



AGENDA MEMO - COMMUNITY DEVELOPMENT

PLANNING COMMISSION MEETING DATE: DECEMBER 10, 2024
DEPARTMENT: COMMUNITY DEVELOPMENT
ITEM DESCRIPTION: APPLICANT/OWNER: MATLOCK HOLDINGS II, LLC

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

CASE NUMBER	RECOMMENDATION	REQUIRED FOR APPROVAL
24-0548-VAR1	Staff recommends DENIAL, if approved subject to conditions:	
24-0548-SUP1	Staff recommends DENIAL, if approved subject to conditions:	24-0548-VAR1
24-0548-SDR1	Staff recommends DENIAL, if approved subject to conditions:	24-0548-VAR1 24-0548-SUP1

**** NOTIFICATION ****

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 21

NOTICES MAILED 306

PROTESTS 0

APPROVALS 0

**** CONDITIONS ****

24-0548-VAR1 CONDITIONS

Planning

1. Approval of and conformance to the Conditions of Approval for Special Use Permit (24-0548-SUP1) and Site Development Plan Review (24-0548-SDR1) shall be required, if approved.
2. A Variance is hereby approved to allow a five-foot side yard setback where 10 feet is required.
3. A Variance is hereby approved to allow a six-foot tall front yard wall where five feet with a two-foot solid base is the maximum height allowed.
4. 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.
5. 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.
6. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
7. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

24-0548-SUP1 CONDITIONS

Planning

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for a Building & Landscape Material/Lumber Yard use.
2. Approval of and conformance to the Conditions of Approval for Variance (24-0548-VAR1) and Site Development Plan Review (24-0548-SDR1) shall be required, if approved.
3. 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.
4. 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.
5. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit, as well as submitted as part of any business license application.
6. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

24-0548-SDR1 CONDITIONS

Planning

1. Approval of and conformance to the Conditions of Approval for Variance (24-0548-VAR1 and Special Use Permit (24-0548-SUP1) shall be required, if approved.
2. 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.
3. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 11/04/24, except as amended by conditions herein.

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4. A Waiver from Title 19.08.070 is hereby approved, to allow zero to five-foot wide landscape buffers along portions of the interior lot lines where eight feet is required.
5. A Waiver from Title 19.08.070 is hereby approved, to allow a five-foot wide landscape buffer adjacent to the right-of-way where 15 feet is required.
6. An Exception from Title 19.08.120 is hereby approved, to allow four interior parking area trees/islands where 16 are required.
7. 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.
8. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
9. Pursuant to LVMC Title 19.08.040.G for commercial and industrial properties, a perimeter wall shall be constructed adjacent to any residential zoning district or property used solely for residential purposes. The wall or fence is intended to screen the commercial or industrial activity from the residential property, and shall be of a solid decorative material that is a minimum of six feet in height measured from the side of the commercial or industrial property. In no case shall the wall or fence exceed the overall height limitation applicable to the adjacent zoning district or property unless approved through a Variance or other applicable means. The overall height of a wall or fence shall be measured from the side with the greatest vertical exposure above finished grade.
10. Trash enclosures shall be provided in conformance with the provisions of Title 19.08.040.E.
11. 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.
12. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

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Public Works

13. 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.
14. Gates are to remain open during business hours and shall not encroach into public right-of-way in either the opened or closed position.
15. 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 or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainage ways as recommended.

Fire & Rescue

16. 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 project request for a proposed 18,340 square-foot Building & Landscape Material/Lumber Yard development on 1.36 acres located on the south side of Red Coach Avenue, 465 feet west of Rancho Drive.

ISSUES

- A Building & Landscape Material/Lumber Yard use is permitted in the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit. Staff does not support the request.
- A Variance is requested to allow a five-foot side yard setback where 10 feet is required. Staff does not support the request.
- A Variance is requested to allow a six-foot tall front yard wall where five feet with a two-foot solid base is the maximum height allowed. Staff does not support the request.
- Waivers are requested to allow reduced or no landscape buffer along portions of the property lines. Staff does not support the requests.
- An Exception is requested to allow a reduction in required interior parking area trees/islands. Staff does not support the request.

ANALYSIS

The subject 1.36-acre site is zoned C-1 (Limited Commercial) with a TOC-2 (Transit Oriented Corridor- Low) Land Use Designation. It is currently undeveloped and subject to Title 19 development standards. The surrounding area includes a mixture of commercial and residentially zoned properties. The applicant proposes to develop the subject site with a two-story, 18,340 square-foot Building & Landscape Material/Lumber Yard development.

