

>>> Good morning. Welcome to the regional planning commission meeting of August 28, 2013. Please join me in the pledge of allegiance.

>> Pledge of allegiance.

>> Welcome, greetings and salutations. If some of you are joining us for the first time there are agendas available in the rear of the room. If you plan on speaking before this commission, you need to fill out a speakers card and bring it to our staff. That being said i seek the approval of the agenda. Moved and seconded. The agenda is approved. Good morning, council?

>> No reports.

>> Director. Yes, we had three public hearing items. The first item involved two family single homes, the Donald Haskin application. The committee held a meeting on this matter of the project, an appealed by the neighbors. Between the commissions actions there were several meetings out in the community where both the appellants and the applicant and the community got together and they developed a revised condition for the project and satisfactory to all parties involved. Approximately 10 or 11 individuals testimony including the home owners association and in favor. The motion was for the board to approve the project with some revised conditions.

>> Questions about the revisions they made, was there anyone direction they went?

>> They were primarily three revisions. One had to do with the park area. That was increased from around 9,000 square feet to 22,000 square feet. The second had to do with the aesthetic considerations for the new homes and landscape and screening of the new homes. Thirdly, i believe an easement for the school bus stop was agreed upon by the applicant. And there were several other very minor revisions.

The second public hearing at the board yesterday involved the quartz hill water district project the public utilities service yard and service center and that involved the zone change. There were two supervisors and only two testifiers both representing the applicant and no controversy and the board gave the unanimous approval.

Finally the Disney golden act, there was an article in the Los Angeles Times in the front page regarding that. Many testified including the mayor of Santa Clarita supporting the project and they voted unanimously to support the project.

>> Did they come with that?

>> I will get that for you.

>> Thank you very much deputy director. We are on to our 1st public hearing continued from 8/21. 1777. Mr. Stuart.

>> Thank you, good morning members of the commission. My name is Travis and I'm a regional planner. The applicant is alpine village. They are requesting a conditional use permit for an annual Oktoberfest festival. The temporary facility requires a ministerial plan approval. Early planning approval for the sites including soccer fields and tennis court's and golf course. It was for 250 people. The operations at alpine village have expanded considerably since this time. It includes cafe, retail shops and market. They host weekly events and bingo and swap meet event. Alpine village has received various approvals for a beer garden. It's in these beer garden areas where the festival has occurred. For the last 5 years site plan has reviewed the tent facility with 2,000 people. Further site plan did not address or -- approve any sale of alcohol. The alcohol approval was established in 1992. They have permission to sell alcohol from 1971. They have been grandfathered for alcohol sales. However the current area where alcohol is sold and consumed and the area currently devoted to Oktoberfest is different than the ABC license. In 2010, alpine village submitted a proposal for permanent events facility where they would sell alcohol. Since that time, the department determined that the mode and character of the operation of Oktoberfest event had changed substantially over the years in the amount of alcohol sold at the event and the impact the event has had on the neighborhood. Because of this substantial change in the mode and character, cp is required now to sell alcohol at the event. So to summarize again the permanent request is to sell alcohol during the Oktoberfest event in a tent facility. Additional permit request to sell alcohol will be processed through other applications. It will be held in a tent facility on alpine village. On the left screen is the picture of the site plan and it's the yellow area on the western part of the parking lot area. The requested cup would authorize the sale of alcohol on the tent for a maximum of 6 weekends Friday through Sunday during the six consecutive weeks during the months of October and From 1:00 p.m. To 6:00 p.m. On Sundays. Maximum capacity of the temporary tent facility is 2157 persons. If we can go to the second slide, there we go. That is an outline of the temporary tent facility. The tent is enclosed on all sides and a performance stage and approximately 12 tables. There is a sale for alcohol in the temporary tent and all sales for the alcohol and consumption will be contained entirely in the tent facility. On our right screen i have a zoning map for you which is m 1 1/2 for restricted manufacturing. Title 2 are for parking, signage and outside storage and display. Of interest to this case for parking with an occupancy load of 2157 people, they are required to provide parking spaces. Other venues will be closed to ensure they have parking for the event at all times.

>> Over the years the Oktoberfest festival has grown from a small picnic event to a major festival in a 22,000 square foot facility. The growth of the sale and alcohol over time has had some adverse impacts on surrounding community and public services in the neighborhood. The Oktoberfest event has been the source of numerous public complaints over the years. Residents and business owners and adjacent neighborhoods have complained of noise, increased traffic and

parking spill over from the event. Additionally the sale of alcohol has been a source of complaint from loitering, public intoxication and littering outside and around the neighborhood. Regional planning has worked closely with the sheriff's department and the beverage control for this permit request. The Octoberfest event has resulted in significant increase in criminal activity in the area and straining their resources at the station. They also stated they have received numerous complaints. The department of regional planning in coordination with the sheriff's department, public works, fire and ABC are proposing several sites for the festival. These conditions include a security plan and additional security personnel that is agreed to and approved by the sheriff's department which may include the hiring of over time sheriff personnel as needed. A parking and traffic management. Alpine will have to provide parking to residential neighborhoods. The direction of the event is scaled back to 6 weeks from 8 weeks. The hours of operation are scaled back so the event ends at 11:00 p.m. In addition all events after 2013 all pine will have to provide noise mitigation plan and site mitigation plan. Restricted adherence to the project's approval the department of regional planning believes the CUP and alcohol of sales can be met and be mitigated. The department is recommending a 3-year grant term for this project so the county can evaluate the conditions and make any changes to the site as needed. The department has determined that the project qualifies for class one existing facilities categorical exemption. Finally staff recommends conditional use permit with attached conditions. This concludes my presentation.

>> Thank you very much. Questions from the commission?

