



**AGENDA MEMO - COMMUNITY DEVELOPMENT**

**CITY COUNCIL MEETING DATE: JANUARY 17, 2024**

**DEPARTMENT: COMMUNITY DEVELOPMENT**

**ITEM DESCRIPTION: APPLICANT/OWNER: PIERRO'S LANDSCAPE & MAINTENANCE, LLC**

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**\*\* STAFF RECOMMENDATION(S) \*\***

<b>CASE NUMBER</b>	<b>RECOMMENDATION</b>	<b>REQUIRED FOR APPROVAL</b>
<b>23-0468-SDR1</b>	Staff recommends APPROVAL, subject to conditions:	

**\*\* NOTIFICATION \*\***

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 11

**NOTICES MAILED** 148

**PROTESTS** 0

**APPROVALS** 0

**\*\* CONDITIONS \*\***

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**23-0468-SDR1 CONDITIONS**

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**Planning**

1. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.
2. All development shall be in conformance with the site plan and landscape plan, date stamped 10/17/23, and building elevations, date stamped 09/21/23, except as amended by conditions herein.
3. An eight-foot tall screen wall shall be constructed to screen the outdoor storage area
4. A trash enclosure shall be provided in compliance with Title 19.08.040 development standards.
5. All mechanical equipment shall be screened in compliance with Title 19.08.040 development standards.
6. A Waiver from Title 19.02.025 is hereby approved, to allow a deferral of offsite improvements along Ricky Road.
7. A Waiver from Title 19.08.080 is hereby approved, to allow no landscape buffer along the east property line where eight feet is required.
8. A Waiver from Title 19.08.080 is hereby approved, to allow no landscape buffer along the south property line where eight feet is required.
9. A Waiver from Title 19.08.080 is hereby approved, to allow zero to five-foot landscape buffer along a portion of west property line where eight feet is required.
10. An Exception from Title 19.08.040 is hereby approved, to allow 13 perimeter trees where 31 are required.
11. An Exception from Title 19.08.110 is hereby approved, to allow four interior parking area trees where nine are required.

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12. All necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Building and Safety Division.
13. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
14. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, which shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. Installed landscaping shall not impede visibility of any traffic control device.
15. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

**Public Works**

16. Construction of improvements on Ricky Road may be deferred provided that the applicant make a deferral contribution in accordance with Title 19.02.025.F. The improvement contribution shall be equal to 50% of the City's bond estimate costs for standard urban improvements deferred on Ricky Road.
17. Landscape and maintain all unimproved right-of-way adjacent to this site. All landscaping and private improvements installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
18. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage paths for this site prior to submittal of construction plans, the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainage ways as recommended.

**Fire & Rescue**

19. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

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**\*\* STAFF REPORT \*\***

**PROJECT DESCRIPTION**

This is a Site Development Plan Review request for a proposed 5,448 square-foot Building Maintenance and Storage development located on the south side of Ricky Road, approximately 435 feet east of Rancho Drive.

**ISSUES**

- The Building Maintenance Service and Sales use is permitted in the C-2 (General Commercial) zoning district.
- An Exception is requested to allow 13 perimeter trees where 31 are required. Staff supports the request.
- An Exception is requested to allow four interior parking area trees where nine are required. Staff supports the request.
- Waivers are requested to allow reduced landscape buffer widths along portions of the south, east and west property lines. Staff supports the request.
- A Waiver is requested to allow no offsite improvements along Rick Road. The Department of Public Works has administratively approved a deferral of offsite improvements.
- The subject site has an open Code Enforcement Case (#CE22-02404) regarding a vacant lot that has a perimeter fence with barbed wire. (Keeping the fence with barbed wire is not part of this Site Development Plan Review request)

**ANALYSIS**

The subject 1.24-acre site is zoned C-2 (General Commercial) with a GC (General Commercial) land use designation. It is currently undeveloped and subject to Title 19 development standards. The surrounding area is also predominantly zoned C-2 (General Commercial) with the parcel adjacent to the south currently developed with a Tavern. There is a parcel adjacent to the north, separated by Ricky Road, that is zoned R-E (Residence Estates) and developed with a single-family dwelling. The applicant proposes to develop the subject site with a 5,448 two-story office building and outdoor storage area that will be utilized as a Building Maintenance Service and Sales use.

