

**BUSINESS LICENSE COMMISSION
CITY OF WEST HOLLYWOOD
MINUTES
TUESDAY, JANUARY 12, 2021
SPECIAL TELECONFERENCE MEETING**

6:00 P.M. – BUSINESS LICENSE COMMISSION MEETING VIA TELECONFERENCE

1. **CALL TO ORDER**– Chair Anthony called the meeting to order at 6:05 p.m.
2. **PLEDGE OF ALLEGIANCE**– Chair Anthony led the Pledge of Allegiance.
3. **OATH OF OFFICE**- Councilmember Sepi Shyne administered the Oath of Office to the newly appointed Commissioner Delfina Alden.

4. ROLL CALL

PRESENT: Commissioner Kalonian
Commissioner Saltzman
Commissioner Zaden
Commissioner Lo
Chair Anthony

ABSENT: None.

ALSO PRESENT: Code Compliance Manager, Danny Rivas
Code Compliance Supervisor, Yessica Benitez
Commission Secretary, Falyn Kingi
Event Services Technician, Paige Portwood
Director of Public Works, Jackie Rocco
Community and Legislative Affairs Manager, John Leonard
Assistant City Attorney, Lauren Langer

5. APPROVAL OF AGENDA

SUBJECT: The West Hollywood Business License Commission is requested to approve the Agenda.

ACTION: Approve the agenda of Tuesday, January 12, 2021. **Motion by Commissioner Zaden, seconded by Commissioner Kalonian, and approved.**

6. APPROVAL OF MINUTES

SUBJECT: The West Hollywood Business License Commission is requested to approve the Minutes of the previous Business License Commission Meeting on Tuesday, December 15, 2020.

ACTION: Approve the minutes of Tuesday, December 15, 2020. **Motion by Commissioner Kalonian, seconded by Commissioner Saltzman, and approved.**

7. PUBLIC COMMENT

KIMBERLY COPELAND, WEST HOLLYWOOD, congratulated Commissioner Alden on her new appointment. She also expressed her gratitude for serving on the Business License Commission as she transitions to another Commission.

GENEVIVE MORRILL, congratulated Commissioner Copeland and welcomed Commissioner Alden to the Business License Commission.

8. PUBLIC HEARING

A. APPLICATION BY PDLP JV, LLC FOR CANNABIS BUSINESS LICENSES FOR ADULT-USE RETAIL, MEDICAL USE DISPENSARY, CONSUMPTION AREA (SMOKING, VAPING, EDIBLES), AND DELIVERY SERVICE FOR THE BUSINESS KNOWN AS GREENWOLF WEST HOLLYWOOD, LOCATED AT 8555 W. SUNSET BOULEVARD.

SUBJECT: The West Hollywood Business License Commission shall conduct a public hearing to consider the applications by PDLP JV, LLC for Cannabis Business Licenses for Adult-Use Retail, Medical-Use Dispensary, Consumption Area (Smoking, Vaping, Edibles), and Delivery Service for the business known as Greenwolf West Hollywood, located at 8555 W. Sunset Boulevard.

Code Compliance Supervisor, Yessica Benitez, stated that the item was noticed as required by law.

Code Compliance Supervisor, Yessica Benitez, and Community and Legislative Affairs Manager, John Leonard, provided background information as provided in the staff report dated January 12, 2021.

Commissioner Lo asked for clarification regarding the applicant's proposed hours of operation. Community and Legislative Affairs Manager, John Leonard, explained that the City agrees with the proposed retail and delivery hours of operation of 6:00 a.m. to 10:00 p.m. However, although the applicant's proposed hours of operation for consumption aligns with the West Hollywood Municipal Code (6:00 a.m. to 2:00 a.m.), the City recommends the interior operating hours be from 8:00 a.m. to 2:00 a.m. and the exterior consumption hours from 10:00 a.m. to 2:00 a.m.

Chair Anthony inquired about the proposed odor control mitigation (HVAC) system, its location, and the air cleaner. Community and Legislative Affairs Manager, John Leonard, confirmed that the applicant has extensive odor control systems both inside and outside of the location.