>> The length of time you are saying is just going to be for 3 years?

>> 3 years, yes.

>> Thank you.

>> Sir?

>> The cup is for the sale of alcohol in an expanded area. The selling of alcohol now there in the restaurant?

>> If we can go to page one of the site plan. They have licenses that preexist from 1992 to sell alcohol in the restaurant and the market. So what we are dealing with is only the sale of alcohol for Octoberfest in that tent area which is highlighted in yellow.

>> So, with the sale of alcohol, since the cup is for the sale of alcohol, the additional sale of alcohol is a requirement to have additional parking. That cup is for additional parking.

>> It's based on the occupancy load.

>> And as far as the safety of the tents is that outside of our jurisdiction. I'm trying to narrow in on what we are looking at?

>> The site plan review, the temporary tent is part of the site plan review does get routed to fire and building safety who have signed off and an approved the tent.

>> Okay, thank you.

>> They will be doing that every year.

>> The temporary tent, what makes it temporary? Is it taken down?

>> Yes. After the event is over it's taken down.

>> Does it go up for other events during the year?

>> No. It's not approved to, no.

>> Is there a charge for parking on site during that Oktoberfest?

>> I do not believe there is but i can refer that to the applicant to specifically answer but i believe they told me they do not charge for parking.

>> You mentioned thousands of people. Can you give a better count?

>> I would defer to the applicant to answer that question.

>> You also mentioned the security plan, although i didn't see any detail on a specific security plan. Is that something that is negotiated subsequent to the approval of the cup?

>> Exactly. They would have to enter into this security plan with the sheriff's department. There is a contractual obligation that they enter into with the department that would outline the security that the sheriff's department approves and that would be done before the event.

>> You had mentioned that you reduce the number of weeks from 8-6. When did this start. How long was Oktoberfest? Was it a week, 2 weeks?

>> I'm sorry, could you repeat that question for me?

>> How long was it?

>> I'm sorry, i do not have the answer for that.

>> Thank you very much.

>> Sure.

>> One other question.

>> Yes, sir?

>> Is there going to be a training program for the servers to assist in their recognition of somebody who maybe close to being inebriated?

>> Yes, there is a standard condition in there where people who serve alcohol need to go through that training. Yes.

>> Thank you very much.

>> Thank you.

>> Is the applicant present?

>> Mr. Chair, we have a total of five speakers on this item. I would like to call on the applicant and his representative. Charles Moore and Otto Ratkey. We need to swear them in.

>> Sounds like a good idea. If the applicant and the applicant's representative can step forward to the front of the chairs table. You can remain standing. Those who wish to speak on these items, if you can rise, i would like to be able to swear you in.

>> If you can raise your right hand. Yes, sir. Okay. Raise your right hand. Do you and each of you swear a firm under penalty of perjury to the matter to be the truth, the whole truth and nothing but the truth?

>> Yes, sir.

>> Anyone able to say I do. Okay.

>> There were several individuals sworn in. I only have five speakers cards. I would encourage the other two to fill out a speaker card.

>> The speaker cards are available at the rear of the room. So if we just swore you in, and you have not completed a speaker card, you should do so. Thank you.

>> If i can interject, not all of them are going to speak. They just rose to represent us here.

>> Got it. Thank you very much.

>> You are the applicant, welcome. And as the applicant you will have 15 minutes to present on this matter. You are under no obligation to use the entire time. For 14 1/2 minutes a green light will indicate that all systems go. A yellow light will come on in the last 30 seconds to give you a heads up that you need to conclude and when the red light comes on you are done.

>> Give your name.

>> Kevin Louie. I want to give brief comments and give time to the general manager. If i can begin briefly.

>> If you are begin with your name and address.

>> I'm Charles Moore. I'm the representative for Alpine Village. Travis began by talking about extraordinary conditions and need for extraordinary measures on behalf of the community. He mentioned the community is the primary concern. I would like to point out that the community is not here in opposition. Last week, 2 weeks ago, Otto held two community meetings. One meeting focusing on the residential community to the south and the other meeting focusing on the residential community to the west. Mailed invitations were provided. 25 people appeared interested the first night and about the same number appeared the second night. I sat in the back row and observed while Otto conducted the entire meeting. Not a single opponent to the project apparently was there. They were without exception supportive of Otto who is the relative new general manager. He's had positions since 2010. So he has operated the festival for 3 years without exception the community noted improvements, keep on doing what you are doing. We appreciate the absence of loitering and disturbances in our community. Partly for fun and partly to establish the flavor of Oktoberfest, i would like Travis to pass a few autographs that Otto has taken recently and some from prior years. You will see a continuity of the festival that i enjoy. I hope you got a chance to read the cover letter we wrote. It's the only time i have written a letter to the commission and gotten hungry because i focused on the sausage and the good food at the

festival. Just very briefly, why are we here? Icon tend that alpine village is here because they voluntarily applied for a conditional use permit, not because it was required. The county alcohol ordinance written in 1992 says that existing establishments are grandfathered unless they increase to the sales or the facing increases by 25 percent. One of my attachments to my letter indicates that as far back as 1988 the beer garden occupied an area of 2,000 square feet. The beer garden has been in operation 45 years and i submit that mode of character has not changed. We also disagree with Travis statement that the ABC license is for a far less restricted area. In fact Oktoberfest has the ABC license for a much larger area. We obviously spent a great deal of time talking to the ABC and the sheriff's and we are confident of that. Nevertheless we are here, we voluntarily applied for this conditional use permit because we want to establish predictable operating conditions that are enforceable and all agencies are supportive of. Otto became the general manager in 2010 as I said. And the community's noted the changes, he's worked with the community extensively. As I said we had two community meetings, no opposition. I have personally visited the sheriff's station twice, Otto, many more times very recently. He supports Oktoberfest has been a great assistance in making sure that, Otto may want to talk more about the security plan with the sheriff, but there will be uniformed off duty officers at all entrances and there is no parking charged. There is no charge for the parking. There will be traffic monitors. I want Otto to talk about the fine details of the things he's done. There is one vital request. Travis has indicated and his staff has indicated they want an extra ordinary time to close at 11:00 p.m.. I have spoken to sheriff's and they have no problem with midnight closing. I don't see a reason for reducing the weekends. I think it should, this is a permit for 3 years, i think it should be up to 8 weekends. That's the truth. It's always been 8 weekends. This year because it took us a while to get here. We'll only have 7 weekends, but we would like up to 8 weekends in the remaining 2 years and we would like to stay open until midnight. Again we have the support of the sheriff and the in these efforts.