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Per Title 19, the Building Maintenance Service and Sales use is defined as, “A facility or area for contracting services such as building repair and maintenance, the installation of plumbing, electrical, air conditioning and heating equipment, janitorial services, and exterminating services. The retail sale of supplies is permitted as an accessory use.” This use is permitted in the C-2 (General Commercial) zoning district. Per the submitted justification letter, the applicant meets this use definition as they intend to utilize the subject development as a building landscape maintenance and storage yard.

The submitted plans depict a 5,448 square-foot, two-story, 29-foot tall building. Access is proposed from a 32-foot driveway off Ricky Road. A total of 19 parking spaces are provided where 19 are required. The southern portion of the property will be utilized for outdoor storage. A condition of approval has been added to ensure this area is screened in compliance with Title 19 requirements. The building façade will feature stucco in neutral tones. The submitted floor plans depict a showroom, lobby area, conference rooms and office space on the first floor. The second floor is intended for storage space.

Residential adjacency requirements apply to this development as the site adjacent to the north is zoned R-E (Residence Estates) and developed with an existing single-family dwelling. Pursuant to Title 19, residential adjacency applies to all property to be developed for nonresidential or multifamily residential use that is located adjacent to property which is zoned R-E, R-D, R-1, R-SL or R-CL, unless such adjacent property is developed with a nonresidential use. The proposed 29-foot tall building has a residential adjacency setback of 117 feet where 87 feet is required.

Landscaping Waivers and Exceptions are requested to allow reduced landscape buffer widths and to allow a reduction in required planting materials. Exceptions are requested to allow 13 perimeter trees where 31 are required and to allow four interior parking area trees where nine are required. Waivers are requested to allow reduced landscape buffer widths along portions of the south, east and west property lines. No landscape buffer is proposed along the east and southern property lines. Staff supports the requests as landscaping will be provided on the northern portion of the site that will be compatible with the surrounding area. It will provide adequate buffering from the residential property adjacent to the north. A screen wall in compliance with Title 19 will screen the southern portion of the site. Due to the required eight-foot tall screen wall, staff finds the absence of landscape materials along these property lines will have little to no impact on the neighboring properties and supports the requested Waivers.

A Waiver is requested to allow no offsite improvements along Rick Road. The Department of Public Works has commented, “An administrative deferral of off-site improvements was approved for this site on 9/19/2023 by the City Engineer. Therefore, Public Works has no objection to an administrative waiver of off-site improvements related to this application subject to the requirements of Title 19.02.025.F.”

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The subject site has a GC (General Commercial) land use designation, which calls for all types of commercial offices, businesses or retail. The proposed development aligns with this vision. While landscape Waivers and Exceptions are requested, the proposed development will be properly screened from the residential properties adjacent to the north. Furthermore, a condition of approval has been added requiring an eight-foot tall screen wall in the rear area of the property to ensure adequate screening from the neighboring office and commercially zoned properties. Staff finds the proposed development adheres to the overall intent of the GC (General Commercial) land use designation and will be compatible with the surrounding area. Therefore, staff recommends approval, subject to conditions.

**FINDINGS (23-0468-SDR1)**

In order to approve a Site Development Plan Review application, per Title 19.16.100(E) the Planning Commission and/or City Council must affirm the following:

1. **The proposed development is compatible with adjacent development and development in the area;**

The proposed development is designed to be compatible with the existing development in the surrounding area. Residential adjacency requirements are met from the residentially R-E zoned property adjacent to the north. A condition of approval has been added to ensure the outdoor storage area is properly screened.

