

06/22/22 BCC AGENDA SHEET

TEMPORARY CONSTRUCTION STORAGE  
(TITLE 30) WILBUR CLARK DI EAST RD/LAS VEGAS BLVD S

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**UC-22-0267-WESTWYNN, LLC:**

**USE PERMIT** for temporary construction storage.  
**DESIGN REVIEW** for a temporary construction storage yard on 34.6 acres in an H-1 (Limited Resort and Apartment) Zone.

Generally located on the west side of Las Vegas Boulevard South and the south side of Wilbur Clark DI East Road within Winchester and Paradise. TS/md/syp (For possible action)

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RELATED INFORMATION:

**APN:**  
162-09-403-004; 162-16-101-009; 162-16-101-011

**LAND USE PLAN:**  
WINCHESTER/PARADISE - ENTERTAINMENT MIXED-USE

**BACKGROUND:**  
**Project Description**

General Summary

- Site Address: N/A
- Site Acreage: 34.6
- Project Type: Temporary construction storage yard

**Site Plans**

The plans depict a temporary construction storage yard consisting of 3 parcels totaling 34.6 acres. The storage yard contains equipment and materials necessary for the construction of the MSG Sphere located at the southeast corner of Sands Avenue and Koval Lane. Access to the construction storage yard is granted via Fashion Show Drive. There are no access points from the storage yard to Las Vegas Boulevard South. Per the Development Code, landscaping, trash enclosure, and screening requirements are not required. Furthermore, compliance with all on-site paving, including parking and drive aisles, are not required provided all Clark County air quality regulations are met.

**Landscaping**

All street landscaping exists, and no landscaping is required or proposed.

### Applicant's Justification

The applicant is in the process of building and constructing the "MSG Sphere" located at the southeast corner of Sands Avenue and Koval Lane. In order to continue construction of the MSG Sphere, the applicant needs to continue staging and storing construction materials and equipment near the MSG Sphere. The applicant will continue to use the property at the northwest corner of Las Vegas Boulevard South and Fashion Show Drive which is less than a half of a mile from the MSG Sphere project. The applicant anticipates needing to use the site for the temporary construction staging/storage for approximately 1 more year. The proximity of the site to the MSG Sphere makes the site an ideal location. Additionally and importantly, access to the site is from Fashion Show Drive and not Las Vegas Boulevard South. The access to the site from Fashion Show Drive is less disruptive than accessing from Las Vegas Boulevard South.

### **Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
UC-21-0575	Permit an accessory structure prior to the construction of a principal structure	Approved by BCC	November 2021
WS-21-0465	Landscape improvements and increased finished grade	Approved by BCC	October 2021
WS-21-0035	Increased fence height including a design review for a fence and lighting in conjunction with undeveloped lots	Approved by BCC	March 2021
AR-19-400154 (UC-18-0784)	First application to review a temporary parking lot - expired	Approved by BCC	January 2020
UC-18-0784	Temporary parking lot and waived landscaping along right-of-way, including Fashion Show Drive - expired	Approved by BCC	November 2018
UC-18-0592	Temporary parking lot on an adjacent parcel to the west - expired	Approved by BCC	September 2018
ET-18-400113 (UC-0045-16)	First extension of time to commence the expansion of the Gaming Enterprise District	Approved by BCC	June 2018
ET-18-400092 (UC-0492-15)	First extension of time to commence a High Impact Project/resort hotel (Alon)	Approved by BCC	June 2018
AG-0744-16	Performance Agreement and Decommissioning Plan	Accepted by BCC	October 2016
UC-0045-16	Expansion of the Gaming Enterprise District	Approved by BCC	April 2016
UC-0492-15	High Impact Project/resort hotel (Alon)	Approved by BCC	October 2015
UC-0491-15	Offices within an existing modular building	Approved by BCC	September 2015
UC-0013-12	Temporary offices within an existing modular building - expired	Approved by BCC	March 2012
UC-0471-11	Art gallery with retail sales and an outdoor display area - expired	Approved by PC	November 2011

### Prior Land Use Requests

Application Number	Request	Action	Date
WS-0301-10	Reduced setbacks for a temporary fence and increased fence height in conjunction with an approved resort hotel - expired	Approved by BCC	August 2010
UC-1378-07	Resort hotel (The Plaza) - expired	Approved by BCC	March 2008
DR-0944-06	Modular building for a temporary sales center in conjunction with Trump Tower	Approved by PC	August 2006
UC-1476-04	Temporary sales center in conjunction with Trump Tower - expired	Approved by BCC	September 2004
WS-1084-04	Temporary off-site parking lot for the Venetian Resort Hotel - expired	Approved by BCC	July 2004

### Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Entertainment Mixed-Use	H-1	Resorts World Resort Hotel site & NV Energy electrical substation
South	Entertainment Mixed-Use	H-1	Fashion Show Mall
East	Entertainment Mixed-Use	H-1	Wynn & Encore Resort Hotels, place of worship, & retail center
West	Entertainment Mixed-Use	H-1	Parking lot, Trump Tower, office building and parking garage, & adult cabaret (Déjà Vu Showgirls)

### Related Applications

Application Number	Request
ET-21-400176 (UC-16-0045)	A second extension of time to commence the expansion of the Gaming Enterprise District is a related item on a future agenda.
ET-21-400175 (UC-15-0492)	A second extension of time to commence a High Impact Project/resort hotel (Alon) is a related item on a future agenda.

### STANDARDS FOR APPROVAL:

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

### Analysis

#### Current Planning

##### Use Permit & Design Review

A use permit is a discretionary land use application that is considered on a case by case basis in consideration of Title 30 and the Master Plan. One of several criteria the applicant must establish is that the use is appropriate at the proposed location and demonstrate the use shall not result in a substantial or undue adverse effect on adjacent properties.

Staff does not object to the request as the proposed use provides for the staging of materials and construction activities within one-half mile of the development site farther east on the corner of Koval Lane and Sands Avenue. Staff finds that the proposed use, for a limited time, should have minimal to no impact on the surrounding land uses and properties. Therefore, staff can support the request subject to 1 year to cease operations of the temporary construction storage yard.

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

**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**

- Until June 22, 2023 to cease operations of the temporary construction storage yard with any extension of time to be a public hearing.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; applicant must comply with Air Quality regulations including required dust control measures and obtain any necessary permits; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; 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.

**Public Works - Development Review**

- No comment.

**Fire Prevention Bureau**

- No comment.

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

- No comment.

**TAB/CAC:** Winchester - approval.

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** MSG LAS VEGAS

**CONTACT:** KAEMPFER CROWELL, 1980 FESTIVAL PLAZA DR., STE 650, LAS VEGAS, NV 89135