Commissioner Zaden requested additional information on odor control. Community and Legislative Affairs Manager, John Leonard, explained that one of the applicant's requirement is to ensure that no odor is detectable beyond the premises.

SOL YAMANI, CEO, SEAN MADDOCKS, ATTORNEY, and MCSHANE MURNANE, ARCHITECT, gave a presentation and provided information regarding the business, its concept, location, odor control measures, and shared a brief overview of all business partners involved.

Chair Anthony asked the applicant to elaborate on the odor control system for the exterior of the consumption lounge. Architect, McShane Murnane, explained that most of the smoking area is indoors and the exterior lounge will have a roof

screen that will serve as odor and noise mitigation. He further explained that there will be exhaust fans above the seating areas with 2-inch carbon filters that will be zoned by itself, and there will be a total of four exhaust areas to cover the entire business.

Commissioner Zaden inquired if any of the fans contain ozone. Architect, McShane Murnane, stated that the fans do not contain ozone.

ERRON SILVERSTEIN, spoke in support of 8A.

SCOTT SCHMIDT, spoke in support of 8A.

JEFF DANZER, spoke in support of 8A.

JAKE STEVEN, spoke in support of 8A.

ROBERT ROIG, spoke in support of 8A.

LAUREN GOLDSTEIN, spoke in support of 8A.

SAM MORADZADEH, spoke in support of 8A.

ADRIAN AND TRISHA KHAGAN, spoke in support of 8A.

MEGAN SCHROEDER, spoke in support of 8A.

LEE MAEN, spoke in support of 8A.

TRACY PASSO, spoke in support of 8A.

GENEVIEVE MORRILL, spoke in support of 8A.

NINAZ KHORSANDI BERAL, spoke in support of 8A.

NICOLE FOX, spoke in support of 8A.

CHARLES EESIG, spoke in support of 8A.

BRIAN ROBINSON, spoke in support of 8A.

DMITRI KERMANI, spoke in support of 8A.

SAM KEYWANFAR, spoke in support of 8A.

COBBY PORTOUVASI, spoke in support of 8A.

Chair Anthony allowed the applicant an additional five (5) minutes to complete their presentation.

MCSHANE MURNANE, ARCHITECT, continued his presentation and provided a brief design overview.

Commissioner Lo disclosed that he was the assistant controller at Pink Dot in 1992 or 1993, which at the time was under a different ownership than Sol Yamani.

Commissioner Kalonian spoke regarding the proposed hours of operation. He requested to open a discussion to consider a single start time of 6:00 a.m. for all business operations.

Commission Zaden thanked staff and spoke about the positive support received from the public about this item.

Chair Anthony clarified Commissioner Kalonian's request to open the discussion about the proposed hours of operation. He asked if the start time of 6:00 a.m. was consistent with State's regulation. Community and Legislative Affairs Manager, John Leonard, confirmed that the State regulation allows a start time of 6:00 a.m.

Commissioner Saltzman inquired if staff would be supportive of a 6:00 a.m. start time for indoor consumption. Community and Legislative Affairs Manager, John Leonard, confirmed that staff would be supportive of the 6:00 a.m. start time for indoor consumption area as other similar consumption lounges have been allowed to start at 6:00 a.m.

Chair Anthony inquired about Covid-19 influence on new business licenses. Community and Legislative Affairs Manager, John Leonard, spoke about the deviations allowed in outdoor dining areas under the emergency health orders and clarified that the Los Angeles County Department of Public Health has not released any regulations pertaining to Cannabis Consumption Businesses as there is only one in the County.

Assistant City Attorney, Lauren Langer, suggested to the Commission to contemplate the long-term operation.

Code Compliance Supervisor, Yessica Benitez, stated that previously approved Cannabis Consumption Business Licenses have been allowed to start at 8:00 a.m.

Commissioner Kalonian said he would consider a start time of 8:00 a.m. for the exterior lounges.

Assistant City Attorney, Lauren Langer clarified the change in conditions.

