

## Legislation Text

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**File #:** 18-3683, **Version:** 1

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Conduct a public hearing for Application No. Z0618-0049, submitted by Maxwell Fisher of MasterPlan, for a change of zoning from Commercial to Planned Development-Commercial to allow pawnshops as a permitted use, located at 3711 Gus Thomasson Road.

(No responses in favor or opposition to the application have been received from property owners within the statutory notification area. The Planning and Zoning Commission recommends denial of the application. This item was postponed at the August 20, 2018, City Council Meeting.)

The applicant has an existing pawnshop at the subject property and would like to expand into an adjacent suite, doubling the floor area from 2,750 square feet to 5,500 square feet. The pawnshop is a nonconforming use and the Zoning Ordinance prohibits expansion of nonconforming uses. The applicant has requested rezoning to make the pawnshop conforming, thereby allowing its expansion. The applicant, as part of this request, offered no site improvements. Rezoning to a Planned Development (PD) with no substance other than to allow what is essentially a land use variance is not recommended.

On July 23, 2018, the Planning and Zoning Commission voted unanimously to deny Application No. Z0618-0049, for a rezoning from Commercial to Planned Development-Commercial that would allow pawnshops as a permitted use. The applicant submitted a timely appeal. If the City Council approves the request, staff will bring an ordinance to the October 1, 2018, City Council meeting for consideration. Proposed ordinance stipulations have been provided in the attached Case Summary.

### **Recommended/Desired Action**

After the public hearing, staff recommends denial.

### **Attachment(s)**

Case Summary  
Staff report & maps  
Proposed Concept Plan  
Proposed Elevation  
Sign Example  
P&Z minutes

### **Drafter**

Jeff Armstrong

### **Head of Department**

Jeff Armstrong