



Lake Havasu City

Lake Havasu City
Municipal Courthouse
Council Chambers
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Lake Havasu City, Arizona
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Legislation Details (With Text)

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On agenda: 5/3/2017 **Final action:**
Title: Amending Conditional Use Permit 15-00300006 To Revise Condition Requiring Removal of Buildings November 1 Through February 29 and Allowing the Addition of an Off-Shore Inflatable Island and a Food Truck in Place of the Sandbar Grill

Sponsors:

Indexes:

Code sections:

Attachments: 1. Letter of Intent, 2. Proposed Site Plan, 3. Current Conditions Photos, 4. Inflatable Island

Date	Ver.	Action By	Action	Result
5/3/2017	1	Planning and Zoning Commission	Approved	Pass

STAFF REPORT

TO: Planning & Zoning Commission Members

FROM: Planning Division Staff

REQUEST:

Amending Conditional Use Permit 15-00300006 To Revise Condition Requiring Removal of Buildings November 1 Through February 29 and Allowing the Addition of an Off-Shore Inflatable Island and a Food Truck in Place of the Sandbar Grill

GENERAL INFORMATION:

Application No.: 17-00300005
Property Legal: 1300 McCulloch Blvd. N.
Lot Size: NA
Applicant: Nicolas Rius
Owner: Peter Patel/AZ State Land
Staff Project Manager: Stuart Schmeling
Current Zoning: MU-CRW District
Existing / Proposed Use: Hotel/Commercial

PROPERTY AND APPLICATION BACKGROUND:

The Commission held a hearing and approved the original Conditional Use Permit on July 1, 2015. The property is part of a State Trust lease held by the Island Inn. Last year, the Sandbar Grill caught fire and was destroyed. The foundation was recently removed.

The applicant, Nicolas Rius, has been operating the jet ski/pontoon boat rental business in this location since June of 2015. He also operated the inflatable island portion of this request for the past 30 days under a temporary use permit until the Commission has the opportunity to review the request for a revised conditional use permit. Along with the addition of

the inflatable island, his letter of intent, Attachment #1, includes a request to add a food truck and modify condition #3 of the existing permit. The proposed site plan is provided as Attachment #2.

The 2015 conditions of the original Conditional Use Permit approval by the Commission are listed below:

1. No more than 30 square feet of total signage allowed. The majority of signage should be placed at the intersection of McCulloch and Sir Peter Studd Drive on Island Inn property. Directional signs and temporary signage such as blade banners and pennants shall be prohibited
2. Temporary buildings shall be limited to one and shall be no greater than 120 square feet (10x12).
3. All temporary structures/buildings shall be removed by Nov. 1st through February 29th.
4. Beach coverage shall be limited to no more than 300 square feet for accessory items such as chairs, tables, and shade structures.
5. Limit the jet skis to no more than 14 and restrict their location to a 50 foot stretch of beach anchoring them 7 by 7 parallel to the shore.
6. Launching of any watercraft from the location shall be prohibited.
7. Fuel storage or re-fueling of equipment from the location shall be prohibited.
8. No boat or jet ski shall be moored within 100 feet of the west end of the designated swim area.
9. All conditions that deal with water areas, outside the City jurisdiction, shall be subject to BLM review.

The request includes three main points of significance, the addition of an inflatable island, the addition of a food truck, and the ability to leave the temporary building on the beach year-round.

The inflatable island is outside of the City's review/approval authority. The City currently has an agreement with the BLM, which allows the City to expand its authority slightly below the 450 elevation along specified areas of shoreline; however, this stretch of shoreline is not covered by that agreement. As a result, staff notified other agencies of the request and has asked them to participate in the review process.

The proposed food truck location is near the former site of the Sandbar Grill. The applicant has not specified the type of food or the style of food truck. The provision of food in this area should be a great addition; however, food trucks are prohibited within City Parks. Therefore, any food truck must be located on private property.

The applicant also requests the ability to leave the 10' x 12' structure on the beach year-round. The applicant experienced problems the past two seasons attempting to remove the structure. He is concerned that annual relocation of the building will cause damage to the building. If all temporary aspects of the business are removed from the beach and the business is shut down for the off-season (November through February) the building on the beach should have a minimal impact. Attachment #3 are photos of the current site.

ATTACHMENTS:

1. Letter of Intent
2. Proposed Site Plan
3. Current Conditions Photos
4. Inflatable Island

STAFF RECOMMENDATIONS:

Staff recommends that Conditional Use Permit #17-00300005 be approved amending Conditional Use Permit #15-00300006 with the following conditions:

1. No more than 30 square feet of total signage allowed. The majority of signage should be placed at the intersection of McCulloch and Sir Peter Studd Drive on Island Inn property. Directional signs and temporary signage such as blade

banners and pennants is prohibited.

2. The 10' by 12' building used as a sales office shall be closed between November 1 and February 29 annually but will be allowed to remain in place for the entire year.
3. The inflatable island structure, the food truck, and all temporary accessory items such as chairs, tables and shade structures shall be removed by November 1 through February 29.
4. Limit the jet skis to no more than 14.
5. Launching of any watercraft from the location is prohibited.
6. Fuel storage or re-fueling of equipment from the location is prohibited.
7. No boat or jet ski shall be moored within 100 feet of the west end of the designated swim area.
8. All conditions that deal with water areas, outside the City jurisdiction, shall be subject to BLM and other applicable agencies' review. Applicant shall obtain any permits required by the BLM or any other Federal, State, or County agency.
9. Prior to placement and operation of a food trailer or food establishment of any type, applicant must receive approval from the City. Applicant must submit the type and location of the food trailer or establishment prior to installation on the site. Applicant must also obtain all necessary permits and licenses for the sale and handling of food items prior to operation. The food trailer or establishment may only operate from the approved location.

SUGGESTED MOTION

I move to approve item No. 17-1157 approving Conditional Use Permit #17-00300005, amending Conditional Use Permit #15-00300006, with the following conditions:

1. No more than 30 square feet of total signage allowed. The majority of signage should be placed at the intersection of McCulloch and Sir Peter Studd Drive on Island Inn property. Directional signs and temporary signage such as blade banners and pennants is prohibited.
2. The 10' by 12' building used as a sales office shall be closed between November 1 and February 29 annually but will be allowed to remain in place for the entire year.
3. The inflatable island structure, the food truck, and all temporary accessory items such as chairs, tables and shade structures shall be removed by November 1 through February 29.
4. Limit the jet skis to no more than 14.
5. Launching of any watercraft from the location is prohibited.
6. Fuel storage or re-fueling of equipment from the location is prohibited.
7. No boat or jet ski shall be moored within 100 feet of the west end of the designated swim area.
8. All conditions that deal with water areas, outside the City jurisdiction, shall be subject to BLM and other applicable agencies' review. Applicant shall obtain any permits required by the BLM or any other Federal, State, or County agency.
9. Prior to placement and operation of a food trailer or food establishment of any type, applicant must receive approval from the City. Applicant must submit the type and location of the food trailer or establishment prior to installation on the site. Applicant must also obtain all necessary permits and licenses for the sale and handling of food items prior to operation. The food trailer or establishment may only operate from the approved location.