FOOD CART RAINBOW BLVD/WINDMILL LN
(TITLE 30)

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
UC-0224-13 – WJC, LLC:

USE PERMIT for a food cart (shaved ice) not located within an enclosed building.  
DESIGN REVIEW for a food cart (shaved ice) in conjunction with an existing convenience 
store and gasoline station on 1.8 acres in a C-1 (Local Business) Zone.

Generally located on the northwest corner of Rainbow Boulevard and Windmill Lane within 
Enterprise.  SS/gc/ml  (For possible action)

RELATED INFORMATION:

APN:
176-10-801-019

LAND USE PLAN:
ENTERPRISE - COMMERCIAL NEIGHBORHOOD

BACKGROUND:
Project Description
General Summary
• Site Acreage: 1.8
• Project Type: Food cart (shaved ice)
• Cart Height: 7 feet 7 inches
• Square Feet: 98
• Parking Required/Provided: 29/39

Site Plan
The plans show a proposed self-contained food cart for shaved ice located within the parking lot 
of a convenience store/gasoline station. The food cart is located on the southeast corner of the 
site, and set back 10 feet from the sidewalk along Rainbow Boulevard. The cart will be adjacent 
to the landscape area immediately adjacent to the corner of Rainbow Boulevard and Windmill 
Lane. Customers will be contained in the area adjacent to and north of the food cart by the use 
of stanchions. The food cart and customer area will take up 2 existing parking spaces on the site. 
Therefore, a total of 39 parking spaces will be provided on the site where 29 spaces are required.

Landscaping
No changes are proposed to the existing landscaping.
Elevations
The plans depict a 7 foot 7 inch high, 7 foot wide, and 14 foot long metal food cart trailer. The side of the trailer will display the “Sno Monkey” logo which consists of blue, black, brown, and white colors.

Floor Plans
The plans show a 98 square foot food cart (trailer) with space for an operator inside the trailer to prepare and sell the shaved ice. The interior of the trailer has a service counter, shelving, cabinets, a 3-compartment sink, a hand-washing sink, and a shaved ice maker.

Applicant’s Justification
The applicant states that ropes and stanchions will be utilized to direct the customer line in a safe manner. Hours of operation will be Monday through Friday 1:00 p.m. to 9:00 p.m., Saturday 11:00 a.m. to 9:00 p.m., and Sunday 11:00 a.m. to 7:00 p.m. The business is seasonal and will be open from April until September. Additionally, the applicant states the use will have a positive impact on the community.

Prior Land Use Requests

<table>
<thead>
<tr>
<th>Application Number</th>
<th>Request</th>
<th>Action</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>UC-0653-06</td>
<td>Use permit for a convenience store; waivers of development standards for alternative design materials, reduce minimum approach side length, allow overhead doors to face a street, and permit a use not within an enclosed building; and a design review for a convenience store, car wash, restaurant, and lube station</td>
<td>Approved by BCC</td>
<td>February 2007</td>
</tr>
<tr>
<td>ZC-1722-00 (ET-0131-06)</td>
<td>Second extension of time for a convenience store and car wash</td>
<td>Approved by BCC</td>
<td>June 2006</td>
</tr>
<tr>
<td>ZC-1722-00 (ET-0099-04)</td>
<td>First extension of time for a convenience store and car wash</td>
<td>Approved by BCC</td>
<td>May 2004</td>
</tr>
<tr>
<td>ZC-1722-00</td>
<td>Reclassified the site from R-E to C-1 zoning for a convenience store and car wash, and included use permits to reduce the separation of a convenience store and car wash from a residential use</td>
<td>Approved by BCC</td>
<td>February 2001</td>
</tr>
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</table>

Surrounding Land Use

<table>
<thead>
<tr>
<th>Planned Land Use Category</th>
<th>Zoning District</th>
<th>Existing Land Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North Office Professional</td>
<td>R-E</td>
<td>Undeveloped</td>
</tr>
<tr>
<td>South Commercial General</td>
<td>C-2</td>
<td>Undeveloped</td>
</tr>
<tr>
<td>East Major Development Project</td>
<td>C-2</td>
<td>Shopping center</td>
</tr>
<tr>
<td>West Public Facilities</td>
<td>P-F</td>
<td>Windmill Library</td>
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</table>

The site is located within the Public Facilities Needs Assessment (PFNA) area.

Clark County Public Response Office (CCPRO)
Case #13-3541 is a complaint filed in March 2013 for a shaved ice business operating without a use permit or business license. The inspector did not find a shaved ice stand on the property and the case was closed. Case #13-3495 is a complaint filed in March 2013 for a shaved ice business
operating without a use permit or business license. The inspector forwarded the case to Clark
County Business Licensing and the case was closed. Case #12-12565 is a complaint filed in
October 2012 for selling snow cones in the parking lot. The inspector categorized the use as a
mobile food vendor and determined the use was compliant with Title 30 at the time and the case
was closed. Case #12-9066 is a complaint filed in July 2012 for selling snow cones in the
parking lot. An inspector found a trailer on the property but was not in use and the case was
closed.

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

Analysis
Current Planning
The purpose of the use permit is to evaluate and determine if the proposed food cart will have
any impacts to the adjacent and surrounding uses. Although there have been CCPRO complaints
for the use in the past, the applicant is attempting to comply with Title 30 requirements. Food
carts such as other shaved ice vendors and hot dog carts in front of home improvement stores
have been approved at various Las Vegas Valley locations in the past. Staff finds that the use is
compatible with the convenience store/gasoline station, but is concerned that the proposed
location of the food cart may create visual clutter along Rainbow Boulevard and Windmill Lane.
Additionally, staff is concerned about the impacts to on-site traffic circulation and pedestrian
safety depending on the popularity of the use at the location. Therefore, a short review period is
appropriate to ensure that the use does not result in negative impacts such as, but not limited to,
traffic circulation, signage, and pedestrian/vehicular conflicts on the site.

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 Plan, Title 30, and/or the
Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Current Planning
• 1 year to commence and review as a public hearing;
• Food cart trailer to be removed from the site during off-season months (October through
  March).
• Applicant is advised that any change in circumstances or regulations may be justification
  for the denial of an extension of time.

Public Works – Development Review
• No comment.

Fire Department
• No comment.
Clark County Water Reclamation District (CCWRD)

- Applicant is advised that the property is already connected to the CCWRD sewer system; and that if any existing plumbing fixtures are modified in the future, then additional capacity and connection fees will need to be addressed.

TAB/CAC:  
APPROVALS:  
PROTESTS:  

APPLICANT:  Todd Bliss  
CONTACT:  Todd Bliss, Sno Monkey Shaved Ice, 6345 Sun Briar Court, Las Vegas, NV 89141