

**MINUTES
BUSINESS LICENSE COMMISSION
MEETING**

March 5, 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 7:12 p.m. by Chairperson Carole Ellis.

A. Pledge of Allegiance led by Commissioner Elliott.

B. Roll Call:

Commissioners Present: Elliott, Ellis, Forbes,
Maggio

Commissioners Absent: Sonnenburg

Staff Present: Anne Browning, Manager
Jennifer Davis, Planner
Gay Forbes, Director
Corey Roskin, BL Officer
Derek Widdiss, Staff

Approval of Agenda:

Action: To approve agenda as prepared by
staff.

Motion: Comm. Elliott
Second: Comm. Maggio

Motion carries unanimously with all ayes from
Commissioners.

Approval of Minutes (February 5, 1991):

Action: To approve minutes as prepared by
staff.

Motion: Comm. Elliott
Second: Comm. Forbes

Motion carries unanimously with all ayes from
Commissioners.

Chairperson Ellis requests a discussion of Consent
Calendar Item (Fleetwood's Resolution).

A motion is made to amend approval of agenda to discuss
the Consent Calendar.

Motion: Comm. Forbes
Second: Comm. Elliott

Motion to amend Consent Calendar passes (all ayes).

II. ITEMS FROM CITIZENS

Jeanne Dobrin, West Hollywood - spoke regarding illegal signage at corner of Santa Monica and Nemo.

Richard Grey, West Hollywood - spoke on behalf of Queer Nation group regarding the renewal of Barney's Beanery's business license.

Corey Roberts, West Hollywood - spoke on behalf of Queer Nation group regarding Barney's Beanery and issues of anti-Gay discrimination.

III. CONSENT CALENDAR

Resolution BL 90-09
Fleetwood's L.A. Blue dba Fleetwood's
8290 Santa Monica Boulevard
West Hollywood, CA 90069

Resolution BL 90-09 approving Dance business license.

Minor staff report update was given by Corey Roskin.

Commission opened with discussion regarding Fleetwood's application and status of their ABC license. Questions regarding ownership and conditions placed on existing business licenses for club were inquired of applicant's representative, Mark Lehman (attorney).

APPLICANT (REPRESENTATIVE) COMMENTS:

Mark Lehman, attorney representing Fleetwood's, spoke on behalf of restaurant. Indicated the status of ABC license as still pending and stated that there are no sales of liquor occurring at Fleetwood's. Mr. Lehman gave a description of current ownership status of business transfer, etc. It was stated that the final contractual obligations would not be settled until the ABC license issue is resolved.

COMMISSION COMMENTS:

Commissioner Elliott asked questions of Anne Browning regarding staff's recommendation.

Commissioner Forbes spoke regarding the previous use of the property (Palette) and stated that changes in use at the location prompted the BLC to impose conditions on their business license.

The Commissioners discussed conditions imposed in Resolution and asked for clarification from staff.

A motion was made to adopt Resolution BL 90-09 with minor changes as recommended by staff.

Motion: Comm. Elliott
Second: Comm. Maggio

Motion carried unanimously with all ayes from the Commissioners.

IV. PUBLIC HEARING:

BLC 91-001
Rockin' Horse, Inc.
dba Rainbow Bar and Grill
9015 Sunset Boulevard
West Hollywood, CA 90069

An application for a Dance business license.

A staff report was given by Corey Roskin.

APPLICANT COMMENTS:

Andrias Pergell Jr., Chatsworth, (attorney) spoke on behalf of the owners of Rainbow Bar and Grill and recommended that the BLC approve Dance license.

The Commissioners asked applicants representative questions regarding the set up of the restaurant, location of exits and entry doors, dance floor activity, soundproofing, etc.

PUBLIC COMMENTS:

Donald Ross, Los Angeles - asked BLC to postpone decision on granting Dance business license. Stated that the neighborhood has experienced numerous problems caused by the Rainbow Bar and Grill.

Harriett Segal, West Hollywood - stated that BLC should consider the issue of the entire Sunset Strip in relation to granting businesses Dance licenses on Sunset Boulevard.

