



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 22-3499 **Version:** 1 **Name:**
Type: Planning Item **Status:** Agenda Ready
File created: 10/7/2022 **In control:** Planning and Zoning Commission
On agenda: 11/2/2022 **Final action:**
Title: A Request for a Zone Change from Golf Course District (GC) to Residential Estates District (R-E) for the Portions of the Following Lots that were Purchased from the Golf Course:
Tract 2316, Block 11, Lot 8A, 2718 Paseo Verde;
Tract 2316, Block 11, Lot 9A, 2720 Paseo Verde;
Tract 2316, Block 11, Lot 10A, 2724 Paseo Verde;
Tract 2316, Block 11, Lot 11A, 2728 Paseo Verde;
Tract 2316, Block 6, Lots 55A & 56A, 650 Via Del Lago;
Tract 2317, Block 3, Lot 8A, 2654 Plaza Del Sol (Luke Morris)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Area Map, 2. Zoning Maps, 3. Citizens Meeting Summary, 4. Parcel Plat Maps

Date	Ver.	Action By	Action	Result
11/2/2022	1	Planning and Zoning Commission	Recommended for Approval	Pass

STAFF REPORT

TO: Planning & Zoning Commission Members

FROM: Planning Division Staff

REQUEST:

A Request for a Zone Change from Golf Course District (GC) to Residential Estates District (R-E) for the Portions of the Following Lots that were Purchased from the Golf Course:
Tract 2316, Block 11, Lot 8A, 2718 Paseo Verde;
Tract 2316, Block 11, Lot 9A, 2720 Paseo Verde;
Tract 2316, Block 11, Lot 10A, 2724 Paseo Verde;
Tract 2316, Block 11, Lot 11A, 2728 Paseo Verde;
Tract 2316, Block 6, Lots 55A & 56A, 650 Via Del Lago;
Tract 2317, Block 3, Lot 8A, 2654 Plaza Del Sol (*Luke Morris*)

GENERAL INFORMATION:

Application No.:	22-3499 (22-00400005)
-------------------------	-----------------------

Property Legal/ Address	Tract 2316, Block 11, Lot 8A, 2718 Paseo Verde; Tract 2316, Block 11, Lot 9A, 2720 Paseo Verde; Tract 2316, Block 11, Lot 10A, 2724 Paseo Verde; Tract 2316, Block 11, Lot 11A, 2728 Paseo Verde; Tract 2316, Block 6, Lots 55A & 56A, 650 Via Del Lago; Tract 2317, Block 3, Lot 8A, 2654 Plaza Del Sol
Lot Size:	Varies
Applicant:	APL Surveying, Inc.
Owners:	Bernice Noriz & M. Baloun, Vincent Beltran, Jeffrey Gilbert, George Mitwasi, Timothy & Shelley Davis, and 206 Broadway, LLC
Staff Project Manager:	Luke Morris
Current/Proposed Zoning:	Golf Course (GC) to Residential Estates (R-E)
Existing/Proposed Use:	Golf Course/Residential
Proposed Number of Lots/Units:	N/A
Density:	N/A

PROPERTY AND APPLICATION BACKGROUND:

Each of the six subject properties abut a fairway of the Lake Havasu Golf Club. Each property owner recently purchased an approximate 15 to 20-foot strip of the golf course property to add to their existing residential property. The properties are shown on the attached Area Map.

The residential properties in the area are zoned R-E and are vacant or developed as single-family homes. The Lake Havasu City Golf Club abuts each property and is zoned CG. Each of the combined properties currently have two zonings. The original lots are zoned R-E and the portions purchased from the golf course are zoned GC.

This request is to rezone the old golf course portion of each property from GC to R-E, so it will match the balance of the residential lots. The zoning is shown on the attached Zoning Maps.

In 2016, the City adopted the current Development Code. Prior to that adoption, the golf course was zoned R-E just like all the adjacent residential lots. Concern was expressed at that time regarding the impending sale and possible redevelopment of the course. As a result, the Golf Course District was created ensuring the area would remain a golf course. The new owners embarked on a plan to upgrade the golf course, which resulted in unused portions being sold to many of the adjacent residential owners. The Zoning Administrator determined these small pieces needed to be rezoned for the residential owners to develop their newly acquired property.

The rezone will allow each property owner to apply the R-E building setbacks and uses to the entire combined property. Without the rezone, the GC portion of each property is limited to landscaping, grading, swimming pools, and retaining walls.

The Citizens Meeting for all the properties was held on October 13, 2022. Owners of two nearby properties attended the meeting. The Citizens Meeting Summary is attached.

SITE ANALYSIS:

The table below describes the subject properties. One is developed with a home, three have homes under construction, and two are vacant land. Five of the six properties are less than the current 15,000 sq. ft. minimum for R-E zoned lots. However, these lots are considered legal non-conforming (grandfathered) because they were established prior to the current development standards. The proposed additional lot area will allow them to become more compliant with the current R-E standards.

