

Jim Harris, Chairman
Lucas Still, Vice-Chairman
Mychal Gorden
Doug Hardy
John Kendig
Dan McGowan
Chad Nelson
Christy Cunningham, Alternate
Keri Elias, 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, March 15, 2017

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 lead in the Pledge of Allegiance.

3. ROLL CALL

Mr. Windholz was seated.

Present: 7 - Lucas Still, Mychal Gorden, Doug Hardy, Allen Windholz, Jim Harris, John Kendig and Chad Nelson

Absent: 2 - Christy Cunningham and Dan McGowan

4. MINUTES

None.

5. CORRESPONDENCE AND ANNOUNCEMENTS

Mr. Schmeling thanked the Chairman and stated that he has provided a copy of the new 2016 General Plan for each of them. Additionally, Mr. Schmeling introduced Ms. Jamie Sida, who will be the new Recording Secretary for the Commission.

6. PUBLIC HEARING

[ID 17-1110](#) A Request for a Zone Change of Tract 2194, Block 5, Lots 1-3 from C-1 (Limited Commercial District) to C-2 (General Commercial District) Located at 375, 385, and 395 El Camino Way.

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

- Property location, description, and size
- Zoning of the surrounding area
- Future land use map indicates the area as Resort-Related

Mr. Schmeling added that he did receive a late email, a letter of objection against this

rezoning and a copy of it is in front of you. The letter is from one of the adjacent property owners.

Chairman Harris opened the Public Hearing.

Linda Anderson, resident, addressed the Commission. My husband and I own property at 420, 422, and 426 El Camino Way. Ms. Anderson's summarized comments included the following key points:

- Negative impact to property values
- This project will not generate sales tax revenue for the City
- This project will not bring customers to the surrounding businesses
- This project will be built between River Medical and Palo Verde South, potentially blocking ambulance travel to an emergency

Mr. Bill McLaren, the applicant and property owner, addressed the Commission. His summarized comments included the following key points.

- Presented plans and pictures of proposed project to surrounding property owners
- Experience building commercial properties which resulted in increased property values
- Provided Lakeview Motel storage units as an example of his work
- Traffic impacts are minimal for storage unit applications

Chairman Harris addressed Mr. McLaren and informed him the zoning application does not require him to state what will be developed on the site, it either merits it or it doesn't as far as our General Plan. But if you would be willing to do so, could you give us a little overview of the scope of the project.

Mr. McLaren responded yes, I have it. He presented drawings of the site plan to the Commission and shared his vision of the project outcome, including covered parking with solar panels on top.

Chairman Harris closed the Public Hearing.

Mr. Schmeling reminded the Commission that this is a C-2 rezoning and as you stated Mr. Chairman, it is based on the merits of the zoning itself and not on the development. Once the property is rezoned C-2, in the event it does get rezoned, any and all uses allowed in the C-2 district would be allowed. Not to say that this is not going to occur, what has been submitted today but that plan has not been submitted to the City for design review.

Mr. Schmeling stated that 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 #17-1110 be forwarded to the City Council with a recommendation of approval rezoning Tract 2194, Block 5, Lots 1,2 and 3 from C-1 to C-2, General Commercial District.

Mr. Still made a motion to approve #17-1110 a request for a zone change for Tract 2194, Block 5, Lots 1 through 3 from C-1, Limited Commercial District, to C-2, General Commercial District located at 375, 385, and 395 El Camino Way, seconded by Mr. Nelson, and carried by the following vote:

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

Nay: 1 - Kendig

Absent: 3 - Cunningham, McGowan and Elias

[ID 17-1111](#) A Request for a Zone Change of Tract 2289, Block 6, Part of Lot 2; APN 114-20-094E, from R-4/PD (Multi-Family Planned Development District) to C-2 (General Commercial District) Located at 3210 Sweetwater Avenue.

Mr. Gorden addressed Chairman Harris and recused both he and Mr. Still. Chairman Harris asked to let the record reflect that there is still a quorum and there are no other alternates to fill their spots.

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

- Property location, description, and size
- Zoning of the surrounding area
- The original development plan for the South Pointe Condominium Project
- Future land use map indicates the area as Commercial

Mr. Schmeling added that he received two late emails of objection. He requests the Board take a few minutes to read the copies that were provided to them.