ACTION: Adopt Resolution No. BLC-21-0001, "A RESOLUTION OF THE BUSINESS LICENSE COMMISSION OF THE CITY OF WEST HOLLYWOOD APPROVING CANNABIS ADULT-USE RETAIL BUSINESS LICENSE #CAU-000008, CANNABIS MEDICAL-USE DISPENSARY BUSINESS LICENSE #CMU-000005, CANNABIS CONSUMPTION AREA (SMOKING, VAPING, EDIBLES) BUSINESS LICENSE #CCA-000005 with amended hours to condition

6, AND CANNABIS DELIVERY SERVICE BUSINESS LICENSE #CDW-000006 FOR THE BUSINESS KNOWN AS GREENWOLF WEST HOLLYWOOD LOCATED AT 8555 W. SUNSET BOULEVARD.” (Attachment A). **Motion by Commissioner Kalonian to approve with the new recommended hours, seconded by Commissioner Zaden and approved.**

B. A REQUEST TO AMEND THE APPROVED BUSINESS LICENSE CONDITIONS TO MODIFY THE SECURITY GUARD REQUIREMENTS AND THE USE OF A RETRACTABLE SKYLIGHT IN THE CONSUMPTION AREA (SMOKING, VAPING, EDIBLES) UNTIL 10:00 PM, FOR THE BUSINESS KNOWN AS PLEASUREMED LOCATED AT 7715 SANTA MONICA BOULEVARD.

SUBJECT: The West Hollywood Business License Commission shall conduct a public hearing to consider a request by PleasureMed, LLC to amend approved business license conditions, specifically conditions nine (9) and twelve (12) of Resolution No. BLC19-0005, which prohibits the use of the retractable skylight during business hours and requires three (3) on-site security guards, one (1) roving bike patrol during hours of operation, a minimum of one (1) on-site security guard when the business is not operating.

Business License Commission Secretary, Falyn Kingi, stated that the item was noticed as required by law.

Code Compliance Supervisor, Yessica Benitez, and Community and Legislative Affairs Manager, John Leonard, provided background information as provided in the staff report dated January 12, 2021.

KEVIN BRADY, APPLICANT, gave a presentation and provided information on the proposed changes to the security plan and odor control to open the retractable skylight during business hours. The applicant is proposing to use a third-party security firm, Protect Us. They will also be contracting with Active Watch (or a similar company) to allow for 24/7 remote monitoring. The assigned community liaison will also patrol the area within a 2-block radius throughout all operation hours. He stated that the skylight would be facing Santa Monica Boulevard and would be open during operational hours. He assured the Commission that the smell of cannabis would not be a concern as he is partnering with Shamim Engineering to design the HVAC and odor containment system. Lastly, he shared that the odor and noise levels will be recorded digitally.

Commissioner Alden inquired why the applicant was requesting to adjust the security guard requirement. Kevin Brady, applicant, explained the current requirement poses a drastic financial impact and explained the new security firm has recommended making the proposed changes.

SCOTT SCHMIDT, spoke in support of 8B.

ERRON SILVERSTEIN, spoke in support of 8B.

JAKE STEVENS, spoke in support of 8B.

JEFF DANZER, spoke in support of 8B.

NICOLE FOX, spoke in support of 8B.

GENEVIEVE MORRILL, spoke in support of 8B.

Chair Anthony asked for clarification on the applicant's requested time to use the skylight. Community and Legislative Affairs Manager, John Leonard, explained that the request received from the applicant was for the skylight to be used between 10:00 a.m. to 10:00 p.m. Kevin Brady, applicant, stated there was a mistake on the request, and he would like to have the skylight open during all operating hours between 10:00 a.m. to 2:00 a.m.

Commissioner Saltzman motioned to approve the request with the modified conditions as recommended by staff not the applicant.

ACTION: Adopt Resolution No. BLC21-0002. "A RESOLUTION OF THE BUSINESS LICENSE COMMISSION OF THE CITY OF WEST HOLLYWOOD APPROVING THE REQUEST TO MODIFY THE SECURITY REQUIREMENTS CONDITION AND ALLOW THE USE OF THE RETRACTABLE SKYLIGHT IN THE CONSUMPTION AREA UNTIL 10:00 PM." (Attachment A). **Motion by Commissioner Saltzman, seconded by Zaden and approved.**

C. APPLICATION BY STARBUCKS FOR AN EXTENDED HOUR BUSINESS LICENSE LOCATED AT 164 N. ROBERTSON BOULEVARD.

SUBJECT: The West Hollywood Business License Commission shall conduct a public hearing to consider the application for an extended hour business license at an existing coffee shop known as Starbucks, located at 164 N. Robertson Boulevard.

