



CITY COUNCIL AGENDA ITEM

REQUESTED COUNCIL MEETING DATE 11/06/07

SUBJECT: MINOR SPECIAL EVENT REQUEST – LOWE'S HOME CENTER
1751 DUNLAWTON AVENUE

DEPARTMENT: COMMUNITY DEVELOPMENT

RECOMMENDED MOTION:

To approve the Special Event request for Lowe's Christmas Tree Sale at 1751 Dunlawton Avenue, subject to twelve (12) conditions outlined in the attached staff report.

SUMMARY:

We have received a Minor Special event request from Rob Gross, Manager of Lowe's Home Center, located at 1751 Dunlawton Avenue, to erect a tent for their Christmas Tree Sale in the parking lot. The requested dates for the sale are November 17, 2007 through December 30, 2007, for a total of forty-three (43) days. The requested times are to be the same as the present store hours. This is the first event requested for this property in 2007. Please note that this request qualifies as a Minor Special Event but needs City Council approval due to the requested length of time for the event.

ATTACHMENTS: Ordinance Resolution Budget Resolution

Other Support Documents/Contracts Available for Review in Manager's Office

DEPARTMENT HEAD

Wayne Clark, Director

Date

10/23/07

FINANCE DEPARTMENT

N/A

Approved as to Budget Requirements

Date

CITY ATTORNEY

N/A

Approved as to Form and Legality

Date

CITY MANAGER

Approved Agenda Item For:

11/6/07

COUNCIL ACTION:

Approved as Recommended

Disapproved

Tabled Indefinitely

Continued to Date Certain

Approved with Modification:



DEPARTMENT OF COMMUNITY DEVELOPMENT

MEMORANDUM

TO: AARON POOL, COMMUNITY IMPROVEMENT MANAGER *[Signature]*
FOR: KENNETH PARKER, CITY MANAGER
FROM: DEBORAH FAIRCLOTH, CODE COMPLIANCE INSPECTOR *[Signature]*
SUBJECT: MINOR SPECIAL EVENT REQUEST – LOWE'S HOME CENTER
1751 DUNLAWTON AVENUE
DATE: October 24, 2007

Please schedule this item for City Council consideration on November 6, 2007.

Overview

Attached is a copy of a letter of request and a site plan submitted by Rob Gross, Manager of Lowe's Home Center, for a Special Event Christmas Tree Sale to be held at 1751 Dunlawton Avenue. The requested dates for the forty-three (43) day sale are from November 17, 2007 through December 30, 2007. The sale hours will be the same as the store hours. These dates include days before and after the sale for erecting and dismantling the tent and sale area.

Mr. Gross has submitted a temporary building permit application for a 40' x 60' tent which will be placed in the parking lot adjacent to the Garden Center. Please see the attached site sketch indicating the placement of the tent.

Driving lanes will remain unobstructed. Customers will pick out their trees then purchase them from the Garden Center. They will then drive to the tent area to have their trees loaded into their vehicles.

Discussion

The Community Development, Police and Fire Departments have reviewed the subject proposal. The applicant's proposal is identical to those of past years and comments from each Department are included in the conditions listed below.

The one (1) 40' x 60' flame resistant tent is proposed to display the Christmas trees out of the direct sunlight. Temporary lighting will be provided by existing light poles in the parking area and restrooms will be available for customer care inside the store.

Special Note

Staff has noted the good performance of the applicant in regards to clean up after previous events, therefore, we have recommended that the surety bond fee be waived.

Recommendation

Staff recommends **approval** of this Minor Special Event, subject to the following conditions:

1. Hours of operation for the event shall be the same as the normal store hours.
2. Tents used in conjunction with this event shall comply with the requirements set forth in NFPA #102 Standards for Tents and Membrane Structures. Tents or canopies must be removed within twenty-four (24) hours after the duration of the event. All tents/canopies must maintain of at least 44" in width in an unobstructed fashion to allow for a continuous path of travel.
3. If any outdoor lighting or other structural features are to be installed in association with this event, the applicant shall obtain the proper Building Permits from the Community Development Department. Such lighting must be a minimum of twenty (20) foot candles in power to provide a safe environment at night. All temporary lights must be shielded to protect against breakage.
4. A Temporary Structure Building Permit must be obtained for the 40' x 60' tent proposed for this event. (permit has been submitted)
5. Fire Extinguishers shall be provided as outlined in accordance with the NFPA #10 Standard for Portable Fire Extinguishers. (A fire extinguisher with current certification tags from a fire equipment company must be mounted near each exit).
6. All exits and means of egress shall remain accessible and unobstructed and it shall be the responsibility of the applicant to maintain access for emergency vehicles.
7. All areas being used for this function shall be handicapped-accessible. Handicapped parking is to remain open and accessible for this event. Vehicles areas, included parking, shall be physically separated from pedestrian areas.
8. Tripping hazards shall be removed or isolated from pedestrian traffic.
9. A temporary sign permit shall be required for the one (1) banner permitted for this event.
10. Any trees or landscaping that is affected by this event shall be replaced.
11. The applicant shall contact the Community Development Department and the Building Inspection Hotline (386-506-5603) to schedule an inspection of the tent prior to the start of the event to ensure that the tent is well secured and that all other safety measures are in place.
12. It is the applicant's responsibility to contact the Community Development Department for an inspection of debris removal within 48 hours after the event. Failure to properly remove debris and restore site to its original condition could require the deposit of a surety bond on any future permits.

