

CITY COUNCIL AGENDA ITEM

REQUESTED COUNCIL MEETING DATE 10/20/09

SUBJECT: SPECIAL EVENT REQUEST
PORT ORANGE/SOUTH DAYTONA ROTARY CLUB

DEPARTMENT: COMMUNITY DEVELOPMENT

RECOMMENDED MOTION:


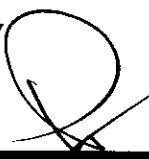
To approve the Special Event request for The Port Orange/South Daytona Rotary Club to be held at the former K-Mart store in the Dunlawton Square Shopping Center, subject to fifteen (15) conditions outlined in the attached staff report.

SUMMARY:

The Port Orange/South Daytona Rotary Club is requesting a Special Event permit to present their annual Christmas tree sale. The requested dates for the sale are November 24, through December 26, 2009 for a total of thirty-two (32) days. The requested times for the sale are from 8:00 a.m. until 10:00 p.m., daily. The sale is proposed for the grassy area between the former K-Mart store and Dunlawton Avenue at the Dunlawton Square Shopping Center. One double-sided 4' x 8' sign has also been requested for the event and an application has been submitted. This is the 3rd event requested for the K-Mart property in 2009 and their total amount of Special Event days will be consumed with this event. 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 10/7/09
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:	10/20/09

COUNCIL ACTION: Approved as Recommended Disapproved

Tabled Indefinitely Continued to Date Certain

Approved with Modification:

OUTDOOR SPECIAL EVENT – PORT ORANGE/SOUTH DAYTONA ROTARY CLUB
DUNLAWTON SQUARE SHOPPING CENTER

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In years past, a motor home has been placed at the site. It is used to provide shelter during cold or inclement weather. If the motor home is used this year, it must be situated so as not to interfere with the normal flow of traffic through the shopping center parking lot. The Fire Department in past years has noted that a twenty (20') foot vehicle access must be maintained in this area at all times.

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 Outdoor Special Event, subject to the following conditions:

1. Hours of operations for the event shall be from 8:00 a.m. to 10:00 p.m., daily, with outdoor lighting provided.
2. Tents used in conjunction with this event shall comply with the requirements set forth in NFPA #102 Standards for Tents and Membrane Structures. The tent shall be properly anchored and all trip hazards shall be removed to maintain proper access around all pedestrian areas. The tent shall have at least two (2) unobstructed exitways to allow for a continuous travel path and a flame resistant certificate for the tent shall be present for the Fire Marshal's inspection.
3. Canopies used in association with a temporary event cannot be erected more than forty-eight (48) hours prior to the event, and must be removed within twenty-four (24) hours after the event has ended.
4. Portable fire extinguishers shall be provided 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).
5. A permit shall be required and obtained by a properly licensed contractor for any electrical work performed in connection with this event. Any such electrical work shall comply with the requirements set forth in Article 590 of the current adopted NFPA #70 National Electrical Code. All temporary lamps shall be protected from accidental contact or breakage by a suitable fixture or lampholder with a guard.
6. All areas being used for this function shall be handicap accessible. Handicap parking is to remain open and accessible for this event.
7. The motor home used during this event shall be placed so as not to interfere with the normal flow of traffic through the shopping center parking lot.
8. With the closure of K-Mart where public facilities were available, the applicant shall provide port-o-let facilities that shall comply with section 4.22 or 4.23 of the Florida Accessibility Code, i.e. must be handicapped-accessible.
9. A temporary sign permit shall be required for the one (1) sign allowed for this event.
10. All exits and means of egress shall remain accessible and unobstructed. Additionally, all exits shall be designated so by signage.

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11. It shall be the responsibility of the owner to maintain access for emergency vehicles.
12. A temporary structure-building permit is required for the 40' x 40' tent. Application has been submitted.
13. NO SMOKING signage shall be posted within the confines of the tent.
14. 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 ell secured and that all other safety measures are in place.
15. 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.

If you have any questions or comments, please advise.

DJF/df

Attachments

DISTRIBUTION LIST

Chris Weir, Fire Marshal

Sgt. Chris Besuden, Police Dept.

Applicant

File



CITY OF PORT ORANGE

Department of Community Development

DATE APPLICATION RECEIVED:

09/28/09

PERMIT NO.:

APPLICATION RECEIVED BY:

DJF

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: Port Orange / So. Daytona Rotary Club
 Event Site Address: 3813 Nova Rd, Port Orange
 Event Contact Person: D. S. Patel
 Address: P.O. Box 2042, OB, FL 32125 Phone: 386-679-0322
 Email: DSPatel1@min.com

SPECIAL EVENT APPLICATION REQUIREMENTS

Application for **Major Special Events** must be submitted at least **forty-five (45)** days in advance of the requested event. **Minor Special Events** must be submitted at least **seven (7)** days in advance.

