

1. SPECIAL EVENT PERMIT NO. 2010-394 - Vicinity of the northeast corner of 167th Street and Antioch Road

GENERAL COMMENT: After filing the application, the applicant determined that the proposed concept of providing all off-site parking for the event was not logistically or financially feasible. They have updated their event plan to provide the majority of the parking on-site. Details about the on-site parking have been received by staff but have not been fully reviewed. Staff will report orally on the updated information at the City Council meeting.

1. **APPLICANT:** Robbie Small is the applicant for this request.
2. **REQUESTED ACTION:** The applicant is requesting special event permit approval to allow a balloon festival.
3. **LOCATION:** The subject property is a 293-acre undeveloped tract at the northeast corner of 167th Street and Antioch Road.
4. **EXISTING ZONING:** This property is currently zoned CP-2, Planned General Business District, CP-O, Planned Office Building District, RP-6, Planned High-Rise Apartment District, and PRN, Planned Residential Neighborhood District.
5. **ANALYSIS:** The applicant is requesting approval of a special event permit from September 17 to September 19, 2010 for the Great Midwest Balloon Fest. The festival will feature 35 to 50 hot air balloons in flight, participating in various competitive activities (see Section V – Types of Operations, Operations Manual, attached) and in a balloon glow on each evening. Balloons will take-off and land from the balloon site and off-site locations. The balloonists are responsible for securing permission for off-site locations. Additional activities on-site will include food and craft vendors, an artist tent, an entertainment stage and a children’s area with inflatable devices. The event coordinators are anticipating a crowd of up to 50,000 spectators over the course of the three-day event. The event is free to the public and will benefit the American Stroke Foundation, Kansas City Hospice and Palliative Care and the Boys and Girls Clubs of Greater Kansas City.

The balloon activities are being coordinated by Kansas City AeroSports and Balloon Syndicate. These two companies will provide event officials, including a safety officer and a weather officer. Each pilot participating in the event must meet minimum qualification and experience requirements. The event and its participating pilots are subject to the FAA requirements for Currency and Airworthiness Standards and the official rules of the

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Balloon Federation of American Competition Committee Rules, January 2001. The attached Operations Manual outlines additional details regarding the balloon activities.

Parking for the event will be both on- and off-site. Three on-site parking areas have been identified on the site for approximately 5,000 vehicles. Access to the parking areas will be from Antioch Road, an improved thoroughfare with sidewalks on both sides of the street and 159th Street, an unimproved thoroughfare with no sidewalks. The on-site parking area is currently a soybean field. Modifications to the current condition of the field in order to allow parking will be required. Details regarding the proposed modifications are not yet known. The event organizers are currently negotiating with a parking company to handle the car parking. A concept layout of the on-site parking areas will be required and field staking will be necessary.

Two access points are proposed off of Antioch for on-site parking areas. The southern access point will not align with the existing median break at 165th Street due to the grade on the event site. This access will be located south of the median break and will only be accessible by north bound traffic. The northernmost access on Antioch will align with the access drive to the Blue Valley West High School. There are no cuts in the curb along this section of Antioch; therefore, an alternative means of entering the site over the curb will be required. The applicant has indicated that wooden ramps will be provided.

Access into the site from 159th Street is proposed at an existing curb cut east of Lowell Avenue. A second curb cut is located across from Lowell Avenue but is not proposed to be used. The parking area off of 159th Street is separated from the event activities by a designated stream corridor. The applicant is proposing to direct pedestrians along 159th Street to Antioch and south to the event entrance. The terrain of the site and the lack of public sidewalk along 159th Street create concerns for staff in routing pedestrians safely to the event site. Details of the access plan will continue to need refinement. It is possible that some on-site improvements will be necessary.

Parking off-site will be available at Blue Valley West High School, Grace Baptist Church and South Creek Office Park, subject to property owner permission. Shuttles will only be provided for parking at South Creek Office Park. All other parking locations are within walking distance of the event site. Shuttle drop-off and pick-up at the site will be just north of

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167th Street along the Antioch frontage. Shuttles will circulate north on Antioch to avoid the need for any U-turn movements.

Event Parking Summary

Location	Condition	Access to event site	Number of spaces*
Blue Valley West High School – 16200 Antioch	Paved	Walking; public sidewalk	500
Grace Baptist Church – 8500 W 159 th Street	Grass, limited paved	Walking; public sidewalk	500 – 750
Southcreek Office Park – 132 nd Street & Metcalf	Paved	Shuttle	3600
On-site Antioch 159 th Street	Soybean field (current condition)	Walking; Public sidewalk Limited public sidewalk	5000
TOTAL			9,600 – 9,850 spaces

* field parking numbers are estimates.

The right-hand northbound lane of Antioch will be closed along the event frontage for the duration of the event. Additional traffic control measures may be necessary to allow safe access to the site. A temporary gravel drive-way off of 167th Street will provide on-site access for balloonist, emergency personnel and a limited number of volunteer parking places.

As part of their request, the applicant is proposing signage at each of the parking locations and directional signage at 135th Street and Antioch, 135th Street and Metcalf, 143rd Street and Antioch, 143rd Street and Metcalf, 151st Street and Antioch, 151st Street and Metcalf, 159th Street and Antioch, 159th Street and Metcalf, 167th Street and Metcalf and at the base of the 167th Street exit ramp from U.S. 69 Highway. The pedestrian entrance will be identified with a 25-foot entrance tower with event signage which is proposed to be lit at night. Banners identifying event sponsors and benefiting charities are also proposed. In order to keep spectators oriented in the parking lots and on the event field, coded directional signage will be provided. This signage will also assist in emergency response.

