



# PLANNING & ZONING COMMISSION

## STAFF REPORT

Meeting Date: 8/21/2025

Agenda Item(s): 3R

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**TO:** Planning and Zoning Commission  
**THROUGH:** Chris M. Jacques, AICP, Planning Director  
**FROM:** Elias Valencia, Senior Planner  
**SUBJECT:** Bell Road Pawn: Conditional Use Permit (CU25-11)  
8868 W. Bell Road, Suite 101

### ***PROPOSAL***

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The applicant has submitted a request to obtain a Conditional Use Permit (CUP) to operate a pawnshop.

### ***APPLICATION INFORMATION***

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<b>Case Numbers</b>	Conditional Use Permit (CU25-11)
<b>Applicant</b>	Eduardo Galindo
<b>Request</b>	Approval of a Conditional Use Permit (CUP) to operate a pawnshop.

### ***BACKGROUND AND CONTEXT***

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The proposed pawnshop is requesting to locate within an existing commercial building with a zoning designation of Intermediate Commercial (C-2). The site is located east of the northeast corner of Bell Road and 89th Avenue.

#### **CONTEXT:**

The subject site is located along Bell Road, which is one of the larger intensity corridors within the city, and as such, contains a variety of uses. The subject suite is part of a multi-tenant commercial building that also contains an adjacent retail suite.

Immediately to the west and north within the same center as the request, there are two additional commercial buildings that contain automobile repair facilities. Further west across 89<sup>th</sup> Avenue is the Albertson's anchored commercial center which contains a variety of retail and commercial uses. A multi-family apartment complex abuts the commercial center to the north and east. South of the subject site is Bell Road followed by automobile dealerships (**Exhibit 2**).

### ***APPLICANT'S PROPOSAL***

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The applicant is requesting to operate a pawnshop within an existing suite in a multi-tenant commercial building. Access to the site is provided through shared access driveways on both Bell Road and 89<sup>th</sup> Avenue. No site improvements or exterior modifications are proposed. All operations will occur entirely within the enclosed building. The pawnshop will operate from 9:00 a.m. to 7:00 p.m. Monday through Friday, Saturday 9:00 a.m. to 6:00 p.m., and Sunday 10:00 a.m. to 5:00 p.m. The operational information is described within the applicant's Project Narrative (**Exhibit 7**).

## DEVELOPMENT INFORMATION:

<u>Existing Use:</u>	Existing Commercial Building
<u>Proposed Use:</u>	Pawnshop
<u>Development Site:</u>	0.45 acres
<u>Suite Size:</u>	Approximately 1,500 square feet

## STAFF ANALYSIS

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### ZONING HISTORY AND PROPERTY DEVELOPMENT:

In 1996, the subject site was rezoned from Multi-Family Residential (RM-1) to the existing zoning designation of Intermediate Commercial (C-2) through Ordinance #96-77. The subject building was subsequently constructed around 2003 according to aerial imagery.

### APPLICABILITY:

Pawnshops are a Conditionally Permitted Use within the C-2 Zoning District, and as such require action by the Planning and Zoning Commission on the requisite Conditional Use Permit for the use. The City of Peoria Zoning Ordinance also prescribes Special Limitations outlined in Section 21-505.K.1, which are discussed more specifically in the *Limitations on Uses* section of this staff report.

### CONDITIONAL USE PERMIT:

The purpose of a Conditional Use Permit is to ensure that the physical and operational characteristics inherent with the land use have been sufficiently resolved or mitigated, optimizing compatibility with the surrounding area, and that the use is not injurious to the health, safety, and general welfare of the community.

