planned Development (C-2/PD) to a New C-2/PD, to Allow Self-Storage, Mini-Storage, Truck/Trailer Sharing, Covered RV Canopies, Delivery and Receiving Area, Showroom, and Related Retail Sales Uses and a 45-Foot Building Height Exception

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

- The subject property is located at the northern entrance into the City at the northwest corner of London Bridge Road and Highway 95, directly north of the Showplace Avenue and London Bridge Road intersection.
- It is a 10.26-acre triangular shape with a base of about 564 feet abutting London Bridge Road and two sides that are each about 1,700 feet long.
- Site, currently undeveloped, was rough graded in 2009 and is about 10 to 15 feet below the elevation of Highway 95.
- There is an existing signal light at the intersection of Highway 95 and London Bridge Road.
- No access from property onto Highway 95.
- Properties to the south, across London Bridge Road, are zoned C-2/PD and are a mix of storage units and vacant land.
- The vacant lands to the west are owned by the State of Arizona and the Bureau of Land Management and are zoned Agriculture/Preservation (A-P).
- The property to the east, across Highway 95, is part of the City Airport.
- Background of 215-acre Centre Planned Development, approved in 1997, for the property was given by Mr. Morris.

[Proposed Site Plan, Landscaping Plan and overview shown on screen.]

- Letter of Intent submitted requests to develop the property with a three-story, 45-foot tall self-storage building, mini storage, truck/trailer sharing, covered RV canopies, delivery and receiving area, showroom, and related retail.
- Maximum building height in the C-2 zoning district is 25 feet. Applicant requesting height exception for a three story, 45-foot tall building.
- The submitted site plan shows the following development:
 - A three-story, approximately 55,300 square foot building footprint structure, with indoor storage, showroom, and delivery/receiving. Basic footprint is close to

58,000 (130'X450') square feet. Total floor area of 143,000 square feet:

- 92 external mini storage units
 - 84 covered RV storage spaces (4 different pods)
 - 13 open RV storage spaces
 - A U-Haul vehicle display area
 - A shunting area
 - Customer parking
 - Proposed Landscape plan shows required 10% landscaping to serve as a buffer, including trees and shrubs fronting Highway 95 and London Bridge Road right-of-ways.
 - Proposed Landscape meets the development standards of the zoning code.
- [Exterior Elevation Mock ups, with views from Hwy 95 and London Bridge Rd., shown on screen]
- Proposed height exception to 45 feet allows the building for more visibility impact from Highway 95.
 - Majority of site sits below HWY 95 by 10 to 15 feet.

Applicant present; however, had no further comments to provide.

Vice Chairman Nelson opened the Public Hearing.

Terry Maier, spoke in opposition of this item stating the proposed development would be an eye sore coming down the hill, as you enter into Lake Havasu City. He said this is a resort and retiring community; however, with this project, he feels people coming into town would get the first impression of an industrial community. Mr. Maier understands the purpose and function of the development but thinks the location, height, and appearance of this building is not the best place for it.

Vice Chairman Nelson closed the Public Hearing.

Jim Pena, applicant, answered Mr. Diaz's question regarding the height exception request stating it is for the storage building. Typically, for size of this building, the requested height makes it more economically viable, adding more storage rooms.

Vice Chairman Nelson gave a brief history of this property and stated he appreciates the applicant bringing development to Lake Havasu. He also stated that height- whether it is a garage, a house, or a building, is always an issue in Lake Havasu, because of the views of the lake as you are coming into town. Vice Chairman Nelson referenced the site plan and stated he does not like the open storage where it has 15 and 25 RV covered spaces. The property has a large footprint where the building can remain within the height restriction and have buildings as a facade instead of open storage. When questioned, Mr. Pena

stated this is something that can be considered on their end.

Ms. Medley asked if the architectural drawing submitted is a typical drawing of the type of proposed facility. Mr. Pena stated they have multiple designs to fit each city and reflect the area.

Mr. Morris stated Design review is handled by Staff. Plans are submitted and reviewed based on the zoning district. The development code is used to determine if the project meets design review standards for landscaping, parking, screening, appearance, etc. If design standards are not code compliant, plans are redlined and the applicant can then make the changes and resubmit. This is a Planned Development and the proposed motion is for approval based on submitted site, landscaping, and building elevations. In this case it has to be fairly close to what is being approved, eventually by City Council. Staff will use the plans submitted for this item as a template when reviewing plans for approval. One of the benefits of a PD is that the public can have a pretty certain idea of what is going to happen there, because it has already been reviewed as one of the conditions of a planned development approval.