A **Major Special Event** is a special event which, by itself or in conjunction with other events occurring during the same time (such as during a community wide special event), is likely to have a major impact on the community, including but not limited to factors such as traffic, noise, or other aspects of public health, safety and welfare. **Major Special Events** must be approved by City Council. Staff will advise on Council meeting dates and times. If there are outstanding code violations on site, the application will be denied.

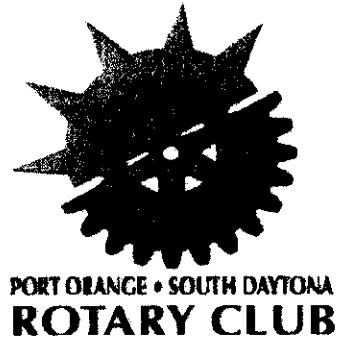
A **Minor Special Event** is any special event other than a major special event that has a minor impact on the community and does not require additional city resources such as public safety or public works personnel.

Required Documents:

1. A letter of request.
2. A sketch of the event layout on the property.
3. Proof of ownership.
4. Completed application checklist (attached).

PERMIT APPLICATION FEES

- MINOR SPECIAL EVENTS** (Seven days or less)
\$100.00
- MAJOR SPECIAL EVENTS** (Seven days or less)
\$300.00
- MAJOR SPECIAL EVENTS** (More than seven days)
\$500.00



September 23, 2009

Dear Port Orange City Council:

The Rotary Club of Port Orange/South Daytona requests permission to sell Christmas Trees from November 24 through December 26, 2009. A flame resistant tent 40'X40' will be erected on the grassy lot adjacent to the former K-Mart store on the corner of Dunlawton Avenue and Nova Road with the tent being set up 5 days prior to the 24th of November.


The lot will be in operation from 8 a.m. to 10 p.m. daily and parking will be allowed in the 10 spaces in the parking lot closest to the tent. There will be no parking or access from Dunlawton Avenue

Our club has been selling trees at this location for roughly 11 years and the proceeds we raise help support our Student Athlete Scholarship program, support for the Port Orange YMCA, poinsettias for the elderly during the holidays, and our Foster Children Christmas program where we provide gifts to over 500 youths in the area.

