



PLANNING AND ZONING CASE SUMMARY

BACKGROUND

APPLICANT:	Maxwell J. Fisher, Masterplan
REQUESTED ACTION:	Zoning change from Commercial to Planned Development - Commercial to allow a pawnshop
LOCATION:	3711 Gus Thomasson Rd.
CASE NUMBER:	Zo618-0049
COMMUNITY RESPONSES:	No responses

STAFF COMMENTS AND ANALYSIS

The applicant is requesting a zoning change to allow for a pawn shop by right and its expansion within a retail strip center. The other uses within the retail strip center are retail, personal services, and a donut shop. According to the applicant's letter of intent, Uncle Dan's Pawn provides in-store and online retail sales and purchase of items such as jewelry, high-end electronics, firearms and sporting good equipment, musical instruments, tools and other collectibles. Uncle Dan's Pawn also offers short-term pawn loans. The applicant currently employs five people and the expansion will increase employment by two or three. The lease space is located in a retail strip center among multiple tenant occupancies of varying retail uses. Uncle Dan's Pawn is proposing to expand into an adjacent 2,750 square-foot lease space that has recently become vacant. The proposed expansion would result in a total of 5,500 square-feet of floor area.

In Sept. 1992, the Mesquite Zoning Ordinance was amended to restrict pawn shops to Industrial Zoning districts after the previous year the state passed a law requiring pawn shops be allowed in at least one zoning district and prohibiting cities from imposing conditional use permit requirements. The City determined the Industrial Zoning District, away from neighborhoods and shopping districts, would have the least negative impact on the community. Furthermore, the applicant's request of utilizing a Planned Development as a land use variance does not meet the integrity of what a PD is intended for. The applicant is not offering amenities or other benefits to the surrounding community within their request.

Subsequent to the Planning and Zoning Commission hearing, staff has worked with the applicant on possible improvements to the property to include as part of the proposed PD ordinance. Attachments have been provided by the applicant and proposed stipulations follow.

1. Uses permitted shall include those uses permitted by right in the C, Commercial zoning district and Pawn Shops.
2. All bollards on the property shall be painted a uniform color and paint shall be maintained in good condition at all times.
3. All parking spaces shall be striped prior to any new certificate of occupancy being issued.



4. Wheel stops or raised curbing shall be provided for all parking spaces.
5. The awning shall be painted and maintained in good condition at all times.
6. The front façade shall be improved consistent with the attached facade exhibit.
7. All wall signage shall be backlit channel signs.
8. Window signage shall be limited to a maximum of 25% of the area of any window or door.
9. The north and south building facades shall be painted to match either the canopy, the tile or the stone on the front of the building.

RECOMMENDATION

At the July 23, 2018 meeting, the Planning and Zoning Commission voted unanimously (4-0) to recommend denial of the Zoning change to Planned Development-Commercial, to make an existing pawnshop a conforming use.