

**Special Event Permit
July 19, 2011
Consent Agenda**

SE-8-23-11: A Special Event Permit requested by Salty Iguana for a KU Football pep rally in the parking lot located at 4931 W 6th Street. The event will include games, vendors and live music from 5 PM to 11 PM on September 1, 2011.

GENERAL INFORMATION

Current Zoning and Land Use	PCD [Colonial NE/NW] (Planned Commercial Development) District; retail uses
Surrounding Zoning and Land Use	<p>To the west: RMO (Residential Multi-Dwelling Office) District; commercial parking lot.</p> <p>To the south: PRD-[Colonial Place] (Planned Residential Development) District; duplex dwellings.</p> <p>To the east: other properties in the Colonial NE/NW PCD District with restaurant and retail uses. To the east of the Colonial NE/NW Development, PCD-[Westgate] (Planned Commercial Development) District; Wakarusa Drive right-of-way and commercial uses.</p> <p>To the north: PCD-[Bauer Farm] (Planned Commercial Development) District; W 6th Street right-of-way and commercial uses.</p>

STAFF REVIEW

Article 15 of Chapter 6 of the City Code regulates Temporary Special Events. Per Code, a Type 5 Special Event Permit includes, "Public events intended primarily for entertainment or amusement, such as concerts or festivals." A Type 5 Special Event requires approval of the City Commission.

The applicant, Salty Iguana, is proposing to hold a KU football pep rally on September 1st from 5 PM to 11 PM in the parking lot at 4931 W 6th Street. Activities will include food vendors, games, KU pep band, and other live music. The food vendors will be businesses located within the commercial center: McDonalds, Salty Iguana, and Famous Dave's Barbeque.

The shopping center hosts a Farmer's Market on Thursdays and the market will run concurrently with the pep rally. The Farmer's Market will be relocated to an area east of the buildings, while the pep rally will be located to the northeast. (See Figure 1) The perimeter of the event area will be fenced with temporary fencing to maintain the required 25 ft separation from the right-of-way and to prevent vehicular traffic, with the exception of the Farmer's Market vehicles.

A stage will be installed for guest speakers and live music. Tables will be located throughout the parking area. Food vendors will use 20 ft x 30 ft canopy tents. The tents 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. Excess parking is available on site. 275 parking spaces are required for the shopping center, per the Final Development Plan, and 502 parking spaces were provided resulting in an excess of 227 parking spaces. The event itself will utilize approximately 130 of these parking spaces.

The event area is adjacent to the Salty Iguana store and they will be the only business selling alcohol at the event. Approval from the Kansas Division of Alcohol Beverage Control is required for Salty Iguana's extension of premises. Access points into the event area will be provided for patrons and staff will be on hand to insure alcoholic drinks are not leaving the area.

Recommendation: Planning Staff recommends approval of a Special Event Permit for a KU football pep rally in the parking lot at 4931 W 6th Street from 5 PM to 11 PM on September 1st subject to the following conditions of approval.

- a. The Special Event Permit must be displayed on site during hours of operation.
- b. A temporary sign permit must be obtained from Development Services if temporary signage is to be used.
- c. The event may not be located within 25 ft of the right-of-way.
- d. Approval of extension of premises from the Kansas Division of Alcohol Beverage Control.
- e. Temporary fencing shall be provided around the perimeter of the event area.
- f. The applicant shall provide trash receptacles or other sanitation provisions as needed.
- g. Any structures must be removed and site returned to pre-event status within 24 hours after the cessation of the event.

Conditions related to tents:

- h. The tent or other membrane structure must meet the International Fire Code and be approved by the Fire Code Official.
- i. A 2A10BC portable fire extinguisher must be provided.
- j. "No Smoking" signs must be posted and enforced.
- k. 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.



Figure 1. Salty Iguana KU football pep rally layout.