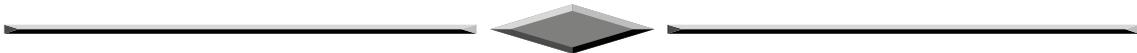


**HUNTINGTON BEACH
OFFICE OF THE ZONING ADMINISTRATOR
EXECUTIVE SUMMARY**

TO: Zoning Administrator
FROM: Jill Arabe, Assistant Planner
DATE: March 11, 2009

SUBJECT: TEMPORARY USE PERMIT NO. 2008-009 (QUIKSILVER OUTDOOR EVENTS)

LOCATION: 15202 Graham Street, 92649 (north of McFadden Avenue, east of Graham Street)



Applicant: John Mandracchia , Quiksilver, 15202 Graham St., Huntington Beach, CA 92649

Property Owner: Sares Regis Group, 18802 Bordeen Ave., Irvine, CA 92612

Business Owner: Quiksilver, 15202 Graham St., Huntington Beach, CA 92649

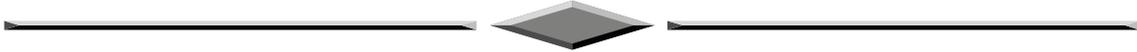
Request: To permit a comprehensive outdoor events calendar consisting of 18 dates per year for a five year period (2009-2013). The outdoor events shall include trade fairs, live entertainment, food and alcohol service.

Environmental Status: This request is covered by Categorical Exemption, Section 15304, Class 4, California Environmental Quality Act.

Zone: IL (Industrial Limited)

General Plan: I-F2-d (Industrial – 0.50 floor area ratio – design overlay)

Existing Use: Silkscreen printing, manufacturing, distribution



RECOMMENDATION: Staff recommends approval of the proposed project based upon the following findings:

SUGGESTED FINDINGS FOR PROJECTS EXEMPT FROM CEQA:

The Zoning Administrator finds that the project will not have any significant effect on the environment and is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to section 15304 of the CEQA Guidelines, because the project consists of a minor temporary use of land having negligible or no permanent effects on the environment.

SUGGESTED FINDINGS FOR APPROVAL - TEMPORARY USE PERMIT NO. 2008-009:

1. Temporary Use Permit No. 08-009 to permit a comprehensive outdoor events calendar consisting of 18 events per year for a five year period will be located, operated and maintained in a manner consistent with the policies of the General Plan and the provisions of Chapter 241. The events are temporary in nature, compatible with surrounding uses and consistent with the following Land Use Policies:

LU 7.1 Accommodate the development of a balance of land uses that provide for the housing, commercial, employment, educational, cultural, entertainment, and recreation needs of existing and future residents.

RCS 1 Enrich the quality of life for all citizens of Huntington Beach by providing constructive and creative leisure opportunities.

N 1.8 Minimize the generation of excessive noise level impacts from entertainment and restaurant/bar establishments into adjacent residential or "noise sensitive" land uses.

Approval of the proposed outdoor events calendar allows for the promotion of an existing business within the City and provides for the cultural and entertainment needs of visitors to the City as well as people working and residing within Huntington Beach. The events will be held within an industrial area away from noise sensitive land uses. In addition, private security will be provided at all the events to control vehicular and pedestrian access and oversee the safety of all attendees.

2. Approval of the application for Temporary Use Permit No. 08-009 will not be detrimental to property or improvements in the surrounding area or to the public health, safety or general welfare. The site is surrounded primarily by industrial uses and approximately .43 miles away from the nearest residential district. Adequate parking for the events will be provided within the Quiksilver campus. The events will be held primarily for employees and their invited guests. Attendance to the events will be controlled by the distribution of invitations. Parking areas and vehicular traffic will be monitored/controlled by event staff. Alcohol service will be restricted to cordoned off areas and monitored by security personnel.

SUGGESTED CONDITIONS OF APPROVAL - TEMPORARY USE PERMIT NO. 2008-009:

1. The sample sales event site plan dated December 30, 2008 and the revised site plans and narrative dated February 18, 2009 shall be the conceptually approved design with the following modifications:
 - a. The stage and speakers shall be directed away from adjacent properties to minimize noise impacts.
 - b. The stage, speakers, or amplifiers shall be located no closer than approximately 130 feet south of the northern property line.
 - c. A minimum of 10 portable toilets shall be provided throughout the outdoor event area.