Now, I would like to turnover to Otto, the general manager.

>> Thank you, commissioners. So Oktoberfest started over 200 years ago in germany. It was celebrating a royal wedding originally. The community got together, everybody ate and danced. They decided to do it every year after that because it was so fun. That sense of community is really what our event is about. When you see these pictures going around, some of them are from the 70s and some from last year of the ones that i took. People of all ages come to our event. In fact there was a total last year of 55,000 people over the 24 days that we celebrated Oktoberfest. There is a lot of public celebration going on here. We worked hard to make that happen and eliminate the bad omens that come. Of course when you have 55,000 people there is going to be problems every so often. I received a call log back to 2009. The calls from the property. This is from the sheriff's station. There is a total in 2012 of 38 calls to our property in 2012. And 14 of them were -- were not Oktoberfest. Some had to do with car break-ins. It's that kind of thing we are talking about. It seems to me that 14 calls isn't an excessive amount of 55,000 people in 24 days. We are trying very hard to reduce that even further. Let me tell you about that a little

bit. As fun as Oktoberfest is, we take the business end of it very seriously. Since 2010, we doubled the number of guards we have. We have 67 guards on the property. That is better than a 40-1 ratio of participants per guard. We hired outside guard company that is more professional and does events with better management. We put in metal detectors. We are in a bad neighborhood. We are trying to do our part to make that better and discourage the local gangs that are in the area from coming to our event. It's not easy. We have a dress code. We voluntarily reduce the number of people who attend our event at a great cost to us. We used to get 70 thousand people over the course of the event. That was in 2010 and 2009. We reduced that down to 55,000 because that's the level that we can manage better. Total attendance, maximum capacity is 2200. We'll get on our busiest nights 2200 people circulating over the course of the evening and we control that as well as we can with the focus on security. I have been an alcohol awareness trainer along with another manager who is present in the room and we are personally training everybody in alcohol awareness. How you recognize when not to serve somebody so we can fulfill our obligations according to our license. Even before we started doing that, we started doing things like posting guards at each station whose job it was to intercede on behalf of the bar tenders when situations arose when we couldn't serve somebody. What we are trying to do is redirect the problem people, the people that are going to drink too much to our other offerings like Coca-Cola and water and so they can make it through evening safely. We spent a lot of money on all of these measures and it's been totally worth it. The best measure that we did is we started meeting with the community. So over the years now I have met with them 9 times. Those first meetings were brutal. Really, really hard to get through. And I heard what our event was doing to them. And it was a lot of people, a lot of traffic, it was a lot of noise and it was unpleasant things, drunk people and the drunk people might do in the neighborhoods. Because of those meetings, i was able to put in place certain methods to protect the neighborhoods. We have a patrol car, an off duty sheriff, who has a phone that is a community hotline. And the community can call this sheriff if he doesn't see people themselves to come to any of the events and call the actual on duty sheriff's when needed. He prevents people from clogging up the neighborhood and prevents people hanging on the streets and moves them -- along. We had zero noise complaints last year. So I have to close this up quickly here. I just want to ask that you reconsider some of these staff recommendations. This is an expensive event to put on. It cost us about \$1.5 million. This is helping the neighborhood and the economy. If we cut down from 6 weeks to 8, it's less worth for us to do this on spending measures. If we close this at 11:00 p.m.. It will destroy this event. There is a lot of people that don't come until 10:00 p.m.. They don't want to come when it's going to end when it's just getting started and they are ready to have fun. Midnight was a time that we rolled back to in 2011. We used to stay open until 1:00 a.m.. This is to give the neighbors from the relief of the noise. Now we are getting no noise complaints. The neighbors are happy. There is no reason to close at 11:00 p.m. When we can close at midnight. In closing, I just want to remind you of the 55,000 people coming to the event. Because of the delay in the permit process, we are going to have only 7 weekends. The next three weekends while we are putting up the facility assuming you grant us the ability to do so will be in a much smaller

venue in a restaurant. We are already down 20 thousand people. They are going to go to other events further away from them than we are and frankly they are not quite as good and not quite as fun. We put a lot of effort into this. I hope you can serve us well. I thank you for your time.

>> Thank you very much, questions from the commission?

>> Mr. Chairman?

>> Looking through your pictures, a nice array.

>> I took some of them, thanks.

>> I notice there is one group of players, but they are around a water pond. Is that on the property?

>> No, it's not. That's a really old picture. That no longer exist.

>> Okay. Another one they are standing on the benches of a picnic table but they have hard stein's, you are not serving in hard stein's?

>> What we do, again, that's an older picture. So nobody is allowed to stand on the tables anymore. The stein's themselves, we sell ceramic stein's at the events. What we used to have the problem with was the glass stein's, we no longer have those.

>> Because you have a condition that says that you use i think it was paper cups or something of that nature in the conditions. The heavy stein is not a serving container.

