



Use-By-Permit Report

Case #AU25-0001

Board of Adjustment Date: April 8, 2025

GENERAL INFORMATION

PROJECT NAME	Fast Cash Pawn
LOCATION	6225 E 71 st Pl
SITE SIZE	0.60 Acres
CURRENT ZONING	C-3 (Regional Commercial District)
APPLICANT	Jennie Smith, on behalf of Fast Cash Pawn
OWNER(S)	Lyons Real Estate Holdings LLC
CASE PLANNER	Allyson Olson

REQUEST

The request is for a use-by-permit to allow for a Pawn Shop within the C-3 (Regional Commercial District) zoning district, required per Land Development Code §21-5200.

BACKGROUND AND CASE HISTORY

The subject property has been zoned C-3 Regional Commercial District since 1968 and the Development Plan for the existing property was approved in 2004 with construction completed in 2005. A previously granted Use-By-Permit was granted for Fast Cash Pawn LLC in 2009 with a condition that the applicant re-new their permit following its expiration in 2025. The Use-By-Permit was approved unanimously by the Board of Adjustment.

COMPREHENSIVE PLAN CONSISTENCY

The subject property is within the Central Neighborhood Character Area. This character area supports commercial uses. The use of a pawn shop is classified by the Land Development Code under "Commercial" uses, making this consistent with the Comprehensive Plan.

PROJECT ANALYSIS

Site Overview

The subject property is located in a 5,616 sq ft multi-tenant retail building on a 0.64-acre site on the North-East corner of Highway 2 and E 71st Pl. There are no changes proposed to the existing site, buildings, or uses. The surrounding properties are zoned C-3 and C-2.

Road Network Impacts

Access to the subject property will continue through the two existing access points from E 71st Pl. According to the City's Transportation Mater Plan, East 71st Pl is considered a local roadway. This application was reviewed by the City's Development Review Engineers (formerly Public Works) who had no comments or concerns.

Overall Analysis

The review process has determined that the use-by-permit request is consistent with the goals set forth in the Comprehensive Plan. The proposed use-by-permit has been reviewed by relevant Development Review Team agencies, including Commence City Planning, Development Review Engineering (formerly Public Works), Economic Development, Commerce City Police Department, Code Enforcement, and South Adams County Fire Department. Development Review Engineering, Code Enforcement, and South Adams County Fire Department had no comments related to the proposed use. Economic Development and the Commerce City Police Department are in support of the proposed use. At this time, there are no outstanding comments or concerns from referral agencies related to this use-by-permit request.

USE-BY-PERMIT APPROVAL CRITERIA

A decision for this case must be based on the following criteria from Sec. 21-3221(3) of the Land Development Code. An application may be approved if:

(a) All of the following criteria are met:

Criteria (i): The use at the proposed location will not result in a substantial or undue adverse effect on adjacent property, the character of the neighborhood, traffic conditions, parking, public improvements, either as they presently exist or as they may exist in the future as a result of the implementation of provisions and policies of the comprehensive plan, this land development code, or any other plan, program, or ordinance adopted by the city. Such compatibility may be expressed in appearance, architectural scale and features, site design, and the control of any adverse impacts, including noise, dust, odor, lighting, traffic, safety, and impact on property values of the surrounding area;

The pawn shop has existed on this site since 2010. Continuation of the use is not expected to create a substantial adverse effect on the surrounding area. The pawn shop appears and functions as a commercial use. It will not look or operate any different from the surrounding C-2 and C-3 properties in the neighborhood.

Criteria (ii): The characteristics of the site are suitable for the use considering size, shape, location, topography, existence of improvements and natural features; and

The characteristics of the site are suitable for the pawn shop. The site has been used as a pawn shop for 15 years and has not changed. There are no changes proposed to the site as part of this request.

Criteria (iii): The use at the proposed location will be adequately served by and will not impose an undue burden on any of the improvements, facilities, and services of the city, special districts, or its residents. Where any such improvements, facilities, utilities or services are not available or adequate to service the use in the proposed location, the applicant shall, as a part of the application and as a condition of approval of the use-by-permit, be responsible for establishing an ability, a willingness, and a binding commitment to provide such improvements, facilities, utilities and services in sufficient time to serve the proposed use; and

The area surrounding the subject property is already developed with adequate access to roads, utilities, and other City services. We have no reason to believe the continuation of this use will impose any undue burden on any such improvements or facilities.

