

**MINUTES  
BUSINESS LICENSE COMMISSION  
MEETING**

March 1, 1994

**I. CALL TO ORDER**

A regular meeting of the West Hollywood Business License Commission was held on the above date in the Werle Building, 626 N. Robertson Boulevard, West Hollywood, California. The meeting was called to order at 7:15 p.m. by Chairperson Sonnenburg.

A. The Pledge of Allegiance was led by Commissioner Maggio.

B. Roll Call:

Commissioners Present: Elliott, Ellis, Forbes, Maggio, Sonnenburg

Commissioners Absent: None

Staff Members Present: Gay Forbes, Director of Community Development; Bill Meeker, Associate Planner; Christi Hogin, City Attorney; Bob Meyer, Senior Code Enforcement Officer; Frank Martinez, Recording Secretary

C. Approval of Agenda:

**Action:** To approve the agenda as prepared by staff.

(Motion: Forbes, Second: Ellis)  
Motion carried unanimously.

**II. ITEMS FROM CITIZENS**

None

**III. CONSENT CALENDAR**

A. Approval of Minutes

1. February 22, 1994

**Action:** To approve the Minutes of February 22, 1994 as prepared by staff.

(Motion: Maggio, Second: Ellis)  
Motion carried unanimously.

IV. PUBLIC HEARING

A. **Business License Hearing 94-001**

Continued public hearing to consider revocation, suspension, conditioning or modification of Dance and Entertainment Business Licenses issued to Alhar Enterprises, Inc. for the operation of "Club 7969". (Public hearing was closed on February 22, 1994. Discussion and deliberations were continued to March 1, 1994.)

**Initiated By:** City of West Hollywood  
**Property Owner:** Alhar Enterprises, Inc.  
**Location:** 7969 Santa Monica Boulevard  
West Hollywood, California  
**Recommendation:** Review and consider public testimony. Formulate specific findings in support of revoking, suspending, conditioning, modifying, or taking no action regarding Alhar Enterprises' Dance and Entertainment Business Licenses. Direct staff to prepare a resolution memorializing the Commission's action for consideration at the next Business License Commission meeting.

The staff report was presented by Bill Meeker.

Christi Hogin stated that the sound proofing issue has been resolved.

Commissioner Forbes stated that he made approximately four (4) visits to the establishment and found no evidence of loud noises emanating from the nightclub. He indicated that when other band may be playing, sound levels could be louder, and noise problems may occur.

Commissioner Maggio inquired about sound equipment that can be used to reduce noise.

Commissioner Ellis referred to a letter from Alhar Enterprises regarding reducing the noise level and the chaining of the entrance to the parking lot at 12:00 a.m.

The City Attorney stated that staff should accept conditions enumerated in the letter from Stephen Goldberg, representative for Alhar Enterprises.

Mr. Goldberg stated that the conditions in his letter could be met within approximately two (2) weeks.

Commissioner Sonnenburg asked if April 15, 1994 was an acceptable date to meet the conditions.

Mr. Goldberg agreed.

Commissioner Forbes recommended dismissal of the charges brought against Alhar Enterprises since the business owner has resolve the noise issue.

Commissioner Sonnenburg read a series of suggested findings to the Commissioners and asked if these were agreeable to the Commission.

Commissioner Elliott asked the Director of Community Development if she agreed with the findings.

Ms. Forbes agreed that the findings were appropriate.

Commissioner Elliott requested that the matter be tabled for six (6) months.

The City Attorney recommended that the issue not be tabled due to potential procedural problems.

**Action:** To dismiss the charges against Alhar Enterprises, Inc., based upon the following findings, and direct staff to report back to the Commission with a status report regarding this matter, six (6) months from this date.

1. On September 1, 1993 and February 16, 1994, a written Statement of Charges was issued by the Director of Community Development, initiating a public hearing to revoke, suspend, modify or condition the existing Dance and Entertainment Business Licenses issued to Alhar Enterprises, Inc. for the operation of "Club 7969".
2. A duly noticed public hearing was held on February 22, 1994 and March 1, 1994, at which time the Business License Commission considered oral and written testimony.
3. Alhar Enterprises, Inc., a California corporation, is the owner and operator of "Club 7969". The Corporation is presently comprised of four officers: Alice Schiller, Phyllis Feld, Carole Feld, and Stephen Goldberg. Mr. Goldberg functions as the Chief Executive Officer of the Corporation.

