



# Lake Havasu City

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

**File #:** ID 17-1238    **Version:** 1    **Name:**  
**Type:** Action Item    **Status:** Agenda Ready  
**File created:** 6/1/2017    **In control:** Planning and Zoning Commission  
**On agenda:** 6/21/2017    **Final action:**  
**Title:** A Request to Remove APN 107-78-004, Tract 2360, Block 2, Lot 4, 145 Park Avenue from PD 93-001 by Rezoning the Property from C-1/PD (Limited Commercial Planned Development) to C-1 (Limited Commercial) District.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Adopted General Development Plan, 2. Permitted Uses Table, 3. Citizen's Meeting/Letter of Intent

Date	Ver.	Action By	Action	Result
6/21/2017	1	Planning and Zoning Commission	Approved	Pass

## STAFF REPORT

**TO:** Planning & Zoning Commission Members

**FROM:** Planning Division Staff

### REQUEST:

A Request to Remove APN 107-78-004, Tract 2360, Block 2, Lot 4, 145 Park Avenue from PD 93-001 by Rezoning the Property from C-1/PD (Limited Commercial Planned Development) to C-1 (Limited Commercial) District.

### GENERAL INFORMATION:

<b>Application No.:</b>	17-1238 (17- 00400007) amending (93-001)
<b>Property Legal:</b>	Tract 2360, Block 2, Lot 4
<b>Lot Size:</b>	2 Acres
<b>Applicant:</b>	Mike Dagon
<b>Owner:</b>	Maurice Choi and Kenneth Niebuhr
<b>Staff Project Manager:</b>	Stuart Schmeling
<b>Current/Proposed Zoning:</b>	C-1/PD (Limited Commercial Planned Development), C-1 (Limited Commercial)
<b>Existing/Proposed Use:</b>	Commercial

Proposed Number of Lots/Units:	NA
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### **PROPERTY AND APPLICATION BACKGROUND:**

The original MCO Properties Planned Development was approved by the City in 1993. The proposed plan included the City Aquatic Center, 75,000 square feet of retail space, and a 125 room hotel. The Adopted General Development Plan is provided as Attachment #1.

The building configuration and parking layout changed for the undeveloped lots along the highway as a result of an amendment in 2000. This change allowed only restaurant uses on the properties along the highway. The plan was again modified in 2003 to allow any uses within the C-1 (Limited Commercial) District.

The current request is to remove Lot 4 from the Planned Development allowing the site to develop within the current Development Code requirements of the C-1 (Limited Commercial) District standards. The Permitted Uses Table is provided as Attachment #2.

The Citizen's meeting was held on April 25, 2017. No members of the public attended the meeting. The Citizen's Meeting/Letter of Intent is provided as Attachment #3.

### **SITE ANALYSIS:**

The property is currently vacant and is approximately 2 acres. It is located adjacent to an electrical substation. Highway access is restricted per the approved planned development. Access is limited to Park Avenue.

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

The General Plan Future Land Use map designates the property as Resort Related. The Resort Related classification is appropriate for areas of service, commercial, and retail uses such as boat sales, rentals and repair, as well as hotels, motels, and restaurants. Land uses are intended to serve and support the tourism-oriented resort industry. 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.

**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.

**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.

**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. Any future development on the properties shall meet the current Development Code 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 the development of the property.

**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.

**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 an approved site plan which was limiting potential development. The rezoning allows better site development opportunities.

**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 property to develop independently from the other properties still bound by the planned development. Therefore, development should occur sooner than if the

property were bound by conditions of the planned development.

**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 C-1 zoning District and all other objectives of the Lake Havasu City Development Code.

**ATTACHMENTS:**

1. Adopted General Development Plan
2. Permitted Uses Table
3. Citizen's Meeting/Letter of Intent

**STAFF RECOMMENDATIONS:**

Staff recommends the Planning Commission recommend approval of the rezoning of APN 107-78-004 from C-1/PD (Limited Commercial Planned Development) to C-1 (Limited Commercial) District.

**SUGGESTED MOTION:**

I move to recommend approval of the rezoning of APN 107-78-004 from C-1/PD (Limited Commercial Planned Development) to C-1 (Limited Commercial) District.