Jim Harris, Chair
Joan Dzuro, Vice Chair
Paul Lehr
Gabriele Medley
Lonnie Stevenson
JP Thornton
Tiffany Wilson
Phil Annett, Alternate
Mary Costa, Alternate
Kay Patel, Alternate

Lake Havasu City
Council Chambers
92 Acoma Boulevard South
Lake Havasu City, Arizona
86403

Planning and Zoning Commission Regular Meeting

Minutes - Final

Wednesday, August 5, 2026 **9:00 AM**

1. CALL TO ORDER

Vice Chair Dzuro called the meeting to order at 9:00 a.m.

2. PLEDGE OF ALLEGIANCE

Vice Chair Dzuro led the Pledge of Allegiance.

3. ROLL CALL

Present: 5 - Joan Dzuro, JP Thornton, Phil Annett, Lonnie Stevenson and Kay Patel

Absent: 5 - Paul Lehr, Tiffany Wilson, Jim Harris, Gabriele Medley and Mary Costa

With three vacancies, Commissioners Annett & Patel joined the dais.

4. CORRESPONDENCE AND ANNOUNCEMENTS

Planning Division Manager Chris Gilbert stated there has been no City Council action on Planning items since the last meeting. Staff is preparing informational pamphlets for the 2026 General Plan Update, which will be mailed to voters before the November election.

5. MINUTES

ID 26-5310 Approval of the Minutes of the July 15, 2026, Planning & Zoning Commission Regular Meeting (Shelby Hennigan)

Commissioner Annett moved to approve the Minutes of the July 15, 2026, Planning & Zoning Commission Regular Meeting, seconded by Commissioner Thornton. The motion passed with the following vote:

Aye: 5 - Dzuro, Thornton, Annett, Stevenson and Patel

6. PUBLIC HEARING

Vice Chair Dzuro provided an overview of the Public Hearing process.

ID 26-5281 Request to Adopt Resolution No. 26-04 Approving a Major Conditional Use Permit for 2894 Jamaica Blvd, Tract 2271, Block 13, Parcels 2 and 3, Permitting a Food Court with Seven Mobile Food Units, a Permanent Building, and a Shade Structure in the Limited Commercial (C-1) District for a Period of One Year (Chris Gilbert)

Mr. Gilbert explained the two items on today's agenda are continued from the July 15th Meeting. Both are requests to renew Major Conditional Use Permits (CUP) for the operation of food truck courts. He provided an overview of the annual review process for mobile food vendors, as required by City Code Section 5.24.070.F.4.

The first hearing is for Havabite, located at 2894 Jamaica Blvd S. He reviewed the Staff Report [displayed PowerPoint], noting the following:

- The site is approximately 1.18 acres and zoned Limited Commercial (C-1) District. It is adjacent to other C-1 properties, including the Masonic Lodge and Marathon Gas Station.
- The properties to the north and west are zoned Multiple-Family (R-3) District and are developed with residential uses.
- The CUP allows seven mobile food vendors.
- Site improvements have been completed, including the construction of an indoor bar with restrooms and commissary, a shade canopy, landscaping, and parking. These were approved under the original CUP.

Mr. Gilbert stated Code Enforcement has not received any complaints related to Havabite. However, truck parking was noted along the property line behind the bar and the Fire Department observed the use of smokers and BBQs outside the food trucks, which is not permitted. The applicant has addressed these issues.

With no questions for Staff, Vice Chair Dzuro invited the applicants to the podium.

Stefan and Meagan Peña are the owners/operators of Havabite. Ms. Peña explained they have been open for one year now and it is an honor to be part of the community. Havabite has become a gathering place for families, friends, and sports teams. As residents, their intention is to be good neighbors and address any issues that arise.

Vice Chair Dzuro asked what steps they've taken to address the issues mentioned in the Staff Report.

Mr. Peña explained the trucks using the smokers and BBQs are no longer there. The Fire Department worked with the vendors to educate them about the codes and what is allowed. Currently, all vendors complete food prep inside their trucks. They added pressure treated railroad ties along the wall to prevent parking near the property line.

