

A G E N D A



Thursday, June 24, 2010

**Transportation
RECOMMENDATION FOR COUNCIL ACTION**

Item No. 72

Subject: Approve issuance of a closure permit under City Code Section 14-8-3(B)(3) for the Keep Austin Weird-5K event sponsored by Bounce Marketing Events, which is to be held on June 26, 2010.

Fiscal Note: No unanticipated fiscal impact. A fiscal note is not required.

For More Information: Gordon Derr, 974-7228; Frances Hargrove, 974-7083; Leanne Vaughn, 974-5657.

Prior Council Action: June 10, 2010 - Council approved street event permit for Keep Austin Weird Festival on South 1st Street/Drake Bridge.

Bounce Marketing Events, submitted a right-of-way event application on September 21, 2009 for a City Code Chapter 14-8 closure permit for the following right-of-way event.

Event Name: Keep Austin Weird 5K

Closures: South 1st Street/Drake Bridge, the “dog pound loop,” and a portion of the 2nd Street District.

Run Start: The 5K will begin on the South 1st Street /Drake Bridge, and use the “dog pound loop” and a small portion of the Warehouse District and the 2nd Street District for the course. The Warehouse District and the 2nd Street District traffic control will consist of officer controlled intersections for minimal traffic impact and delays in this area.

Event Times: 6:00 p.m. – 8:30:00 p.m. on Saturday, June 26th, 2010.

Start Race:

The Keep Austin Weird 5K starts on the north end on South 1st/Drake Bridge, north to Cesar Chavez Street, east to Colorado Street, north to West 4th Street, west to Lavaca Street, south to West 2nd Street, west to San Antonio Street, south to Cesar Chavez Street, west to the dog pound loop, east to the north end of South 1st/Drake Bridge.

Fees:

Application fee: \$ 250.00

Safety Inspection: \$ 76.00 per day

Sound Permit: \$ 33.00 per day

Sub Total \$ 359.00 (paid)

Permit fee: \$1500.00 \$100.00 per block per day (\$1500 max per day) (outstanding balance)

Total \$1859.00

Security Deposit \$2000.00 (refundable upon request) (outstanding)

Issues:

§ 14-8-3 RESTRICTIONS ON ISSUANCE OF CLOSURE PERMIT.

Under Chapter § 14-8-3 (RESTRICTIONS ON ISSUANCE OF CLOSURE PERMIT) the director may not issue a closure permit without Council approval for a right-of-way event if (1) the event is fee-paid; or (2) 20 percent or more of the affected persons on any block to be closed or a neighborhood association

object to the closure. This event has received eight objections from business/owners which exceeds 20% of the affected persons on one or more blocks; therefore approval by City Council is required.

Objections were received from:

1. Speak Easy/Owner: Michael Girard: 412 Congress Avenue/not on course

Objection/comments received: This will shut down traffic.

Current Event Traffic Plan: Not Applicable. No traffic devices within this vicinity that affects the ingress or egress of the business.

2. Imperia/ Owner: Michael Girard: 310 Colorado Street/ on course

Objection/comments received: This will shut down traffic.

Current Event Traffic Plan: The runners will run on the west half of Colorado Street from Cesar Chavez to 4th Street. The Restaurant & Valet businesses are affected.

3. Cuba Libre/Owner: Michael Girard: 408 Colorado Street/on course

Objection/comments received: This will shut down traffic.

Current Event Traffic Plan: Single lane closure in the 400 block of Colorado Street, south of the alley. Ingress and egress is available.

4. TruLuck's/ Manager: Riley Hutton: 400 Colorado Street/on course

Objection/comments received: Significant impact on business.

Current Event Traffic Plan: Intersections within the Central Business District (CBD) will be controlled by Austin Police Department allowing access to businesses.

5. Tenscher Chocolates & Coffee/Owner: Angus Black: 409 West 2nd Street/ on course

Objection/comments received: Objection to any closure of the South First Bridge, especially when any portion of Cesar Chavez, Guadalupe, or San Antonio Streets are also closed, even temporarily. 6 pm Friday is much too early to allow the bridge closure. If it must close, 9 pm is more reasonable.

Current Event Traffic Plan: Intersections within the CBD will be controlled by Austin Police Department allowing access to businesses.

6. Rain on 4th/General Manager: Dave Pantano: 217 W. 4th Street/not on course

Objection/comments received: Closing down 4th Street without benefits to any Warehouse District Business at all on a Saturday night.

Current Event Traffic Plan: Not Applicable. No traffic devices within this vicinity that affects the ingress or egress of the business.

7. Six Lounge/General Manager: Phil Juong: 117 W. 4th Street

Objection/comments received: Race should not be run during peak business hours or through the 2nd Street District/Warehouse District. Please consider racing in the morning or re-routing it away from the district.

Current Event Traffic Plan: Intersections within the CBD will be controlled by Austin Police Department allowing access to businesses.

8. III Forks/General Manager: Danny Payne: 111 Lavaca

Objection/comments received: The new route will cause substantial loss of revenue for us. It will also cause my employees loss of income, approximately \$100.00 per employee from kitchen to front of house (20-30 employees).

Current Event Traffic Plan: Intersections within the CBD will be controlled by Austin Police Department allowing access to businesses.

Objections were received from the above affected businesses. The percentages are as follows: The 300 block of Colorado and the 100 block of Lavaca represent blocks above the 20% disapproval threshold. In the 100 block of Lavaca disapprovals from the affected businesses represents 33% of the block. In the 300 block of Colorado disapprovals from the affected businesses represents 50% of the block. In addition, 25% percent disapproval was received from the affected businesses in the 400 block of Colorado adjacent to the course. Valet companies are being displaced and should be given the Notice of Proposed Closure Form, so that they should have the opportunity to be represented. The Austin Transportation Department requested the promoter to review the staff recommendations and work diligently to address all ingress and egress concerns for all the affected business concerns.

Austin Transportation Department Staff Recommendation:

- A revised traffic control plan that complies with all safety standards and requirements be submitted and reviewed by staff.
- The promoter, Michelle Graham/Bounce Marketing Events, work with business owners and resolve concerns of ingress and egress to their businesses and provides documentation to staff to maintain mobility with minimal disruption to area businesses.
- All ordinance requirements be met and all outstanding documents be submitted prior to the approval of the Special Events Permit by the Director of the Austin Transportation Department.
- A modified dog pound loop be approved which removes the course from the Central Business District (CBD). This results in a slightly shorter 5K, making it a “weird” run.

Based on the proposal by staff and access being provided to the businesses, Staff recommends that Council approve issuance of a closure permit with the staff recommended stipulations. If Council approves this action, the director intends to issue the closure permits with the modified 5K route.