Pursuant to Title 19.12, the Building & Landscape Material/Lumber Yard use is defined as, "A facility for the sale of home, lawn and garden supplies and construction materials such as brick, lumber and other similar materials." Per the submitted justification letter, the proposed use meets this definition as the applicant intends to sell building and landscape supplies such as pavers, artificial turf, lumber forms, tile, carpet tile, garage epoxy, pool paint, mesa wall blocks, ledger panels, tools, and accessories.

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The Minimum Special Use Permit Requirements for this use include:

* 1. Accessory outdoor storage must meet all requirements of LVMC 19.08.040(E)(4)(e), irrespective of whether or not for purposes of LVMC 19.08.040(E)(4)(e) a Variance from its requirements is granted pursuant to that provision and LVMC 19.16.140.

Per Title 19.08.040(E)(4)(e), Outdoor Storage Areas are subject to the following minimum standards set forth below, unless a deviation or relief from any such standard is granted by means of a Variance application under LVMC 19.16.140.

1. Outdoor Storage shall not be permitted within required setback areas, landscape buffer yards or other required landscape areas, or parking spaces required to meet minimum parking standards.

The proposed outdoor storage area meets this requirement, as it is not located within a required setback area, landscape buffer yard, required landscape area or required parking spaces.

2. Outdoor Storage shall be screened from view from any public street.

The proposed outdoor storage area meets this requirement, as it is located away from the street frontage and will be screened with an eight-foot tall block wall.

3. Outdoor Storage shall be screened from view from any adjoining property, except along adjacent property lines of property zoned C-M or M.

The proposed outdoor storage area meets this requirement, as it will be screened with an eight-foot tall block wall and landscaping.

4. Required screening shall consist of a solid structure that is at least eight feet in height, including, but not limited to, a building or wall.

The proposed outdoor storage area meets this requirement, as it will be screened by an eight-foot tall block wall.

The submitted plans depict a two-story, 15,877 square-foot building with a 2,463 square-foot outdoor storage area. Approximately 2,463 square feet of the proposed building will be utilized for office space while the remaining areas will be utilized as floor sales area. Access is proposed from Red Coach Avenue, a 60-foot Local Street. Parking requirements are satisfied as 40 spaces are provided where 37 are required. A Variance is requested to allow a six-foot tall front yard wall/fence where five feet with a two-foot solid base is the maximum height allowed. Staff does not support the request.

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Waivers are requested to allow reduced or no landscape buffers along portions of the property lines. An Exception is requested to allow a reduction in required interior parking area islands. A priority of the City of Las Vegas is to reduce the urban heat island effect by planting more trees. Therefore, staff does not support the Waiver and Exception requests.

A Variance is requested to allow a five-foot side yard setback where 10 feet is required from the eastern property line. Staff finds the request to be a self-imposed hardship and does not support the request. The proposed building is two stories with a maximum height of 32 feet. Residential adjacency requirements are applicable to the R-1 (Single Family Residential) and R-CL (Single Family Compact-Lot) zoned properties adjacent to the south and west. Title 19 requirements are satisfied as a 96-foot residential adjacency setback is provided where 96 feet is required. The building façade will feature a CMU pattern in neutral tones. Bay doors are proposed to be located on the western and southern ends of the building and do not face the right-of-way.

The Department of Engineering - Traffic Engineering Division has commented, "This project is expected to add an additional 269 trips per day on Rancho Drive, Craig Road, and Red Coach Avenue. Currently, Rancho Drive is at about 43 percent of capacity and Craig Road is at about 66 percent of capacity. With this project, Rancho Drive and Craig Road are expected to remain unchanged. Counts are not available for Red Coach Avenue, but it is believed to be under capacity. Based on Peak Hour use, this development will add into the area roughly 36 additional peak hour trips, or about one every two minutes."

The subject site is located within the City of Las Vegas 2050 Master Plan Rancho Area. This area currently lacks cohesion, largely because of the lack of major city and community services. However, with a re-imagination of Rancho Drive, and the addition of high capacity transit routes along it, Decatur Boulevard, and Craig Road, the area can develop a new identity that balances transit-oriented mixed-use and existing developments. The future vision for the Rancho Area calls for medium to higher-density, suburban-oriented transit-oriented development to support existing well-established, yet older, shopping centers at key nodes that have potential to become neighborhood mixed-use centers. The proposed development is not compatible with this vision.

Staff finds the proposed development will not be harmonious and compatible with the existing development in the surrounding area. This is evident by the requested Variance for setbacks and landscape Waivers. Therefore, staff recommends denial of all entitlement requests. If approved, they will be subject to conditions.

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FINDINGS (24-0548-VAR1)

In accordance with the provisions of Title 19.16.140(B), the Planning Commission and City Council, in considering the merits of a Variance request, shall not grant a Variance in order to:

1. Permit a use in a zoning district in which the use is not allowed;
2. Vary any minimum spacing requirement between uses;
3. Relieve a hardship which is solely personal, self-created or financial in nature."