Lights are proposed on-site. A PA system will be utilized for the stage for entertainment and general announcements. Electricity is being run to the site and generators will be utilized for supplemental power. Although this

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is not a city sponsored event, given the number of potential attendees, the staff has recommended that each food vendor be inspected by the Community Planning and Services Division to ensure safe food handling. The event organizers have indicated that alcohol will not be served at the event. Final site clean-up is expected to be completed within 24 hours of the conclusion of the event. City staff will be inspecting the site, the adjoining streets, and the off-site parking areas to ensure the areas are restored properly.

The Public Works, Police and Fire Departments and Johnson County Med-Act have provided an assessment of services they view as necessary for the size and attendance of the event. In summary, a Command Post staffed by the Overland Park Police and Fire Departments and members of the event organizing committee will be at the event. The command post will be staffed whenever emergency personnel are on-site. Police officers will provide traffic control on U.S. 69 Highway and the perimeter streets around the event and will be on-site for crowd control and event security. The Fire Department and Med-Act will provide on-site paramedics on ATV's. An ambulance will be available as needed from an off-site location. The Visiting Nurses' Association will staff the First Aid tent. Event staff and participants will contact the command post primarily via phone or, as a secondary means, through 9-1-1.

The applicant has made contact with property owners surrounding the site and homes associations within the vicinity to make them aware of the proposed event.

6. PARADE PERMIT FEES: The city's Parade ordinance (Chapter 12.16 OPMC) requires a permit for "any show or exhibition or any similar display, in or upon any street, park or other public place, in the City which interferes with or would have a tendency to interfere with the normal flow or regulation of traffic." The ordinance outlines fees, including a cost recovery fee for city personnel and equipment as established by Governing Body resolution. On April 5, 2010, Resolution 3777 was adopted which sets the recovery amount at fifty percent of city personnel and equipment costs. The recovery fee is not required for city or government sponsored parades. Fees may be appealed through municipal court. The ordinance specifically states that no elected or appointed official may waive or fail to assess processing, personnel and equipment fees (Chapter 12.16.035.C OPMC).

The personnel and equipment fees estimated for the balloon event are detailed in the July 22, 2010, memo from Captain Tim Lynch, attached.

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In summary, the required cost recovery fee is \$15,746.02. (These fee estimates were based on the assumption that the majority of the event parking would be off-site. The current proposal to provide the majority of parking on-site may require additional officers to control arriving and departing traffic and additional resources from the Public Works Department. An updated estimate will be provided.) Johnson County Med-Act also requires a fee of \$6,840.00 for EMS staffing. This fee is under the purview of Johnson County Med-Act under their governing authority.

7. STAFF RECOMMENDATION: The applicant has had numerous meetings with the Police, Fire, Public Works and Planning and Development Services staff to work through the details of the event. There are details regarding the layout and condition of the on-site parking, pedestrian routing to the event site and the necessary public safety response that need additional review. Assuming resolution of those items, the staff is supportive of this event subject to the stipulations outlined below:
- a. A tent permit will be required from the Overland Park Fire Department for any tent over 900 square feet in area.
 - b. A temporary food service license and inspection from the city's Community Planning and Services Division shall be required for each food vendor.
 - c. An electrical permit shall be obtained for the extension of electrical service on-site.
 - d. All temporary driveway locations and on-site parking layouts shall be approved by the Planning and Development Services Department prior to being installed.
 - e. The event site, adjacent public streets, and off-site parking areas shall be cleaned and returned to its original state no later than 24 hours after the conclusion of the event.
 - f. All signage associated with the event shall be removed within 24 hours after the conclusion of the event.
 - g. The applicant shall cooperate with the Overland Park Public Works, Police and Fire Departments and Johnson County Med-Act in

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- developing and implementing traffic control, on-site security and emergency response plans.
- h. Prior to the event, a list of off-site sign locations shall be provided to staff.
 - i. Prior to the event, a detailed pedestrian access plan from the northern on-site parking along 159th Street to the event site shall be approved by staff.
 - j. This event is exempted from the requirements of Overland Park's noise ordinance (O.P.M.C. 7.08.001 - 7.08.003). If at any time during the course of this event you are notified by an Overland Park Police Officer or other person designated as a commissioned City Officer that the sound generated by the event is creating a public disturbance, the sound shall be lowered so as not to create such a disturbance. If the public disturbance continues, the noise exemption is terminated and the sounds generated by the event are subject to the provisions of and prosecution under O.P.M.C. 7.08.001 - 7.08.003. For purposes of this permit, a public disturbance is defined as sound that unreasonably disturbs or interferes with the peace, comfort and repose of others. The Overland Park Police Officer or other person designated as a commissioned City Officer shall make the determination as to whether a public disturbance is occurring based upon reasonable complaints and his or her reasonable conclusion after investigating those complaints. The exemption is terminated upon notification of such termination to the holder of the permit at the location of the event.
 - k. The method for crossing over the curb along Antioch Road shall be approved by the Public Works Department. Any modifications or temporary improvements in the right-of-way must be reviewed by the Right-of-Way coordinator and may be subject to a Right-of-Way work permit.
 - l. All parade permit fees shall be paid by September 1, 2010.