>> No. What happens at our event is people in the past have been allowed to bring their own containers in, their own stein's. Some people bring vases and tupper ware. We serve in plastic cups out of the bars and they pour the beer into their own vessel and we sell the stein's with our own logo.

>> You said the other one has a glass stein up on the front of the stage type of thing. Those are not on the property anymore, either as a souvenir or non-souvenir.

>> What you are looking at there is a stein holding contest. Those are in fact glass stein's. They are on the stage, just props. They don't leave the stage.

>> Okay, those are the questions. The aspects of you requesting eight weekends, and it's basically for a monetary reason, is that right?

>> Both monetary and there is a demand for it. There is a lot of people that want to enjoy our event and we have a limited capacity.

>> The other concern you have is the 11:00 p.m. Close down?

>> Yes.

>> If it is a close down of lack, that's when the alcohol stops selling, but you have the ability to stay open until 12?

>> That's not what I understood from the application. What I understood from the application is they want us to close at 11 and want us to stop selling alcohol at 10:00 p.m..

>> Okay, you can live with the aspect of stop selling alcohol at 11:00 p.m. And close by 12.

>> Yes. We have already stopped selling alcohol at 11:30. We can roll that back a half hour.

>> One question that you had an agreement that you would notify them as far as events and they made the commentary that they never called us. Is there some kind of reconciliation from the comment from the sheriff's department?

>> The letter from the sheriff doesn't make sense to me because they show a number of responses, they show 51 responses in the letter, but the response log here only shows handful, it shows 14. I don't know why that is. We haven't had the opportunity to discuss that with the sheriff yet.

>> I'm speaking specifically about the captain's comment that he had an agreement with you all that you would notify him of events and he further states, they never called us.

>> Yeah. That was disappointing to hear. I have two things to say on that. The first is we originally applied for a cup. We applied for a permanent facility on that site and part of that they wanted us to notify them of events and we agreed to do so in our permanent facility, but we don't have that permanent facility or for that matter any kind of permanent facility for events. I'm assuming he's referring to the events we've been doing at the restaurant. We have a restaurant with live music and he wants notification of that. We have no problem doing that. It's on our website and it's very easy to check. We have had a problem with communication with the sheriff's department. Basically we don't get responses back. I don't know what that means

exactly. It's been difficult to interact with the people that I have been asked to interact with because they are not responding to me. So in the past year, I have sent them a request by e-mail to have them judge if a particular event was worth having or not. It's for an event we are planning at the end of October. I have received no response from that. 3 months ago I contacted them about the Oktoberfest. Let's sit down and plan how you want this. I have received no response and further contacts I made that I have received no response from them. I have no way of reconciling that, I'm sorry.

>> One of the prime issues here is the condition of a security plan with the sheriff's department. Based on your history do you think you will have difficulty in being able to come up with a plan and being able to execute that plan.

>> We have a security plan in written form and it's been submitted to the sheriff's department by one of our attorneys and we've been operating the same way year after year. If they have any comments, we are more than willing to implement what they want to do.

>> Thank you.

>> Commissioner

>> Vice-chair David W. Louie: may I augment the last statement. As I have opened in remarks I met with the captain at the sheriff's station because we were surprised to see his August 5th letter, I can assure you that we have a direct point of contact now in the sheriff's department. One of his deputies who is responsible for direct communications and indeed there was some confusion because most of that didn't relate to Oktoberfest. We've reestablished that and we've precisely gone over guidelines. Otto and I need to sit down and make sure his managers are all aware and trained. We've established the communications and the captain is very supportive of the conditions.

>> Okay. Thank you very much. We are going to move on to public comment.

>> Mr. Chairman, can I ask a question. When you met with the captain did you go through comments that he had and can you elaborate a little bit more on what you agreed? Was something different in the letter that was sent?

>> We didn't dwell on some things in the calls, we didn't dwell on that. We didn't dwell on the lack of communication perhaps returned phone calls from the department. We chose not to dwell on that, but suffice to say, we have a 24 hour contact and 24 e-mail and phone number for an appropriate deputy in charge who will be in direct contact with Otto and his employees.

>> Okay, thank you.

>> Thank you very much. No other questions from the commission. Has the applicant, you are excused. You will have after the public comment you will have another ten minutes for rebuttal. So if you can take a seat in the audience, i will appreciate it. Deputy director, do we have anyone with public comment?

>> Yes. Claus Tabar. Skolan, and Scott Ramsey. And Rivera.

>> the four of you, if you can please sit at the table and the other two if you can sit in front. From the public comment standpoint you have 3 minutes and 2 1/2 with green light and 30 seconds with the yellow and red light you will be required to conclude. You can begin with your name.

>> Thank you. My name is Claus Tabar. I'm an officer of alpine village and I want to make myself available and introduce myself to the commissioners in case there are in questions beyond those which might be answered by our other representative. I want to let you know that i have been observing and/or participating in our musical festival at alpine village since i was 16 years old. It's been a few years. The facility has always had an opportunity to prepare and sell food, sell beer and wine and sell soft drinks and water. It's a well-known event in southern California. We ourselves imposed an active plan to reduce the demand if you will. It's almost like Disney, there is too many people in line so we increased some prices and turned away patrons. There was multi-hour waits on some of the evenings. I'm here to ask you if you could reconsider and give us an appropriate eight week request rather than six weeks. A preview of looking forward and i suspect we'll be back again in front of this commission, down the road and have been working very diligently with Travis and his staff about a more permanent facility where we may spend up to \$5 million, for on-site improvements -- \$5 million and continue operating the business the way it's been run for 40 years.

>> Thank you.