Additionally, Title 19.16.140(L) states:

"Where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of enactment of the regulation, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of the piece of property, the strict application of any zoning regulation would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon, the owner of the property, a variance from that strict application may be granted so as to relieve the difficulties or hardship, if the relief may be granted without substantial detriment to the public good, without substantial impairment of affected natural resources and without substantially impairing the intent and purpose of any ordinance or resolution."

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by proposing to construct a building and front yard fence that does not comply with minimum Title 19 development standards. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

FINDINGS (24-0548-SUP1)

In order to approve a Special Use Permit application, per Title 19.16.110(L) the Planning Commission and City Council must affirm the following:

1. **The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan.**

The proposed use is not compatible with the surrounding land uses and cannot be conducted in a manner that is harmonious with surrounding land uses. This is evident by the requested Variance for setbacks and landscape Waivers.

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2. **The subject site is physically suitable for the type and intensity of land use proposed.**

The subject site is not physically suitable for the intensity of the proposed land use as evident by the requested Variance and Waivers.

3. **Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use.**

Site access is provided from Red Coach Avenue, via Rancho Drive which are adequate to service the needs of the proposed use. Circulation will not be negatively impacted.

4. **Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan.**

If approved, the proposed use will be subject to building permits and business license requirements, which will ensure the protection for the public health, safety and general welfare.

5. **The use meets all of the applicable conditions per Title 19.12.**

The proposed use adheres to all requirements listed under Title 19.12.

FINDINGS (24-0548-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 not compatible with the surrounding land uses and cannot be conducted in a manner that is harmonious with surrounding land uses. This is evident by the requested Variance for setbacks and landscape Waivers.

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

The proposed development is not consistent with Title 19 as a setback Variance and landscape Waivers are requested.

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

Site access is provided from Red Coach Avenue, via Rancho Drive which are adequate to service the needs of the proposed use. Circulation will not be negatively impacted.

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

The proposed building and landscape materials are appropriate for the area and for the City.

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 building elevations are not obnoxious in appearance and are 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 proposed use will be subject to building permits and business license requirements, which will ensure the protection for the public health, safety and general welfare.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by Planning, Fire, Building, Code Enforcement, etc.</i>	
04/02/03	The City Council approved a request for a Rezoning (ZON-1364) to C-1 (Limited Commercial) and C-2 (General Commercial) for the subject site as part of a larger request implementing the recommendations of the Rancho Corridor Study. The Planning Commission and staff recommended approval. At the time, the property extended to Rancho Drive. A condition limited the C-2 portion to the east 200 feet only.

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<i>Related Relevant City Actions by Planning, Fire, Building, Code Enforcement, etc.</i>	
07/21/04	The City Council approved a request for a Review of Condition (ROC-4666) to clarify Condition Number 1 of an approved Rezoning (ZON-1364), which required the east 200 feet of the property, which extended to Rancho Drive, to be zoned C-2 (General Commercial) with the remainder of the property zoned C-1 (Limited Commercial). The result of this action was that the C-2 zoned portion extended west 465 feet from Rancho Drive, with the remainder of the property zoned C-1.
03/02/05	The City Council approved a Petition to Vacate (VAC-5721) to vacate a portion of the south half of Red Coach Avenue between Rancho Drive and Painted Desert Drive. The Order of Vacation was recorded 07/16/05.
12/28/05	A three-lot Parcel Map (PMP-5149) on 3.67 acres at the southwest corner of Red Coach Avenue and Rancho Drive was recorded, establishing lot lines at the previously approved zoning boundaries.
06/11/19	The Planning Commission approved Site Development Plan Review (SDR-76332) for a proposed 10,000 square-foot Pet Boarding Facility located on the south side of Red Coach Avenue, 465 feet west of Rancho Drive. Staff recommended approval.
06/02/21	The City Council approved General Plan Amendment (21-0029-GPA1) to adopt the City of Las Vegas 2050 Master Plan and amend the City of Las Vegas General Plan from various categories to TOD-1 (Transit Oriented Development-1), TOD-2 (Transit Oriented Development-2), TOC-1 (Transit Oriented Corridor-1), TOC-2 (Transit Oriented Corridor-2), OR NMUX (Neighborhood Center Mixed Use) within the City of Las Vegas.

<i>Most Recent Change of Ownership</i>	
08/19/24	A deed was recorded for a change in ownership.

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

<i>Pre-Application Meeting</i>	
10/14/24	Staff conducted a pre-application meeting with the applicant where the submittal requirements and deadlines were reviewed for a proposed Building and Landscape Material development.

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Neighborhood Meeting

A neighborhood meeting was not required, nor was one held.

Field Check

10/24/24

Staff conducted routine field check and found an undeveloped lot. No issues were noted.

