

RESOLUTION NO. 2021-PZ03

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COLUMBIA HEIGHTS APPROVING AN INTERIM USE PERMIT TO ALLOW RENAISSANCE FIREWORKS TO OPERATE A TEMPORARY SALES TENT AT 4001 CENTRAL AVENUE NE, COLUMBIA HEIGHTS, MN, 55421 (PIN 36-30-24-32-0248)

WHEREAS, a proposal (Case 2021-0402) has been submitted by Renaissance Fireworks to the Planning Commission requesting an Interim Use Permit from the City of Columbia Heights at the following site:

LOCATION: 4001 Central Avenue NE (36-30-24-32-0248)

LEGAL DESCRIPTION: On file at City Hall

THE APPLICANT SEEKS THE FOLLOWING: An Interim Use Permit to allow for the operation of a seasonal fireworks sales tent on the subject property.

WHEREAS, the Planning Commission has held a public hearing as required by the City of Columbia Heights' Zoning Code on April 6, 2021;

WHEREAS, the Planning Commission has considered the advice and recommendations of City staff regarding the effect of the proposed Interim Use upon the health, safety, and welfare of the community and its Comprehensive Plan, as well as any concerns related to compatibility of uses, traffic, property values, light, air, danger of fire, and risk to public safety in the surrounding areas; and

NOW, THEREFORE, BE IT RESOLVED, the Planning Commission of the City of Columbia Heights after reviewing the proposal, accepts and adopts the following findings:

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.
2. The use is in harmony with the general purpose and intent of the Comprehensive Plan.
3. The use will not impose hazards or disturbing influences on neighboring properties.
4. The use will not substantially diminish the use of property in the immediate vicinity.
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.
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.
7. The use will not cause a negative cumulative effect, when considered in conjunction with the cumulative effect of other uses in the immediate vicinity.

FURTHER, BE IT RESOLVED, that the attached conditions, maps, and other information shall become part of this permit and approval; and in granting this permit the City and the applicant agree that this permit shall become null and void if the project has not been completed within one (1) calendar year after the approval date, subject to petition for renewal of the permit. Further, the permit is 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:

CONDITIONS:

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.

Passed this 6th day of April 6, 2021.

Offered by:

Seconded by:

Roll Call:

Ayes:

Abstain:

Chair

Alicia Apanah, Secretary