

Jim Harris, Chairman  
Lucas Still, Vice-Chairman  
Mychal Gorden  
Doug Hardy  
John Kendig  
Dan McGowan  
Chad Nelson

Don Bergen, Alternate  
Leo Biasiucci, Alternate  
Christy Cunningham, Alternate



Lake Havasu City  
Police Facility  
2360 McCulloch Blvd North  
Lake Havasu City, Arizona  
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## **Planning and Zoning Commission Regular Meeting**

### **Minutes - Final**

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Wednesday, May 2, 2018

9:00 AM

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#### **1. CALL TO ORDER**

Chairman Harris called the meeting to order at 9:02 a.m.

#### **2. PLEDGE OF ALLEGIANCE**

Chairman Harris led the Pledge of Allegiance.

#### **3. ROLL CALL**

Chairman Harris noted that Mr. Still's absence was excused. Alternate member Biasiucci, was seated.

**Present:** 8 - Jim Harris, Mychal Gorden, Doug Hardy, John Kendig, Dan McGowan, Chad Nelson, Donald Bergen and Leo Biasiucci

**Absent:** 2 - Lucas Still and Christy Cunningham

#### **4. MINUTES**

**Mr. Nelson made a motion to approve the minutes of the last meeting, seconded by Mr. McGowan, and carried by the following vote:**

**Aye:** 8 - Harris, Still, Gorden, Hardy, Kendig, McGowan, Nelson and Biasiucci

**Absent:** 2 - Bergen and Cunningham

Approval of Regular Meeting Minutes from April 18, 2018.

#### **5. CORRESPONDENCE AND ANNOUNCEMENTS**

None.

#### **6. PUBLIC HEARING**

[ID 18-1609](#) Request to Amend the Parking-In-Common for Tract 2194, Block 7, El Camino Drive and Alley 21, by Removing Lots 5-7 to Allow for Outdoor Storage of Vehicles as a Primary Use 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 located off of Palo Verde, west end of town, intersection of Alley 21 and El Camino Drive.
- The parcels were rezoned from C-1 to C-2 in 2017.
- Typical Lake Havasu parcels with building area in the front and parking-in-common in the back.
- Request is to remove the three lots from parking-in-common.
- There is no parking-in-common Master Plan for the area.
- Only building area potentially using parking-in-common is the adjacent building.

Jim Carlo, owner, was present but deferred making a presentation.

Chairman Harris opened the Public Hearing. No one spoke. Chairman Harris closed the Public Hearing.

Mr. Schmeling stated that Staff finds that the proposed amendment has an overall minimal impact on the implementation of Parking-In-Common for Block 7 of Tract 2194. Based on the findings, the Development Review Committee recommends that land use action 18-1609 be approved, removing Lots 5-7 from the parking-in-common for Block 7 of Tract 2194, to allow storage of vehicles in the parking area.

Mr. Biasiucci asked Staff what type of buildout is being proposed. Mr. Schmeling stated that will be presented on the next agenda item.

A brief discussion was made between Commission members and Staff as to the surrounding restaurants, the area, and wall height requirements.

Mr. Schmeling stated one of the requirements when removing the parking-in-common is that the applicant have at least 75 percent approval. The applicant has received 80 percent approval for this item, which includes Angelina's.

After the motion was made but prior to voting, Mr. Nelson expressed his concern regarding a storage facility in this neighborhood and stated the PED has been working hard at the beautification of the area. He asked if a timeframe stipulation would be able to be set as a condition so that vehicles could not begin to be stored prior to the wall/improvements being completed. Mr. Schmeling stated that the stipulation could not be placed on this item; however, the commission has that ability to do so in the next item which addresses the conditional use for this project.

**Mr. Gorden made a motion to approve land use action ID #18-1609 to approve an amendment to the Parking-in-Common area for Block 7 of Tract 2194, by removing Lots 5-7 from the requirements to allow an outdoor storage area based on staff**

**recommendations. The vote was seconded by Mr. Hardy and carried by the following vote:**

**Aye:** 6 - Harris, Gorden, Hardy, Kendig, McGowan and Biasiucci

**Nay:** 1 - Nelson

[ID 18-1608](#) Request to Approve Conditional Use Permit #18-00300002 to Allow Open/Outdoor Storage as a Primary Use 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:

- The property is the same the properties just approved in the previous item.
- Proposed site plan, with perimeter wall and gates, was displayed .
- Property currently zoned C-2.
- Open or outdoor storage as primary use requires a Conditional Use Permit.
- Parking-In-Common was required to enclose the total property.
- Code requires a masonry wall.

