TEMPORARY FIREWORKS STAND CONDITIONAL USE PERMIT- 3120 WEST CLAY ST.

Application: FWK20-04
Applicant: Craig Applegate, Applegate Industries LLC
Property Owner: TGL Properties, LLC
Zoning: C2, General Commercial District
Location: On the northeast corner of the intersection of West Clay and Golfway Street
Council District: 6
Account No.: A916000023

CONTENTS:

➢ Staff Recommendation Report
➢ Aerial Photo
➢ Surrounding Zoning Map
➢ Concept Plan
➢ Letters received
   ♦ None
STAFF RECOMMENDATION

To: County Planning & Zoning Commission
Prepared by: Karen Hutchins
Application No.: FWK 20-04
Date: February 24, 2020

BACKGROUND

Applicant: Applegate Industries, LLC dba Frenzy Fireworks
Owner: TGL Properties, LLC
Requested Action: A Conditional Use Permit for a temporary fireworks stand.
Location: 3120 West Clay Street, (St. Andrews Plaza) on the northeast corner of the intersection of West Clay & Campus Drive.

Size: 5.46 Acres
Current Land Use: Retail, shopping center
Adjacent Land Use and Zoning:

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<thead>
<tr>
<th>Direction</th>
<th>Zoning</th>
<th>Land Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>C2, General Commercial District</td>
<td>Commercial</td>
</tr>
<tr>
<td>South</td>
<td>Hwy 70</td>
<td>Hwy 70</td>
</tr>
<tr>
<td>West</td>
<td>C2, General Commercial District</td>
<td>Commercial</td>
</tr>
<tr>
<td>East</td>
<td>C2, General Commercial District</td>
<td>Commercial</td>
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Zoning History: This property has been zoned C2, General Commercial District, since the inception of zoning in 1959. The property was granted a conditional use permit #123 in 1981 for a Pinball Operations Business.

ANALYSIS

Due to the temporary nature of this use, there will be minimal impact on the adjacent commercial properties. This stand was approved for the same location in 2019. All setbacks for C2, General Commercial District are expected to be observed. No complaints have been filed.

RECOMMENDATION

The Planning and Zoning Division recommends that the Conditional Use Permit for a temporary fireworks stand be approved subject to the 2020 St. Charles County Fireworks Regulations and the following COVID-19 Condition:
1. The Applicant Owner and/or Operator of the firework stand authorized under the CUP (Owner/Operator) is responsible for ensuring that their staff and customers are abiding by the Public Health Orders of the County and State that are currently in place, and as they may be in the future amended, revised, or supplemented for the duration of the CUP. Any violations of those orders are unlawful and could result in prosecution through the County Municipal Court. The most up to date and latest County policies are available on the St. Charles County website at sccmo.org/COVID. The County website has detailed information, including recommended strategies on how to protect the Owner/Operator staff and customers from the spread of the disease and further guidance on what burdens are placed upon the Owner/Operator during the COVID-19 pandemic.

3120 West Clay Street
(Looking South towards Hwy 70)