

To: **Mayor and City Council**  
Through: **Ryan Schroeder, City Manager**  
From: **Ben Boike, Assistant Comm. Dev. Dir./City Planner**  
Date: **July 22, 2019**

## Conditional Use Permit – 1676 Robert St., Pawn America Minnesota, LLC

### **BACKGROUND INFORMATION:**

Pawn America is requesting a Conditional Use Permit (CUP) to allow a Pawnshop in a B4, Shopping Center District at 1676 Robert St (South Robert Plaza). The applicant has an existing Conditional Use Permit for space in the shopping center; however, they are requesting to expand the existing operation to include general retail sales of used merchandise requiring a new Conditional Use Permit.

The proposed expansion will include a total of 7,650 sq. ft. (suites 9 and 10 in the attached plan) and will allow the store the ability to sell second hand goods, including but not limited to jewelry, collectibles, tools, athletic equipment, household goods, electronics, etc.

Please see the attached Planning Commission report for additional information related to the request.

#### Planning Commission

The Planning Commission met in regular session on July 16, 2019, and held a public hearing. No one from the public spoke at the public hearing.

The Planning Commission discussed the following items:

- 1) The Planning Commission inquired about the previous Pawn America store and cooperation with the Police Department. Staff stated that pawnshops are further regulated through a city license and that Pawn America was cooperative with the Police Department.
- 2) The Planning Commission asked for clarification on the setback requirements outlined in the ordinance. As listed in the Planning Commission report, the language states that all pawnshops must be located at least 800 feet from a list of uses including “residentially zoned” properties. The Commission inquired as to how the new DARTS housing project is classified since the development is within 800 feet of the proposed pawnshop. Staff stated that the DARTS parcel is zoned B6, Town Center Mixed-use, which is a commercial zoned property, not a residentially zoned property. Therefore, it is Staff’s interpretation that proposed pawnshop conforms to the setback requirements.
- 3) Concerns were also raised regarding potential safety and adverse effects of the proposed use on property values. Staff informed the Planning Commission that in order to deny a Conditional Use Permit, findings of fact are required to deny the request based on concerns related to Health, Safety, or general welfare.
- 4) The Planning Commission asked what the intent of the current Conditional Use Permit language

was when adopted, specifically regarding the 800-foot setback requirements. Staff informed the Planning Commission that the 800-foot setback rules were established to limit where a pawnshop can locate in attempt to protect the listed uses from any negative impact of a pawnshop operation.

The Commission voted 4-3 (Kavanaugh, Green, Strohmeier) to recommend approval of the Conditional Use Permit subject to the listed conditions below.

**STAFF RECOMMENDATION:**

Staff recommends the APPROVAL of the Conditional Use Permit to allow a Pawnshop in a B4, Shopping Center District within Suites 5, 9, and 10 at 1676 Robert Street, subject to the following conditions:

1. The applicant shall apply for and obtain all applicable building and sign permits with the City of West St. Paul.
2. The proposed store shall comply with the provisions outlined in the Pawnbroker Ordinance, Section 111.07
3. The prior CUP approved on May 28, 2013 by resolution 13-61 is hereby revoked and replaced in its entirety.

**ATTACHMENTS:**

Resolution  
Planning Commission Packet