>> I have a question, you mentioned a new \$5 million facility. Would that be focused on 6 or 8 weeks of the Octoberfest and during the balance of the year be dark?

>> Well, actually the facility in addition, there is roughly about 5 businesses on-site. One of the businesses is a swap meet that we have 6 days a week and it's operated in the daylight hours and some of the swap meet patrons might sell new electronics and clothing. We anticipate among other things them using some of the space inside the tent covered shade while some of the other swap meet vendors are outside.

>> Would you make it permit and enlarge it?

>> We don't anticipate increasing the size. Making it permanent would be the only change.

>> The sale of alcohol would it be limited to those 6 or 8 weeks?

>> I don't think we have concluded that portion of the operating thought process yet.

>> There might be other beer garden celebrations such as Chinese New Year?

>> And Cinco de Mayo. We haven't thought out all of those details.

>> Yes, ma'am.

>> My name is Selene Catchum. I'm here representing a non-profit center in El Segundo. For the past several years we've been able to fund raise for Octoberfest tickets. The selling of the tickets is very beneficial to my clients. Through the sale of tickets we can purchase items such a diapers and thanksgiving baskets. We hope to be able to continue to fund raise this year with the sale of the Octoberfest tickets. Thank you.

>> thank you very much. If I can ask, how much do you make on the sale of these tickets?

>> Over the last couple of years we've made close to \$5,000.

>> The tickets are sold for how much?

>> We were selling them for half price which was about \$5 a ticket. This past year we were able to sell them for full price because it was a convenience for people to be able to come to us, get the tickets directly from us and they knew that it was going for a good cause and people are very excited when they know you have Octoberfest tickets. Some people if they bought a large amount, we would give them a deal, but most people buy them for \$10.

>> How much of the \$10 are you able to keep?

>> All of it because there are other organizations that we can fund raise through but they don't let us keep all of the profits.

>> This is better than crispy creams.

>> Yes.

>> Do you know of other places that might offer that amount?

>> Not to my knowledge.

>> Thank you for sharing that with us.

>> Do we have any other public speakers?

>> We have one other person who is planning to speak. Is there Silvera? Thank you. Welcome, you can begin with your name.

>> Scott Ramsey. I'm an audio video designer. Alpine village is a client of mine. 5 years ago they contacted me. They wanted to talk about revamping the Octoberfest show. My experience is primarily in producing shows for radio stations. I have 2 decades long career from Howard stern to bill riley. It's unusual for me to be involved with this client. But two things struck me about alpine village 5 years ago. A, it's physically close to where i grew up and i have fond memories of attended Octoberfest going back to 1980s. I was interested in being involved, the second thing and this is unusual in this day and age. This client wanted to improve every aspect of their production. I work in an industry which is continually being value engineer, radio, television, film, all of these aspects of entertainment are not investing for the future. Which is a polite way to put that the way that alpine village is. I found them as a client to be absolutely delightful. Every suggestion that i have made regarding security, logistics, sound, lighting, presentation, has been heeded and take into heart. These folks are committed to improving their brand, alpine village and Octoberfest specifically. It's honestly and I'm involved yearly with the grammy awards, circus and alpine village is a jewel to me. They have a commitment to that improvement that is wonderful to see. There is an aspect that Octoberfest that you might not be -- aware of. We are in Los Angeles County and you may go to an event like cinco de mayo and you will see a very narrow slice of the population. If you go to alpine village's Octoberfest, you will see a united nations of guest. You will see all ages from 21 to 80-90. You will see a mix of male and female and you will see a fantastic mix of this great mix of cultural diversity that i don't see it in any other event in Los Angeles. It's fantastic in that regard. It's improving year after year.

>> Thank you very much. I'm going to ask you to conclude. Was there anything else that you wanted to close with?

>> There is probably a hundred other things. I just wanted to express those thoughts to you.

>> Appreciate that very much. Thank you for taking the time to coming down.

>> I would ask a question having been involved in that same industry you just talked about. Are you involved in having your speaker system so it points in rather than out?

>> Yes. Alpine village has taken extraordinary measures to mitigate the sound of their property and went through changes a year go for optimal speaker placement. The recorded sound levels outside of the tenant and property line and some of which i did myself because I'm a tech geek was a dramatic improvement. I'm involved in events in very delicate areas. Just last weekend the US. Open of volleyball in Manhattan Beach. We have speaker systems there that are less than 200 feet from multimillion dollar homes and guest.

>> There was physical evidence of your united nations impact?

>> I have not seen these photos. Yes. Thank you.

>> Thank you very much.

>> And with no other public comment, the applicant now has the seat and has a 10-minute period of time within which to --

>> Mr. Chairman, i don't think they qualify for a rebuttal I'm sorry to say.

>> You are right. There is not much to rebuttal. Thank you. I beg your pardon. Discussion? Questions from the commission, staff?

>> The aspect of this case i came in highly concurring with staff's report. I have changed my mind in relation to a couple of items. One of them is that they are providing education and concerns for the event with private security they have taken and have indicated training for their servers which i think is very important. I'm very pleased to see that there is a specific assigned contact with the sheriff's department. I think that eliminates one of the big concerns i had. And with those and we are only looking at 3 years. I'm prepared to support a motion that would be for 8 weeks. I'm prepared to support a motion that would be taking the time closing time at 11:30 and closing the event at 12 so there is a longer period of time available for this. I have still one concern in relation to spill over parking. I think that this is i would like to see maybe a little greater emphasis by the ownership on spillover parking.