- d. Alcohol shall not be consumed or served throughout the outdoor event area, except as provided by Condition No. 4.
2. Prior to commencement of the use each year, a schedule (dates) for temporary outdoor events to occur in that year shall be submitted to the Planning Department for review and approval 15 days prior to commencement of the use each year.
3. A minimum of 15 days prior to each event, the following shall be completed:
 - a. The applicant shall obtain a Fire Code Permit from the Fire Department. **(FD)**
 - b. An announcement shall be made to employees and guests to refrain from parking on neighborhood streets.
 - c. The applicant shall notify the City of Huntington Beach of any changes.
4. The use shall comply with the following:
 - a. Any outdoor activities shall terminate by 10 PM.
 - b. Multiple events shall not occur on the same day.
 - c. Only the uses described in the narrative shall be permitted.
 - d. Indoor restrooms within the 15202 Graham St. building shall be made available to "invited guests" (over the age of 21) allowed within the designated beer garden area and building interior.
 - e. Alcohol consumption shall be limited to an area for adults over the age of 21 which shall be cordoned off and controlled by Security.
 - f. Service and consumption of alcoholic beverages shall be closely monitored by staff to ensure people under the age of 21 years old do not possess or consume alcoholic beverages, and to ensure guests do not become overly intoxicated to a point where they are unable to care for their own safety or the safety of others. **(PD)**
 - g. No person shall possess or be served more than one alcoholic beverage at any time. **(PD)**
 - h. The service and consumption of alcoholic beverages shall be limited to a designated area within the Quiksilver facility. This area shall be restricted to persons over the age of 21. The area shall not be more than 6000 square feet. For events utilizing less than 12,000 square feet of the facility, no more than 50% of the utilized area may be designated for service and consumption of alcohol. **(PD)**
 - i. All security officers shall be required to wear a distinctive, identifiable uniform with "Security" printed or embroidered in contrasting colors on their shirts and/or jackets. **(PD)**
 - j. Any vendor providing alcohol at an event shall possess the appropriate license issued by the California Department of Alcoholic Beverage Control. This license

shall be conspicuously posted during the event, and available for inspection by any City or State official. **(PD)**

- k. At any event where alcohol will be provided, the applicant shall take appropriate steps to identify those persons over the age of 21. **(PD)**
 - l. When the event is labeled "invited guest", or similarly identified as to indicate that the event is not open to the public, each invited guest must receive a unique invitation to the specific event. No blanket or general media invitation (i.e. newspaper or internet invitations) shall be acceptable. **(PD)**
 - m. No events shall be open to the public.
 - n. Amplifiers, speakers, musical instruments and playing of recorded music shall not be directed towards adjacent properties.
 - o. The applicant shall provide for clean-up of areas after the closing of each event. Clean-up of the site after 10:00 PM and 11 PM shall not include the use of machinery or equipment that may disturb neighbors in the area. All trash, debris, and garbage, as well as special dumpsters, shall be removed from the site within one (1) day of event.
 - p. The applicant shall provide professional clean-up crews to clear the adjacent streets of trash and debris each evening after the event closes.
- 5. All Alcoholic Beverage Control requirements shall be met.
 - 6. Quiksilver personnel shall provide the direction of traffic and on-site parking.
 - 7. In the event that there are any violations of the foregoing conditions or any violations of life safety codes, the temporary activity may be terminated by any Police Officer, Fire Inspector, or authorized personnel of the Department of Planning.
 - 8. The applicant and/or applicant's representative shall be responsible for ensuring the accuracy of all plans and information submitted to the City for review and approval.

INDEMNIFICATION AND HOLD HARMLESS CONDITION:

The owner of the property which is the subject of this project and the project applicant if different from the property owner, and each of their heirs, successors and assigns, shall defend, indemnify and hold harmless the City of Huntington Beach and its agents, officers, and employees from any claim, action or proceedings, liability cost, including attorney's fees and costs against the City or its agents, officers or employees, to attack, set aside, void or annul any approval of the City, including but not limited to any approval granted by the City Council, Planning Commission, or Design Review Board concerning this project. The City shall promptly notify the applicant of any claim, action or proceeding and should cooperate fully in the defense thereof.