Vice Chair Dzuro opened the Public Hearing, noting one request to speak was submitted.

Tim Sisson, resident, thinks this is a great concept and has no problems with the vendors or guests, but the noise is a concern. It is not so much noise from patrons, but music, bingo, and trivia. The Masonic Lodge is between his property and Havabite and even with that screening there are times he can hear it in his living room. He asked them to address the amplified noise.

Bruce Hartwell, resident and Chairman of the Masonic Lodge, explained the Lodge has six security cameras and has not experienced or observed any problems or partying. They typically close between 9:30 - 10:00 p.m. He also attends St. Michael's Church across the street. The Church has not reported any issues and has given Havabite permission to use their lower parking lot for overflow. They have been good neighbors.

Regarding the noise, Mr. Peña acknowledged bingo and trivia were very loud when they first started. The event host is used to large, enclosed venues and had a loud speaker system. When they realized it was an issue, they worked with him to bring in appropriate equipment to reduce amplified noise. They received a letter from a neighbor who initially objected to the project, but has since become a supporter. Vice Chair Dzuro instructed him to submit the letter to the Recording Secretary.

Bambi Osgood, resident, stated she has filed noise complaints several times. They were told there would not be outdoor entertainment when Havabite went through the initial approval process, but she has observed outdoor entertainment, including movies, dancing, and sunset markets. The music, bingo, and trivia are way too loud and can be heard in their backyard and house. The wood fire pits are another issue, as the smoke drifts into their yard and home. She requested they address the noise and opt for propane fire pits and heaters instead. Ms. Osgood noted she has seen people there long after they allegedly close and has observed unsupervised kids and people using drugs behind the storage buildings at the Masonic Lodge.

Vice Chair Dzuro asked if she noticed an improvement since they changed the sound system. Ms. Osgood responded that she has not, adding that with windows and doors closed due to the heat, it has been quiet, but it is too loud when they are open.

Ms. Peña explained that bingo is during the day, usually the early afternoon, and trivia is 6:00 p.m. - 8:00 p.m. at the latest. They sometimes have musicians in the bar, but are only booking acoustic artists in response to discussions with neighbors. If this is still too loud, they are happy to see what else they can do to reduce the noise. She acknowledged vendors may be onsite after 10:00 p.m. cleaning up, but they have talked to them about

keeping music down and not hanging out at the fire pits after they finish. The public should not be there. The latest they've been open was the Fourth of July, when they closed about 10:30 p.m.

Regarding comments about drug use, Mr. Peña stated that neither they nor their vendors have observed this. The Masonic Lodge has security cameras that monitor both sites with footage that gets reviewed regularly and drug use or loitering have not been issues. The Lodge Members can attest to this.

Brian Osgood, resident, reiterated that their primary concern is the noise, noting he can play along with the trivia in their living room. To date, they have not done enough to address the amplified sound, but he appreciates the applicants acknowledging this issue and hopes it will be addressed.

Seeing no further comments, Vice Chair Dzuro closed the Public Hearing.

In response to Ms. Osgood's comments that she has filed complaints, Mr. Gilbert explained the Code Enforcement Division did not report any complaints over the past year. He encouraged residents to reach out if they continue to experience issues, especially during business hours when officers can visit the site. He noted the Marathon Gas Station has a new restaurant tenant who is using their outdoor patio, which may be contributing to the noise.

Mr. Gilbert read a letter from Maud & Jan Wallen, whose home is directly adjacent to Havabite, into the record. They voiced support for Havabite, noting it is a great place for families and kids. They do not have complaints about noise, music, or the vendors. The owners and staff have been responsive to their concerns and feedback.