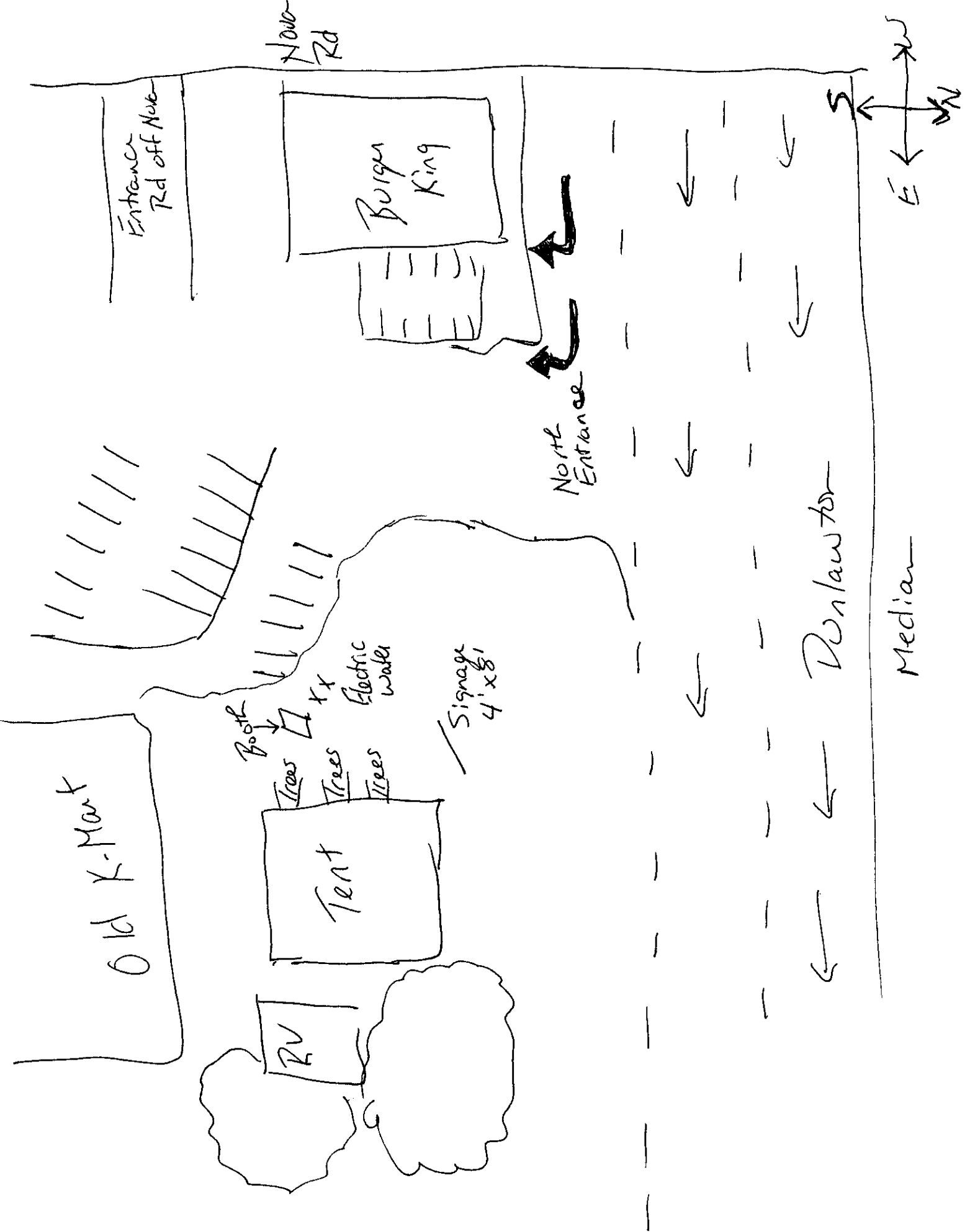
We could not complete this project without the support of the property owner and the City of Port Orange to allow the use of this space. We look forward to your continued support for the 2009 season and future years to come.

Thank you for your time and consideration.

Sincerely,


Dahyabhai Patel
Rotarian Project Coordinator
Fund Raising chairman

SERVICE ABOVE SELF - HE PROFITS MOST WHO SERVES BEST
PO. BOX 290011- PORT ORANGE, FL 32129
MEETS TUESDAYS AT 12:15 PM - TAVERN IN THE GARDEN -
5123 S. RIDGEWOOD AVE. - PORT ORANGE, FL 32127



FAXED
10/4/09



~~VIA FAX: 386-236-1089~~

386-788-5119

HOLUB
DEVELOPMENT

October 5, 2009

Severt Brothers Tree Farm, LLC
3725-B State Road 15
St. Augustine, FL 32090

RE: 3813 South Nova Road, Port Orange, FL
K-Mart Store - Christmas Tree Fund Raiser

To Whom It May Concern:

The Rotary Club of Port Orange/South Daytona has permission to use the grassed lot adjacent to the former K-Mart store on Dunlawton Avenue to sell Christmas trees for their fundraiser which supports the local community.

Permission is given subject to the following conditions:

1. Rotary Club and/or Severt Brothers Tree Farm, LLC shall be responsible for any permits required.
2. The property shall be maintained and returned to its original condition.
3. All utilities, including electricity shall be the responsibility of the Rotary Club.
4. Receipt of the original certificate of insurance covering the premise with Dunlawton/Nova Investors, LLC as Certificate Holder for the time frame from November 15, 2009 through December 30, 2009.

Please note that the current insurance certificate we received expires October 10, 2009.

Please have the enclosed acknowledged and agreed to by the Managing Member of Severt Brothers Tree Farm and the Director of the Port Orange/South Daytona Rotary Club.



Sincerely,

[Handwritten signature of Paul F. Holub, Jr.]

Paul F. Holub, Jr.
Managing Member
Dunlawton/Nova Investors, LLC

Acknowledged and Agreed to by:

[Handwritten signature]
Witness 10-7-09

[Handwritten signature]
Witness 10-7-09
D.S. PATEL

[Handwritten signature]
Name: *[Handwritten: Greg Severt]*
Title: *[Handwritten: Vice President]*
Severt Brothers Tree Farm, LLC

[Handwritten signature]
Name: *[Handwritten: Gregory Bartholomew]*
Title: *[Handwritten: President]*
Rotary Club of Port Orange/S. Daytona

c: File