

**Special Event Permit  
April 6, 2010  
Consent Agenda**

**SE-03-12-10: Special Event Permits** requested for a Country Produce tent sale at the Sears parking lot, 2727 Iowa Street from July 10 through August 15, 2010.

**GENERAL INFORMATION**

Current Zoning and Land Use	CS (Commercial Strip) District; Sears store and parking lot.
Surrounding Zoning and Land Use	CS (Commercial Strip) District to the north, east, and south; existing retail and office uses.  RM12 (Multi-Dwelling Residential) District to the west; multi-dwelling residences.

**STAFF REVIEW**

Special Event Permits have been requested to allow a country produce tent sale to occur in the Sears parking lot at 2727 Iowa Street from May 15th through August 12th, 2010.

Article 15 of Chapter 6 of the City Code regulates Temporary Special Events. Per Code, a Special Event Permit is valid for 14 continuous days. Four Special Event Permits may be approved administratively for a site per year provided the criteria listed in Article 15 are met; any additional permits for a site require approval by the City Commission. Four administrative permits have been administratively approved for the tent sale; therefore the additional days requested (July 10 through August 15) have been referred to the City Commission.

A site plan has been approved for 2727 Iowa [SP-3-16-90] which indicates that parking in excess of that required for the Sears store is provided on the site. The event will last from 9 am to 7 pm which is similar to the operating hours of the surrounding properties. A similar event was held in this location without incident in the summers of 2007, 2008, and 2009.

The sale location, figure 1, is at the eastern edge of the parking area and is separated from the residential property by the Sears parking lot and store. The event will be set back the required 25' from the right-of-way. The applicant will use a 20' x 30' tent for the sale and Fire Code requires that it be located more than 20 feet from any building. The location shown in Figure 1 meets these requirements.

The applicant has been informed that applications for a temporary sign permit and a Transient Merchant License must be submitted to the Development Services Department and City Clerk's Office respectively.

**Recommendation:** Planning Staff recommends approval of a special event for a tent produce sale in the Sears parking lot at 2727 Iowa from 9 am to 7 pm from July 10<sup>th</sup> through August 15th subject to the following conditions:

- a. Special Event Permit must be displayed on site during hours of operation.
- b. Temporary sign permit must be obtained from Development Services if temporary signage is to be used.

- c. If event is held on property the event operator does not own, a transient merchant license must be obtained from the City Clerk's office. 785-832-3308
- d. Maintain 25' wide aisle width during sale. Do not display items within the traffic aisle.
- e. Display area, tent or structure may not be within 25' of public right-of-way
- f. Any structures must be removed within 24 hours after the cessation of the event.
- g. Cars, trucks, vans, trailers may not be used for sale of merchandise.
- h. Vehicles used for storage of merchandise for event may only be on site during the approved hours of operation.
- i. Trash receptacles or other sanitation provisions, as needed
- j. Tent must be certified flame retardant. (label on tent or paperwork available for inspection).
- k. 2A10BC portable fire extinguisher must be provided.
- l. "No Smoking" signs must be posted and enforced.
- m. No open flame within the tent.
- n. Per Fire Code, tents over 200 sq. ft. must be located further than 20' from buildings or structures.