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

Mr. Mychal Gorden, applicant, addressed the Board on behalf of the property owner and the group looking to purchase the property. Mr. Gorden's summarized comments included the following key points:

- This property is an existing R4-PD
- Surrounding properties in the area are commercial
- An abandonment plat was filed previously and the plat has remained vacant

- A couple of meetings have been held, including a neighborhood meeting
- Presentation of meeting minutes and a site plan
- The proposed project consists of a high-end RV and boat storage facility
- There resident concerns voiced at the neighborhood meeting
- The proposed use of the area of concern
- The existing infrastructure located in the parcel

Chairman Harris asked the Commission if there were any questions of the speaker.

Mr. Nelson asked if Unisource or the City gave him any indication of the timeframe that the condo owners would be interrupted with electric or water service. Mr. Gorden stated there would be virtually no interruption. A connection would be made off of the alley and it would be a simple disconnect and reconnect once the new service was installed.

Mr. Windholz briefly discussed the concern of property appearance from the highway and asked Mr. Gorden how this project will differ from what was previously discussed. Mr. Gorden explained that the properties located across the highway in the Southgate District have parking in common running across the front of the properties. This is not the case on the side of the highway along Sweetwater. In terms of visual looks, it is storage and it is consistent with everything that is there.

Chairman Harris asked Mr. Schmeling to go back to the zoning map previously shown. After reviewing the map, Chairman Harris asked if the property was previously rezoned to C-2. Mr. Schmeling believes it was rezoned to C-1 at the time and now it's part of the Southgate District.

Chairman Harris opened the Public Hearing.

Tamara Talbot, resident, addressed the Commission. I am one of the letters Mr. Schmeling received and I am one of the condo owners at South Point Condominiums. Ms. Talbot's summarized comments included these key points:

- Rezoning was not discussed in detail at the neighborhood meeting
- She has been an owner/renter at the South Pointe Condo complex for several years
- Concern for being surrounded by commercial buildings
- The effect of this rezoning on current property values

Carolyn Rasmussen, resident, addressed the Commission. Ms. Rasmussen's summarized comments included these key points:

- The effectiveness of the meetings that were held
- There are 26 units and there are only a few objections to the rezoning

Mr. Schmeling addressed Chairman Harris and asked to add that he attended the citizens meeting and it was made clear to those present that this was a required zone change, and it was also made very clear that it was a zone change to a straight C-2 zoning designation and that the applicant did not have to provide a site plan or discuss any plans for development and they were doing it on their own for transparency.

Chairman Harris stated that as indicated in the past, the zoning either merits the change or not, and being that this used to be, we are pretty sure, as designated by the original developer all the way down through there, looks like all we are doing is kind of converting it back. Mr. Schmeling further explained that more importantly, the future land use map suggests, and the policies within the land use section of General Plan suggest that ultimately once development warrants it, we anticipate that all of these properties along the Sweetwater Maricopa corridor ultimately end up commercial with some commercial aspect.

Chairman Harris asked Mr. Gorden if he would like to come and address the Commission. Mr. Gorden explained that the last resident to speak and Mr. Schmeling both stated and clarified that the notices that went to the citizens from the applicant and the City, as well as the postings on the site, were very clear about this being a rezone from R4-PD to a C-2.

Chairman Harris closed the Public Hearing.

Mr. Schmeling stated that Staff finds that the proposed rezoning meets all the requirements set forth in the development code 14.05.04(K)(6)(a)(1-2) and (6)(c)(1-6). Based on the findings, the Development Review Committee recommends that land use action 17-1111 be forwarded to the City Council with a recommendation of approval rezoning the property at 2289, Block 6, part of Lot 2 APN: 114-20-094E from R-4/PD to C-2, General Commercial District. Once again I will remind the Commission that in the event that this property becomes rezoned, any and all uses in the C-2 District are allowed and that none of the information presented today with regard to a site plan has been reviewed or meets, as far as we know, any of the Development Code restrictions within the code. Chairman Harris added or as required as a result of this action.

Mr. Nelson made a motion to approve ID 17-1111 a request for a zone change of Tract 2286, Block 6, part of Lot 2 APN 114-20-094E from R-4/PD to C-2 located at 3220 Sweetwater Avenue, seconded by Mr. Hardy and carried by the following vote:

Aye:	5 - Hardy, Windholz, Harris, Kendig and Nelson
Absent:	3 - Cunningham, McGowan and Elias
Recused:	2 - Still and Gorden

7. CALL TO PUBLIC

None.

8. FUTURE MEETING

Mr. Schmeling stated the next meeting is Wednesday, April 5, 2017. There is one item on that agenda.

Mr. Schmeling is still on schedule to get the parking in common presentation to the Commission for discussion at the April 19, 2017 meeting.

9. ADJOURNMENT

Chairman Harris adjourned the meeting at 9:45 a.m.

Jim Harris, Chairman

Diane Libby, Recording Secretary