

MINUTES
BUSINESS LICENSE COMMISSION
MEETING

June 4, 1991

I. CALL TO ORDER

A regular meeting of the West Hollywood Business License Commission held on the above date in the City Council Chambers in the Werle Building, 626 N. Robertson Boulevard, West Hollywood, CA, was called to order at 7:19 p.m. by Chairperson Carole Ellis.

A. Pledge of Allegiance led by Mark Lehman.

B. Roll Call:

Commissioners Present: Forbes, Elliott, Maggio
Sonnenburg, Ellis

Commissioners Absent: None

Staff Present: Anne Browning, Manager
Gay Forbes, CDD Director
Effie Cogan, City Attorney
Derek Widdiss, Staff

C. Approval of Agenda:

Action: To change order of agenda items
as indicated by Chairperson Ellis
(as follows: IV-A, IV-C, IV-B)

Motion: Comm. Ellis
Second: Comm. Forbes

Motion passes with all ayes from Commission.

Action: To table Item E (re: BLC election of
new Chairperson) and continue to next
BLC meeting in July.

Motion to table passes with a majority vote, as
follows:

Yeas: Comm. Ellis,
Maggio, Sonnenburg

No's: Comm. Forbes,
Elliott

D. Approval of Minutes of May 7, 1991:

Commissioner Forbes asked for minor correction to minutes indicating that item "C" should not list him as approving agenda as he was not present at meeting.

Commissioner Maggio asks for an additional language change to minutes relating to applicant rebuttal. Requested that problems be listed to state findings by Commission.

Action: To approve minutes with corrections:

Motion: Comm. Forbes
Second: Comm. Elliott

Motion to approve minutes carries unanimously with all eyes from Commissioners.

II. ITEMS FROM CITIZENS:

Thomas Crail, W.H. - asked Commission to work with Chamber of Commerce in regards to setting up nightclub standards.

Jeanne Dobrin, W.H. - spoke regarding noise abatement in relation to motorcycles. Asked for staff to look into drafting regulations for motorcycles. Commended the Roxbury club for correcting many problems that were occurring at business. Encouraged other businesses to follow suit.

III. CONSENT CALENDAR:

A. Rainbow Bar & Grill - 90 Day Review

Public Comments:

Jeanne Dobrin, W.H. - spoke regarding problems that have been occurring at Rainbow (fist-fighting, vehicular crime, etc.).

Commission discussed report and unanimously agreed to receive and file staff report.

IV. PUBLIC HEARINGS

A. BLC 91-004 - Little Frida's

Staff report was given by Anne Browning with a recommendation to approve with conditions noted in Resolution

APPLICANT COMMENTS:

Caroline Medlen-Roat - spoke on behalf of her business. Indicated that measures have been taken to insure that activities will not adversely affect surrounding residential community.

PUBLIC COMMENTS:

Suzanne Brent, W.H. - spoke on behalf of Little Frida's and encouraged BLC to approve business license.

Dorothy Martel, W.H. - spoke against granting 24 hr. business license.

Joyce Heftel, W.H. - spoke against granting 24 hr. business license.

Carol Press, W.H. - spoke against granting 24 hr. business license.

Dennis Doff, W.H. - spoke in favor of applicant.

Jeffrey Bowman, W.H. - (manager of Little Frida's) spoke in favor of granting 24 hr. business license.

Jeffrey McFarland, W.H. - spoke about problems that have occurred at the site (for/against?) - (check tape)

Lever Flowers, W.H. - spoke in favor of granting 24 hr. business license.

Jeanne Dobrin, W.H. - spoke in favor of having a coffee house in the City. Mentioned concerns in regards to parking problems.

Lee Konesis, W.H. - spoke against granting 24 hr. business license.

Richard Belasco, W.H. - spoke in favor of granting 24 hr. business license.

Mike Radcliffe, W. H. - spoke in favor of granting 24 hr. business license.

APPLICANT REBUTTAL:

Ms. Medlen-Roat answered questions from Commissioners in regards to outdoor dining, set up (logistics of business), loitering of patrons, parking availability, entertainment, etc.

ADDITIONAL PUBLIC COMMENTS:

Howard Gottlieb, W.H. - spoke regarding parking issue (use of leased parking).

Anne Browning replied to concern by referring to Zoning Ordinance (CUP approval for restaurants with less than 1200 square feet).

Additional discussion by Commissioners regarding parking and noise.

Public hearing is closed (all ayes).

Chairperson Ellis indicated that the City needed more upscale types of restaurant, such as Little Frida's.

Additional questions were asked of applicant (Ms. Medline-Roat) by Commissioners.

After extensive discussion by the BLC a motion was made by Commissioner Maggio to approve 24 hr. business license with conditions/modifications as set forth in Resolution 91-02 with a six-month review.

Motion: Comm. Maggio
Second: Comm. Elliot

Motion to approve passes with all ayes from Commission.

IV. C - BLC 91-006 - Champagne Partners, Inc.
dba Bar One

Staff report was given by Anne Browning with a recommendation to approve Dance business license (with conditions).

APPLICANT COMMENTS:

Mark Lehman, W. H. - legal representative for applicant spoke on behalf of his client(s). Gave a brief bio of new owners' background (other businesses owned, etc.).

Chairperson Ellis asked questions to applicant's representative in regards to parking issues.

PUBLIC COMMENTS:

Janet Burnstein, W.H. - spoke against granting Dance business license, mentioned ongoing problems in area.

Sandra Stone, W.H. - spoke against granting of Dance business license.

Sheldon Kort, W.H. - spoke regarding ongoing problems that have occurred at Bar One location. Asked for recommending a six-month review by BLC.

