

**Department of Community Planning and Economic Development – Planning Division**  
Change of Non-Conforming Use  
BZZ-4832

**Date:** July 19, 2010

**Applicant:** Mark Smith with Max-it-Pawn

**Addresses of Property:** 815, 825 and 829 Cedar Avenue

**Project Name:** Max-it-Pawn

**Contact Person and Phone:** Howard Roston with Malkerson Gunn Martin LLP, (612) 455-6655

**Planning Staff and Phone:** Hilary Dvorak, (612) 673-2639

**Date Application Deemed Complete:** June 23, 2010

**End of 60-Day Decision Period:** August 22, 2010

**End of 120-Day Decision Period:** Not applicable for this application.

**Ward:** 6      **Neighborhood Organization:** Seward Neighborhood Group

**Existing Zoning:** C3A Zoning District and the PO Pedestrian Oriented Overlay District

**Proposed Zoning:** Not applicable for this application.

**Zoning Plate Number:** 21

**Legal Description:** Not applicable for this application.

**Proposed Use:** Pawnshop

**Concurrent Review:**

**Change of Non-Conforming Use:** from a motorcycle sales and repair shop to a pawnshop located in the C3A Zoning District and the PO Pedestrian Oriented Overlay District

**Applicable zoning code provisions:** Chapter 531, Nonconforming Uses and Structures

**Background:** It was discovered that the properties located at 825 and 829 Cedar Avenue are being sold as Contract for Deed. In this situation both the seller and the buyer need to submit a letter authorizing the application. Letters from both the seller and the buyer have not been submitted so the Planning Division is continuing the application to the August 2, 2010, City Planning Commission hearing.

**RECOMMENDATIONS:**

**Recommendation of the Community Planning and Economic Development Department - Planning Division for the change of non-conforming use:**

The Community Planning and Economic Development Department - Planning Division recommends that the City Planning Commission **continue** the application for a change of non-conforming use from a motorcycle sales and repair shop to a pawnshop located in the C3A Zoning District and the PO Pedestrian Oriented Overlay District for the property located at 815, 825 and 829 Cedar Avenue to the August 2, 2010, City Planning Commission hearing.