>> Could i ask a clarifying question. Is your motion to allow alcohol until 11:30

>> actually, i think we are still in discussion. We have not made a motion yet. We are still in discussion. I think the commissioner is just indicating what they consider with respect to the presentation. With that, i guess I will continue. I concur with commissioner Helsley. I always have a tremendous concern for the local community especially with things like events or the possibility that they can be imposed upon by mostly these types of events, schools, etc that have a great deal of noise and they want then enjoyment of their homes. This is a very large parcel. We have homes but they are not directly abutting to the facility itself and we've heard that they are putting efforts into making sure that their decibels are low enough to be comfortable to the neighborhood. The only thing that in 8 weeks is reasonable. They have i guess voluntarily reduced their numbers by the increase in their cost and recognize that they can not have overflow and I'm hoping that will help in terms of issues that have risen in the past. I would like to have a condition that requires an ongoing series of community meetings which will be attended by the department and there are funds there to have a representative from the department so that we'll be able to have those community meetings and we to wait until the end of the 3 years. If there are problems, planning will know that there are problems and then we'll begin to be able to address those problems. So i would like to be able to have a condition that had that with respect to the hours of operation. I think that midnight is reasonable and 11:30 is reasonable to stop serving. It's a very special event. It clearly you can see clearly it serves all communities in the city. We need events which have good owners who have concern and provide the security, etc that's necessary for a family to be able to come out and i see a great deal of family participation here. You are not seeing just single individuals coming in. This is basically a family type of event. The issue of parking in the community, should be part of the parking plan and that would be something that is circulating sheriff made, the off duty sheriff that circulates be focused also upon the overflow parking and turning away people who might be coming over there to do that. I think that those are the things that i would like to kind of discuss with the rest of the commission as to their feelings.

>> Commissioner, talking about these meetings, how frequently would it be during the Octoberfest period, would it be weekly?

>> It might be good to have at least one during the Octoberfest in the 4th week of Octoberfest or in the second week, maybe about the fourth week in the middle that there would be a community meeting to see if it's working and i think they will be able to make adjustments to address any issues that come up in the community meeting.

>> Okay. Very interesting idea.

>> I'm in support of commissioner Helsley's motion. Not motion, but comments. I believe it's a great event. I have been there myself. I think it brings revenue to the community and like it was brought out today that you see all aspects of Los Angeles County at the event. I'm in support of

it, i'm in support of 8 weeks and 11:30 for alcohol cutoff and the midnight closing and maybe -- they should have one meeting before and one meeting during. They have one meeting on one side of the community and the second on the other side. Maybe they can just have one meeting total. Mr. Louie, any comments?

>> Staff, can you share with me some of the thinking that went into reducing from 8 weeks to 6 weeks?

>> I think when we sent out for consult and we began speaking with the sheriff's, we were somewhat alarmed at the information they were bringing back to us and i think the department became concerned about the length of the event and the impacts that it has had historically on the community and there have been improvements made but there still are a number of calls that are made to zoning enforcement that are made to the alcohol beverage control, to the police department, some serious criminal offenses have happened and maybe that was to lessen the impact on the neighborhoods.

>> Has the sheriff signed off on the reduction from 8 to 6?

>> They were supportive of anything we wanted to do. I think they were supportive, they would be fine with 8 weeks as well because of the condition that the security plan needs to be approved before hand. Basically it's been a real strain on their resources. So they want to be able to manage their resources upfront for these events to ensure that there is more safety, less crime. I think that's paramount importance of them, the length is secondary.

>> What about the reduction in hours?

>> Noise has been an issue. So our thought was, these are residential neighborhoods to the west and south. Our thought was, well let's let them open earlier but close earlier and maybe the community will have less complaints about that. That's whenever -- where we were going.

>> For a security plan, I'm not familiar with the width or how broad these plans can be. Could they include the requirement that the applicant hire or reimburse the county for these services?

>> Yes. Exactly.

>> Just uniformed on the duty. We have a staff, two extra cars, three extra cars. Six deputies and we are passing the cross onto you?

>> Yes.

>> Then, there was mention of a security company, a change of a security company. Did you know the company that was there?

>> I don't have the specific details. The security company is a different function than what the sheriff's would do. The security company as i understand it does things like checks people's id's and takes the money?

>> Are they armed security?

>> Mr. Chairman, we need to be careful about opening up to the audience. If you would like to take and ask him to come up and continue some testimony, i can concur with that but i have a problem with audience speaking out.

>> They are not armed and they are dressed in security personnel so they are identified as security.

>> If you are able to answer this question, we can avoid having to have the applicant reappear. There was mention that at the peak they had 70,000 plus folks attending and voluntarily limited that. They put a cap on the number of tickets they were willing to sell. Is that cap part of any of the conditions?

>> That is not part of our proposed conditions at the time.

>> I see, can we have the applicant step back up.

>> I have one question, the comments that you made about your discussion with the sheriff, was that before or after the applicant's attorney met with the sheriff?

>> Before. It's during the processing and in this case writing up our staff documents.

>> Okay. So the applicant has in it with the sheriff apparently. That would solve some of the questions.

>> A question i had. You had mentioned a voluntary reduction in the number of participants from 24 days and 70,000 plus to 55,000. Is that limited as far as in the number of tickets sold?

>> Yes.

>> If that was made a condition of this cup making that a condition you can sell no more than 55,000 tickets over and let's assume it goes to 8 weeks, the 24 dates?

>> Yeah. That's one way to solve it. The better way to solve it is to do it on a daily basis to have a cap per day. That's being handled by the occupancy of the tent. The problem we had, the main problem with the 70 thousand people is we would have pews of people waiting outside to get in. Those are the loiterers in the parking lot were a source of problem. That's what we eliminated. It's not even the people in the tent. That's already capped. It's the people that came onto the property. Those are the kinds of conditions that would be more effective for the community.

>> How would you control that?

>> We do a couple of things to control it. We presale tickets. We protect the parking in the community so that the parking for excess people isn't there.

