PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
UC-0206-13 – JULIUS REALTY CORPORATION:

USE PERMIT for an automobile auction facility.
WAIVER OF DEVELOPMENT STANDARDS to waive design standards for a proposed modular office building.
DESIGN REVIEW for an auto auction facility in conjunction with vehicle (auto) sales with outside display of automobiles on 3.5 acres in an M-D (Light Manufacturing) (AE-60) Zone.

Generally located on the north side of Pama Lane, 200 feet east of Surrey Street within Paradise. MBS/dg/ml (For possible action)

RELATED INFORMATION:

APN:
177-02-613-002

WAIVER OF DEVELOPMENT STANDARDS:
1. a. Allow side mounted mechanical equipment on a modular office building to be unscreened.
   b. Allow a flat roof to be unscreened by parapet walls.

LAND USE PLAN:
WINCHESTER/PARADISE - BUSINESS AND DESIGN/RESEARCH PARK

BACKGROUND:
Project Description
General Summary
- Site Acreage: 3.5
- Project Type: Auto sales and auto auction
- Number of Stories: 1
- Building Height: 12 feet
- Square Feet: 1,440 (modular office)
- Parking Required/Provided: 3 (modular office) & 5 to 10 (vehicle display spaces) depending on amount of displayed vehicles/13

Project Scope and Site Plan
An automobile auction is proposed for a site that was previously occupied by an outside storage facility. The majority of the site will be utilized for display of the automobiles to be auctioned, and the modular office building with proposed security fencing will be located toward the south portion of the site. All on-site improvements currently exist and the entire site is paved and
enclosed with an existing 8 foot high block wall. Spaced throughout the site are existing light poles and from a previous land use application, along the east portion of the site, there are fabric shade structures. There is also an existing access gate set back from Pama Lane that provides restricted access to the site. An existing gate that will remain closed at all times provides cross access to the property to the north. No additional improvements are proposed for the site.

**Landscaping**
The site currently has an existing landscape buffer in the northeast portion of the site, adjacent to a multiple family development, and street landscaping along Pama Lane. No new landscaping is proposed or required with this request.

**Elevations**
The modular office building is approximately 12 feet in height with windows and a door. The materials consist of composite wood paneling. The roof is flat and the side mounted, unscreened mechanical equipment will be oriented to the interior of the parcel and visually obscured from Pama Lane.

**Floor Plans**
The 1,440 square foot modular office building consists of several offices, open conference area, and restrooms.

**Signage**
Signage is not a part of this request.

**Applicant’s Justification**
The applicant currently operates this business near Sunset Road and Valley View Boulevard. The business is a dealer-to-dealer, wholesale only, sealed bid sale/auction for automobiles. The business needs a bigger location and this site provides the necessary space to expand. The current location has operated for 3 years with no issues. The applicant states the business consists of collecting used vehicle trade-ins from local franchised new car dealers and brings the vehicles to this location, where they are displayed. Over a period of 2 days each week, used vehicle dealers come in and look at the vehicles, then submit a “sealed bid” on the vehicles. The applicant then uploads the information to their website where the selling dealers can review the bids of their vehicles on-line, and accept or reject the highest offer received. The business is not open to the public and no live bidding will occur at this location.

The applicant indicates the number of vehicles at this site will range from 100 to 180. The applicant’s business, ABS Auto Auctions, currently operates 10 locations, primarily in California. There are only 5 full-time employees and the maximum number of customers that would be at the site at any one time is 10. According to the applicant, there is very little impact on any area in which they currently operate this type of auto auction.

The site is located in a commercial district and there are no shopping centers or residential neighborhoods close by. All the businesses in the area are commensurate with what you would normally find in a large commercial area. The traffic generated by this type of business is much less than what would occur with any normal retail operation.
Finally, the applicant stresses that there is a huge difference between a live auction with auctioneers and the type of auction that will operate at this site, which is a sealed bid auction. There is not an auctioneer or large groups of people coming at the same time. There are no cars moving across an auction block. The is no mechanical repair, no paint or bodywork, or no other characteristics normally associated with a live auto auction.

Prior Land Use Requests

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<tr>
<td>WS-0583-05</td>
<td>Fabric shade structures in conjunction with an outside storage yard</td>
<td>Approved by PC</td>
<td>May 2005</td>
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<tr>
<td>UC-0028-05</td>
<td>Office trailer in conjunction with an outside storage yard</td>
<td>Approved by PC</td>
<td>February 2005</td>
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Surrounding Land Use

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<th>Planned Land Use Category</th>
<th>Zoning District</th>
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<td>North</td>
<td>Business and Design/Research Park</td>
<td>M-D &amp; R-4</td>
<td>Office/warehouse development and multiple family development</td>
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<td>East, South, &amp; West</td>
<td>Business and Design/Research Park</td>
<td>M-D</td>
<td>Office/warehouse developments, television station, and contractor’s office with storage yards</td>
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STANDARDS FOR APPROVAL:
The applicant shall demonstrate that the proposed request meets the goals and purposes of Title 30.

Analysis
Current Planning
Use Permit and 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 Comprehensive Plan. One of several criteria the applicant must establish is 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. Goal 7 of the Winchester/Paradise Land Use Plan encourages opportunities for appropriate commercial development. Staff’s primary concerns with these uses in an industrial area are to ensure compatibility with existing or planned surrounding uses and that there is adequate on-site parking.

Staff finds the parking situation more than adequate for the proposed uses as reflected on the parking analysis provided by the applicant. Staff finds the use is also compliant with Policy 13.1 of the Winchester/Paradise Land Use Plan which encourages compatibility with existing and planned developments on adjacent properties and in the surrounding area. The immediate area is either zoned or planned as Industrial or Business and Design/Research Park, and the character of the surrounding area is of an industrial nature as well. The adjacent properties are currently developed office/warehouse complexes, and the subject request is compatible with these existing uses. In addition, the applicant indicates that a minimal number of customers and employees
will be on-site at any one time; therefore, traffic generation will be consistent with nearby uses. Based on the unique operations of this business and size of the lot, staff does not anticipate any parking issues.

Waiver of Development Standards
The applicant shall have the burden of proof to establish that the waivers of development standards are appropriate for this location. The intent and purpose of a waiver of development standards is to modify a development standard where the provision of an alternative standard, or other factors which mitigate the impact of the relaxed standard, may justify an alternative. One of several criteria that must be addressed is the use and value of the area adjacent to the property included in the waiver request will not be affected in a substantially adverse manner. Staff finds the proposed location of the modular office building will visually obscure the building and side mounted mechanical equipment. The area is predominantly industrial with a commensurate level of intensity, and therefore, staff finds the adjacent properties will not be adversely affected and can support this request with condition a condition to review.

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
- 2 years to commence and review to ensure the facility does not require additional mitigation measures;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- 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.

Clark County Water Reclamation District (CCWRD)
- Applicant is advised that the property is already connected to the CCWRD sewer system.

TAB/CAC: May 14, 2013 Paradise Town Board – approved - subject to staff conditions and 2 years to commence and a review as a public hearing to ensure the facility does not require additional mitigation measures. /bv

APPROVALS:

PROTESTS:

APPLICANT: ABS Auto Auctions
CONTACT: George Chickering, 3552 Terneza Avenue, North Las Vegas, NV 89081