



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 21-3085 **Version:** 1 **Name:**
Type: Action Item **Status:** Agenda Ready
File created: 11/17/2021 **In control:** Planning and Zoning Commission
On agenda: 12/1/2021 **Final action:**
Title: Request for a Planned Development Rezone for 401, 411, 421, 431, & 441 Lake Havasu Avenue N., Tract 2305, Block 2, Lots 10 Through 14, from Multiple-Family (R-M) to Mixed Use - General/Planned Development (MU-G/PD) District, Prohibiting the Allowable Land Use of Self-Storage/Mini Storage (Storage Units)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Area Map, 2. Zoning Map, 3. Letter of Intent, 4. Permitted Uses Table, 5. Citizens Meeting Report

Date	Ver.	Action By	Action	Result
12/1/2021	1	Planning and Zoning Commission	Recommended for Approval	Pass

STAFF REPORT

TO: Planning & Zoning Commission Members

FROM: Planning Division Staff

REQUEST:

Request for a Planned Development Rezone for 401, 411, 421, 431, & 441 Lake Havasu Avenue N., Tract 2305, Block 2, Lots 10 Through 14, from Multiple-Family (R-M) to Mixed Use - General/Planned Development (MU-G/PD) District, Prohibiting the Allowable Land Use of Self-Storage/Mini Storage (Storage Units)

GENERAL INFORMATION:

Application No.:	21-3085, P&Z Case #21-00200008
Property Legal:	Tract 2305, Block 2, Lots 10 Through 14
Property Address:	401, 411, 421, 431, & 441 Lake Havasu Ave N
Lot Size:	2.87 Acres
Applicant:	John Parrott
Owner:	Henry Garcia Trust
Staff Project Manager:	Luke Morris

Current/Proposed Zoning:	Multiple-Family (R-M) to Mixed Use - General/Planned Development (MU-G/PD) District
Existing/Proposed Use:	Vacant/Mixed Use
Proposed Number of Lots/Units:	NA

SITE ANALYSIS:

The subject property consists of five lots located on the west side of Lake Havasu Avenue N. between Palo Verde Boulevard S. and Industrial Boulevard. The property backs to Highway 95. The 2.87-acre property measures 500 feet wide by 250 feet deep. The site is currently undeveloped.

The abutting properties to the north and south are zoned Multiple-Family (R-M) and developed with condominiums. The properties to the east, across Lake Havasu Avenue, are also zoned R-M and are vacant or developed as residential units. Limited Commercial (C-1) and Manufactured Home (RMH) zoned properties lie to the west, across Highway 95.

Area and Zoning Maps are attached.

PROPERTY AND APPLICATION BACKGROUND:

The applicant's Letter of Intent requests to rezone the subject lots to the MU-G zoning district to allow all uses currently allowed within the district except storage units.

The MU-G district is intended to allow commercial uses and the potential of residential development above the ground floor. The district allows for a broad range of medium to high-intensity commercial uses, including retail, office, service, and resort-related facilities, integrated with high-density multi-family residential uses, with densities of up to 40 dwelling units/acre. Development standards facilitate pedestrian connections between residential and non-residential uses. The principal land uses are commercial, service, and recreational activities, as well as high-density residential, as provided in Table 3-1 (Permitted Use Table). At least 25% of the gross floor area in the structure must be occupied by non-residential uses and dwelling units shall not be located on the ground floor.

The proposed zoning will allow the potential of both commercial and multiple family residential development on the property, as shown in the attached Permitted Uses Table. However, the applicant requests that storage units not be included among the allowed uses. To accomplish this, they are asking for a Planned Development (PD) rezone with the stipulation that storage units be prohibited. The PD rezone is an appropriate means of achieving the request.

At the time of the writing of this staff report, the MU-G zoning district allows storage units as a permitted use. However, a Development Code Amendment potentially eliminating storage units from the MU-G, General Commercial (C-2), and Commercial Southgate (C-SGD) districts was heard by the Planning Commission on October 20, 2021. At that meeting, the Commission forwarded a recommendation to the City Council to eliminate storage units as an allowed use in the C-2 and C-SGD districts, but allow them to remain in the MU-G district. The City Council will hear that item at its November 23, 2021 meeting and make a decision as to which districts can allow storage units.

The applicant has not provided a development plan for the property. If approved, all uses allowed in the MU-G district, except for storage units, will be allowed. Future development will require Design Review for compliance with the Development Code and the appropriate permits prior to development of the property.

The citizens' meeting was held on October 12, 2021 at 9 AM at 180 Swanson Avenue. No property owners within 300 feet attended the meeting. The Citizens' Meeting Report is provided as an attachment.

COMMENTS RECEIVED FROM OTHER DEPARTMENTS/AGENCIES:

No objections were received from any other reviewing agencies or departments.

GENERAL PLAN LAND USE DESIGNATION/CONFORMITY:

The General Plan Future Land Use map designates the property as Commercial. The Commercial classification is appropriate for Mixed-Use development. The Commercial Mixed-Use designation is intended to develop as the community's major commercial and service activity centers. Primary uses include 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 include high density residential and accessory structures. The proposed zoning designation is in conformance with the General Plan Land Use Map as well as the goals and policies of the General Plan.

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 supports commercial development in this area.

b. The exceptions from the standards of the underlying district are warranted by the design and amenities incorporated into the development plan and program.

All future development will be required to go through Design Review and meet all the requirements of the Development Code.

c. The proposal is in harmony with the surrounding area or its potential future use, and incorporates unified or internally compatible architectural treatment.

The proposed zoning district allows a mix of commercial and multiple family development and eliminating storage units from the allowed uses is not anticipated to be disruptive to the surrounding area.

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

The properties are owned by an individual, and are suitable for development. Any development will be required to go through the design review process during which it will be reviewed for compliance with the currently adopted Development Code including landscaping, open space and drainage requirements.

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 proposed MU-G zoning currently allows storage units, and the requested PD, if approved, will not allow the use, which should be beneficial to the area.

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

It is anticipated that development of the site may occur within the three-year limitation; otherwise, a request for an extension of the PD approval may be required.

g. Adequate public facilities and services are available or are proposed to be made available in the construction of the project.

Adequate public facilities are currently available to the property.

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.

CONCLUSION:

The proposed zoning classification is in conformance with the goals and policies of the City's General Plan. Staff finds that the request meets all requirements set forth in Section 14.05.04(K)(6) of the Lake Havasu City Development Code to approve the zone change.

ADDITIONAL REQUIRED ACTIONS:

This item will be scheduled to be heard by the City Council at its January 11, 2022, meeting. Design Review and building permit review will be required prior to development of the property.

ATTACHMENTS:

Area Map
Zoning Map
Letter of Intent
Permitted Uses Table
Citizens' Meeting Report

STAFF RECOMMENDATIONS:

Staff recommends that the Commission forward a recommendation of approval to the City Council for Land Use Action No. 21-3085, a Planned Development Rezone for 401, 411, 421, 431, & 441 Lake Havasu Avenue N., Tract 2305, Block 2, Lots 10 through 14, from Multiple-Family (R-M) to Mixed Use - General/Planned Development (MU-G/PD) District, prohibiting the allowable land use of self-storage/mini storage (storage units).

.

SUGGESTED MOTION:

I move to recommend that the City Council approve Land Use Action No. 21-3085, a Planned Development Rezone for 401, 411, 421, 431, & 441 Lake Havasu Avenue N., Tract 2305, Block 2, Lots 10 through 14, from Multiple-Family to Mixed Use - General/Planned Development District, prohibiting the allowable land use of self-storage/mini storage (storage units).