



SUP2014-0002

Action	Special Use Permit
Property Location	2055 Beaver Ruin Rd., Suite A Norcross, GA 30071
Petitioner	R. Neal Castleberry BDP2 Management, LLC 5333 Bells Ferry Rd., Suite 202 Acworth, GA 30102
Petitioner's Request	Operation of a Retail Store/Pawn Shop
Vicinity Map	



The subject parcel (6213 009) is within the Indian Village Shopping Center. The center contains a mixture of uses including restaurants, professional offices and the new Tiny

Town facility. The center is a typical one story brick building with a pedestrian arcade with outlot uses.

Zoning

The site is located on the southeast corner of the intersection of Indian Trail and Beaver Ruin. The property is zoned C-2 General Business. This district is intended to provide spaces in appropriate locations along major roads for commercial uses. The use of property within this district for a Pawn Shop requires the issuance of a Special Use Permit.

Furthermore, in accordance with section 115-316, referencing procedures in section 115-310 and 115-311 in the zoning ordinance, this special use request requires a public hearing. The Special Use Permit initially requires review and recommendation for approval by the Planning and Zoning Board. All public hearings shall be conducted in accordance with the Georgia Open Meetings Law (O.C.G.A. § 50-14-1 et seq.).

Analysis

The applicant BDP2 Management, LLC DBA Big Deal Pawn states in the letter of intent the proposed use is for a Pawn Shop and Retail Store. The applicant also states that they will accept general merchandise for pawn or to sell. They also indicate that they will be stocking general merchandise for sale.

While A Pawn Shop is a permitted use with the issuance of a Special Use Permit there are concerns about the juxtaposition of the Pawn Shop use with the new Tiny Town facility. Tiny Town caters to children and families and the business represents a major investment in the center which could be a precursor to additional commercial and professional uses that would serve a family oriented market. The inclusion of a Pawn Shop in the mix may be an issue for further improvement in the center along those lines.

Staff Recommendation

Staff recommends that if the Mayor and Council wishes to approve this Special Use Permit Application for the use of a Pawn Shop the following conditions should be applied:

1. The Special Use Permit is only approved for the use of a business operating as a pawn shop and general merchandise sales company.
2. This Special Use Permit is issued on behalf of BDP2 Management, LLC, dba Big Deal Pawn & Shop., and exists exclusively for the use/occupancy of that applicant, and expires upon the vacancy of the tenant by BDP2 Management, LLC
3. No additional businesses may be operated in the suite except the use proposed by the applicant.
4. Applicant shall follow established procedures for obtaining a business license.
5. The applicant shall apply for a Building Permit if construction is proposed.

6. The Applicant shall fulfill all the conditions of **Chapter 8, Article VII. - Pawnbrokers** in the Norcross Code of Ordinances prior to being issued any business license to operate within the city.
7. City of Norcross's Code Enforcement shall routinely inspect the site checking for compliance with the recommended conditions.
- 8- The Applicant shall abide by regulations regarding outdoor sales and retail activity as noted in Chapter 8, Article 9, Norcross Code of Ordinances.**
- 9- The Applicant shall abide by the sign regulations as noted in Chapter 115, Article VI- Signs**

(Conditions 8 and 9 above were added by the Planning and Zoning Board as part of there approval. Vote was 4-0)