Mr. Gilbert reviewed the Code Compliance Conditions:

1. No outdoor entertainment is permitted in the C-1 District.
2. The property is limited to seven mobile food units located as shown on the original site plan. No vehicles related to the food court operation shall be stored at any time on the property in excess of the approved seven mobile food vendor vehicles, including within easements.
3. The applicant is responsible for ensuring the mobile food vendors that are invited to participate on the property have their individual Mobile Food Vendor Licenses from the City.
4. At least a 10-foot separation is required between all structures and mobile food units.
5. No cooking around the building, both inside it or outside under the canopy, is permitted. All cooking shall be performed within the mobile food units permitted

to be on the property.

6. A minimum of one thirty-gallon trash receptacle shall be provided within fifteen feet of each individual mobile food unit.
7. The development shall comply with the noise regulations described in Lake Havasu City Chapter 9.30 at all times.
8. As required by City Code Section 5.24.070.F.4.a.i, the Conditional Use Permit shall be reevaluated by the Planning Commission one year after issuance of this continuation approval to gauge the impact of the use on the neighborhood and determine if any of the conditions need modification to assure minimum impact to the neighborhood.

Vice Chair Dzuro asked if the applicants agree to the conditions. They responded affirmatively.

Commissioner Thornton stated that aside from the noise concerns, the property is clean and well maintained. He hasn't observed excessive noise when visiting, but encouraged them to continue working with neighbors to ensure it is not disruptive. He complimented them on creating a great space for the families and the community, especially on the south side of town where restaurant options are limited.

Commissioner Stevenson explained Condition 1, regarding outdoor entertainment, created a gap that may warrant additional discussion. The music and entertainment technically happen inside the bar, but when the doors and window are open, it is similar to outdoor entertainment in terms of how the sound travels.

Mr. Gilbert explained that outdoor entertainment is not allowed as a principal use in C-1 Districts, but is an allowed accessory use, meaning a normal restaurant could have outdoor entertainment without this level of review or oversight. An example is music on the patio, as long as the restaurant is the primary use. The annual review required for the food trucks provides Staff the opportunity to work with the owners and neighbors to address noise concerns, but it can be a balancing act to determine what constitutes a nuisance.

Commissioner Stevenson recommended monitoring the noise levels over the next year to see if it remains an issue during the cooler months when the doors and windows are open, with follow-up at next year's renewal hearing to see if any changes are warranted.

Commissioner Annett recognized this is a spirited conversation and is a good example of why an annual review is required. He likened today's hearing to a report card. Many neighbors have good things to say about Havabite, but there is also constructive feedback on how they can improve. The owners seem committed to being good neighbors and addressing these concerns. Today's hearing sets the foundation for their review next year.

Commissioner Dzuro encouraged the owners to continue working with the neighbors. There may be something about the location of their home that amplifies sounds or causes the smoke to be worse in their yard. Perhaps something as simple as adjusting speakers, adding screening, or redirecting the fire pits could mitigate the issues they are experiencing.

Commissioner Patel suggested talking with their vendors to see if they could adjust their cleaning schedules or limit some activities, like pressure washing, to daytime hours.

Mr. Peña explained that one neighbor contacted them about pressure washing early in the morning, as she wanted to enjoy coffee in her backyard. They came to an agreement that pressure washing wouldn't start before 9:00 a.m. This is one example of how they have tried to be a good neighbor and have shown a willingness to listen. He emphasized that the PA system used last winter for bingo and trivia has been changed and hopes the neighbors will notice a difference this year.

Commissioner Thornton moved to adopt Resolution No. 26-04, approving a Major Conditional Use Permit for 2894 Jamaica Boulevard, Tract 2271, Block 13, Parcels 2 and 3, permitting the use of the property as a food court with seven mobile food units, a permanent building, and a shade structure in the Limited Commercial District.

