



# Lake Havasu City

Lake Havasu City  
Council Chambers  
92 Acoma Boulevard South  
Lake Havasu City, Arizona  
86403  
www.lhcaz.gov

## Legislation Details (With Text)

**File #:** ID 19-1921    **Version:** 1    **Name:**

**Type:** Action Item    **Status:** Agenda Ready

**File created:** 2/25/2019    **In control:** Planning and Zoning Commission

**On agenda:** 3/20/2019    **Final action:**

**Title:** A Request to Amend Planned Development 05-00200008, The Shops at Lake Havasu, by Removing Parcels 120-54-002, 120-54-003B, 120-54-004, 120-54-007, and 120-61-004; 5601 Hwy. 95 N., and Rezoning the Properties from C-2/PD (General Commercial Planned Development District) to C-2 (General Commercial District)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. The Centre General Development Plan, 2. The Shops General Development Plan, 3. Permitted Uses Table, 4. Citizens Meeting/Letter of Intent

| Date      | Ver. | Action By                      | Action   | Result |
|-----------|------|--------------------------------|----------|--------|
| 3/20/2019 | 1    | Planning and Zoning Commission | Approved | Pass   |

## STAFF REPORT

**TO:** Planning & Zoning Commission Members

**FROM:** Planning Division Staff

**REQUEST:**

A Request to Amend Planned Development 05-00200008, The Shops at Lake Havasu, by Removing Parcels 120-54-002, 120-54-003B, 120-54-004, 120-54-007, and 120-61-004; 5601 Hwy. 95 N., and Rezoning the Properties from C-2/PD (General Commercial Planned Development District) to C-2 (General Commercial District)

**GENERAL INFORMATION:**

|                               |   |
|-------------------------------|---|
| <b>Application No.:</b>       | 19-1921 (19-00200005) Amending (05-00200008)                          |
| <b>Property Legal:</b>        | APNs: 120-54-002, 120-54-003B, 120-54-004, 120-54-007, and 120-61-004 |
| <b>Lot Size:</b>              | 35.6 Acres Total  |
| <b>Applicant:</b>             | Desert Land Group   |
| <b>Owner:</b>                 | Various Owners  |
| <b>Staff Project Manager:</b> | Stuart Schmeling  |

|                                       |  |
|---------------------------------------|--|
| <b>Current/Proposed Zoning:</b>       | C-2/PD (General Commercial Planned Development)/C-2 (General Commercial) |
| <b>Existing/Proposed Use:</b>         | Commercial   |
| <b>Proposed Number of Lots/Units:</b> | NA   |

**PROPERTY AND APPLICATION BACKGROUND:**

The Centre Mall Planned Development was approved in 1997. The General Development Plan is provided as an attachment. The Centre Development included 205 acres with uses of open space, office, hotel/convention center, mall area and industrial park. Over 53 acres was designated for industrial uses. Since then, portions of the original 205 acres have been removed, such as Home Depot and the Anderson Auto-plex area north of Wal-Mart. The original PD was amended in 2002, 2005 and again in 2007.

In 2005, the planned development was amended for the 105-acre portion of the mall property. The planned development included three exceptions to the zoning code standards. The first two exceptions were for parking spaces, the first for size of space at (9 x 20) required, (9 x 18) allowed. The second, allowed angled parking at 70 degrees; whereas, the code allowed 60 degrees maximum. The third exception dealt specifically with building height. Maximum building height in the C-2 District is 25 feet. The PD now allows a maximum building height of 46 feet to accommodate architectural features.

The 2007 amendment included a provision restricting outparcels from placing free-standing signs along Hwy 95. Three of said parcels are included in this application. The Shops adopted General Development Plan included: three big box retailers, a cinema, food court, seven outparcels, two commercial pads, and ten buildings ranging in size from 7,000 to 97,000 square feet designated for retail development. The Shops General Development Plan is provided as an attachment.

This application includes three vacant, undeveloped lots along Highway 95 of 1.36 acres, 1.77 acres, 1.21 acres, and one odd shaped parcel of 31.27 acres containing the mall/town center, food court area. The mall parcel also includes two undeveloped building pads of approximately 1.5 acres. The applicant requests removal of these properties from the planned development and to rezone them to the C-2 (General Commercial District) underlying zoning district.

The Citizens' meeting was held on February 28, 2019. Four members of the public attended the meeting. The Citizens' Meeting/Letter of Intent is provided as an attachment.

**SITE ANALYSIS:**

The three properties included in the request along Hwy. 95 are all vacant. The mall portion is fully developed except for two building pads along Retail Centre Boulevard. If removed from the PD, future development of any of the vacant sites would allow any use within the C-2 land use table. In 2005, the Development Code permitted use table allowed 54 uses in C-2 as well as another 13 uses via a conditional use permit. Today's land use table allows 37 uses outright and 8 conditional uses. There are several uses within the current code which concern staff. Some of the heavier commercial uses such as vehicle, watercraft, and marine equipment sales, display and repair, warehouse and wholesale distribution, and storage units, if implemented improperly, may have a negative impact on the rest of the mall. Future developers must be aware of the potential negative impacts and guard against them. In addition, removing the restriction prohibiting free-standing signs from three of the parcels along Hwy. 95 could provide for inconsistent signage, differing advertising opportunities, and

aesthetic issues in that area.

