

**BUSINESS LICENSE COMMISSION
CITY OF WEST HOLLYWOOD
MINUTES
TUESDAY, MARCH 7, 2023
WEST HOLLYWOOD PARK PUBLIC MEETING ROOM – COUNCIL CHAMBERS
625 N. SAN VICENTE BOULEVARD**

6:00 P.M. – REGULAR MEETING

1. CALL TO ORDER

Chair Vulin called the meeting to order at 6:04 P.M.

2. PLEDGE OF ALLEGIANCE

Chair Vulin led the Pledge of Allegiance.

3. ROLL CALL

PRESENT: Commissioner Eng
Commissioner Hang
Commissioner Lo
Commissioner Saltzman
Commissioner Yusupov
Chair Vulin

ABSENT: Vice Chair Eisenberg

ALSO PRESENT: Director of Community Safety, Danny Rivas
Neighborhood & Business Safety Manager, Vyto Adomaitis
Code Enforcement Supervisor, Yessica Benitez
Los Angeles County Sheriff's Department, Sergeant Duron
Deputy City Attorney, Grace Yeo

4. APPROVAL OF AGENDA

Approve the Business License Commission agenda of Tuesday, March 7, 2023.

ACTION: Approve the agenda of Tuesday, March 7, 2023.

Motion by Commissioner Saltzman, seconded by Commissioner Eng, and approved.

5. APPROVAL OF MINUTES

Approve the Minutes of the previous Business License Commission Meeting of Tuesday, February 7, 2023.

ACTION: Approve the minutes of Tuesday, February 7, 2023.

Commissioner Hang made a correction on page 7 to include Vice Chair Eisenberg's title. Motion by Commissioner Saltzman, seconded by Commissioner Hang, and approved as amended, and noting the abstain vote of Chair Vulin.

6. PUBLIC COMMENT

None.

7. PUBLIC HEARING

A. AN APPLICATION BY J&P CONSULTING TO MODIFY THE APPROVED CONDITIONS IN RESOLUTION NO. BLC21-0011 TO ALLOW THREE NEW SMOKING AREAS TO THE EXISTING CANNABIS EDIBLES AREA FOR THE BUSINESS KNOWN AS THE WOODS, LOCATED AT 8271 SANTA MONICA BOULEVARD

SUBJECT: The West Hollywood Business License Commission shall conduct a public hearing to consider a request to modify the approved conditions in Resolution No. BLC21-0011 to allow three new smoking areas to the existing cannabis edibles area for the business known as The Woods, located at 8271 Santa Monica Boulevard.

Code Enforcement Supervisor, Yessica Benitez, informed the Commission that the public hearing was posted as required by law.

Chair Vulin opened the public hearing and asked for the Commission's disclosures.

Code Enforcement Supervisor, Yessica Benitez, reminded the Commission that the business is operational and the action before the Commission was to consider the modification request only. She then provided background information as reflected in the staff report dated March 7, 2023, with an amendment to Resolution BLC23-0001 requiring the business to obscure the glass window with obscured tint to ensure cannabis consumption is not visible from a public place.

Chair Vulin asked how many other businesses are operating with an outdoor smoking patio and the requirements to screen the area. Code Enforcement Supervisor, Yessica Benitez, responded.

The Commission had questions regarding the current layout, the proposed layout, odor control, the number of complaints regarding this business and other similar establishments. Code Enforcement Supervisor, Yessica Benitez, responded.

JAY HANDAL, APPLICANT, provided information about their business plan and the reason to modify the cannabis consumption lounge.

Commissioner Eng inquired about their staffing, employee training, and if the business has had any issues surrounding overconsumption. She suggested that medical training be incorporated as part of employee education training. JAY HANDAL, APPLICANT, responded.

Commissioner Hang and Commissioner Yusupov requested further clarification regarding violations at the establishment and noise complaints. Code Enforcement Supervisor, Yessica Benitez, responded and JAY HANDAL, APPLICANT, provided additional information.

GENEVIEVE MORRILL, President, and CEO for the West Hollywood Chamber of Commerce, spoke in support of the item.

JAMIE FRANCIS, spoke about the number of cannabis businesses in the City and believes that there should be stricter rules implemented to curb smoking in public places.

ACTION: Adopt Resolution No. BLC23-0001, "A RESOLUTION OF THE BUSINESS LICENSE COMMISSION OF THE CITY OF WEST HOLLYWOOD APPROVING THE MODIFICATION TO THE APPROVED CONDITIONS IN RESOLUTION NO. BLC21-0011 TO ALLOW THREE NEW SMOKING AREAS TO THE EXISTING CANNABIS EDIBLES AREA (LICENSE CCA-000003) FOR THE BUSINESS KNOWN AS THE WOODS, LOCATED AT 8271 SANTA MONICA BOULEVARD".

Motion by Commissioner Lo, seconded by Commissioner Eng, and approved unanimously by the Commission.

B. AN APPLICATION BY HEART WEHO FOR AN EXTENDED HOUR BUSINESS LICENSE TO OPERATE UNTIL 4:00 A.M. ON SATURDAYS AND SUNDAYS, LOCATED AT 8911 SANTA MONICA 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 nightclub known as Heart WeHo, located at 8911 Santa Monica Boulevard.

Director of Community Safety, Danny Rivas, informed the Commission that the public hearing was posted as required by law.

