

POLICY COMMITTEE MEETING

November 1, 2012

4:00 p.m.

County Government Center, Building A

1) Roll Call

Present

Mr. Tim O'Connor

Mr. Al Woods

Mr. Rich Krapf

Absent

Ms. Robin Bledsoe

Staff Present

Mr. Paul Holt

Mr. Jason Purse

Ms. Tammy Rosario

Ms. Christy Parrish

Mr. Richard Bradshaw

Mr. Brian Elmore

Mr. Rich Krapf called the meeting to order at 4:00 p.m.

2) Old Business

There was no old business to discuss.

3) New Business

a) Pawnshops

Mr. Jason Purse stated the Zoning Administrator had received a verification request for a pawnshop in a LB (Limited Business) zone, the Olde Towne Shopping Center. He stated while there is no specific use for pawnshops in the zoning ordinance, the uses that make up pawnshops are consistent with retail and service uses. There will be no firearms at this particular site. Other localities vary on how they permit them. The Committee can decide how they want pawnshops handled, whether as a specific use, and where and when to allow them. The police department already monitors local pawnshops for stolen goods. The proposed pawnshop would not increase police workload.

Ms. Christy Parrish stated the police would request the pawnshop forward its inventory data electronically to them.

Mr. O'Connor stated they have to log in everything they bring in and submit it to the police.

Mr. Paul Holt asked if the Committee wants to separate what pawnshops materially do as something separate from retail. He stated the Zoning Administrator has already determined pawnshops are consistent with that use category in LB and B1 (General Business).

Ms. Parrish stated that the use of pawnshops has been discussed before by previous Zoning Administrators but no one had previously asked for a determination in writing nor pursued the activity in the County until now. She stated that this use was found consistent with retail sales. Many localities treat pawnshops differently and staff was looking for direction from the Committee as to whether to specifically address this use in the zoning ordinance.

Mr. Purse stated the Committee should think of the specific impacts pawnshops might have as opposed to a general retail store.

Ms. Parrish stated staff could research how other localities treat gun sales in pawnshops.

Mr. Woods asked what was a typical pawnshop footprint.

Mr. Holt stated he has seen them from the size of 7-11 stores up through the size of a big box store.

Ms. Parrish stated she did not think they generated traffic any more than typical retail use.

Mr. O'Connor stated the Economic Development director had compared pawnshops to consignment stores. He said given the times, people are buying and selling at a cheaper rate.

Mr. Krapf stated there are certain perceptions that pawnshops are attractive to a criminal element, and about the clientele and types of goods that come in. He stated he would be interested in feedback from jurisdictions that have had them for awhile.

Ms. Parrish stated she could request that information from localities, along with any problems they may have had.

Mr. Woods asked what was the rationale for treating a business with that small of a footprint differently. He stated they are usually infill with marginal impacts.

Mr. Purse asked what sort of conditions would the Commission envision putting on a pawnshop application to help mitigate impacts. He stated an ordinance could include performance standards.

Mr. O'Connor stated regulating quality can be difficult after the pawnshop is put in. He asked if it is made by right, is the County doing a disservice to the citizens and nearby neighborhoods.

Mr. Krapf stated he wanted the real history of jurisdictions who have allowed it. He asked if there are issues we are not thinking of because we have never had a pawnshop.

Ms. Parrish stated there is a provision in the state code that the counties can limit the number of pawnshops in the locality.

Mr. Krapf asked if the open application for the pawnshop would be grandfathered.

Ms. Parrish stated the applicant may move forward with the pawnshop. She stated if pawnshops change to a special use permit (SUP), it will become legally nonconforming.

Mr. Krapf stated that at a subsequent Policy Committee meeting, there will be a staff report based on the meetings conversations and then the Committee would decide on the next steps at that point.

Mr. Krapf opened the public comment session.

Mr. Richard Bradshaw stated pawnshops are treated differently in the state code from other businesses. He stated there are specific pawnshop regulations, including the applicant providing a copy of their birth certificate, driver's license, and proof of residence, and submitting to a criminal background check. An approval order from the circuit court is required to open. The current applicant is waiting on that from the circuit court.

Mr. Woods asked if any other businesses are required to do the same.

Mr. Bradshaw stated no. He stated there are other types of regulated businesses, but no retail businesses have those types of regulations. The regulations are unique to this operation. Most localities treat it as a unique business for zoning.

Ms. Parrish stated she had found localities where it is permitted by right.

Mr. Bradshaw stated these businesses are generally found in general business rather than limited business areas. He stated in eleven localities he researched, pawnshops are a SUP in eight.

Mr. Krapf asked if pawnshops would be a permitted use with form-based zoning, like in Albemarle County.

Mr. Purse stated the County could adopt performance standards in its use list.

Ms. Elizabeth Friel, 167 Devon Road, stated that pawnshops are more appropriate in B-1, rather than LB, as a SUP for public input. She stated that without additional regulations, the County will be inundated with pawnshops fleeing stricter rules in other localities. The pawnshop will be a regional, rather than neighborhood, use. She was concerned with turning into the shopping center and about pawnshops being a "decline indicator". She asked what was the remedy to appeal the decision for the current pawnshop going in and when was the letter issued.

Mr. Parrish stated her letter was issued September 12th.

Ms. Friel stated pawnshops were a SUP in Falls Church when she worked there.

Ms. Karen Killian, 5329 Highgate Green, stated she agreed that it was a neighborhood shopping center, the decision on the pawnshop should be a special use permit to allow the public to be heard, and that there are better zoning options.

Ms. Wanda Daniels, 109 Windsor Way, stated she was concerned with something like that coming into the neighborhood so close to Lafayette High School with so many existing traffic problems at the intersection. She stated she would not like to see pawnshops anywhere in the County.

Mr. Frank Dalgliesh, 301 Fairfax Way, stated he was concerned with criminal elements being attracted from outside the area. He stated he was concerned with security and safety.

Mr. Krapf closed the public comment section.

Mr. O'Connor asked if vehicles get pawned. He asked if he can a title loan for his car at a bank, is that something pawnshops typically do.

Mr. Purse stated the definition of retail sales in the ordinance does not include cars.

Mr. Krapf stated he would like to see staff present a detailed report or even a consideration of other more appropriate zoning districts.

Mr. Woods asked if staff would present a matrix of uses across all zoning categories.

Mr. Purse stated staff could have a list.

Mr. Krapf stated he also wanted to see long term impacts, such as traffic and levels of use over time. He stated there must be some reason for the additional state requirements.

4) Other Business

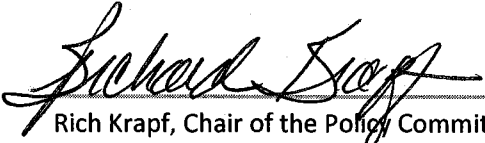
Ms. Rosario stated that before the next Committee meeting on December 6th, staff will distribute applications for Capital Improvement Program (CIP) projects. She stated she recommended Committee members to do their prerankings before the next meeting, identifying any questions or speakers they may want to speak with at the next meeting. Committee members would then quickly update their scores and send them to staff before the second Policy CIP meeting on December 7th.

Mr. Krapf stated he was going to ask Committee members to submit prerankings and a list of speakers on a deadline before the meeting to move the process along a little more smoothly.

Ms. Woods asked staff to send all of the CIP applications as a single file.

5) Adjournment

Mr. Woods moved to adjourn. The meeting was adjourned at 4:55 p.m.


Rich Krapf, Chair of the Policy Committee