

**BUSINESS LICENSE COMMISSION
CITY OF WEST HOLLYWOOD
MINUTES
TUESDAY, MAY 4, 2021
SPECIAL TELECONFERENCE MEETING**

1. **CALL TO ORDER**– Chair Saltzman called the meeting to order at 6:02 p.m.
2. **PLEDGE OF ALLEGIANCE**– Councilmember Shyne led the Pledge of Allegiance.
3. **OATH OF OFFICE**- Mayor Horvath administered the Oath of Office to the newly appointed Commissioner, Anthony Vulin, and Councilmember Shyne administered the Oath of Office to the newly appointed Commissioner, Mark Yusupov.

4. ROLL CALL

PRESENT: Commissioner Alden
Commissioner Eisenberg
Commissioner Lo
Commissioner Matos
Commissioner Vulin
Commissioner Yusupov
Chair Saltzman

ABSENT: None

ALSO PRESENT: Code Compliance Manager, Danny Rivas
Code Compliance Supervisor, Yessica Benitez
Commission Secretary, Falyn Kingi
Code Compliance Event Services Technician, Paige Portwood
Director of Public Works, Jackie Rocco
Community and Legislative Affairs Manager, John Leonard
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 for Tuesday, May 4, 2021. **Motion by Commissioner Lo, seconded by Commissioner Alden, 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, April 6, 2021.

ACTION: Approve the minutes of Tuesday, April 6, 2021. **Motion by Commissioner Lo, seconded by Commissioner Eisenberg, and approved.**

7. PUBLIC COMMENT

None.

8. PUBLIC HEARING

A. APPLICATION BY FARMACY COLLECTIVE FOR A LEGACY MEDICAL CANNABIS BUSINESS LICENSE FOR THE BUSINESS KNOWN AS MEDMEN WEHO, LOCATED AT 8208 SANTA MONICA BOULEVARD.

SUBJECT: The West Hollywood Business License Commission shall conduct a public hearing to consider the application by the Farmacy Collective for a Legacy Medical Cannabis Business License, for the business known as MedMen WeHo, located at 8208 Santa Monica Boulevard.

ACTION: Continuance of this item to June 1, 2021.

B. APPLICATION BY DOOR NUMBER SIX LLC, FOR CANNABIS BUSINESS LICENSE FOR CONSUMPTION AREA (EDIBLES) FOR THE BUSINESS KNOWN AS MOEDER, LOCATED AT 8228 W. SUNSET BOULEVARD.

SUBJECT: The West Hollywood Business License Commission shall conduct a public hearing to consider the application by Door Number Six, LLC for Cannabis Business Consumption Area (Edibles), for the business known as Moeder, located at 8228 W. Sunset Boulevard.

Chair Saltzman reminded the Commission of the purpose and importance of Commissioner disclosures and Commissioner comments and their significance. No disclosures were made.

Code Compliance Supervisor, Yessica Benitez, stated that the item was noticed as required by law. Ms. Benitez provided background information as provided in the staff report dated May 4, 2021.

JACKIE SUBECK, APPLICANT, provided an overview of her cannabis experience, her vision of the cannabis market, and her involvement in helping craft the cannabis ordinance in the City of West Hollywood.

SHOLI GOODMAN, APPLICANT, spoke about the project, the ownership experience in the hospitality industry, and the mechanisms to control odor, noise, and visibility. He also addressed the concerns that were outlined on AURA's letter. He ensured the Commission that they will continue to work with the City of West Hollywood to obtain and comply with all required permits. He further indicated that they have partnered with surrounding businesses, Pink Taco and The Den, to provide food, parking, and rideshare services.

Commissioner Matos expressed concern with the odor being emitted from the outdoor smoking area and the proximity to residential area. SHOLI GOODMAN, APPLICANT, explained that Door Number Six would be interested in creating an outdoor greenhouse pending approval from the Planning Division. Should this greenhouse be approved, it would help eliminate smoke, noise, and odor.

Commissioner Eisenberg asked if the outdoor smoking area would be covered to prevent visibility from surrounding neighbors. SHOLI GOODMAN, APPLICANT, explained that the plans submitted to the City reflect the measures being taken to ensure the outdoor smoking area is out of view and sound buffering panels will be incorporated to eliminate noise.

