



Lake Havasu City

Lake Havasu City
Municipal Courthouse
Council Chambers
92 Acoma Boulevard
Lake Havasu City, Arizona
86403
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Legislation Details (With Text)

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On agenda: 3/15/2017 **Final action:**
Title: 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.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Letter of Intent, 2. Permitted Uses Table, 3. Citizen's Meeting Summary

Date	Ver.	Action By	Action	Result
3/15/2017	1	Planning and Zoning Commission	Approved	Pass

STAFF REPORT

TO: Planning & Zoning Commission Members

FROM: Planning Division Staff

REQUEST:

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.

GENERAL INFORMATION:

Application No.:	17-00400005
Property Legal:	Tract 2289, Block 6, part of Lot 2; APN 114-20-094E
Lot Size:	2.46 acres
Applicant:	Desert Land Group
Owner:	SJ Associates
Staff Project Manager:	Stuart Schmeling
Current/Proposed Zoning:	R-4/PD/C-2, General Commercial
Existing/Proposed Use:	Vacant, commercial/storage units
Proposed Number of Lots/Units:	N/A

PROPERTY AND APPLICATION BACKGROUND:

Southpoint Condominiums was originally developed in 1990. The property stretched from Oro Grande on the west, to Osborn on the east. In 1995, the westernmost property along Oro Grande Boulevard was rezoned to C-

1 anticipating commercial development. In 2008, the subject property divided into a 2.46 acre parcel. This property was scheduled to be developed as Phase II of the Southpoint Condominium project. In fact, many of the utilities serving the existing condominiums run through this property.

The applicant's Letter of Intent (Attachment #1) states a desire to rezone the property to C-2 to allow the site to develop to a commercial use within the allowed uses of the current C-2 District. At the Citizens meeting on February 27, 2017, at 9:00, the applicant offered the buyers intent to be condominium storage units much like the recently approved complex approved at 3350 Sweetwater Avenue. The condominium owners had many questions for the applicants regarding the specific location of buildings, etc. The full summary of the citizens meeting is included as Attachment #3. The applicants promised to work with the association regarding site design. However, it was pointed out, that a site plan was not required as part of the rezoning process.

The proposed rezoning is in compliance with the goals and policies of the City's General Plan.

GENERAL PLAN CONFORMANCE:

The Future Land Use Map of the General Plan designates this area as Commercial. The proposed zoning classification is in conformance with the General Plan Land Use Map.

Below is the General Plan description for Commercial:

- Intended to provide the necessary retail and shopping services for the community's current and future needs; denotes areas where the most intensive types of commercial uses are desired.
- Adequate but controlled access to arterial streets is required.

Primary Uses: Retail shopping and services, such as health facilities, night clubs, studios, artisan shops, grocery/retail stores, restaurants, banks, medical office/ hospital/clinics, veterinary clinics, parking facilities, storage facilities, and personal services.

Secondary Uses: High density residential; accessory structures.

The following are goals and policies within the General Plan, which support the proposed rezone:

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.

LU.1.1.a - Range of development opportunities: Maintain a Future Land Use Plan and map that clearly identifies the location and distribution of densities and preferred uses-residential, commercial, employment, resort-oriented, and recreational uses- within the planning area.

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.

LU.2.6.c - Southgate District: Promote a unified design treatment, master planning of shared parking areas, uniform street landscaping theme, and accommodation of designated commercial outdoor display in the area located generally between Acoma Boulevard South and McCulloch Boulevard South.

LU.2.6.d -Connectivity: Enhance auto, pedestrian and bicycle connections between individual uses along the Highway 95 corridor to support access management controls and increase the accessibility of goods and services for visitors and residents.

HN.1.2.c - Mitigation of Development Impacts: Protect residential development by minimizing adverse manmade impacts through corrective abatement measures, when necessary.

FINDINGS REQUIRED FOR REZONING:

Section 14.05.04 of the Lake Havasu City Development Code sets forth the criteria to be used in the evaluation of all requests for rezoning. Staff's findings for each of the criteria are as follows:

Section 14.05.04(K)(6)(a)(1)

The proposed amendment is consistent with the policies of the General Plan and would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City. The General Plan designates this property as Commercial. The General Plan anticipates commercial development all along Sweetwater Avenue. Previous General Plans suggested some multi-family could expand as far north as Sweetwater, but the current plan uses the alley to the south as the separation buffer.

Section 14.05.04(K)(6)(a)(2)

The proposed rezoning is consistent with the applicable provisions of the Development Code as commercial uses are allowed within the proposed zoning district. Any specific development will be required to secure building permit approval.

Section 14.05.04(K)(6)(c)(1)

The area under consideration is of adequate size and density to allow for the development of any permitted uses within the proposed zoning district.

Section 14.05.04(K)(6)(c)(2)

The current public need for commercially zoned property is demonstrated throughout the General Plan as well as within the local real estate market.

Section 14.05.04(K)(6)(c)(3)

The public need is best met by property being zoned for commercial uses.

Section 14.05.04(K)(6)(c)(4)

Surrounding properties to the south and west are zoned R-SGD and contain multi-family uses. Properties to the east are zoned C-2 and contain commercial uses. If developed appropriately, none of the surrounding uses

should be adversely affected by the proposed development.

Section 14.05.04(K)(6)(c)(5)

All utilities are readily available to the property or within a reasonable distance.

Section 14.05.04(K)(6)(c)(6)

The subject property is included within a City drainage, sewer, and water service district and may require new water or sewer infrastructure thus having no adverse impact to the existing water or wastewater systems.

SITE ANALYSIS:

The property is approximately 2.46 acres and is currently vacant. Since this property was to develop as Phase II of the condominiums there are no setbacks in place along the common property line. Therefore, careful consideration must be taken during the design review process to minimize the impact to the existing condominium development.

CONCLUSION:

Based on the above information, Staff finds that the request meets all review criteria necessary to approve the zone change from R-4/PD (Multi-family Planned Development) to C-2 (General Commercial District).

ATTACHMENTS:

1. Letter of Intent
2. Permitted Uses Table
3. Citizens Meeting Summary

STAFF RECOMMENDATIONS:

Staff recommends that the Commission forward a recommendation of approval to the City Council to rezone the property located at 3210 Sweetwater Avenue from R-4/PD (Multi-Family Planned Development) to C-2 (General Commercial District).

SUGGESTED MOTION:

I move to recommend approval to the City Council to rezone the property located at 3210 Sweetwater Avenue from R-4/PD (Multi-Family Planned Development) to C-2 (General Commercial District).