



Legislation Text

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*Department of Community Development*

Reference: Rocky Mountain Pawn Conditional Use Permit

**To:** Mayor Richard N. McLean and Members of City Council

**Through:** Clint Blackhurst, Interim City Manager

**Prepared By:** Andrew Baker, Assistant City Planner

**Date Prepared:** March 28, 2017

**PURPOSE**

Per Section 17-8-60 of the City of Brighton's Land Use and Development Code, an application for a Conditional Use must be presented before the City Council at a Public Hearing along with a Resolution approving, approving with conditions or denying the conditional use application.

**BACKGROUND**

Rocky Mountain Pawn wishes to operate a pawn shop at a property addressed as 875 E. Bridge Street. The previous tenant at this address was Aaron's rental center. The property is zoned PUD (Planned Unit Development), which follows the allowed uses for the C-2 (Restricted Retail and Services) zone district. In the C-2 zone, a "pawn shop" is considered a conditional use.

The proposed hours of operation for Rocky Mountain Pawn are 8:00AM-8:00PM, seven days per week. Typically, one to three employees will be using the site at a time.

**CRITERIA BY WHICH COUNCIL MUST CONSIDER THE ITEM**

**Comprehensive Plan:**

In the *Comprehensive Plan*, the property at 875 E. Bridge St. is designated as "Commercial," which is intended for "a range of retail and service types including small businesses and commercial centers." Operation of this facility as a pawn shop is in keeping with the *Comprehensive Plan* designation of "Commercial," and is harmonious with other uses in the area.

**Land Use and Development Code:**

The property is zoned PUD (Planned Unit Development) which follows allowed uses in the C-2 zone, so a Conditional Use hearing is required for this application. The *Land Use and Development Code* describes a "Pawnshop" as an establishment that offers loans to individuals who use their personal property as collateral and offers such property for retail sale to the public. Operation of this facility as a pawn shop is in keeping with conditional uses for the C-2 zone in the *Land Use and Development Code*.

**PUBLIC NOTICE/INQUIRY**

Notice of the City Council public hearing was posted on the Property on March 31<sup>st</sup>, 2017, mailed to property owners within 300' of the Property on March 31<sup>st</sup>, 2017, and published in the *Brighton Standard Blade* on March 29<sup>th</sup>, 2017. All for no less than 15 days prior to the public hearing. There have been no formal comments received by staff as of the date of the drafting of this report.

### **STAFF RECOMMENDATION**

Staff finds the Conditional Use application to be in conformance with the *Comprehensive Plan*, and with the requirements for a Conditional Use submittal as described in the *Land Use and Development Code*; therefore, a draft resolution approving the Conditional Use has been attached for Council's consideration. The following conditions have been recommended for approval:

- 1) Approval of this conditional use application shall not run with the land and is limited to the operation of a pawnshop by Rocky Mountain Pawn at the existing building addressed as 875 E. Bridge Street, Brighton, Colorado.
- 2) Rocky Mountain Pawn shall obtain all necessary licenses and permits and meet all applicable federal, state, and local laws, regulations, and policies at all times.

### **OPTIONS FOR COUNCIL CONSIDERATION**

- Approve the request for a Conditional Use in whole or in part, with or without modifications and/or conditions.
- Continue the request for a Conditional Use.
- Deny the request for a Conditional Use (with specific findings in support thereof).

### **ATTACHMENTS**

- City Council Resolution (Draft with exhibits)
- Vicinity Map