Rochelle Sommers-Smith, West Hollywood - stated that the Sunset Strip has many problem caused primarily by nightclubs. She indicated the owner of the Rainbow would meet with neighbors to discuss addressing problems occurring at properties owned by the applicant. Requested that the commission continue item until neighborhood has been able to meet with applicant.

Jeanne Dobrin, West Hollywood - spoke regarding the changes she has seen take place at the site. She asked

that the Commission hold off on making final decision until neighbors have met with applicant.

APPLICANT REBUTTAL:

Attorney replied to the BLC and asked Commission to grant dance license to the Rainbow.

Mario Maglieri, owner of Rainbow spoke regarding mitigation measures he has already instituted to try to alleviate problems in the neighborhood (soundproofing, security guards, etc.).

COMMISSION COMMENTS:

Chairperson Ellis indicated that a neighborhood meeting between the residents and the business owner(s) would be a good idea.

Commissioner Maggio "echoes" Chairperson Ellis' comments.

Commissioner Forbes stated the L.A. County made errors in issuing a Dance license for his business (Studio One).

Anne Browning asked BLC if a temporary license could be issued until item returned to BLC for final approval.

A motion was made by Commissioner Maggio to issue a temporary Dance business license for three (3) months.

Commission Elliott asked for additional conditions be placed on temporary license if approved by BLC.

Additional staff and commission comments were made regarding the motion.

Commissioner Forbes asked to have the public hearing closed.

Motion: Comm. Forbes
Second: Comm. Elliott

Motion to close public hearing passes with one "no" vote from Commissioner Maggio.

A motion is made by Commissioner Elliott to issue a temporary dance license (with conditions) and requests that license be renewed within a 90-day period.

Commissioner Forbes seconds the motion and adds minor amendment requesting additional street cleaning be provided by applicant.

Commissioner Maggio asks to have the applicant come back to the BLC in 60 days instead of 90.

Motion to approve temporary Dance business license (with conditions) passes with all ayes from the BLC.

V. COMMISSION CHAIR'S REPORT:

Chairperson Ellis asked staff if the Sheriff's Department had been notified regarding attending BLC meeting.

Anne Browning responded regarding issues of budgetary constraints that need to be considered when asking that the Sheriff's department attend BLC meetings.

Chairperson Ellis asked staff about night-time code enforcement for the Sunset Strip (status update).

Anne Browning stated that enforcement had begun and a report would be provided to the BLC in 30 days.

Chairperson Ellis inquired into the status of Peanuts nightclub and the setting up of a neighborhood meeting with the business representatives.

Corey Roskin indicated that a meeting is being set up for April 15th (7pm).

Chairperson Ellis asked that staff look into the matter of what happened with the missing P.A. system. She stated that the system has been unavailable for the BLC on previous occasions.

Anne Browning indicated that the staff would follow-up with the appropriate parties and issue would be addressed for BLC.

VI. ITEMS FROM COMMISSIONERS:

Commissioner Elliott asks for a copy of the business resolutions packet provided to the code enforcement officers.

Staff indicated that packet would be provided to BLC members.

Chairperson Ellis spoke regarding Commissioner Sonnenburg's memorandum provided to staff regarding business criteria in relation to Barney's Beanery.

Commissioner Forbes asked staff for an update regarding items coming before the BLC in the near future.

VII. ITEMS FROM STAFF

Jennifer Davis introduced acceptance affidavit for BLC resolutions.

VIII ITEMS FROM CITIZENS

Jeanne Dobrin, West Hollywood - complained about noise of a/c system, lack of P.A. system, staff's comments to the public.

Corey Roberts, West Hollywood - asks what requirements need to be met to bring a business before the BLC.

Anne Browning indicated to the BLC that investigations for business license can be made throughout the year at any time. She stated that a mediation meeting was being set up with Barney's Beanery.

IX. ADJOURNMENT

Commissioner Forbes made a motion to adjourn meeting to the next regulary scheduled BLC meeting on April 2, 1991.

Motion: Comm. Forbes
Second: Comm. Elliott

Motion passes with all ayes from the Commission.

Chairperson

Staff Liaison to Commission