Commissioner Yusupov inquired about the previous use of the property, the distance between the adjacent property, layout of the business plans, noise mitigation, security plans, and the monitoring of patron's consumption. SHOLI GOODMAN, APPLICANT, responded accordingly.

Commissioner Matos asked for clarification on the greenhouse proposal and when the mitigation effort would be finalized. SHOLI GOODMAN, APPLICANT, stated that plans are pending approval from the City.

Commissioner Matos inquired how the greenhouse could be included as part of the resolution. Code Compliance Supervisor, Yessica Benitez, confirmed that the resolution states that the applicant must abide by the Zoning, Building and Safety, and Fire regulations.

Community and Legislative Affairs Manager, John Leonard, explained that the Commission could place a condition requiring the outdoor smoking area be enclosed.

ERRON SILVERSTEIN, expressed concern with the measurement of the property.

VERED NISIM, spoke in support of item 8B.

JIMMY FREIXA, Pink Taco GM, spoke in support of item 8B.

BILLY RODGERS, spoke in support of item 8B.

ALEX KARDOS, spoke in support of item 8B.

BENJAMIN GOLD, spoke in support of item 8B.

GENEVIEVE MORRILL, spoke in support of item 8B.

NINA, spoke in support of item 8B.

JAKE STEVENS, spoke in opposition to item 8B.

NICK RIMEDIO, spoke in support of item 8B.

JACKIE SUBECK, APPLICANT, thanked City Staff, Commissioners, and the West Hollywood Chamber of Commerce and stated that she looks forward to seeing all cannabis businesses open within the City.

Commissioner Matos inquired if a codified version of the resolution could be implemented to require the exterior smoking area to be enclosed. City Attorney, Lauren Langer, and Community and Legislative Affairs Manager, John Leonard, suggested that an additional condition be added to the resolution to require the exterior smoking area to be enclosed.

Commissioner Yusupov requested to know what type of neighboring properties surrounded the business. Community and Legislative Affairs Manager, John Leonard, stated that he was unsure of the type of properties and explained that all neighboring properties within a 500 foot radius had been notified of the public hearing.

Chair Saltzman closed the public comment portion of the hearing.

Commissioner Matos motioned to accept the Staff recommendation and to include the outdoor enclosure in the conditions. Community and Legislative Affairs Manager, John Leonard, confirmed that his motion included the acceptance of the variance request.

Commissioner Eisenberg confirmed that the motion included the roof on the greenhouse and seconded the motion.

City Attorney, Lauren Langer, proposed adding a new condition, number twenty (#20), and read the condition into the record.

Community and Legislative Affairs Manager, John Leonard, requested clarification on the suggested condition. Commissioners discussed the suggested condition.

Commissioner Alden commented that the residents that were directly impacted by the business in question did not show up for Public Comment. Confirmation from Staff was requested and Code Compliance Supervisor, Yessica Benitez, confirmed that all neighboring properties within a 500 foot radius had been notified accordingly. Commissioner Alden also asked for clarification on Commissioner Matos's motion.

Commissioner Matos explained that he would like to codify the applicant's intent to build the greenhouse in writing. It will guarantee that the structure is built to address the Commission's concern and mitigate any potential impacts to the surrounding neighbors.

Commissioner Alden stated she believes that the applicant wants to be a good neighbor. Commissioner Matos agreed.

Commissioner Eisenberg stated that she expects that the directly impacted residents will come forward once the business is in operation. She echoed Commissioner Matos comment to implement the applicant's intentions in writing.

Commissioner Yusupov agreed that additional language be included to the conditions.

Commissioner Lo inquired how smoking issues would be regulated. Community and Legislative Affairs Manager, John Leonard, stated that if the enclosure were conditioned, the applicant would be required to enclose the smoking and consumption area. He also explained that all cannabis businesses are required to contain all cannabis odors within the business premises. He explained that complaints would be investigated by the Code Compliance Division and the Commission would be notified if regulations were not complied with.

Code Compliance Supervisor, Yessica Benitez, pointed out condition number nineteen (#19).