Staff's review for compliance with the Zoning Ordinance and overall examination of the project characteristics are outlined below:

#### *Review Criteria:*

Section 21-155 of the Peoria Zoning Ordinance outlines the applicable criteria for evaluating Conditional Use Permits. The Zoning Administrator or designee shall review applications and make a recommendation for approval or denial to the Planning and Zoning Commission based on the criteria identified in this Section:

1. The proposed use is consistent with the General Plan and all applicable provisions of this Zoning Ordinance, and applicable state and federal regulations;
2. The proposed use is consistent with the purpose and intent of the zoning district in which it is located and meets any applicable use-specific standards within this Zoning Ordinance;
3. The proposed use is compatible with adjacent uses in terms of scale, site design, and operating characteristics (such as, but not limited to, hours of operation, traffic generation, lighting, noise, odor, dust, and other external impacts);
4. Any significant adverse impacts anticipated to result from the use will be mitigated or offset to the maximum extent practicable;

5. Facilities and services (including sewage and waste disposal, water, gas, electricity, police and fire protection, and roads and transportation, as applicable) will be available to serve the subject property while maintaining adequate levels of service for existing development;
6. Adequate assurances of continuing maintenance have been provided; and
7. Any significant adverse impacts on the natural environment will be mitigated to the maximum extent practicable.

**LIMITATIONS ON USES:**

Section 21-505.K.1 of the Peoria Zoning Ordinance sets the following limitations on pawnshops. These limitations are addressed via a City staff response in *italics* contained below:

- a. All vehicular access shall be from arterial streets.

*The primary vehicular access for the subject site is from the shared access driveway onto Bell Road.*

- b. The uses shall not be located on a lot with a property line within one thousand (1,000) feet measured in a straight line in any direction of the lot line of a Body Piercing Studio, Non-Chartered Financial Institution, Pawnshop, Retail Liquor Store, Plasma Center and Tattoo Studio, Adult Use, Correctional Facility or State Local Alcohol Reception Center.

*Based on an assessment of the uses within the area, and the survey provided by the applicant of all businesses within one thousand (1,000) feet the subject site (**Exhibit 5 – Business List**), the proposal appears to meet all separation distance requirements.*

**CONTINUING JURISDICTION**

The purpose of the Conditional Use Permit requirement for pawnshops is to ensure compatibility with the surrounding area. The proposed pawnshop will be developed in accordance with the requirements of Section 21-505.K.1 of the Peoria Zoning Ordinance.

If any issues arise regarding the operation of the facility, Section 21-155.L.1.a of the Zoning Ordinance provides the Zoning Administrator with continuing jurisdiction over all Conditional Use Permits. This means that the Zoning Administrator may recommend to the Planning and Zoning Commission that a permit may be revoked, modified, or suspended should any of the following occur:

1. The permit was obtained by fraud or misrepresentation;
2. The use authorized by the permit has been exercised in violation of the conditions of its approval;
3. A change in circumstances consisting of any of the following has occurred:
  - a. Impacts from the approved conditional use to neighboring properties.
  - b. Changes in aesthetic or environmental impacts such as noise, odors, or pollution.
4. The use authorized by the permit has been exercised in a manner that is detrimental to the public health, safety, or welfare of the community or in a manner that constitutes a nuisance to neighboring property owners, adjacent neighborhoods, or the City.

As proposed, staff find the application complies with all applicable pawnshop regulations. In this instance, access is provided to the site off Bell Road. Additionally, after evaluation of the businesses contained within the required spacing limitations in Section 21-505.K, the subject proposal appears to meet the applicable spacing requirements (**Exhibit 5**).

### ***COMMUNITY INVOLVEMENT***

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*Public Noticing:*

The application was properly noticed pursuant to Table 21-146 of the Peoria Zoning Ordinance, which includes notification to all property owners within 600 feet of the site and registered HOAs within one (1) mile, posting of a sign on the site, and placing an ad in the Peoria Times at least 15 days prior to the Public Hearing.

*Support / Opposition:*

At the time of this writing, Staff had not received written opposition or support.

### ***KEY FINDINGS***

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1. The proposal meets the Conditional Use Permit standards and applicable special limitations within the Peoria Zoning Ordinance.
2. When operated in accordance with the recommended conditions of approval, the use is not expected to have an impact on adjacent properties.
3. On behalf of the owner, the applicant has submitted a signed and notarized Proposition 207 waiver, which will be recorded with the conditions outlined below.

### ***RECOMMENDATION***

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Staff recommend that the Planning and Zoning Commission take the following action:

**Approve the applicant's request for a Conditional Use Permit under Case CU25-11, subject to the attached Exhibit 1 Conditions of Approval.**

### ***STAFF CONTACT***

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