



Executive Director's
Report to the
Board of Harbor Commissioners

DATE: AUGUST 14, 2013

FROM: PLANNING & ECONOMIC DEVELOPMENT

**SUBJECT: RESOLUTION NO. _____ – ISSUANCE OF A LEVEL I
COASTAL DEVELOPMENT PERMIT (NO. 13-10) TO CIRQUE DU
SOLEIL AMERICA FOR THEATRICAL CIRCUS**

SUMMARY:

Cirque du Soleil America (Cirque du Soleil) is proposing to hold a theatrical circus event between October 11, 2013, and November 10, 2013, in the Outer Harbor at Berths 45-49. The event requires the installation of four tents at the site. Staff is recommending the Board of Harbor Commissioners (Board) approve Coastal Development Permit (CDP) No. 13-10, a Level I, non-appealable permit for the proposed event.

RECOMMENDATION:

It is recommended that the Board of Harbor Commissioners:

1. Find that the proposed project conforms with the Port Master Plan and the California Coastal Act of 1976, as amended, and find that this project will have no significant adverse environmental impacts as provided in the California Environmental Quality Act;
2. Authorize the Executive Director to approve the issuance of Coastal Development Permit No. 13-10, consistent with the project description listed on Application for Discretionary Project No. 130618-096; and
3. Adopt Resolution No. _____.

DISCUSSION:

Background/Context – Cirque du Soleil, a world renowned theatrical circus and performing arts company based in Montreal, Quebec, is proposing a theatrical circus event in the Outer Harbor at Berths 45-49 (Transmittal 1). Cirque du Soleil has been producing shows since 1984 and currently is producing 19 shows, 9 touring the world, and 10 resident shows, 9 in Las Vegas and 1 in Orlando. The theatrical circus will feature the TOTEM show, a journey into the evolution of mankind. The show has been performed in Ottawa, Ontario and Columbus, Ohio. The show is expected to have a positive impact on the local economy.

SUBJECT: LEVEL I CDP NO. 13-10 TO CIRQUE DU SOLEIL AMERICA

Project Scope of Work – Cirque du Soleil is requesting to install four temporary tents: one main performance show tent of approximately 22,000 square; one tent of approximately 6,100 square feet for the rehearsal and dressing areas of the artists; one tent of approximately 4,920 square feet to serve as a VIP reception area; and one tent of approximately 14,900 square feet for concession and merchandise sales. Additional temporary installations include four generators for power, a staff kitchen and lavatory, public lavatories, and trailers housing offices and maintenance shops. Site preparation and equipment set-up will begin September 1, 2013. The show will be held between October 10, 2013 and November 10, 2013. Equipment teardown and site restoration will begin November 10, 2013 and be completed by November 22, 2013.

Cirque du Soleil will have a maximum of two performances per weekday and a maximum of 3 shows per day on weekends (total of approximately 14 shows per week). No shows will be held on Monday. Hours of operations would be between 1:00 PM and 11:00 PM. Each show can accommodate up to 2,649 patrons generating approximately 1200 cars per show.

Coastal Permit Requirements – The proposed project, located in Master Planning Area 2, is a Level I, non-appealable project in accordance with the definitions set forth in the *Guidelines for Implementation of the Port of Los Angeles Certified Port Master Plan*. A Level I permit is one of three levels of permits that the Board can issue (Transmittal 2). Level I permits are issued for developments that involve minimal changes in land/water use, and minor changes in density and intensity of use. Level I permits are also issued for temporary events that exceed two weeks in duration. Cirque du Soleil's event will begin September 1, 2013, and end November 22, 2013. As such, a Level I, non-appealable Coastal Development Project is required for this event.

The proposed project has been found to be consistent with the Port Master Plan and Chapter 8 policies of the California Coastal Act of 1976, as amended. Specifically, the temporary tents are consistent with Section 30708 that requires port-related development to give highest priority to the use of existing land space within harbors for port purposes.

ENVIRONMENTAL ASSESSMENT:

The proposed action is approval of a Level I CDP to Cirque du Soleil for construction, operation and maintenance of a temporary live entertainment facility at Berths 45-49. As an activity involving a temporary use of land having no permanent effects on the environment, the Director of Environmental Management has determined that the proposed action is exempt from the requirements of the California Environmental Quality Act (CEQA) in accordance with Article III Class 4 (6) of the Los Angeles City CEQA Guidelines.

DATE: AUGUST 14, 2013

PAGE 3 OF 3

SUBJECT: LEVEL I CDP NO. 13-10 TO CIRQUE DU SOLEIL AMERICA

ECONOMIC BENEFITS:

Cirque du Soleil will employ 150 local staff for the duration of the show with production spending estimated to be \$1.1 million and visitor spending estimated at \$1.6 million. Each show can accommodate approximately 2,500 visitors and it is anticipated that up to 100,000 visitors will attend the performances through the duration of the performances. Cirque du Soleil will implement a parking and traffic management plan for the event.

FINANCIAL IMPACT:

Approval of the proposed event would result in the Harbor Department committing 11 acres located at Berths 45-49 to Cirque for a 90-day period beginning September 1, 2013. Cirque will pay the Harbor Department rent for the premises during the term of the event the greater of \$200,000 or eighty percent of the parking revenues. The financial impact of not approving the proposed event would be for the Harbor Department to forgo at least \$200,000 in revenue. The proposed use of Berths 45-49 by Cirque will not displace any current or prospective tenants during the term of the event. Cirque will provide its own security and emergency medical services for the event so additional costs for such services are not expected to be incurred by the Harbor Department assuming attendance to the event does not significantly surpass the anticipated levels.

CITY ATTORNEY:

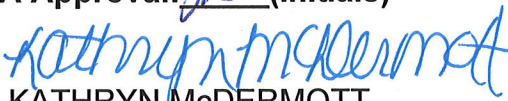
This matter presents no legal issues at this time.

TRANSMITTALS:


1. Site Location Map
2. CDP No. 13-10


DAVID L. MATHEWSON
Director of Planning & Economic Development

FIS Approval: KL (initials)
CA Approval: gd (initials)


KATHRYN McDERMOTT
Deputy Executive Director

APPROVED:


for GERALDINE KNATZ, Ph.D.
Executive Director