Traditional mall concepts are failing all across the country. It is important to think outside the box in order to make these sites viable in today's economic market. Removing the properties from the PD, if managed appropriately, should have a minimal negative effect on the overall development potential. Providing opportunity for additional land uses within the mall should allow for quicker occupancy of currently vacant space and enhance the viability of the mall in its entirety.

**GENERAL PLAN LAND USE DESIGNATION/CONFORMITY:**

The General Plan Future Land Use map designates the property as Commercial. The Commercial classification is appropriate for areas of intensive types of commercial, retail, night clubs, grocery stores, banks offices, banks and restaurants and showrooms. The proposed development is in conformance with the goals and policies of the Lake Havasu City General Plan.

The following General Plan Goals and Policies support the request:

**Goal GM.1.1: Promote a compact and efficient pattern of growth that is compatible with the City's existing development pattern.**

**GM.1.1.c - *Service levels:*** Allow development in areas that can be reasonably serviced by police, fire, and emergency response services without negatively impacting service levels or increasing costs for current users.

**GM.1.1.d - *Infill and Redevelopment:*** Support infill development and the assemblage of small lots, redevelopment of underutilized properties or obsolete uses, the adaptive reuse of vacant structures for new uses, and the promotion of State Trust Land on the Island and adjacent to the perimeter of the originally platted area as a means to maintain a compact urban form and leverage the availability of existing services, utilities, transportation, and schools.

**Goal LU.1.1: Plan for the ongoing growth and development of the community.**

**LU.1.1.c - *Infill and redevelopment:*** Support infill development and the assemblage of small lots, redevelopment of underutilized properties or obsolete uses, and the adaptive reuse of vacant structures for new uses as means to maintain a compact urban form and leverage the availability of existing services, utilities, transportation, and schools.

**LU.2.6.a - *Gateway enhancements:*** Continue to implement improvements in landscaping, lighting, traffic management, and signage that will enhance the character and functionality of the City's primary gateway, the Highway 95 Corridor.

**LU.2.6.b - *Development patterns:*** Encourage high-quality development along the Highway 95 corridor to enhance the character of the gateway, as well as the economic vitality of the community.

**Goal PF.2.1: Carefully manage financial resources to ensure that new development pays its fair share and does not burden existing residents.**

**PF.2.1.a - *Infill Development:*** Maximize the existing investment in infrastructure by encouraging infill development within the existing platted area of the City.

**Goal EC.1.1: Promote increased diversity in the City's employment base.**

**EC.1.1.a- Diversified Economy:** Retain, expand, and attract business and industry uses that provide employment that improve the overall quality of life for all Lake Havasu City residents.

**EC.1.1.b-Local Business Support:** Support the creation and retention of local businesses by reducing barriers to opening new businesses and exploring potential incentives and financial tools to assist in new business establishment.

**EC-1.1f-Regional Retail:** Discourage the expansion of strip commercial development. Ensure that retail centers and areas are well-connected to each other to facilitate and maximize exposure of different retail areas, and encourage the clustering of retailers to encourage shoppers to visit multiple stores per trip. Prioritize support for existing retail centers, such as the mall.

**EC.1.1.g - Coordination:** Coordinate with local businesses, economic development organizations, state and federal agencies, property owners, and other stakeholders on economic development initiatives.

**EC.1.1.h - Public/Private Partnerships:** Foster public/private partnerships to help promote economic development and tourism in Lake Havasu City.

**EC.1.1.i - Marketing:** Continue to promote Lake Havasu City's assets outside the region to increase awareness of the specific opportunities the community has to offer for businesses, residents, and visitors.

**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 or amended. 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.

**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 rezoning request does not include any exceptions from the current code. In fact, this change eliminates some exceptions which were originally requested for the Mall. Any future development on the properties shall meet the current Development Code C-2 standards.

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

The removal from the planned development will provide a better opportunity for future uses to be located in the existing mall space. Only a few properties are yet to be developed which will be required to meet current code standards.

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

The property is owned by individual companies, which is suitable for development.

**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 original planned development (The Shops General Development Plan) included an approved site plan which was limited to specific uses. The removal from the PD allows a wider range of uses to be considered under today's C-2 permitted uses.

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

The removal from the planned development allows the retail element of the mall to focus on uses within the C-2 land use table which will allow for additional occupancy and growth of the property. Therefore, in-fill development should occur sooner and contribute to the overall health of the entire mall property.

**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 uses meet the general objectives of the C-2 Zoning District and all other objectives of the Lake Havasu City Development Code.

**ATTACHMENTS:**

The Centre General Development Plan

The Shops General Development Plan

Permitted Uses Table

Citizens' Meeting/Letter of Intent

**STAFF RECOMMENDATIONS:**

Staff recommends the Planning Commission recommend approval of land use action 19-1921, amending PD 05-00200008 by removing APNs 120-54-002, 120-54-003B, 120-54-004, 120-54-007, and 120-61-004, and rezoning the properties from C-2/PD to C-2.

**SUGGESTED MOTION:**

I move to recommend approval of land use action 19-1921, amending PD 05-00200008 by removing APNs 120-54-002, 120-54-003B, 120-54-004, 120-54-007, and 120-61-004, and rezoning the properties from C-2/PD (General Commercial Planned Development District) to C-2 (General Commercial District).