>> the ticket sales are for a specific day?

>> Correct. Which is again something we started to help control the crowd.

>> Maximum capacity on any particular day is 3200?

>> Maximum capacity of the tent is something like 2160 because people leave and others enter.

>> I'm sorry, how do we control not having that crowd out in the parking lot if you cap yourself at 3200 tickets for Friday, Saturday or Sunday?

>> I'm sorry, you are surprising me with this question. I would have to come up with something that we can condition. The way we control it is by raising prices during presales, things like that to limit the number of people that come.

>> wouldn't you have maximum flexibility that limits to 55,000 people over a period of time to validate the number of people to maximize and control the crowd that way?

>> Sure.

>> I'm not one for limiting the number of tickets because I think two things will happen. One is that if the limited number of tickets are available out there, you are going to have scalping starting to occur. I have a ticket but I'm not going to use it but i will sell it to you for \$20 type of thing. That bothers me. I have seen that happen for other events that have limited ticket sales in

my community.

>> The other aspect is that by limiting ticket sales you are now taking out the potential profit from the service groups that may sell tickets that never plan to be used. I think that you have this as an opportunity for the assistance of other community organizations and so i think it becomes a situation where they have the personal responsibility to limit the number of tickets that maybe are printed, but it's a situation where we are not limiting that number by our conditional use permit.

>> I think that's a very valid observation and yet the way i look at it is that you have a facility that has a maximum capacity, a community that can absorb a certain number of vehicles, crowds that can be handled adequately by proper enforcement and that if you increase the number of folks, from 55 to 70 plus, a 15 percent increase, they have demonstrated that it becomes a challenge to be able to do that. Disneyland has a maximum capacity and I'm sure there are people who have tickets that they are able to scalp, but Disneyland recognizes there is a limit of certain folks they can handle over a period of time. I think your comments are well placed. I'm just thinking that there may be a capacity limit on a beer garden.

>> any other discussion, any other thoughts? I think i need to pass the gavel so that i may make a motion. Would that be appropriate?

>> We have the motion please.

>> I wanted to congratulate you. I think the utilization of the property, a large piece of property in making it financially sustain able, that's a great deal. It provides jobs, it provides activity, a diversity that is woven into the fabric of the county of Los Angeles. Congratulations to that. With that congratulations is the other bite which you are popular. With that are responsibilities. I'm grateful that you have taken the time and allowed yourself, well, the planning department required you to but from your perspective have followed the guidance of the county of Los Angeles. So, congratulations and thank you for being here. With that, let me find a motion.

>> i move that the region planning close the public hearing and find project is categorically exempt pursuant to state and local CEQA guidelines in the conditional use permit subject to the attached findings and conditions which are inclusive of an increase to the weeks of operations from 6 to 8. The hours of operations will close serving alcohol at 11:30 with the closure being at 12:00 a.m.. The requirement of 1 community meeting during the 4th week of the operations of the Octoberfest and that a cap of 55,000 tickets be sold in any given season for the Octoberfest.

>> Do I have a second?

>> Okay. I would second it, but i would like to have discussion in relation to the number of tickets sold.

>> You have a second.

>> I will second it.

>> Now we'll have discussion.

>> i would like to remove the aspect of the total number of tickets sold in a season to allow the operator to be responsible for that evaluation as to whether it be 55 or whatever. But i would like to also include that there be a spill over parking plan established in the neighborhood so there is a condition in relation to that. I would also like to suggest that any server of alcohol has the training and carries the license or carries a license to indicator carries a certificate that indicates they have the training for serving of the alcohol. It's inferred in one of the conditions, but it does not specify. So with that i would amend the motion to, i would present it to an amended motion

>> i think we have a motion on the floor right now. You are proposing that there be an amendment to the motion?

>> Yeah. And he may or may not accept it. That's part of the process.

>> Is your second subject to the changes on your amendment?

>> No. My second stands. But i'm suggesting there be an amendment to this and i as the second would accept and that concluded the number of tickets sold, not putting a limit there.

>> It is subject to the acceptance of your amendment?

>> Not at all.

>> Okay. Thank you.

>> I seconded the motion as presented but i would like to suggest it be amended in these two ways.

>> Okay. Thank you.

>>Your limit of 55,000 tickets, that is total during the whole, they could have 5,000 1 day and 2 thousand another day. I think that defeats the purpose. Isn't the purpose to limit it to a safe

amount like 3200 people a day? In some ways it could be. I did not want to get into a break down of Friday, Saturday and Sunday and limit it to 3200, Monday Tuesday and Wednesday limited to 2,000. But i wanted to allow the flexibility.

>> Okay.

>> I have got a question for the applicant. Do you have a preference if that cap was placed on you to break it down by day or to have the overall ability to look and allocate?

>> I do. You know, i would prefer to have it broken down by day to whatever the manageable level is which is probably somewhere in the neighborhood of 3200 people. I'm not sure that the condition is totally necessary because we only have so much parking. We can only accommodate so much. We are not planning on expanding this for the next 3 years.

>> You know, you have the same restrictions as far as parking previously. But found the ability to go to 70,000.

>> You know, previously, the event in Germany is a free event. No one has to pay to go to it. It was pretty much run that way for many many years. So everybody would come and get in the parking lot and get in the tent and it spill over. Now that we charge for the crowds, we don't have these problems.

>> So the reduction from 70-55,000 was done because you started charging. Naturally it reduces the number of people participating.

>> Correct.

>> Okay. I'm happy to remove my cap on the number of folks attending.

>> Okay. So you are accepting the change with respect to that?

>> Yes.

>> The second change? It's fine? Okay. Is there any other discussion?

>> No. All in favor say, "aye".