The motion was seconded by Commissioner Stevenson and passed with the following vote:

Aye: 5 - Dzuro, Thornton, Annett, Stevenson and Patel

ID 26-5283 Request to Adopt Resolution No. 26-05 Approving a Major Conditional Use Permit for 201 Swanson Avenue, Tract 2337A, Block 3, Lot 10, Permitting a Food Court with Four Mobile Food Units, a Permanent Building, and a Shade Structure in the Limited Commercial (C-1) District for a Period of One Year (Chris Gilbert)

Mr. Gilbert provided an overview of the Staff Report [displayed PowerPoint] for Oasis Food Truck Court, located at 201 Swanson Ave, highlighting the following:

- The subject property is approximately 0.34 acres and zoned Limited Commercial (C-1) District, which is appropriate for the proposed use of a food truck court.
- In accordance with the original Major Conditional Use Permit, the site was improved with a full kitchen and bar that provides restrooms and commissary.
- The CUP allows four mobile food vendors.
- The site is part of a parking-in-common area and provides 20 parking spaces.

Mr. Gilbert stated Code Enforcement has not received any complaints related to Oasis.

On one occasion, a food truck was parked in the parking area outside the screen wall. This was immediately corrected. The applicant, Rudy Candito, is present to answer any questions.

With no questions, Vice Chair Dzuro opened the Public Hearing. Seeing no comments, she closed the Public Hearing.

Mr. Gilbert reviewed the Code Compliance Conditions, noting conditions 4 & 5 are revised from what is in the agenda packet to include additional details and clarity. He recommended any motion include reference to the revised conditions.

1. No outdoor entertainment is permitted in the Limited Commercial (C-1) District.
2. The property is limited to four mobile food units located as shown on the original site plan. No vehicles related to the food court operation shall be set up at any time on the property in excess of the approved four and are required to be located behind the screening wall per the approved site plan.
3. The applicant is responsible for ensuring the mobile food vendors that are invited to participate on the property have their individual Mobile Food Vendor Licenses from the City.
4. At least a 10-foot separation is required between all mobile food units and property lines.
5. No cooking around the building is permitted. All cooking inside the building is limited to what the interior kitchen is approved to prepare. All other cooking shall be performed within the 4 mobile food vendors permitted to be on the property.
6. A minimum of one thirty-gallon trash receptacle shall be provided within fifteen feet of each individual mobile food unit.
7. The development shall comply with the noise regulations described in Lake Havasu City Chapter 9.30 at all times.
8. As required by City Code Section 5.24.070.F.4.a.i, the Conditional Use Permit shall be reevaluated by the Planning Commission one year after issuance of this continuation approval to gauge the impact of the use on the neighborhood and determine if any of the conditions need modification to assure minimum impact to the neighborhood.

Mr. Gilbert expanded on the revisions.

Condition 4: Setbacks are to property lines and other units, not structures like the wall and shade cover. The word 'structures' was removed.

Condition 5: Unlike Havabite, which has an indoor bar, Oasis has a full kitchen with a hood. It clarifies the kitchen can be used for cooking. Wording was added to note that outdoor cooking, such as BBQs or smokers, is not allowed.

Vice Chair Dzuro asked if the applicant agrees to the conditions. He responded affirmatively.

Commissioner Annett noted both of today's items are for the same use, but differ greatly in terms of location and surrounding uses. There was spirited discussion for the previous item, but no one present for this one. There is probably something to be learned from this when considering future commercial projects.

Commissioner Stevenson moved to adopt Resolution No. 26-05, approving a Major Conditional Use Permit for 201 Swanson Avenue, Tract 2337A, Block 3, Lot 10, permitting the use of the property as a food court with four mobile food units, a permanent building, and a shade structure in the Limited Commercial District, with the changes to Conditions 4 & 5 as presented.

The motion was seconded by Commissioner Annett and passed with the following vote:

Aye: 5 - Dzuro, Thornton, Annett, Stevenson and Patel

7. CALL TO PUBLIC

Vice Chair Dzuro opened Call to Public. With no comments, she closed Call to Public.

8. FUTURE MEETING

The next regular meeting of the Planning & Zoning Commission is scheduled for Wednesday, August 19, 2026.

9. ADJOURNMENT

Vice Chair Dzuro adjourned the meeting at 9:40 a.m.

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Jim Harris, Chair

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Shelby Hennigan, Recording Secretary