

Staff Report for Special Event Permit
March 13, 2012
City Commission

SE-2-6-12: Special Event Permit requested for Final Four merchandise tent sale at 2300 Louisiana Street (Checkers) from March 24th through April 8th, 2012. Submitted by Gene Wayenberg, Sun Creation, with permission of 2300 Louisiana Co, LLC, property owner of record.

GENERAL INFORMATION

Current Zoning and Land Use	CS (Commercial Strip) District; grocery store, <i>food and beverage sales</i>
Surrounding Zoning and Land Use	CS (Commercial Strip) District to the west, gas station/convenience store, <i>gas and fuel sales and personal convenience</i>
	CN2 (Neighborhood Commercial) District to the east; auto part sales, <i>general retail</i>
	PCD (Planned Commercial Development) District to the north; drugstore, <i>general retail</i>
	RS7 (Single-Dwelling Residential) District to the south; single family homes, <i>detached dwellings</i> .

STAFF REVIEW

A Special Event Permit has been requested to allow Sun Creations to hold a Final Four tent sale in Checkers parking lot at 2300 Louisiana Street. Similar events have been held in this location in the past; however, 4 administrative permits have been approved for this property for this calendar year so this special event permit requires approval of the City Commission.

This event meets the definition of a Type 3 event as defined in the City Code since it contains outdoor commercial activities intended to sell, lease, rent or promote specific merchandise or services.

An approved site plan for 2300 Louisiana [SP-10-73-99] shows that parking in excess of that required for the grocery store is provided on the site. Per the site plan, 298 parking spaces are shown. Per Section 20-902 of the Development Code a *food and beverage* use requires 1 parking space per 300 gross sq ft. The most recent approved site plan for the subject property shows the gross area of the grocery store as 53,668 sq ft. 179 parking spaces are required by Code. The 2009 City aerial photograph indicates that approximately 10 spaces along the north property line are being utilized for various drop-off/collection boxes (Figure 1). A special event for Kaw Valley Greenhouse sales has been approved for this location from April 1st through June 30th. The greenhouse sales event will utilize 48 parking spaces and 61 excess parking spaces remain on the site. The Final Four tent sale will utilize approximately 10 parking spaces. The amount of parking available on-site is adequate to accommodate this special event in addition to the greenhouse sales.

The event is proposed to occur 7 days a week from 9 am to 9 pm, which is similar to the operating hours of the surrounding properties. Items will be displayed within a 20 ft x 40 ft tent. The tent must comply with the International Fire Code. Prior to the release of the Special Event Permit, the applicant shall obtain the Fire Code Official's approval of the proposed structures. Additional conditions may be placed on the permit at the Fire Code Official's recommendation.

The applicant has applied for a temporary sign permit to Development Services. As the applicant has provided a State of Kansas Sales Tax ID Number, a transient merchant license is not necessary.

Adequate parking is being provided and the proposed hours of operation are similar to the operating hours of adjacent properties. This Final Four sales event will overlap with the greenhouse sales event for approximately 8 days; however, the site has adequate parking to accommodate both events. The event should not create any negative impacts to surrounding properties.

Recommendation: Planning Staff recommends approval of the Special Event Permit SE-2-6-12 for a Final Four Tent Sale at 2300 Louisiana Street from 9 am to 9 pm from March 24th through April 8th subject to the following conditions:

1. The Special Event Permit must be displayed on site during hours of operation.
2. A temporary sign permit must be obtained from Development Services for any signage.
3. Any structures must be removed within 24 hours after the cessation of the event.
4. Cars, trucks, vans, trailers may not be used for sale of merchandise.
5. Vehicles used for storage of merchandise for event may only be on site during the approved hours of operation.
6. A 25' wide traffic aisle width shall be maintained during sale. No items shall be displayed within the traffic aisle.
7. Display area, tent or structure may not be within 25' of public right-of-way.
8. The tent must meet the International Fire Code and be approved by the Fire Code Official, before the Special Event Permit will be issued to the applicant. Any conditions required by the Fire Code Official shall be added to the Special Event Permit.

Contact information for Fire Code Official:

Christopher King: 785-832-3174 cking@lawrenceks.org

Jim King: 785-830-7003 jking@lawrenceks.org

9. Smoking is not permitted in tents or membrane structures. 'No Smoking' signs shall be conspicuously posted and enforced.
10. Open flame or devices emitting flame, fire or heat or any flammable or combustible liquids, gas or other cooking device shall not be permitted inside or located within 20 ft of the tent or membrane structures while open to the public.
11. 2A10BC Portable fire extinguishers shall be provided on site.

12. Two exits must be provided as well as exit signs and emergency lighting for enclosed tents, tents with walls rather than canopy tents.
13. Tents over 200 sq ft shall be located farther than 20 ft from buildings or structures.

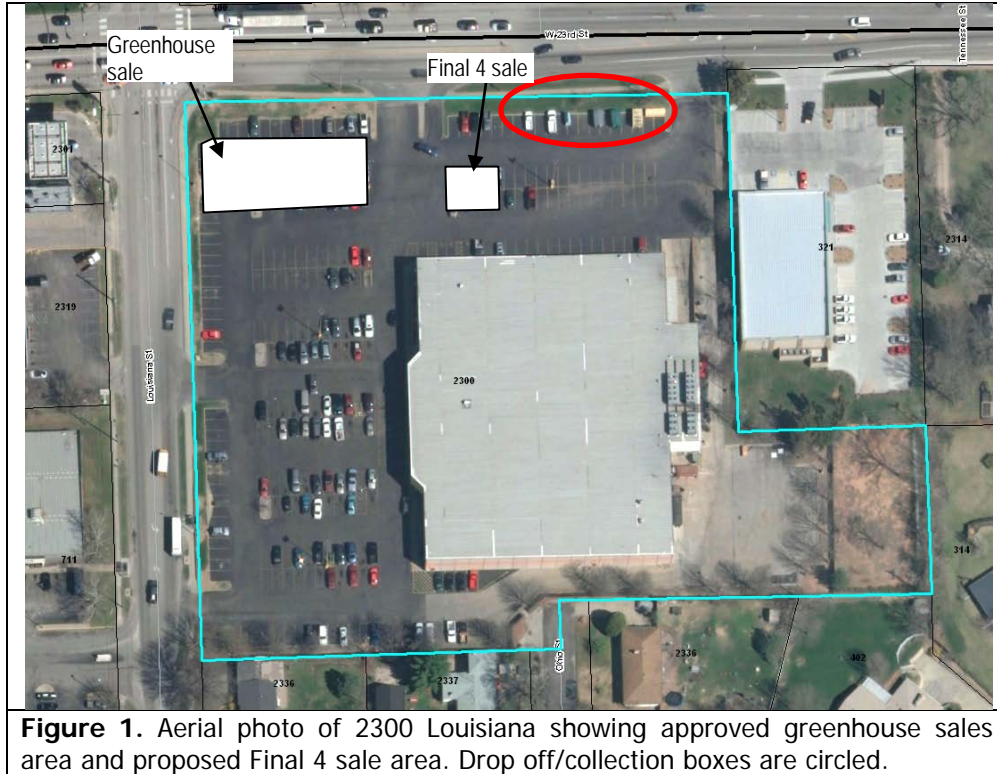


Figure 1. Aerial photo of 2300 Louisiana showing approved greenhouse sales area and proposed Final 4 sale area. Drop off/collection boxes are circled.