Chair Vulin opened the public hearing and asked for the Commission's disclosures.

Code Enforcement Supervisor, Yessica Benitez, and Los Angeles County Sheriff's Department, Sergeant Duron, provided background information as reflected in the staff report dated March 7, 2023.

Commissioner Lo spoke about the crime statistics provided and inquired about the measure standards used to support the item. Code Enforcement Supervisor, Yessica Benitez, responded.

Commissioner Hang spoke about an incident that took place at the establishment and about the total number of calls for service. He further asked to know the fiscal impacts of each call, recovery cost, and the Code Enforcement random inspections. Los Angeles County Sherriff's Sergeant Duron, Community Safety Director, Danny Rivas, and Code Enforcement Supervisor, Yessica Benitez, responded.

The Commission had questions regarding security, entertainment patrols and whether it had been affected, parking, similar establishments operating with an extended hour business license, the total number of nightclubs in the City, the total number of businesses with extended hour business licenses, and questions regarding associated crime statistics for each. Community Safety Director, Danny Rivas, and Code Enforcement Supervisor, Yessica Benitez, responded.

ANN GRAY, REPRESENTATIVE FOR THE APPLICANT, provided information about the proposed business plan, spoke about their sound system, and provided the telephone number to the general manager. She also spoke about how the business has collaborated with public safety to stop pick pocketers.

Commissioner Hang inquired about the protocols taken to remove alcohol from patrons by the 2:00 a.m. deadline.

PAUL NICHOLS, DIRECTOR OF PROMOTIONS, responded.

GENEVIEVE MORRILL, West Hollywood Chamber of Commerce President and CEO, spoke in support of the business and the application.

LADD JACKSON, Resident, spoke in opposition.

The Commission ensued a long discussion regarding the criteria involved to approve the item, calls for service for the business, impacts to the surrounding neighborhood, the business license term, staff's analysis, a count of emails in support and opposition and public comments.

Deputy City Attorney, Grace Yeo, allowed for a Zoom speaker to provide their public comment.

JAMIE FRANCIS, spoke about inebriated patrons and public safety in the entertainment district.

ACTION: Adopt Resolution No. BLC23-0002, "A RESOLUTION OF THE BUSINESS LICENSE COMMISSION OF THE CITY OF WEST HOLLYWOOD APPROVING EXTENDED HOUR BUSINESS LICENSE NO. EXT-004735 FOR THE BUSINESS KNOWN AS HEART WEHO TO OPERATE UNTIL 4:00 A.M. ON SATURDAYS AND SUNDAYS."

Motion by Commissioner Saltzman, seconded by Commissioner Eng. The item resulted in a 3-3 vote, noting the no vote of Commissioner Hang, Commissioner Lo, and Commissioner Yusupov.

Commissioner Yusupov made a motion for this item to return to the BLC and have staff include a breakdown of calls for service from January 2022 to November 2022, and November 2022 to March 2023 for Heart WeHo. In addition, a comparison of calls for service for other similar establishments that operate with an extended hour business license, was included in the motion.

Motion by Commissioner Yusupov, seconded by Commissioner Hang, and approved unanimously by the Commission.

8. UNFINISHED BUSINESS

None.

9. NEW BUSINESS

None.

10. ITEMS FROM STAFF

Neighborhood and Business Safety Manager, Vyto Adomaitis, spoke regarding the proposed Street Performer Ordinance. He informed the Commission about an upcoming public hearing and announced the invitation to “A conversation with Barbara Bain” on Thursday, March 16, 2023, at the West Hollywood City Council Chambers located 625 N San Vicente Boulevard.

Director of Community Safety, Danny Rivas, encouraged the Commission to attend the Active Shooter Training to be held on Saturday, March 11, 2023. He also extended an invitation to “Dialog with a Deputy” to be held at Dialog Café.

11. PUBLIC COMMENT

None.

12. ITEMS FROM COMMISSIONERS

Commissioner Yusupov commended the catalytic converter etching event that was held by the Los Angeles County Sheriff’s Department, City of Los Angeles Police Department, and City of Beverly Hills. He also spoke about conducting outreach on contentious items, like the item heard tonight for Heart WeHo, to better inform the public.

Commissioner Saltzman thanked staff and his fellow Commissioners for their support throughout his tenure.

Commissioner Lo expressed his gratitude to staff and the Commission.

Chair Vulin thanked Commissioner Saltzman for being a mentor, Chair, and a role model since Commissioner Saltzman will be stepping off the Commission. He also wished the best to Commissioner Lo.

Commissioner Hang thanked Commissioners Saltzman and Lo for their service. He spoke about his deliberation on item 7B, the Heart WeHo item. Lastly, he requested staff return with a quarterly report on enforcement outcomes on cannabis establishments.

13. ADJOURNMENT

The West Hollywood Business License Commission will adjourn to its next regular meeting, which will be on Tuesday, April 4, 2023, at 6:00 P.M. at West Hollywood Public Meeting Room – Council Chambers, 625 N. San Vicente Boulevard, West Hollywood, CA 90069.

PASSED, APPROVED, AND ADOPTED by the Business License Commission of the City of West Hollywood at a meeting held this 4th day of April 2023.

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Anthony Vulin, Chair

ATTEST:

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Yessica Benitez, Acting Commission Secretary