

**Special Event Permit
September 22, 2009
Consent Agenda**

SE-3-32-09: A Special Event request for a haunted house located at 1803 W 6th Street. Submitted by Fraternal Order of Eagles # 309, property owner of record.

GENERAL INFORMATION

Current Zoning and Land Use: RSO (Single-Dwelling Residential-Office) District; lodge, fraternal and civic assembly.

Surrounding Zoning and Land Use: CS (Commercial Strip) District to the north; commercial uses.

RM24 (Multi-Dwelling Residential) District to the west; multi-dwelling residences.

RMO (Multi-Dwelling Residential-Office) District to the east; multi-dwelling residences.

RS7 (Single-Dwelling Residential) District to the south, across W 7th Street; large lot single family residences.

Recommendation: Planning Staff recommends approval of the Temporary Special Event for a haunted house at 1803 W 6th Street on the following dates and times:

October 27-29 (Tuesday through Thursday) from 7 pm to 11 pm

October 30 (Friday) 7 pm to 12 am

October 31 (Saturday) 11 am to 4 pm and 7 pm to 12 am

subject to the following conditions:

1. The Special Event Permit will be issued following approval of the haunted house plans by the Fire Inspector.
2. The haunted house must be inspected and approved by the Inspector prior to operation; notification of the approval must be provided to the Planning Office.
3. The Special Event Permit must be displayed on site during hours of operation.
4. Temporary sign permit must be obtained from Development Services for proposed temporary signage.
5. Any structures must be removed within 24 hours after the cessation of the event.
6. No structures or display areas may be located within 25' of the E 6th Street right-of-way.
7. The applicant shall provide trash receptacles or other sanitation provisions as needed
8. The applicant shall provide 5 security personnel for the parking areas and 2 for the interior of the haunted house.
9. Cars, trucks, vans, or trailers may not be used for sale of merchandise.
10. Maintain a 25' wide traffic aisle width during sale. Do not display items within the traffic aisle.

STAFF REVIEW

A Temporary Special Event Permit has been requested to allow for a portion of the Eagles

building at 1803 W 6th Street to be used as a haunted house. The applicant, the Fraternal Order of Eagles # 309, indicated that this is a fundraising event to benefit the Oncology Department of the Lawrence Memorial Hospital.

Article 15 of Chapter 6 of the City Code regulates Temporary Special Events. Per Code, a Type 1 Special Event Permit [fundraising or non-commercial events for nonprofit religious, education or community service organizations] do not require a Special Event Permit if they meet certain criteria. One criterion is that the event be restricted to operating between 8 am and 9 pm. As the haunted house proposes to be open past 9 pm a Special Event Permit is necessary.

The Code lists criteria which must be met for a Special Event Permit to be approved administratively. As this is the first time a haunted house has been held on this property, the haunted house operates until 11pm or midnight each night and the property borders residential areas; it is possible it could have a negative impact on surrounding properties. Therefore, the Special Event Permit does not meet the criteria for administrative review and must be approved by the City Commission.

The proposed event will occur on October 27th through the 31st. The hours vary, with the hours of operation ending at 11 pm during the week and extending to midnight on Friday and Saturday.

The subject property is developed with the Eagles Lodge which was approved with a Use Permitted upon Review [UPR-4-3-90] in 1990. The haunted house will be contained within the Eagles building. Tables will be set up near the entrance with Halloween merchandise for sale. Adequate parking is available for this event, as the approved site plan for the Eagles indicates that 45 parking spaces are required and 141 are provided. The applicant indicated that the parking lot is well lit. As the event will be located within the Eagles structure, noise is not anticipated to negatively impact the nearby residential properties. The Eagles indicated they will have their own security staff including 5 personnel for the outside areas and 2 for the interior. The Special Event Permit request was forwarded to the various City Departments for review who indicated they had no concerns with the event; however, the haunted house must be inspected and approved by the Fire Inspector prior to operation. The Special Event Permit will be provided to the applicant following the Fire Inspector's approval of the plans with the condition that the Fire Inspector shall inspect and approve the haunted house before it may operate.

Any signs associated with the event must be compliant with the sign regulations. Approval of this Special Event does not include sign approval. A separate application for signs should be made to the Development Services as applicable to the event.

The event should have no, or very minimal, negative impact on neighboring properties as the Order of the Eagles has adequate parking in a well-lit parking area and will have their own security personnel. In addition, the haunted house itself will be contained within the structure.