>> Aye.

>> No opposition. The motions passes. Thank you.

>> Thank you. I had to do that.

>> Madam chair, i would like to announce the last thing to appeal your action would be September 11, 2013.

>> Thank you.

>> Mr. Chairman?

>> Yes, sir.

>> I would like to make a comment to staff and that is the thoroughness of the report was greatly appreciated. We may have changed it a little bit, but it's a situation where i think that you gave us the background in order to be able to evaluate that and thank you.

>> Thank you, i appreciate that.

>> I just wanted to remember that throughout that meeting there should be a staff member that attendance that meeting also. Make sure you put that in the number of visits that we actually ask them to support us in. Okay?

>> Thank you.

>> Thank you very much.

Deputy Director, do we have any additional public comment?

>> Yes. We do have one speaker, Paul Merit. Mr. Merit? Good morning, Mr. Merit.

>> Hi.

>> Did you have a chance to be sworn in?

>> Yes.

>> Thank you, please have a seat.

>> Good morning honorable commissioners, Paul Merit. My address is 3427 Prim Era by Hollywood. My topic today is more of a preemptive issue to assist the planning commission and staff. There was an application -- first I will back up. I tried to attend the Van Nuys planning commission hearing a few weeks ago. Got all the way over there and found out it was canceled. I wanted to thank Mr. Williams, I think is the gentleman with your staff. The topic that I'm speaking on is the issue of a hillside grading permit at the address of 3406 Barham. It runs through the canyon. The problem is very simple. The applicant and this is the second time the applicant has submitted plans to the city and the county. They wanted to do a Hillside retaining walls, grading, etc. The first one was for a 12-unit apartment building above all the residences. When they could not provide maps, and the recession set in and they abandoned all the plan. A new owner came and they destroyed all the landscaping and they destroyed our sound barriers and we hear all the traffic noise. They mixed the application numbers. So instead of spending 45 minutes at the Van Nuys office, I was compelled to spend 4 1/2 hours and the numbers didn't match or the application and the public notices. Thankfully the commission has stopped that in the tracks and revoked the permits. What is the core of the issue. Is that 3406 Barham they want to repeat what was done to my neighbors two doors down and four doors down. I have a 92-year-old owner who spend lots of money on the property. The next neighbor close to me has spent \$85,000 repairing from permits from grading and retaining walls. The problem at 3400 Barham is that they simply want to be allowed to go ahead with a counter permit to do hillside grading and retaining walls. I'm hoping that the planning commission will instruct the staff or that somehow we can get things going so it's not just a counter permit and that it is a high sensitivity area and that our home at Prim Era Avenue will be protected. I brought two copies for your panel and two copies for your staff of the certified letter I sent to Mr. Raymond Chan. Who by the way, it was ironic at the planning office in Van Nuys, the head planner said he never heard of Mr. Raymond Chan and didn't know anything about it.

>> You mentioned that Van Nuys. Van Nuys is typically the city of Los Angeles satellite city hall. Is your property in the city of Los Angeles or the county?

>> It's in the city but the instructions I received from James Williams, was that this was the meeting I was to attend. I made the extra coming down here. It dawned on me which said county and I know that Lake Hollywood is the city but we do overlap in many areas.

>> Director?

>> Yes, just to clarify the property that Mr. Merit is referring to 3400 Barham is within the city of Los Angeles. The county has no jurisdiction over any building or grading permits in the city of Los Angeles. I would advise Mr. Merit to contact the city officials for any inquiry.

>> I appreciate that.

>> There are very friendly folks at the city that I'm sure will find a way to assist you.

>> Can i recover my handouts?

>> Cou could.

>> May i also suggest you contact your city council person.

>> Mr. Chairman, might someone on staff assist him as to where he should be taking his concern? He spent the time to come here and talk to us about a problem. It's a non-problem because we don't have jurisdiction, but it is a problem still for the speaker and if we could assist him a little bit with that, i would appreciate it

>> I put my phone number on the list and i will be happy to call you later. I'm surprised that they directed me because i don't write things down because i'm a stock broker. My memory for names and numbers is very good. They said it's downtown, Wednesday in the morning. I wonder if there is another meeting going on.

>> Have a good holiday.

>> Thank you.

>> Thank you very much.

>> Continuation of reports, possible call for review of decisions by hearing officers pursuant to section 2200 of the Los Angeles county code.

>> None.

>> Any reports from commissioners, county council, deputy director?

>> I indicated last week that I'm not available on the next meeting, September 4th. And that wanted a date for a continuance of a case that i have on that day. I think that the deputy director was going to do that today.

>> Okay.

>> Let's stand by just for a moment here.

>> Okay.

>> Then I'm not sure. But i believe that's the only case next week. Next week is i believe the meeting that I'm not going to be attending. Okay. So the meeting will just be continued then next week. Okay. Is that the only case that we have?

>> Deputy director?

>> We had a rescheduling question for you.

>> They would just come in and continue the case?

>> That is correct.

>> Thank you.

>> Okay, if you have not read your recent planning magazine, it has a good series or good article on water and water supply and water concerns. As we look at things in the future. While i was in Montana, i had the opportunity to travel over an over pass that is one of the new diamond over passes where the cars going over the major freeway reverse lanes. Your traveling on the opposite side of the street. But there are only two signals involved in that whole exchange. I drove around it a couple times just to get the feel of it because it has a much better on and off position and there was an article -- in this month's public road of July and August of design of crossroads. If you have not seen this, i think this is one that is worthwhile. I passed it on to public works. As we look into this, we ought to consider.

>> Thank you very much. Any other comments? With that we are adjourned until Wednesday, September 4th. Thank you.

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>> [meeting is adjourned]

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