Jim Carlo, JR Motors and owner, stated that Christina, owner of Angelina's restaurant, is in favor of this request. He also stated that he does have the approval from the remaining property owner; however, due to timeframe was not able to receive a written approval notice. When the property was rezoned to C-2 all properties were in favor of the request. When property was purchased, chain link fence was okayed.

Mr. Biasiucci asked if any repairs would be performed onsite and wanted to ensure property would not be used for storage of broken down vehicles. Mr. Carlo stated no vehicle repairs will be done on property and it will only be used for storage of overflow and rental vehicles.

Chairman Harris opened the Public Hearing. No one spoke. Chairman Harris closed the Public Hearing.

Mr. Schmeling stated that Staff finds that the proposed conditional use permit meets all the requirements set forth in 14.05.04 G. Based on the findings, the Development Review Committee recommends that land use action 18-1608 be approved with the following conditions:

1. Outdoor storage area shall be designated with a 6-foot masonry perimeter wall. Proposed gates shall include color compatible lathe or netting to make them sight obscuring.
2. A 10-foot landscape strip entirely on private property, in front of the screen wall, shall be provided along the El Camino Drive right-of-way.

3. The proposed wall near the corner of El Camino Drive and Alley 21 shall be relocated to avoid the 25-foot site triangle.
4. All required off-site improvements shall be installed through the City permit process.

Chairman Harris asked Mr. Carlo if he is in agreement with Staff's conditions. Mr. Carlo agreed.

Mr. Nelson asked Mr. Carlo if he would be able to meet the deadline set if the Commission was to set a timeframe for the improvements to be completed. Mr. Carlo stated he does not believe a timeframe is required as he does not plan on storing vehicles prior to the wall being in place. Mr. Carlo did express his concern about the fence wall requirement as surrounding properties only have a chain link fence.

Mr. Schmeling stated that he does not feel a timeframe condition is necessary as storage of vehicles on a vacant lot is prohibited in a C-2 District and that any violation will be processed through Code Enforcement. Also, in regards to Mr. Carlo's comment, there are a lot of storage areas in the neighborhood, and other areas of the city, that were approved under the previous development code adopted in 2016. The idea behind the new code changes, related to this type of facility, with landscape and fence walls have been placed to beautify the area.

Mr. Gorden stated putting a timeline is irrelevant as the conditional use is not in effect unless they meet the conditions. He did mention that a number of conditional use permits have not been followed, particularly in the south side, and this is an issue that needs to be addressed by the city.

**Mr. Gorden made a motion to approve item No. 18-1608, approving Conditional Use Permit #18-00300002 with the following conditions:**

- 1. Outdoor storage area shall be designated with a 6-foot masonry perimeter wall. Proposed gates shall include color compatible lath or netting to make them sight obscuring.**
- 2. A 10-foot landscape strip entirely on private property, in front of the screen wall, shall be provided along the El Camino Drive right-of-way.**
- 3. The proposed wall near the corner of El Camino Drive and Alley 21 shall be relocated to avoid the 25-foot site triangle.**
- 4. All required off-site improvements shall be installed through the City permit process.**

**The vote was seconded by Mr. Biasiucci, and carried by the following vote:**

**Aye:**                                7 - Harris, Gorden, Hardy, Kendig, McGowan, Nelson and Biasiucci

**7. CALL TO PUBLIC**

None.

**8. FUTURE MEETING**

The meeting scheduled for May 16, 2018 has been cancelled. The next meeting is scheduled for June 6, 2018.

Chairman Harris stated that he will not be present for the June 6 and June 20, 2018 meetings. Mr. Nelson stated he will not be present at the June 6, 2018 meeting either.

**9. ADJOURNMENT**

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

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Jim Harris, Chairman

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Maria LaFrano, Recording Secretary