



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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File created: 4/3/2017 **In control:** Planning and Zoning Commission
On agenda: 4/19/2017 **Final action:** 4/19/2017
Title: A Request to Amend Planned Development No. 07-00200001, Havasu Foothills Estates, to Rezone the Four Commercial Parcels at the Intersection of Cherry Tree Boulevard and Foothills Avenue from C-1 (Limited Commercial) and MU-N (Mixed Use Neighborhood) to MU-G (Mixed Use General) and Rezone the 4.12 acre Parcel "M" from C-1 (Limited Commercial) to RE (Residential Estates).

Sponsors:

Indexes:

Code sections:

Attachments: 1. Adopted General Development Plan, 2. Revised Phase II General Development Plan, 3. Proposed Zoning, 4. Letter of Intent, 5. Public Scoping Meeting Minutes 04-11-2017, 6. Public Scoping Meeting Sign-In Sheet

Date	Ver.	Action By	Action	Result
4/19/2017	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 No. 07-00200001, Havasu Foothills Estates, to Rezone the Four Commercial Parcels at the Intersection of Cherry Tree Boulevard and Foothills Avenue from C-1 (Limited Commercial) and MU-N (Mixed Use Neighborhood) to MU-G (Mixed Use General) and Rezone the 4.12 acre Parcel "M" from C-1 (Limited Commercial) to RE (Residential Estates).

GENERAL INFORMATION:

Application No.:	17-1145 (17- 00200004) amending (07-00200001)
Property Legal:	Metes and Bounds
Lot Size:	14.25 Acres
Applicant:	Mychal Gorden
Owner:	Havasu Foothills Estates, LLC
Staff Project Manager:	Stuart Schmeling

Current/Proposed Zoning:	C-1, MU-N; MU-G and RE/PD
Existing/Proposed Use:	Residential and Commercial
Proposed Number of Lots/Units:	5 parcels

PROPERTY AND APPLICATION BACKGROUND:

Havasu Foothills Estates was originally approved by City Council in October of 2003. The property is zoned MU-N/RE/A-1//C-1/PD (Commercial/Planned Development) District.

The most recent changes approved in 2016 to Phase II included the following:

- Removal of the Parkway Corridor
- Town center reduced from 14.19 acres to 8.8 acres of commercial (+5.6 acre commercial Phase I)
- Relocate 8.16 acre school site to Phase III
- Roadway reconfiguration due to elimination of parkway and town center changes
- Community Park physically remains same however, development timing will change

The Adopted General Development Plan for Phase II is included as Attachment #1. The Revised Phase II General Development Plan is included as Attachment #2.

The current rezoning request includes five properties. Four of the five, Parcels A-D, are at the intersection of Cherry Tree Boulevard and Avienda De Las Foothills. These properties represent the remaining commercial element. Parcels A and B located on the southern side of the intersection were originally platted as part of Phase I and are zoned C-1. Parcel C and D platted in Phase II are currently zoned MU-N (Mixed Use Neighborhood). Together, these lots represent the balance of the commercial element for the Foothills. The developer has requested that all four corner parcels be rezoned MU-G (Mixed Use General) to promote continuity of future development. The fifth parcel, Parcel M is located easterly of the intersection along Avienda De Las Foothills. The 4.12 acre site was originally approved as an additional commercial site and zoned C-1 (Limited Commercial). The applicant has determined it more appropriate for residential use and has platted a cul-de-sac and residential lots to be rezoned to RE (Residential Estates) the same zoning as the existing adjacent lots. The applicant's Letter of Intent is provided as Attachment #4.

The Citizen meeting was held on April 11th. The Citizen's Meeting Summary has been provided as Attachment #5

SITE ANALYSIS:

The size of each parcel included in this application is listed below.

Parcel A: 5.54 acres; from C-1 to MU-G

Parcel B: 1.16 acres; from C-1 to MU-G

Parcel C: 1.62 acres; from MU-N to MU-G

Parcel D: 1.81 acres; from MU-N to MU-G

Parcel M: 4.12 acres; from C-1 to RE

The proposed zoning is indicated on Attachment #2.

GENERAL PLAN LAND USE DESIGNATION/CONFORMITY:

The General Plan Future Land Use map designates the property as Commercial Nodal. The Commercial Nodal classification is appropriate for areas of commercial and high-density residential development in a "multi-use nodal" or a "non-strip" setting. Residential densities may be higher; however, no more than 20% of any

commercial center may be devoted to residential uses. The proposed development is in conformance with the goals and policies of the Lake Havasu City General Plan and the Havasu Foothills Estates Specific Plan.

The following General Plan Goals and Policies support the request:

LAND USE GOALS AND POLICIES:

Existing Development Patterns

Goal: Carefully manage and phase development that is compatible with the existing development pattern while achieving orderly, sustainable development.

Policies:

1. New development must not negatively impact service levels or increase costs for current users. (Page 16)
5. Allow development areas that can be reasonably serviced by police, fire, and emergency response services. (Page 17)

Economic Development

Goal: To promote and maintain a balanced economy that provides jobs, is responsive to the needs of the community, and positions Lake Havasu City to be the major retail center for the Colorado Basin.

Policies:

1. Permit professional offices, and retail and service commercial uses in neighborhood commercial centers, but only at a development scale compatible with residential development. (Page 21)

GROWTH MANAGEMENT GOALS AND POLICIES

Goal: Ensure community sustainability by managing growth within the planning area in a systematic, proactive manner.

Policies:

1. Encourage a mix of residential development provided each development is properly located according to the general plan and the site plans and structural quality are in accordance with City standards and ordinances. (Page 42)
13. Encourage development in locations where infrastructure exists or can be financed by the development and installed and maintained cost-effectively by users. (Page 43)

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. 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. The General Plan contains many policies that support and promote the completion of the Havasu Foothills Specific 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. Any future development on the properties shall meet the zoning district 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 changes will provide a better transition into future Phases of the development.

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

The property is owned by an individual company, which is suitable for development. The HOA will be responsible for all common property in order to preserve and maintain.

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 (General Development Plan) included all the same uses proposed. The changes allow a smaller commercial element and a better roadway network into future Phases.

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

The applicant indicated they will be able to complete the necessary infrastructure for Phase II within the three year limitation.

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 use meets the general objectives of the PD District and all other objectives of the planned development section of the Lake Havasu City Development Code.

ATTACHMENTS:

1. Adopted General Development Plan
2. Revised Phase II General Development Plan
3. Proposed Zoning
4. Letter of Intent
5. Citizens Meeting Summary

STAFF RECOMMENDATIONS:

Staff recommends Planning Commission recommend approval of the rezoning of Parcel A and B, from C-1 (Limited Commercial) to MU-G (Mixed Use General), Parcel M from C-1 (Limited Commercial) to RE (Residential Estates) and Parcel C and D from MU-N (Mixed Use Neighborhood) to MU-G (Mixed Use

General).

SUGGESTED MOTION:

I move to recommend approval of the rezoning of Parcel A and B, from C-1 (Limited Commercial) to MU-G (Mixed Use General), Parcel M from C-1 (Limited Commercial) to RE (Residential Estates) and Parcel C and D from MU-N (Mixed Use Neighborhood) to MU-G (Mixed Use General).