Business License Commission Secretary, Falyn Kingi, stated that the item was noticed as required by law.

Event Services Technician, Paige Portwood, provided background information as provided in the staff report dated January 12, 2021.

BLANCHE ALVAREZ, STORE MANAGER, explained the current safety protocols and trainings provided by Starbucks to all employees to eliminate the need of a security guard during the proposed extended business hours.

Commissioner Kalonian inquired if a store manager would be onsite during the proposed extended business hours. Blanche Alvarez, Store Manager, confirmed that a store manager is always required to be onsite.

Commissioner Kalonian questioned if other Starbucks locations have security guards onsite during the late hours. Blanche Alvarez, Store Manager, stated that none of the locations have security guards onsite.

Commissioner Alden and Commissioner Kalonian expressed concern with not having a security guard during the proposed hours and agreed with staff's recommendation.

ACTION: Adopt Resolution No. BLC21-0003, "A RESOLUTION OF THE BUSINESS LICENSE COMMISSION OF THE CITY OF WEST HOLLYWOOD APPROVING EXTENDED HOUR BUSINESS LICENSE NO. EXT-004731." (Attachment A). **Motion by Commissioner Kalonian, seconded by Zaden and approved.**

9. SPECIAL ITEMS

A. ELECTION OF VICE-CHAIR

SUBJECT: The West Hollywood Business License Commission will elect a Vice Chair.

Commissioner Lo nominated Commissioner Zaden as Vice Chair.

ACTION: The Business License Commission elected Commissioner, Commissioner Zaden, as Vice Chair. **Motion by Commissioner Kalonian, seconded by Zaden and approved.**

10. UNFINISHED BUSINESS

A. ENHANCING COMPLIANCE DURING COVID-19 LOS ANGELES COUNTY PUBLIC HEALTH ORDERS AND CITY CODE ENFORCEMENT EFFORTS

SUBJECT: The West Hollywood Business License Commission will receive an update regarding COVID-19 Los Angeles County Public Health Orders to keep businesses, workers, and members of the public informed of relevant public health orders and local enforcement measures that will provide opportunities for workers and other members of the public to give public comment at Business License Commission meetings if there are concerns regarding businesses' compliance with public health orders.

Code Compliance Manager Rivas provided background information as provided in the staff report dated January 12, 2021.

ACTION: Received and file.

11. ITEMS FROM STAFF

None.

12. PUBLIC COMMENT

None.

13. ITEMS FROM COMMISSIONERS

Commissioner Alden thanked staff and stated that she looks forward to working with the City.

Commissioner Kalonian welcomed Commissioner Alden to the Business License Commission and thanked staff for their hard work.

Commissioner Lo welcomed Commissioner Alden to the Business License Commission, congratulated Vice Chair Zaden on her appointment, thanked Chair Anthony for a great meeting, and thanked staff for their hard work.

Commissioner Saltzman welcomed Commissioner Alden and thanked staff for reporting on the requested COVID-19 issues.

Commissioner Zaden welcomed Commissioner Alden and thanked staff for their hard work and wished everyone a Happy New Year.

Chair Anthony thanked Code Compliance Manager, Danny Rivas, for his staff report revisions, welcomed Commissioner Alden, and congratulated Vice Chair Zaden on her appointment.

14. **ADJOURNMENT:** The Business License Commission adjourned at 8:45 p.m. to the next required meeting of this body, to be determined by the Code Compliance Manager, and to be held via teleconference.

PASSED, APPROVED, AND ADOPTED by the Business License Commission of the City of West Hollywood at a special meeting held this 9th day of February, 2021.

DocuSigned by:


KEITH ANTHONY, CHAIRPERSON

ATTEST:



FALYN KINGI, COMMISSION SECRETARY