

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-24-0301-SCRIPPS BROADCAST HOLDINGS, LLC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** increase fence height; **2)** reduce setback; and **3)** alternative street landscaping in conjunction with a broadcast television facility on 2.26 acres in a CG (Commercial General) Zone.

Generally located on the northwest corner of Valley View Boulevard and Pioneer Avenue within Paradise. JJ/jud/syp (For possible action)

RELATED INFORMATION:

APN:

162-18-503-017

WAIVERS OF DEVELOPMENT STANDARDS:

1. Increase the fence height to 8 feet where 3 feet is the standard within the front setback per Section 30.04.03 (a 167% increase).
2. Reduce the front setback to 5.5 feet where 10 feet is the standard per Section 30.02.14 (a 45% reduction).
3. Allow a fence within the street landscaping area where not permitted per Section 30.04.01.

LAND USE PLAN:

WINCHESTER/PARADISE - ENTERTAINMENT MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: 3355 S. Valley View Boulevard
- Site Acreage: 2.26
- Project Type: Fence and landscaping
- Fence Height (feet): 8
- Parking Required/Provided: N/A
- Sustainability Required/Provided: N/A

Site Plan

The site is comprised of an existing broadcast television facility with an overall area of 30,461 square feet. Two points of ingress/egress are provided, one along Pioneer Avenue and another along Valley View Boulevard. The parking is secured within a gated area on the northern portion of the parcel. Landscaping is installed along Valley View Boulevard and Pioneer Avenue. There is an existing unpermitted decorative wrought iron fence on the south side of the site, along

Pioneer Avenue. The applicant is proposing an additional decorative wrought iron fence along portions of south side of the site and along the east side of the site (front) connecting to the existing access gate along Valley View Boulevard. The location of the proposed fence (adjacent to Valley View Boulevard) ranges from 5.5 feet from the property line to 9.3 feet from the property line.

Landscaping

The plan depicts an existing 120 foot long, 8 foot high decorative wrought iron fence along the south side of the site (street side), setback 10 feet from the property line. The existing fence is within the street landscape strip. An additional 272 foot long, 8 foot high decorative wrought iron fence is proposed along the east side and the remainder of the south side. Along the east side the fence will be set back a minimum of 5.5 feet from the property line and will be within the required street landscaping. Attached sidewalks exist along Valley View Boulevard and Pioneer Avenue.

Elevations

The plan depicts an approximately 392 foot long decorative wrought iron fence along the south and east sides of the site. The overall height of the of the fence is 8 feet.

Applicant's Justification

The applicant states the installation of the fence within the front setback is due to the constraints fronting Valley View Boulevard. The existing landscaping strip consists of small trees and the over width of the landscape area is 12 feet. The applicant states that the fence is needed for the security of the employees and the property.

Prior Land Use Requests

Application Number	Request	Action	Date
VS-1038-06 (ET-0257-08)	Extension of time for the recordation of vacation and abandonment for portions of rights-of-way - expired	Approved by BCC	November 2008
VS-1038-06	Vacated and abandoned portions of rights-of-way - expired	Approved by BCC	November 2006
ZC-1656-05	Reclassified 2.3 acres from M-1 to C-2 zoning for a broadcast television station	Approved by BCC	December 2005
UC-0761-04	Heliport in conjunction with an existing television broadcasting facility	Approved by PC	June 2004

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Entertainment Mixed-Use	IL	Convenience store & gasoline station
South	Entertainment Mixed-Use	RM50	Undeveloped
East	Entertainment Mixed-Use	IL	Vehicle repair & showroom/warehouse facility

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
West	Entertainment Mixed-Use	IL	Office/warehouse building (under construction)

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

Analysis**Comprehensive Planning**Waivers of Development Standards

The applicant shall have the burden of proof to establish that the proposed request is appropriate for its proposed location by showing the following: 1) the use(s) of the area adjacent to the subject property will not be affected in a substantially adverse manner; 2) the proposal will not materially affect the health and safety of persons residing in, working in, or visiting the immediate vicinity, and will not be materially detrimental to the public welfare; and 3) the proposal will be adequately served by, and will not create an undue burden on, any public improvements, facilities, or services.

Even though the proposed fence will not reduce the required street landscaping, staff finds that this request is a self-imposed hardship. In 2022, the applicant filed a building permit for a wrought iron fence (BD22-26480), that met the required 10 foot setback. The building permit was never finalized, and it expired. However, most of the southern portion of the fence that was part of that permit was installed. The applicant now is proposing a similar fence for the remaining areas of the south and east sides of the site, but the location of the proposed fence does not meet the required setback. Consequently, staff cannot support this request.

Staff Recommendation

Denial.

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

PRELIMINARY STAFF CONDITIONS:**Comprehensive Planning**

If approved:

- Final inspection shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; 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; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- No comment.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC: Paradise - approval.

APPROVALS:

PROTESTS:

APPLICANT: BEN TORRELLA

CONTACT: BEN TORRELLA, 712 MAXLEY COURT, LAS VEGAS, NV 89145