Tony Vincent, W.H. - spoke in favor of granting Dance business license.

Joseph Gagliano, W.H. - spoke in favor of granting Dance business license.

Jeanne Dobrin, W.H. - spoke in favor of applicant, mentioned problems with patrons that go to Bar One.

Commissioners asked questions of applicants' representative (Mr. Lehman).

Applicants spoke in response to questions from BLC.

Public hearing is closed.

Continued discussion by Commissioners.

A motion is made by Commissioners Forbes to approve BLC 91-006 with conditions noted in Resolution BL 91-04.

Motion: Comm. Forbes
Second: Comm. Sonnenburg

Motion to approve passes with all ayes from Commission.

IV. **B - Alhar Enterprises, Inc. dba Peanuts**

Staff report was given by Anne Browning with additional comments from Patty Frank (staff/neighborhood specialist).

Commissioners asked questions to staff in response to the staff report presented by Ms. Browning and Ms. Frank.

PUBLIC COMMENTS:

Harry Williams, W.H. - asked for additional conditions be placed on Peanuts to control activities of club patrons.

Stefan Kalinka, W.H. - complained about massive problems caused by club patrons in neighboring area (residential area).

Jeffrey Puhr, W.H. - spoke against club, mentioned continual problems with noise, loitering, boisterous patrons, etc.

Susan Jones, W.H. - spoke about problems with patrons, parking, etc.

Mike Radcliffe, W.H. - spoke in favor of Peanuts and applicant, Mr. Josh Feld.

Florence DelBerian, W.H. - spoke about continual on-going problems with nightclubs and patrons.

Diane Cordova, W.H. - spoke against Peanuts and club patrons.

Doug Norton, W.H. - spoke against Peanuts.

APPLICANT REBUTTAL:

Mr. Golden, (legal representative for applicant), spoke regarding an error in procedure (i.e. noticing applicant of charges, etc.).

Effie Cogan, City Attorney, replied to concerns of Mr. Golden and indicated that procedures are correct.

Mr. Josh Feld (applicant) spoke on his own behalf and indicated that he is making an effort to alleviate all problems (i.e. sound insulation, controlling problem patrons, etc.). He asked the Commission to allow his business to continue operating with Dance business license.

Commissioners asked questions of Mr. Feld in regards to ongoing problems occurring at club.

Mr. Feld responded to Commission concerns and asked for some minor changes be made to conditions in staff's Resolution.

ADDITIONAL PUBLIC COMMENTS:

Stefan Kalinka, W.H. - gave additional testimony regarding parking problems in neighborhood.

Commissioners continue discussion of staff's recommendations and items outlined in Resolution 91-03.

A motion is made by Commissioner Elliott to adopt Resolution No. 91-03 with noted language changes as noted by Commissioner Elliott.

Commission Sonnenburg seconded the motion and added a friendly amendment.

Additional comments were given by Effie Cogan in relation to language being used in formation of motion.

Commissioner Sonnenburg withdrew her second of Commissioner Elliott's motion.

Gay Forbes (CDD Director) gave direction to Commission in relation to forming a motion for discussion by the Commission.

Commissioner Sonnenburg offered a motion to suspend Peanut's Dance business license based on record of complaints by neighboring residents over the past three (3) years, conditional for a period of 30 days.

Commissioner Maggio seconded the motion for discussion.

After Commission discussion the motion to suspend Peanut's Dance business license carries with a majority vote of the BLC.

Ayes: Comm. Sonnenburg, Ellis, Maggio
No's: Comm. Elliott, Forbes

V. COMMISSION CHAIR'S REPORT:

Chairperson Ellis mentioned ongoing problems with motorcycles on Sunset Boulevard. Asked for staff's help to implement noise abatement and enforcement.

VI. ITEMS FROM COMMISSIONERS:

Commissioner Sonnenburg made a motion to table discussion of nightclub report and set up a special study session for comprehensive discussion by the BLC.

Commissioner Maggio seconded the motion for discussion.

No action was taken on motion.

Commissioner Ellis complained about the noise problems occurring on Sunset Boulevard due to the proliferation of motorcycles.

Commissioner Sonnenburg asked about replacement for BL Officer (Corey Roskin).

Commissioner Elliott brought up the establishment of a pawn shop. He indicated to the BLC that the location had a similar commercial use (i.e. Pawnshop).

Commissioner Elliott inquired as to the status of enforcement of the Holloway/Sunset coffee shop (illegal 24 hr. business activity).

Staff indicated that Code Enforcement was aware of situation and is doing follow-up at the location site.

Commissioner Maggio asked if the City can look into locating hearing devices to help the hard-of-hearing for use at public hearing meetings.

Chairperson Ellis asked for a brief update on Fleetwood's.

Staff indicated that no formal decision had been made and position would remain open for an undetermined amount of time.

VII. ITEMS FROM STAFF:

A. Nightclub Report.

Commissioners made a motion to continue item.

Motion: Comm. Elliott
Second: Comm. Forbes

Motion to continue item passes with all ayes from Commission.

VII ITEMS FROM CITIZENS:

None.

IV. ADJOURNMENT:

Chairperson Ellis requested an adjournment of BLC meeting to the next regularly scheduled meeting of BLC on July 2, 1991.

A motion was made to adjourn meeting.

Motion: Comm. Forbes
Second: Comm. Elliott

Motion to adjourn to next regularly (July 2, 1991) scheduled BLC meeting passed with all ayes from Commissioners.

CHAIRPERSON

STAFF LIAISON TO COMMISSION