



# Lake Havasu City

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

## Legislation Details (With Text)

**File #:** ID 19-2182    **Version:** 1    **Name:**

**Type:** Ordinance    **Status:** Agenda Ready

**File created:** 10/7/2019    **In control:** City Council

**On agenda:** 10/22/2019    **Final action:**

**Title:** Adopt Ordinance No. 19-1225 for a Major Planned Development Amendment of PD 05-00200008, The Shops at Lake Havasu, as Follows: Removing and Rezoning Tract 2396, Lot A-2 (APN 120-61-002), Including PetSmart, Bealls, and Cactus RV, from the Current C-2/PD (General Commercial/Planned Development) District to the C-2 (General Commercial) District; and Removing and Rezoning Tract 2392, Block 1, Lots 5, 6, & 8 (APNs 120-54-005, 006, & 008), Consisting of Three Undeveloped Outparcels, from the Current C-2/PD District to a New C-2/PD District Allowing All C-2 Uses Except Storage Units, Warehousing and Wholesale Distribution, and Outdoor Storage Uses (Luke Morris)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Ordinance No. 19-1225, 2. The Shops General Development Plan, 3. Parcels Included in Request Map, 4. Permitted Uses Table

Date	Ver.	Action By	Action	Result
10/22/2019	1	City Council	Adopted	Pass

## COUNCIL COMMUNICATION

**TO:** Honorable Mayor and Council

**FROM:** Stuart Schmeling, Director, Development Services Department

**SUBJECT:**  
Adopt Ordinance No. 19-1225 for a Major Planned Development Amendment of PD 05-00200008, The Shops at Lake Havasu, as Follows: Removing and Rezoning Tract 2396, Lot A-2 (APN 120-61-002), Including PetSmart, Bealls, and Cactus RV, from the Current C-2/PD (General Commercial/Planned Development) District to the C-2 (General Commercial) District; and Removing and Rezoning Tract 2392, Block 1, Lots 5, 6, & 8 (APNs 120-54-005, 006, & 008), Consisting of Three Undeveloped Outparcels, from the Current C-2/PD District to a New C-2/PD District Allowing All C-2 Uses Except Storage Units, Warehousing and Wholesale Distribution, and Outdoor Storage Uses (*Luke Morris*)

**FUNDING SOURCE:**  
N/A

**PURPOSE:**

To adopt an ordinance removing parcels from The Shops at Lake Havasu Planned Development and rezoning the properties from C-2/PD to C-2 and to C-2/PD.

**BACKGROUND:**

On April 23, 2019, the City Council approved an ordinance removing and rezoning most of the developed portions of the main mall site from C-2/PD District to C-2 District. The Star Cinema movie theater, Walmart, Dillard's, J.C. Penny, PetSmart, Bealls, and Cactus RV properties were not included in the request and remained C-2/PD.

The first part of this request includes the 3.42-acre lot and buildings that are home to the PetSmart, Bealls, and Cactus RV businesses. The applicant requests removal of these properties from the current C-2/PD District and to rezone it to the C-2 District underlying zoning district. The current C-2/PD allows a maximum building height of 46 feet to accommodate architectural features. The existing structures will be considered legal non-conforming and the maximum building height of any new buildings in the new C-2 District will be 25 feet.

The second part of the request is for three vacant, undeveloped outparcel lots of 1.34 acres, 1.36 acres, and 1.48 acres along Highway 95. The applicant requests removal of these properties from the current C-2/PD District and to rezone them to a new C-2/PD District allowing all C-2 uses, but excluding Storage Units, Warehouse and Wholesale Distribution, and Outdoor Storage Uses. Maximum building height for any new structures will be 25 feet per the underlying C-2 District. If removed from the PD and rezoned as requested, future development of the sites would allow any use within the C-2 land use table, except for Storage Units, Warehouse and Wholesale Distribution, and Outdoor Storage Uses.

At the September Planning Commission hearing, staff expressed concern regarding some of the heavier commercial uses, such as, Vehicle Service or Repair, Storage Units, Warehouse and Wholesale Distribution, and Outdoor Storage, if implemented improperly, may have a negative impact on the rest of the mall. Staff recommended that Vehicle Service or Repair use also be excluded from the allowed uses in the new PD. After discussion at the Commission hearing, the Commission determined that vehicle service and repair would be an acceptable use for the vacant parcels and as a result, modified the recommendation accordingly.

As a result of adopting a new planned development for the three parcels along Highway 95, the elimination of the existing restriction prohibiting free-standing signs could provide for inconsistent signage, differing advertising opportunities, and aesthetic issues in that area. Staff recommends that restricting freestanding signs on the outparcels remain unchanged.

The Citizens' meeting was held on August 15, 2019. No members of the public attended the meeting. The Planning Commission reviewed the item at its September 18, 2019 meeting and recommended 6-0 unanimous approval.

**COMMUNITY IMPACT:**

Enhancing investment opportunities at the mall can have a significant impact on economic conditions in Lake Havasu City. Diversifying uses within the mall area should assist in making the mall viable in the future.

**FISCAL IMPACT:**

N/A

**ATTACHMENTS:**

Ordinance No. 19-1225

The Shops General Development Plan

Parcels Included in Request Map  
Permitted Uses Table

**SUGGESTED MOTION:**

I move to adopt Ordinance No. 19-1225 amending Planned Development 05-00200008 by removing and rezoning Tract 2396, Lot A-2 (APN 120-61-002), including PetSmart, Bealls, and Cactus RV, from the current C-2/PD District to the C-2 District; and removing and rezoning Tract 2392, Block 1, Lots 5, 6, & 8 (APN's 120-54-005, 006, & 008), consisting of three undeveloped outparcels, from the current C-2/PD District to a new C-2/PD District allowing all C-2 uses except Storage Units, Warehousing and Wholesale Distribution, and Outdoor Storage Uses and restricting the placement of freestanding signs on the outparcels, Lots 5, 6, and 8, along Highway 95.