City Attorney, Lauren Langer, suggested language for the new condition number twenty (#20) to include “The exterior consumption area shall be enclosed or covered to the satisfaction of the Director of Public Works and Director of Planning and Development Services to meet the intent of these conditions.”

Commissioner Matos agreed with the recommended verbiage.

City Attorney, Lauren Langer, asked if the approval satisfies the conditional variance and Commission Matos confirmed.

Chair Saltzman moved forward with the motion with a roll call vote.

ACTION: Adopt Resolution No. BLC21-0006, “A RESOLUTION OF THE BUSINESS LICENSE COMMISSION OF THE CITY OF WEST HOLLYWOOD APPROVING CANNABIS CONSUMPTION AREA (EDIBLES) BUSINESS LICENSE #CCE-000002 FOR THE BUSINESS KNOWN AS DOOR NUMBER SIX, LLC “MOEDER LOUNGE” TO BE LOCATED AT 8228 W. SUNSET BOULEVARD” (Attachment A). **Motion by Commissioner Matos, seconded by Commissioner Eisenberg, and approved as amended.**

9. SPECIAL ITEMS

None.

10. NEW BUSINESS

A. ELECTION OF VICE CHAIR

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

Chair Saltzman suggested that the election be tabled to the next meeting scheduled for June 29th.

Commissioner Matos inquired if an interim Vice Chair could be elected today. Chair Saltzman confirmed and stated that the next election would take place in July.

Commissioner Lo inquired who would be interested in being elected as Vice Chair. Commissioner Matos stated he would like to serve as Vice Chair and Commissioner Eisenberg seconded the motion.

ACTION: The Business License Commission elected Commissioner Matos as the Vice Chair by a roll call vote.

11. 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 Event Services Technician, Paige Portwood, provided background information as provided in the staff report dated May 4, 2021.

Commissioner Eisenberg inquired about the residential pool regulations. Code Compliance Manager, Danny Rivas, confirmed that pools can open under the Los Angeles County Health Department regulations and agreed to forward the protocols to the Commission.

Commissioner Yusupov asked if there was any incentive that the City could offer to get people to receive a vaccine. Code Compliance Manager, Danny Rivas, stated that the City of West Hollywood follows the guidance of the Los Angeles County Department of Public Health and the City's Public Safety Department is in constant communication with them to help spread the message to get people vaccinated.

Commissioner Eisenberg asked for clarification on the number of people vaccinated in the City. Code Compliance Event Technician, Paige Portwood, answered accordingly.

ACTION: Receive and file.

12. ITEMS FROM STAFF

Code Compliance Manager, Danny Rivas, welcomed the two new Commissioners and congratulated Commissioner Matos on his election as Vice Chair. He also informed the Commission that he plans to host a study session to provide an overview of the cannabis process and Code Compliance operations.

13. PUBLIC COMMENT

None.

14. ITEMS FROM COMMISSIONERS

Commissioner Alden stated that she was excited to attend the study session and congratulated Commissioners Vulin and Yusupov. She also congratulated Vice Chair Matos on his new appointment.

Commissioner Lo congratulated Commissioners Vulin, Yusupov, and Vice Chair Matos.

Commissioner Vulin stated that he was excited to work with the Commission and congratulated Vice Chair Matos.

Commissioner Eisenberg congratulated Commissioners Vulin, Yusupov, and Vice Chair Matos.

Commissioner Yusupov thanked the Commissioners for welcoming him and congratulated Vice Chair Matos.

Chair Saltzman congratulated Commissioners Vulin, Yusupov, and Vice Chair Matos. He thanked staff for the work that goes into the Commission meetings.

Commissioner Lo thanked Chair Saltzman for leading the meeting.

- 15. ADJOURNMENT:** The West Hollywood Business License Commission adjourned at 8:08 p.m. to its next special meeting, which will be held on Tuesday, June 1, 2021, at 6:00 p.m., and will be held via teleconference.

PASSED, APPROVED, AND ADOPTED by the Business License Commission of the City of West Hollywood at a meeting held this 1st day of June, 2021.

ROBERT SALTZMAN, CHAIRPERSON

ATTEST:

Falyn Kingi

FALYN KINGI, COMMISSION SECRETARY