Address	Current Use	R-E Zoned Area	CG Zoned Area	Total Lot Area
2718 Paseo Verde	Existing Home	7,510 Sq. Ft.	1,500 Sq. Ft.	9,010 Sq. Ft.
2720 Paseo Verde	In Construction	7,500 Sq. Ft.	1,500 Sq. Ft.	9,000 Sq. Ft.
2724 Paseo Verde	Vacant	7,500 Sq. Ft.	1,500 Sq. Ft.	9,000 Sq. Ft.
2728 Paseo Verde	Vacant	7,499 Sq. Ft.	1,500 Sq. Ft.	8,999 Sq. Ft.
650 Via Del Lago	In Construction	17,679 Sq. Ft.	4,490 Sq. Ft.	22,169 Sq. Ft.
2654 Plaza Del Sol	In Construction	10,518 Sq. Ft.	2,317 Sq. Ft.	12,835 Sq. Ft.

GENERAL PLAN LAND USE DESIGNATION/CONFORMITY:

It is determined that the General Plan Future Land Use map designates the properties as Low Density Residential. The primary use of this designation is Single-Family housing with a secondary use of schools, parks, recreation, and religious uses in a neighborhood setting; accessory structures. 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:

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.

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.

HN.1.1.a - Existing Housing Stock: Support the retention of existing housing stock throughout the City. Encourage ongoing maintenance and promote reinvestment and improvements in declining areas.

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 ZONING MAP AMENDMENTS:

Section 14.05.04(K)(6) of the Lake Havasu City Development Code requires findings be met before a Zoning Map Amendment is approved. Those findings and Staff's analysis of each finding is as follows:

(6)(a)(1). The proposed amendment is consistent with the maps and policies of the General Plan and any applicable specific plan.

The proposed amendment is consistent with the maps and policies of the currently adopted General Plan and is not subject to a specific plan.

(6)(a)(2). The proposed amendment would not be detrimental to the public interest, health, safety,

convenience, or general welfare of the City.

This proposed rezoning request would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City.

(6)(c)(1). The area under consideration is an appropriate area for treatment as a unit in zoning;

The property is an appropriate area for treatment as a unit in zoning.

(6)(c)(2). A current public need has been demonstrated for the range of uses allowed by the requested zoning district;

The requested zoning district will enhance development of the adjacent residential use.

(6)(c)(3). The public need is best met by the proposed zoning map change on the proposed land as compared with other viable property zoned for the proposed uses or susceptible to rezoning for the proposed uses;

The requested zoning district will enhance development of the adjacent residential use.

(6)(c)(4). The surrounding property would not be adversely affected by approval of the request, or the adverse effects are properly addressed by conditions that may be placed on the approval;

The surrounding property would not be adversely affected by approval of the request.

(6)(c)(5). All public safety facilities and all public facilities and services to the uses allowed by the proposed zoning are available, or may be made available in conjunction with development, and the construction of any required improvements needed to meet City standards is guaranteed by binding agreement between the developer and the City and/or are programmed for installation in the City's capital improvements budget for the current year. Public facilities and services shall include drainage, sewer, transportation, and water services that conform to adopted master service plans and are installed in compliance with adopted city construction standards;

All public safety facilities and all public facilities and services to the uses allowed by the proposed zoning are available.

(6)(c)(6). Areas requested to be rezoned for multi-family, commercial, or industrial uses shall, as a prerequisite to approval of the requested zoning, be first included within a city drainage, sewer, and water service district for which master service plans have been adopted.

Not applicable.

COMMENTS FROM OTHER REVIEWERS:

City Engineering staff commented that the property owners are responsible to maintain or otherwise mitigate cross lot drainage from adjacent properties. Review of land disturbance or structures is required for compliance with City Code Section 8.22.150.

No objections were received from any reviewing agencies or departments.

OTHER REQUIRED ACTIONS:

This item is scheduled to be heard by the City Council at its December 13, 2022, meeting.

ATTACHMENTS:

Area Map

Zoning Maps

Citizens' Meeting Summary

Parcel Plat Maps

STAFF RECOMMENDATIONS:

Staff recommends the Planning Commission recommend approval of land use action No. 22-3499, for a Zone Change from Golf Course District (GC) to Residential Estates District (R-E) for the portions of the following lots that were purchased from the golf course as shown on the attached Parcel Plat Maps:

Tract 2316, Block 11, Lot 8A, 2718 Paseo Verde;
Tract 2316, Block 11, Lot 9A, 2720 Paseo Verde;
Tract 2316, Block 11, Lot 10A, 2724 Paseo Verde;
Tract 2316, Block 11, Lot 11A, 2728 Paseo Verde;
Tract 2316, Block 6, Lots 55A & 56A, 650 Via Del Lago; and
Tract 2317, Block 3, Lot 8A, 2654 Plaza Del Sol.

SUGGESTED MOTION:

I move to recommend approval of land use action No. 22-3499, for a Zone Change from Golf Course District to Residential Estates District for the portions of the following lots that were purchased from the golf course as shown on the attached Parcel Plat Maps:

Tract 2316, Block 11, Lot 8A, 2718 Paseo Verde;
Tract 2316, Block 11, Lot 9A, 2720 Paseo Verde;
Tract 2316, Block 11, Lot 10A, 2724 Paseo Verde;
Tract 2316, Block 11, Lot 11A, 2728 Paseo Verde;
Tract 2316, Block 6, Lots 55A & 56A, 650 Via Del Lago; and
Tract 2317, Block 3, Lot 8A, 2654 Plaza Del Sol.