

MINUTES
BUSINESS LICENSE COMMISSION

JUNE 2, 1987

I. CALL TO ORDER

The regular meeting of the West Hollywood Business License Commission held on the above date in the City Council Chambers of West Hollywood City Hall, 8615 Santa Monica Blvd., West Hollywood, CA, was called to order at 6:15 p.m., by Commission Chair Lester Hirsch.

A. Pledge of Allegiance was led by Vivian Vukojevich.

B. Roll Call:

Commissioners Present: Crane, Ellis, Forbes, Hirsch, Smith

Commissioners Absent: None

Staff Present: Paul Self, Business License Officer; John McKinney, Sr. Code Enforcement Officer; Deputy Early Lincoln, L.A. County Sheriff's Licensing Detail.

C. Approval of Agenda

Action: To approve agenda with continuance of Items III.E. and III.F. to June 16, 1987.

(Motion: Smith, Second: Crane)
Motion Carried unanimously.

D. Approval of Minutes

1. May 19, 1987

Action: To approve minutes of May 19, 1987 as written.

(Motion: Forbes, Second: Smith)
Motion Carried unanimously.

II. ITEMS FROM CITIZENS

1. Jeanne Dobrin, West Hollywood.

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Noted to the Commission that the motion to approve the minutes of the meeting of May 19 was missing the date of the meeting. Also noted that illegal handbills were distributed in the West Hollywood Park parking lot the night of the Council Meeting on June 1. Also mentioned the continuation of a hearing on the Rose Tattoo on May 5, 1987, and a potentially inappropriate motion which was made. Would like motion made on May 5 rescinded. Also addressed Commission on the placement of the podium.

2. Budd Kops, West Hollywood.

Addressed Commission on appropriateness of rulings by the Staff and motion made by the Commission on May 5 regarding the Rose Tattoo.

III. PUBLIC HEARING

- A. BLC-87-006
Victorio Dente/Eddie Tourgemann
dba Rose Tattoo
Application for General Entertainment License
(Continued from May 5, 1987)

Staff report presented by Self.

Commissioners Ellis and Forbes excused from voting.

Action: That the applicant must meet the Fire Code standards for the interior sprinkler system in one month's time, and that the Staff will review the license one month following the issuance of the temporary license to review the zoning requirements for parking at the applicant's establishment and to check on Fire Code compliance. If at the end of the one month period, the applicant is not in compliance, the temporary license will be revoked.

Motion withdrawn for lack of a second.

Action: To grant a temporary 60-day license to the applicant in which the applicant must comply with the Fire Code requirements and to extend the parking requirements until the Planning Commission has made a decision in this regard.

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(Motion: Crane Second: Hirsch)

Motion amended by Commissioner Smith to add that "the applicant must meet the Fire Code standards for their interior sprinkler system". Motion accepted by Commissioner Crane.

Motion amended by Commissioner Crane to delete reference in motion to parking requirements.

Motion amended by Commissioner Smith to require a review by staff within 60 days following the issuance of the license for parking requirements. Motion accepted by Commissioner Crane.

Motion carried unanimously.

- B. BLC-87-008
 Alhar Enterprises, Inc.
 dba Peanuts
 Application for renewal of Adult Entertainment license
 (Continued from May 5, 1987)

Staff report: No new staff information.

Commissioner Ellis noted for the record that she submitted a letter to staff indicating the result of a site visit by two of her acquaintances on Saturday, May 30. Commissioner Forbes also indicated that he had visited the establishment.

Action: To continue the hearing pending staff consultation with the County Tax Collector's office regarding the Commission's option of denying or restricting the Adult Entertainment license.

(Motion: Ellis Second: Smith)

Motion carried unanimously.

- C. BLC-87-010
 Walnut Properties, Inc.
 dba Pussycat Theater
 Application for renewal of Adult Theater license

Staff report presented by Self and Deputy Lincoln.

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Public Hearing closed at 7:47 p.m.