4. Since the beginning of 1994, Alhar Enterprises has been effectively under new management, with Stephen Goldberg replacing Joshua Feld as the active partner of the corporation.
5. Although there have been many complaints about noise from "Club 7969" over the years, most of those complaints predate the change in management. The Business License Commission is persuaded and hopeful that Alhar Enterprises' new management will be cooperative with its neighbors and the City.
6. Although there have been many complaints about noise from "Club 7969" over the years, they predate the recent efforts to ameliorate the situation with improved soundproofing. On December 2, 1993, a second vestibule was constructed at a rear exit of "Club 7969" to prevent sound from pouring out from that location. Also, in December, 1993, soundproof boxes were installed on the roof of the nightclub to contain sound and prevent it from exiting through air and air-conditioning ducts on the roof.
7. A professional sound engineer has measured the noise now emanating from "Club 7969" and reports that the recent soundproofing measures have cut sound levels down to an acceptable level, in terms of statutory language contained in the City's Municipal Code.
8. Most of the neighbors agree that the sound level has improved considerably since the beginning of 1994.
9. The management of Alhar Enterprises has agreed to install a sound limiter suppressor device upon the sound equipment within the nightclub by April 15, 1994. Alhar has agreed to continue monitoring the sound levels and to take additional action in the future if additional soundproofing is required. Namely, they have agreed that further noise complaints after the date of adoption of this resolution will lead them to consult with an acoustical engineer for suggestions on further noise abatement measures, including, but not limited to, such measures as the installation of a vestibule on the remaining rear exit of the nightclub, or a soundproofing wall directly north of the building to contain sound.

10. The City's Code Enforcement staff will continue monitoring the sound levels at "Club 7969" and report back to the Business License Commission at regular intervals. Code Enforcement staff will also monitor the licensee's compliance with all other conditions attached to the nightclub's business licenses, including, but not limited to, the provision of ample security, the use of hand-held metal detectors, etc.
11. Alhar Enterprises has agreed to abandon its "teen night" programs. It has agreed to continue to have a licensed manager on duty every night, as well as at least four security guards. Alhar has further agreed to make a good faith effort to comply with the conditions of its license and maintain cooperative relations with its neighbors and the City of West Hollywood.

(Motion: Elliott, Second: Maggio)  
Motion carried unanimously.

V. COMMISSION CHAIR'S REPORT

Commissioner Sonnenburg reminded the Commission about the upcoming Brown Act training.

VI. ITEMS FROM COMMISSIONERS

- A. Commissioner Ellis asked about Fleetwood's, parking on El Tovar Place and Jerry's Famous Deli.
- B. Commission Sonnenburg inquired about Checca and House of Blues.
- C. Commissioner Forbes asked about the status of Gazzarri's.
- D. Commissioner Maggio inquired about Hard Rock Cafe.

VII. ITEMS FROM STAFF

None

VIII. ITEMS FROM CITIZENS

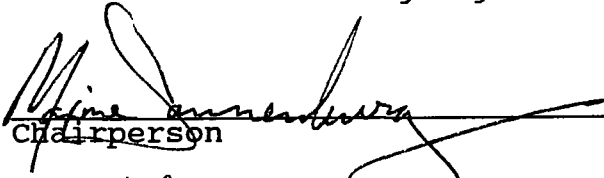
None

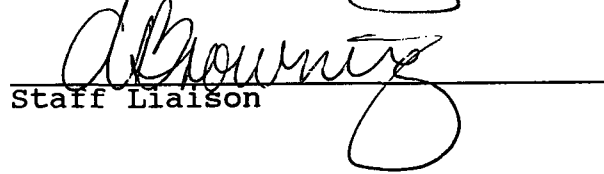
IX. ADJOURNMENT

**Action:** To adjourn to the next regular meeting of the Business License Commission on April 5, 1994 at 7:00 p.m. in the Werle Building, 626 N. Robertson Boulevard, West Hollywood, California.

(Motion: Sonnenburg, Second: Forbes)  
Motion carried unanimously.

The meeting adjourned at 8:15 p.m.

  
Chairperson

  
Staff Liaison