(b) One of the following criteria is met:

Criteria (i): The use is in harmony with the general purposes, goals, objectives, and standards of the comprehensive plan or any other plan or program adopted by the city; or

The use is in harmony with the general purposes, goals, objectives, and standards of the City's Comprehensive Plan. The subject site is identified as a part of the Central Neighborhoods Character Area in the Commerce City 2045 Comprehensive Plan. This character area supports commercial land uses.

Criteria (ii): There is a proven community need for the use at the proposed location, given existing and proposed uses of a similar nature in the area and of the need to provide or maintain a proper mix of uses both within the city and the immediate area of the proposed use.

This business has been successfully operating in Commerce City for 15 years demonstrating community need for the use.

CONSIDERATIONS FOR DISCUSSION

1. The use is consistent with the Comprehensive Plan.
2. The use has existed since 2010.

STAFF RECCOMENDATION

Based on the approval criteria, staff recommends Approval for this Use-By-Permit.

POTENTIAL OUTCOMES

1. Approval
2. Approval with conditions
3. Denial
4. Continuance

POTENTIAL MOTIONS

Approval

*I move that the Board of Adjustment enter a finding that the requested **use-by-permit**, for the property located at 6225 E 71st Pl contained in case **AU25-0001**, meets the criteria of the Land Development Code and based upon such finding, approve the **use-by-permit**.*

Approval with Conditions

*I move that the Board of Adjustment enter a finding that the requested **use-by-permit**, for the property located at 6225 E 71st Pl contained in case **AU25-0001**, meets the criteria of the Land Development Code and based upon such finding, approve the **use-by-permit** subject to the following conditions:*

[Insert Conditions]

Denial

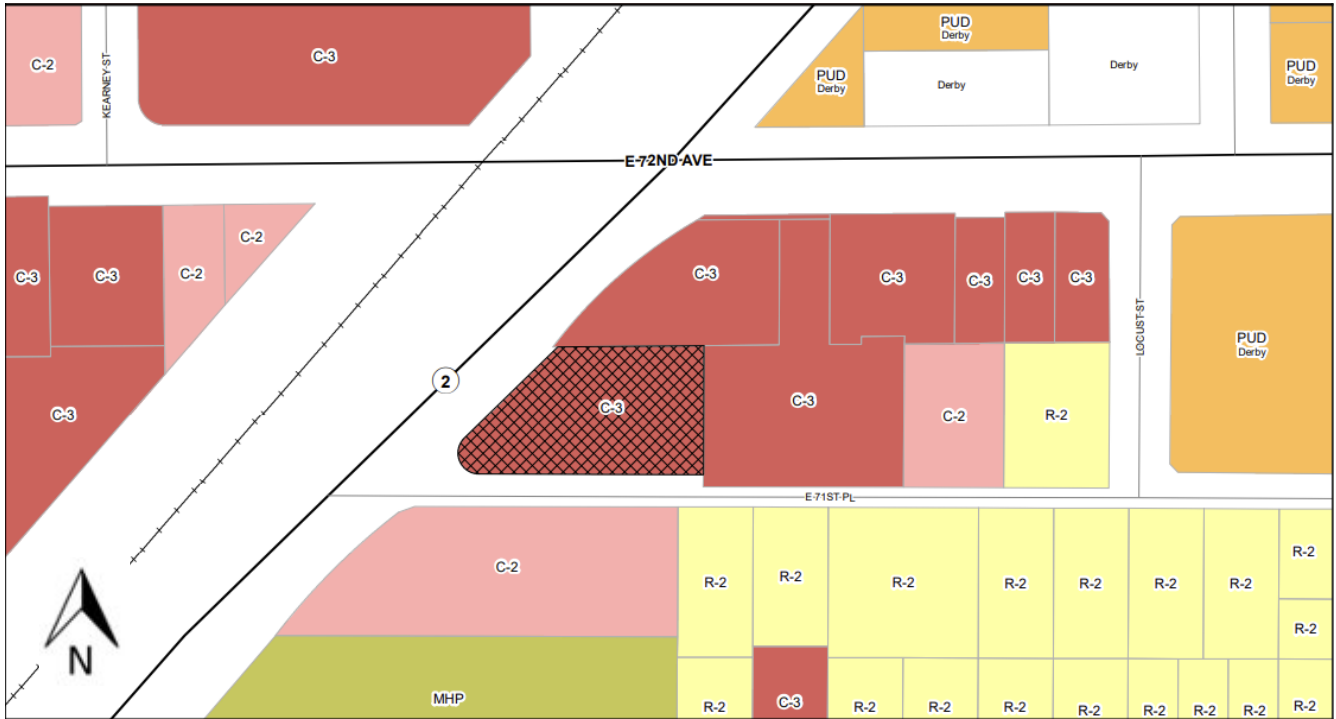
*I move that the Board of Adjustment enter a finding that the requested **use-by-permit**, for the property located at 6225 E 71st Pl contained in case **AU25-0001**, fails to meet the criteria of the Land Development Code and based upon such finding, deny the **use-by-permit**.*