Action: To approve the renewal of the Adult Theater license with the following conditions:

1. The lighting level in the applicant's establishment must be set by the next visit of the Sheriff's Licensing Deputy.
2. Staff will review the license six months following the issuance of the license for compliance with licensing requirements.
3. The applicant must distribute or make available "safe-sex" literature as a condition of the license.

(Motion: Hirsch Second: Smith)

Motion amended by Commissioner Crane to require an updated staff report by the Sheriff's Licensing Deputy at the time the license is reviewed by Staff. Motion accepted by Commissioner Hirsch.

Motion Carried unanimously.

III. BLC-87-011
Cathy Edery
dba El Morocco Restaurant
Application for General Entertainment license

Staff report by Self.

Public Testimony

Applicant Testimony:

- A. Cathy Edery, West Hollywood
Spoke in favor of application.

Testimony For:

- A. Sidney Gerwin, Encino
Spoke in favor of the applicant.

Other Testimony:

- A. Jeanne Dobrin, West Hollywood
Addressed Commission on her concern that signs be posted for rear and off-site parking.

Public Testimony closed at 8:32 p.m.

Public Hearing closed at 8:35 p.m.

Action: To approve the application for the General Entertainment license with the following conditions:

1. The applicant must restrict the entertainment to between the hours of 5:00 p.m. and Midnight;
2. The applicant must not allow any live entertainment other than belly dancing;
3. The applicant must not allow any live or recorded music amplified through a PA system or similar device, which is at such a volume that it violates Section 7.30.310 of the City's Business License Ordinance and/or which is in violation of Article IV, Chapter 3 of the City's Municipal Code;
4. The applicant must post signs in the front window of the establishment stating that free parking is available in the rear of the establishment and off-site in the rear of the properties at 8100-8136 Santa Monica Blvd.
5. The Commission waives Section 7.36.330 of the Business License Ordinance pertaining to the requirement for a raised platform or stage for the establishment.

(Motion: Smith Second: Crane)

Motion Carried unanimously.

IV. COMMISSION CHAIR'S REPORT

Commissioner Hirsch received a letter of commendation regarding the procedures and recommendations of the Commission. Commissioner Hirsch also noted that he will not be present at the next meeting of the Commission.

V. ITEMS FROM THE COMMISSION

Commissioner Forbes asked Staff to determine if adding entertainment to an existing restaurant would constitute an intensification of use and increase the number of parking spaces required.

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VI. ITEMS FROM STAFF

Staff reviewed the items tentatively scheduled for hearing at the next regular meeting of the Commission. Self mentioned that he would not be present at the meeting of July 7 and would investigate who would be staffing that meeting.

VII. ITEMS FROM CITIZENS

1. Jeanne Dobrin, West Hollywood.

Addressed the Commission on the placement of the podium at the Commission meeting. Also noted that Chamber of Commerce's nightclub hotline is not being advertised on the City Cable channel.

2. Joshua Feld, West Hollywood.

Addressed Commission on appropriateness of reports on a hearing application being brought before the Commission after a hearing has been closed.

VIII. ELECTION OF OFFICERS

Action: To establish a rotational method of choosing officers and to ask that the acting Chair and Vice-Chair be elected as the permanent Chair and Vice-Chair.

Motion withdrawn.

Nominations opened for Chairperson.

Nominations closed.

Action: To elect Commissioner Hirsch Chairperson by acclamation.

(Motion: Forbes Second: Smith)
Motion Carried unanimously.

Nominations opened for Vice-Chairperson.
Nominations closed.

Action: To elect Commissioner Smith Vice-Chair by acclamation.

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(Motion: Crane Second: Hirsch)
Motion Carried unanimously.

IX. ADJOURNMENT

Action: To adjourn meeting to June 16, 1987.
(Motion: Smith Second: Crane)
Motion Carried Unanimously.

There being no further business, the meeting was adjourned at
9:16 p.m.

PAUL SELF, Executive Assistant

Lester Hirsch

LESTER HIRSCH, Chairperson