2. **The proposed development is consistent with the General Plan, this Title, and other duly-adopted city plans, policies and standards;**

While minor landscape Waivers and Exceptions are requested of Title 19 development standards, staff finds the proposed development still adheres to the overall intent of the GC (General Commercial) land use designation. The Department of Public Works has administratively approved a deferral of offsite improvements.

3. **Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;**

Site access is provided by Ricky Road, a 60-foot right-of-way, which is adequate in size to meet the needs of the proposed development.

4. **Building and landscape materials are appropriate for the area and for the City;**

The proposed building façade includes stucco in neutral tones, which is compatible with the existing development in the surrounding area. The proposed

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landscape materials are drought tolerant and adhere to the recommendations of the Southern Nevada Regional Plant List.

- 5. Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable, or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;**

The proposed building elevations are not unsightly or obnoxious in appearance. It will be compatible with the existing development in the surrounding area.

- 6. Appropriate measures are taken to secure and protect the public health, safety and general welfare.**

If approved, the subject development will be subject to building permit and licensing requirements, thereby protecting the public health, safety and general welfare.

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**BACKGROUND INFORMATION**

<b><i>Related Relevant City Actions by Planning, Fire, Building, Code Enforcement, etc.</i></b>	
05/14/90	The City Council considered an appeal of the Board of Zoning Adjustment denial of a Variance (V-0020-90) to allow outdoor storage and an eight-foot perimeter wall where six feet was the maximum height permitted. The applicant's request to raise the existing wall height from six feet to eight feet was approved. The request for outside storage was denied. Staff recommended denial.
05/12/05	The Planning Commission approved a Site Development Plan Review (SDR-6408) for a proposed single story, 2,432 square foot commercial office building on the subject site. Staff recommended approval.
05/12/22	Code Enforcement Case #CE22-02404 was opened regarding a vacant lot that has a perimeter fence with barbed wire. The case remains open.

<b><i>Most Recent Change of Ownership</i></b>	
03/10/22	A deed was recorded for a change in ownership.

<b><i>Related Building Permits/Business Licenses</i></b>	
There are no related building permits/business licenses of note.	

<b><i>Pre-Application Meeting</i></b>	
09/05/23	Staff conducted a pre-application meeting with the applicant where the submittal requirements and deadlines were reviewed for a proposed Site Development Plan Review.

<b><i>Neighborhood Meeting</i></b>	
A neighborhood meeting was not required, nor was one held.	

<b><i>Field Check</i></b>	
10/05/23	Staff conducted a routine field check and found an undeveloped site. The site is surrounded by chain link fencing with barbed wire. The fencing is blocked by a covering but there appeared to be vehicles parked on the site.

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<b>Details of Application Request</b>	
<b>Site Area</b>	
Net Acres	1.24

<b>Surrounding Property</b>	<b>Existing Land Use Per Title 19.12</b>	<b>Planned or Special Land Use Designation</b>	<b>Existing Zoning District</b>
Subject Property	Undeveloped	GC (General Commercial)	C-2 (General Commercial)
North	Residential, Single Family, Detached	SC (Service Commercial)	N-S (Neighborhood Service)
		DR (Desert Rural Density Residential)	R-E (Residence Estates)
South	Tavern	GC (General Commercial)	C-2 (General Commercial)
East	Undeveloped	O (Office)	O (Office)
West	Undeveloped	GC (General Commercial)	C-2 (General Commercial)

<b>Master and Neighborhood Plan Areas</b>	<b>Compliance</b>
Las Vegas 2050 Master Plan Area: Rancho	Y
<b>Special Area and Overlay Districts</b>	<b>Compliance</b>
A-O (Airport Overlay) District (70 Feet)	Y
RP-O (Rural Preservation Overlay) District	Y
<b>Other Plans or Special Requirements</b>	<b>Compliance</b>
Trails	N/A
Las Vegas Redevelopment Plan Area	N/A
Interlocal Agreement	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A

