

10/05/21 PC AGENDA SHEET

FOOD CART  
(TITLE 30)

LAKE MEAD BLVD/CHRISTY LN

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**AR-21-400133 (UC-19-0359)-FLORES-RODRIGUEZ, MIGUEL & LOPEZ-MAYORGA, INGRIS N.:**

**USE PERMIT SECOND APPLICATION FOR REVIEW** for landscaping in conjunction with a food cart (taco cart/trailer) not located within an enclosed building on a portion of 0.8 acres in a C-1 (Local Business) Zone.

Generally located on the south side of Lake Mead Boulevard, 420 feet east of Christy Lane within Sunrise Manor. TS/jor/jo (For possible action)

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RELATED INFORMATION:

**APN:**

140-21-701-010 ptn

**LAND USE PLAN:**

SUNRISE MANOR - RESIDENTIAL HIGH (FROM 8 DU/AC TO 18 DU/AC)

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: 5567 E. Lake Mead Boulevard
- Site Acreage: 0.8 (portion)
- Project Type: Food cart/trailer
- Building Height (feet): 8.5
- Square Feet: 128 (cart/trailer)
- Parking Required/Provided: 8/12

History

The site was previously approved to allow a food cart (taco cart/trailer) on-site via UC-19-0359. The applicant was conditioned to commence within 1 year and review landscaping. Subsequently, AR-20-400061 was approved as the first application for review, and the applicant was conditioned to complete the landscaping by June 30, 2021 and review the site as a public hearing. The applicant is requesting a second review of the site.

Site Plans

The previously approved site plan allowed a 16 foot by 8 foot food cart (taco cart/trailer) located outdoors, which would occupy 2 parking spaces in the parking lot of an existing 1,961 square

foot retail store on a C-1 zoned portion of the subject parcel. The approved plans depict the food cart/trailer on the northeast corner of the existing building, which is located on the southwest part of the C-1 zoned portion of the site. The food cart/trailer is set back approximately 53 feet from the east property line and approximately 59 feet from the west property line. Access to the site is via Lake Mead Boulevard.

#### Landscaping

Per the submitted photos, the applicant planted shrubs and new trees adjacent to Lake Mead Boulevard.

#### Elevations

The photos submitted show an approximate 8.5 foot tall food cart/trailer, which resembles a traditional mobile vendor that is on a chassis and mounted on wheels and hauled by a vehicle. The food cart is constructed of metal and aluminum siding.

#### Floor Plans

The food cart/trailer is a 128 square foot self-contained trailer, which has a refrigerator, handwashing sink, cooking sink, stove, griddle, steam table, and counter tops. No changes to the food cart are a part of this request.

#### Signage

The food cart/trailer has a sign that depicts the varieties of food that can be purchased from the truck along with the name of the business. The west and east sides have lettering depicting food types for purchase. No additional signs are a part of this request.

#### Previous Conditions of Approval

Listed below are the approved conditions for AR-20-400061 (UC-19-0359):

##### Current Planning

- Until June 30, 2021 to complete the landscaping and review as a public hearing.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Listed below are the approved conditions for UC-19-0359:

##### Current Planning

- 1 year to commence and review landscaping;
- Street landscape areas to include shrubs per Figure 30.64-13;
- No setting up of chairs or tables;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review;

and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Applicant’s Justification

Per the submitted justification letter, the applicant states that they have complied with all of the conditions of approval. The applicant has also planted shrubs and trees within the landscape planter adjacent to the right-of-way (Lake Mead Boulevard). The site has been well maintained and clean for the applicant’s patrons.

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
AR-20-400061 (UC-19-0359)	First application to review landscaping in conjunction with a food cart (taco cart/trailer) not located within an enclosed building	Approved by PC	August 2020
UC-19-0359	Food cart/trailer	Approved by PC	June 2019
UC-0617-17	Food cart - expired	Approved by PC	September 2017
UC-0122-08	Watchman’s manufactured home and design review for the manufactured home - expired	Approved by BCC	December 2008
ZC-1591-00 (ET-0266-03)	First extension of time to reclassify the subject property from R-2 to C-1 zoning for a flower shop and temporarily waived landscaping - expired	Approved by BCC	December 2003
ZC-1591-00	Reclassified the subject property from R-2 to C-1 zoning for a flower shop and temporarily waived landscaping	Approved by BCC	December 2000

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	Commercial General & Residential High (from 8 to 18 du/ac)	C-2	Commercial/retail center
South	Rural Neighborhood Preservation (up to 2 du/ac)	R-E	Developed & undeveloped
East	Residential Urban Center (from 18 to 32 du/ac)	R-3	Single family residential
West	Residential High (from 8 to 18 du/ac)	R-2	Undeveloped

**STANDARDS FOR APPROVAL:**

The applicant shall demonstrate that the proposed request meets the goals and purposes of Title 30.

## **Analysis**

### **Current Planning**

Title 30 standards of approval for an application for review state that such an application may be denied or have additional conditions imposed if it is found that circumstances have substantially changed. A substantial change may include, without limitation, a change to the subject property, a change in the areas surrounding the subject property, or a change in the laws or policies affecting the subject property. Using the criteria set forth in Title 30, no substantial changes have occurred since the original approval. Staff finds that since the applicant has commenced the use and committed to maintaining the area, planted new landscaping adjacent to the right-of-way (Lake Mead Boulevard), submitted a landscape inspection to planning staff which was approved, and there are no active zoning violations on-site, staff can support this request and remove the time limit for review.

### **Staff Recommendation**

Approval.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Comprehensive Master Plan, Title 30, and/or the Nevada Revised Statutes.

### **PRELIMINARY STAFF CONDITIONS:**

#### **Current Planning**

- Remove the time limit.

#### **Public Works - Development Review**

- No comment.

#### **Clark County Water Reclamation District (CCWRD)**

- No comment.

**TAB/CAC:** Sunrise Manor - approval.

**APPROVALS:**

**PROTEST:**

**APPLICANT:** LUCIA CONDE BARAJAS

**CONTACT:** EILEEN PERALTA, 4660 S. EASTERN AVE, STE 105, LAS VEGAS, NV 89119