Details of Application Request**Site Area**

Net Acres

1.36

Surrounding Property	Existing Land Use Per Title 19.12	Planned or Special Land Use Designation	Existing Zoning District
Subject Property	Undeveloped	TOC-2 (Transit Oriented Corridor - Low)	C-1 (Limited Commercial)
North	Multi-Family Residential	M (Medium Density Residential)	R-3 (Medium Density Residential)
South	Undeveloped	TOC-2 (Transit Oriented Corridor - Low)	C-1 (Limited Commercial)
	Single Family, Detached	L (Low Density Residential)	R-CL (Single Family Compact-Lot)
East	Auto Repair Garage, Major	TOC-2 (Transit Oriented Corridor - Low)	C-2 (General Commercial)
West	Single Family, Detached	TOC-2 (Transit Oriented Corridor - Low)	R-1 (Single Family Residential)

<i>Master and Neighborhood Plan Areas</i>	<i>Compliance</i>
Las Vegas 2050 Master Plan Area: Rancho	N*
<i>Special Area and Overlay Districts</i>	<i>Compliance</i>
A-O (Airport Overlay) District (175 Feet)	Y
<i>Other Plans or Special Requirements</i>	<i>Compliance</i>
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

* The future vision for the Rancho Area calls for medium to higher-density, suburban-oriented transit-oriented development

DEVELOPMENT STANDARDS

Pursuant to Title 19.08, the following standards apply:

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Setbacks			
• Front	10 Feet	55 Feet	Y
• Side	10 Feet	5 Feet	N*
• Rear	20 Feet	42 Feet	Y
Max. Lot Coverage	50%	3%	Y
Max. Building Height	N/A	32 Feet	N/A
Trash Enclosure	Screened, Gated, w/ a Roof or Trellis	Screened, Gated, w/ a Roof or Trellis	Y
Mech. Equipment	Screened	Screened	By Condition

*A Variance is requested to allow a reduced side yard setback area.

<i>Residential Adjacency Standards</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
3:1 proximity slope	96 Feet	96 Feet	Y
Adjacent development matching setback	20 Feet	42 Feet	Y
Trash Enclosure	50 Feet	91 Feet	Y

Pursuant to Title 19.08, the following standards apply:

Landscaping and Open Space Standards				
Standards	Required		Provided	Compliance
	Ratio	Trees		
Buffer Trees:				
• North	1 Tree / 20 Linear Feet	7 Trees	6 Trees	N*
• South	1 Tree / 30 Linear Feet	11 Trees	4 Trees	N*
• East	1 Tree / 30 Linear Feet	10 Trees	5 Trees	N*
• West	1 Tree / 20 Linear Feet	12 Trees	10 Trees	N*
TOTAL PERIMETER TREES		40 Trees	25 Trees	N*
Parking Area Trees	1 Tree / 6 Uncovered Spaces, plus 1 tree at the end of each row of spaces	16 Trees	4 Trees	N*
LANDSCAPE BUFFER WIDTHS				
Min. Zone Width				
• North	15 Feet		5 Feet	N**
• South	8 Feet		0-8 Feet	N**
• East	8 Feet		0-5 Feet	N**
• West	8 Feet		0-8 Feet	N**
Wall Height	6 to 8 Feet Adjacent to Residential		8 Feet	Y

*An Exception is requested to allow a reduction in required planting materials.

**Waivers are requested to allow reduced landscape buffer widths.

Street Name	Functional Classification of Street(s)	Governing Document	Actual Street Width (Feet)	Compliance with Street Section
Red Coach Avenue	Local Street	Title 13	60 Feet	Y

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

Parking Requirement								
Use	Gross Floor Area or Number of Units	Required Parking Ratio	Required		Provided		Compliance	
			Parking		Parking			
			Regular	Handi-capped	Regular	Handi-capped		
Building & Landscape Material/Lumber Yard	15,877 SF (indoor)	1:500 SF of GFA, including any outside sales area.	37					
	2,463 SF (outdoor)							
TOTAL SPACES REQUIRED			37		40		Y	
Regular and Handicap Spaces Required			38	2	38	2	Y	
Loading Spaces	10,000 to 29,999 SF		2		2		Y	

Waivers		
Requirement	Request	Staff Recommendation
Provide an eight-foot landscape buffer along interior lot lines.	To allow a reduced or no landscape buffer along portions of the interior lot lines	Denial
Provide a 15-foot landscape buffer adjacent to the right-of-way	To allow a five-foot landscape buffer adjacent to the right-of-way	Denial

Exceptions		
Requirement	Request	Staff Recommendation
Provide one tree per six uncovered spaces, plus 1 tree at the end of each row of spaces	To allow four interior trees/islands where 16 are required	Denial