[Insert criteria not met]

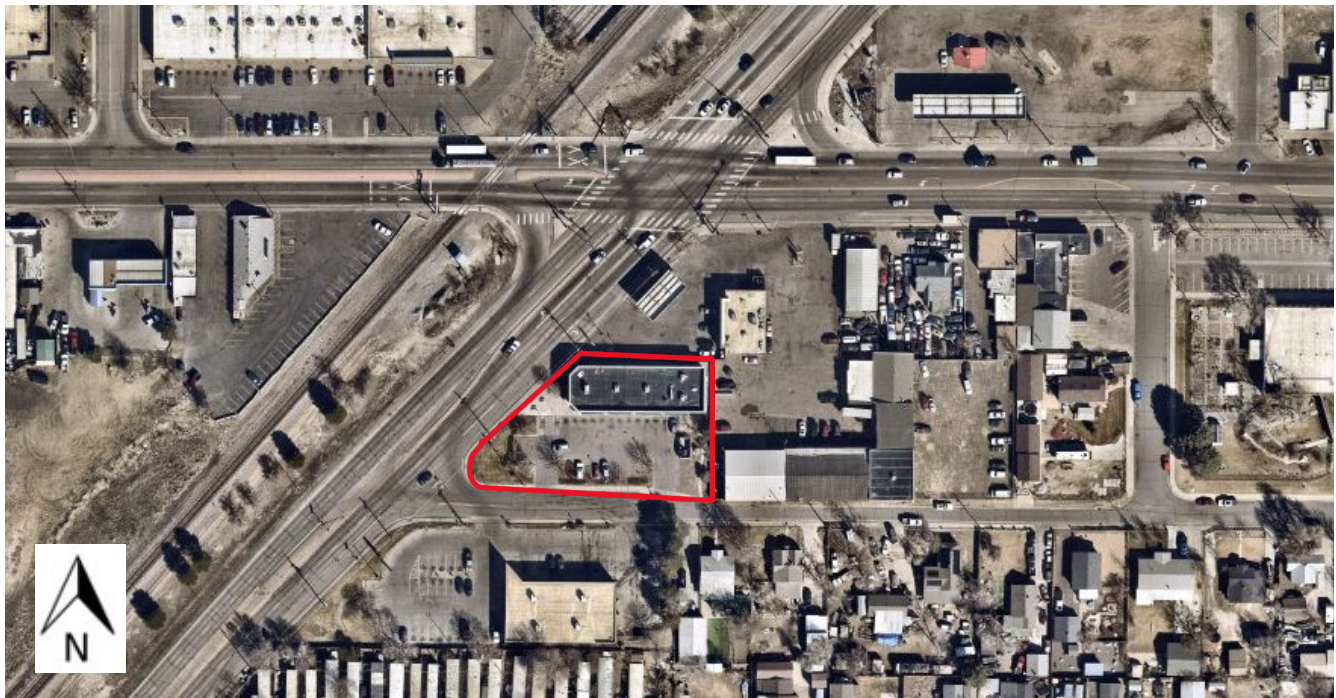
Continuance

*I move that the Board of Adjustment continue the public hearing of the requested **use-by-permit**, for the property located at 6225 E 71st Pl contained in case **AU25-0001**, to the next regularly scheduled Board of Adjustment hearing.*

Zoning Map



Aerial Map



Site Photos