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## DEVELOPMENT STANDARDS

***Pursuant to Title 19.08, the following standards apply:***

<b>Standard</b>	<b>Required/Allowed</b>	<b>Provided</b>	<b>Compliance</b>
Min. Setbacks			
• Front	10 Feet	57 Feet	Y
• Side	10 Feet	11 Feet	Y
• Rear	20 Feet	185 Feet	Y
Max. Lot Coverage	50%	10%	Y
Max. Building Height	N/A	29 Feet	Y
Trash Enclosure	Screened, Gated, w/ a Roof or Trellis	Not Depicted	By Condition*
Mech. Equipment	Screened	Not Depicted	By Condition*

\*Conditions of Approval have been added requiring compliance with Title 19 development standards.

***Pursuant to Title 19.08, the following standards apply:***

<b>Landscaping and Open Space Standards</b>				
<b>Standards</b>	<b>Required</b>		<b>Provided</b>	<b>Compliance</b>
	<b>Ratio</b>	<b>Trees</b>		
Buffer Trees:				
• North	1 Tree / 20 Linear Feet	8 Trees	8 Trees	Y
• South	1 Tree / 30 Linear Feet	9 Trees	0 Trees	N*
• East	1 Tree / 30 Linear Feet	9 Trees	0 Trees	N*
• West	1 Tree / 30 Linear Feet	5 Trees	5 Trees	Y
<b>TOTAL PERIMETER TREES</b>		<b>31 Trees</b>	<b>13 Trees</b>	<b>N*</b>
Parking Area Trees	1 Tree / 6 Uncovered Spaces, plus 1 tree at the end of each row of spaces	9 Trees	4 Trees	N**
<b>LANDSCAPE BUFFER WIDTHS</b>				
Min. Zone Width				
• North	15 Feet		15 Feet	Y
• South	8 Feet		0 Feet	N***
• East	8 Feet		0 Feet	N***
• West	8 Feet		0-25 Feet	N***

\*An Exception is requested to allow 13 perimeter trees where 31 are required.

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\*\*An Exception is requested to allow four interior parking area trees where nine are required.

\*\*\*Waivers are requested to allow reduced landscape buffer widths along portions of the south, east and west property lines.

<b>Street Name</b>	<b>Functional Classification of Street(s)</b>	<b>Governing Document</b>	<b>Actual Street Width (Feet)</b>	<b>Compliance with Street Section</b>
Ricky Road	Local Street	Title 13	60	N*

\*The applicant has requested a Waiver of all offsite improvements. The Department of Public Works has administratively approved a deferral of offsite improvements.

<b>Residential Adjacency Standards</b>	<b>Required/Allowed</b>	<b>Provided</b>	<b>Compliance</b>
3:1 proximity slope	87 Feet	117 Feet	Y
Adjacent development matching setback	50 Feet	57 Feet	Y
Trash Enclosure	50 Feet	Not Depicted	By Condition

**Pursuant to Title 19.08 and 19.12, the following parking standards apply:**

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Building Maintenance Service and Sales	5,448 SF	1:300 SF	19				
TOTAL SPACES REQUIRED			19		19		Y
Regular and Handicap Spaces Required			18	1	18	1	Y

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<b>Waivers</b>		
<b>Requirement</b>	<b>Request</b>	<b>Staff Recommendation</b>
Provide offsite improvements for Ricky Road	To allow a deferral of offsite improvements along Ricky Road.	Approval
Provide an eight-foot wide landscape buffer along interior lot lines	To allow no landscape buffer along the east property line	Approval
	To allow no landscape buffer along the south property line	Approval
	To allow zero to five-foot landscape buffer along a portion of west property line	Approval

<b>Exceptions</b>		
<b>Requirement</b>	<b>Request</b>	<b>Staff Recommendation</b>
Provide one tree per 20/30 linear feet within required landscape buffer areas (31)	To allow 13 perimeter trees where 31 are required.	Approval
Provide one tree per six uncovered parking spaces, plus one tree at the end of each row of parking (9)	To allow four interior parking area trees where nine are required.	Approval