Mr. McGowan asked if it was possible to put taller trees or more density to hide what people see. Mr. Morris stated there is no requirement for the height of trees; however the City does have a container (24-inch container) size. If the Planning Commission and City Council wants to add a stipulation about a condition for additional landscaping, naming density (number of trees or shrubs), that is something that can be put in the motion. Right now, the required density is 1 tree for every 40 feet of frontage.

Mr. Diaz asked for clarification that the property sits below HWY 95 and that the applicant wants the height exception so that the building can be seen from Highway 95. Mr. Morris affirmed and stated he presumed that is part of the reasoning for the height exception. When asked by Mr. Diaz, Mr. Morris stated all permitted uses in C-2 zoning district would be allowed at this property (Restaurant, storage units, outdoor storage units, car/RV/boat sales- more intense commercial uses that are not industrial uses).

Ms. Medley asked if the motion could contain a condition that the building be more esthetically pleasing for a resort community- maybe through signage. Mr. Morris stated conditions can be added to the approval; however, design is subjective and would be hard to frame.

When questioned by Mr. McGowan if the landscaping would be from the side of the building all the way to the Highway, Mr. Morris stated the landscaping would go along the edge of their property stopping at ADOT's property.

Vice Chairman Nelson cautioned the Commission stating there are ordinances with sign and design review which is all in the General Plan. The building will be built to U-Haul specs (brown and orange). When the Commission/Council gets a PD, the City is basically stamping a footprint and not much can change from what is approved. Vice Chairman Nelson stated he does not see an issue with signage as this will be reviewed for code compliance. He also gave the Commission a brief history on several mall rezones which spurred some activity and is now starting to grow. During that process there was a higher height restriction of 36 feet, which went down to 25 feet in the current C-2 zoning district. This commission has been pro building. The applicant is asking for 45 feet, which is questionable, in his opinion.

Mr. Diaz appreciates the comments, understands the intent is to build the City out and to build it out smart. He agrees that the beautiful view of the lake coming into town is the money shot and this building is going to be a big impediment of that view. Mr. Diaz recalled a previous item where the Commission got pretty specific in the motion about the facades of the buildings. He also agrees that this community is starting to look like a storage community.

Ms. Ballard asked if approving this item with a 45-foot height exception will set a precedence and others will use this as an example of why they should be able to build at this height as well. Mr. Morris stated it would be based on a case by case scenario. Each PD is taken as a stand-alone; however, it may be influenced by what is around it.

Vice Chair Nelson stated when future PDs come through, they will have a landscaping requirement. He stated he does not have an issue with the building façade but does have an issue with open storage. Landscaping should be required to be taller than those buildings [open storage structures] or those buildings should not be there at all.

Mr. Morris stated the renderings of the proposed plan does not show the landscaping that will be required in front of the carports.

Prior to staff recommendation, Mr. Levin made a motion to deny as he feels this will not look good for the City and he does not want to drive past it every day. The motion was seconded by Mr. Diaz.

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. 21-2991, a Zone Change to Amend the Zoning Classification and District Boundary of PD 97-005 Removing and Rezoning 6701 Highway 95, Parcel 1 per The Centre Parcel Plat North, from General Commercial/Planned Development (C-2/PD) to a New C-2/PD, to Allow Self-Storage,

Mini-Storage, Truck/Trailer Sharing, Covered RV Canopies, Delivery and Receiving Area, Showroom, and Related Retail Sales Uses and a 45-Foot Building Height Exception Rather than the Current 25-Foot Height Maximum Allowed, as shown on the attached Site Plan, Landscape Plan, and Building Elevations. This item will go to the City Council's November 9, 2021 meeting.

[The motion stood as previously motioned and seconded.]

Mr. Levin made a motion to deny [Recommend denial to City Council, ID 21-2991, a zone change to amend the zoning classification and district boundary of PD 97-005 removing and rezoning 6701 Highway 95, Parcel 1 from General Commercial/Planned Development to a new General Commercial/Planned Development, to allow Self-Storage, Mini-Storage, Truck/Trailer Sharing, Covered RV Canopies, Delivery and Receiving Area, Showroom, and Related Retail Sales Uses and a 45-foot building height exception, as shown on the attached Site Plan, Landscape Plan and Building Elevations]. The motion was seconded by Mr. Diaz, and carried with the following vote:

Aye: 4 - Ballard, Levin, Medley and Diaz

Nay: 2 - McGowan and Nelson

7. CALL TO PUBLIC

None.

8. FUTURE MEETING

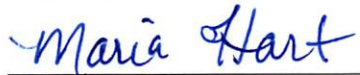
The next Regular meeting will be October 20, 2021 and three items will be presented.

9. ADJOURNMENT

Vice Chairman Nelson adjourned the meeting at 9:51 a.m.



Chad Nelson, Vice Chairman



Maria Hart, Recording Secretary