Attachments

cc: Chris Weir, Fire Marshal
Sgt. Chris Besuden, Police Dept.
Applicant



CITY OF PORT ORANGE

Department of Community Development

RECEIVED

OCT 23 2007

DATE APPLICATION RECEIVED:

10/23/07

PERMIT NO.:

APPLICATION RECEIVED BY:

DJP

1000 CITY CENTER CIRCLE, PORT ORANGE, FLORIDA 32129 (386) 506-5600 FAX: (386) 506-5699

SPECIAL EVENT PERMIT APPLICATION

(City Ordinance No. 1998-61 & Fee Resolution No. 98-45)

Name of Business/Organization Hosting Event: LOWE'S of Port Orange.
 Event Site Address: 1751 Dunlawton Ave.
 Event Contact Person: Robert Gross
 Address: SAMC Phone: 386-788-8566

SPECIAL EVENT APPLICATION REQUIREMENTS

Application must be submitted at least forty five (45) days in advance of the requested event and must include the following documents:

1. A letter of request outlining the complete event details (e.g. the proposed location and description of the event, days and hours proposed, types of temporary structures or use of temporary electrical power, number of port-o-lets proposed (if any), security, number and types of vendors, general description of the kinds of proposed activity such as musical entertainment, egg wrestling or any other activity associated with the event, special signage and any other devices necessary to maintain public safety).
2. A sketch specifying the location and contour of the special event area, pedestrian access, number and location of the vendor display areas, barricade locations, special signage locations, traffic and parking patterns (include handicap accessibility), location of port-o-lets, location of outdoor music or other devices necessary to maintain public safety.
3. Proof of ownership, or written lease or notarized authorization from the owner of the property designated for the special event.

Note: Event must be approved by City Council. Staff will advise on Council meeting date and time. If there are outstanding code violations on site, application will be denied. Any temporary exterior wall sign or banner sign requested requires a separate sign permit, as per the Land Development Code, Chapter 15, Section 5(b)(c).

PERMIT FEES

MINOR SPECIAL EVENTS
(Seven days or less)

\$100.00

(Seven days or less) or

\$300.00

MAJOR SPECIAL EVENTS

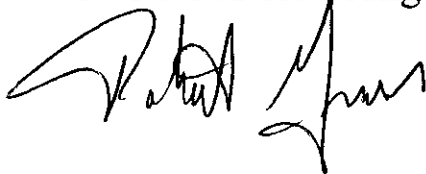
(More than seven days)

\$500.00

Please accept this request on behalf of Lowe's of Port Orange in asking the City Counsel to waive the 45 day waiting period to authorize the use of a tent in our parking lot to display and store Christmas trees.

The tent, if approved, would measure 40ft. X 60ft. with all the applicable rating in order to approve the permit. The tent would be located in the garden side parking lot on the north end of the building. There would be no obstruction of existing lanes. The tent would only house live cut Christmas trees selected and picked up by our customers. Our customer would purchase the trees inside our garden center and drive around to pick up their pre-selected tree. We will provide temporary lighting from the existing light poles in the above mentioned parking lot, with bathroom facilities inside the main building. This temporary display area would have Lowe's personnel attending customer during all hours of operation. The duration of time needed for this temporary tent would be from November 17th through December 30th. A copy of the site plan showing the tent in relationship to the store is provided. We would appreciate any consideration on such short notice.

Sincerely,
Robert J. Gross
General Manager
Lowe's of Port Orange.

A handwritten signature in black ink, appearing to read "Robert J. Gross", written in a cursive style.

Fenced Area



1751 Dunlawton Ave.
Port Orange, FL 32127
Phone: 904-788-8566
Fax: 904-788-4838

EXIT

Entrance

umber
AMOPY

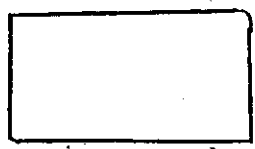


Sidewalk Area

Drive

Garden Center

Fenced



40 x 60
TENT

Parking