



PLANNING COMMISSION MEETING

AGENDA SECTION	PUBLIC HEARING
MEETING DATE	APRIL 06, 2021

ITEM:	INTERIM USE PERMIT – RENAISSANCE FIREWORKS TEMPORARY SALES TENT		
DEPARTMENT:	COMMUNITY DEVELOPMENT	BY/DATE:	

CASE NUMBER: 2021-0402
DATE: April 6, 2021
TO: Columbia Heights Planning Commission
APPLICANT: Renaissance Fireworks
DEVELOPMENT: Temporary Fireworks Tent
LOCATION: 4001 Central Avenue NE., Columbia Heights MN, 55421
REQUEST: Interim Use Permit for Seasonal Fireworks Sales
PREPARED BY: Minerva Hark, City Planner

INTRODUCTION

Renaissance Fireworks, Inc. has applied for an Interim Use Permit to allow the operation of a seasonal fireworks sales tent at 4001 Central Avenue. The specific development standards for outdoor fireworks sales/display are found in Section 9.107 (C) (22) of City Code, and will be added as conditions of approval for this permit. The attached property and tent location map illustrates the configuration and orientation of the fireworks tent to Central Avenue. The Fire Chief and Building Official will conduct a site inspection of the tent.

ZONING ORDINANCE

The property located at 4001 Central Avenue is located in the CBD, Central Business District. The properties to the north, south and west are also zoned Central Business and the properties to the east are zoned in the R-4, Multiple Family Residential District. Seasonal Fireworks Sales is allowed as Interim Use in the Central Business Zoning District.

COMPREHENSIVE PLAN

The Comprehensive Plan designates the property for commercial use. The proposal for seasonal fireworks sales is consistent with the intent of the City's Comprehensive Plan.

FINDINGS OF FACT

Section 9.104 (I) of the Zoning Ordinance outlines seven findings of fact that must be met in order for the City to grant an interim use permit. They are as follows:

1. The use is one of the interim uses listed for the zoning district in which the property is located, or is a substantially similar use, as determined by the Zoning Administrator.

Fireworks tents are specifically listed as an Interim Use in the Central Business District, and are considered retail sales, which are permitted.

2. The use is in harmony with the general purpose and intent of the Comprehensive Plan.

The Comprehensive Plan designates the property for commercial use, including retail sales. The proposal is consistent with the intent of the City's Comprehensive Plan.

3. The use will not impose hazards or disturbing influences on neighboring properties.

The proposed temporary use should not have hazardous or disturbing influence on neighboring properties because of its proximity to Central Avenue. It is screened from adjacent residential uses by the surrounding commercial buildings.

4. The use will not substantially diminish the use of property in the immediate vicinity.

The fireworks tent shouldn't diminish the use of the adjacent properties.

5. The use will be designed, constructed, operated and maintained in a manner that is compatible with the appearance of the existing or intended character of the surrounding area.

The Fire Chief will conduct an on-site inspection prior to any temporary sales. All State and City requirements regarding fireworks sales will be achieved.

6. Adequate measures have been or will be taken to minimize traffic congestion on the public streets and to provide for appropriate on-site circulation of traffic.

The traffic generated by the fireworks tent will not significantly increase the flow of traffic on the public streets. Additionally, the site is large enough to handle additional on-site traffic.

7. The use will not cause a negative cumulative effect on other uses in the immediate vicinity.

The fireworks tent should not have a negative impact on other uses in the immediate vicinity, which are all zoned commercial.

RECOMMENDATION

Staff recommends that the Planning Commission approve the Interim Use Permit to allow the operation of a seasonal fireworks sales tent at 4001 Central Avenue, subject to conditions of approval outlined below.

RECOMMENDED MOTION(S):

Motion: Move to waive the reading of Resolution No. 2021-PZ03, there being ample copies available to the public.

Motion: Move to adopt Resolution No. 2021-PZ03, being a Resolution approving an Interim Use Permit for a fireworks tent at 4001 Central Avenue NE, from June 25, 2021 to July 5, 2021, subject to certain conditions of

approval that have been found to be necessary to protect the public interest and ensure compliance with the provisions of the Zoning and Development Ordinance, including:

1. The fireworks tent, display area, access aisles, and surrounding area shall be reviewed by the Fire Department prior to operation. The applicant must contact the Fire Department to set up an inspection prior to any sales occurring on the property.
2. The sale of fireworks shall meet all requirements of Chapter 24 of the Fire Code and NFPA Chapter 1124.
3. The fireworks tent shall be accessory to a commercial use.
4. Fireworks tents located within the public right-of-way are prohibited.
5. All goods shall be displayed on a designated impervious surface area.
6. All goods shall be displayed in an orderly fashion, with access aisles provided as needed.
7. Music or amplified sounds shall not be audible from adjacent residential properties.
8. The fireworks tent shall not reduce the amount of off-street parking provided on-site below the level required for the principal use.
9. An appropriate transition area between the use and adjacent property shall be provided by landscaping, screening or other site improvements consistent with the character of the neighborhood.
10. Signage shall be limited to two (2) professionally made signs, with a combined square footage not exceeding thirty-two (32) square feet.
11. Fireworks tents may be allowed for a maximum of 90 days per calendar year.
12. Any electrical use associated with the temporary sales, will require an Electrical Permit and is required to be inspected by the State Electrical Inspector.

ATTACHMENT(S):

Resolution No. 2021-PZ03

Application/Narrative

Lease Agreement

Safety Data Sheet

Tent Layout Drawing

Certificate of Flame Resistance

Tent Location Map

Product List

Product Storage Information

Proposed Temporary Signage