

**ATTACHMENT 5**  
**ALL CORRESPONDENCE RECEIVED**  
**FROM THE PUBLIC**

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**PUBLIC CORRESPONDENCE**

**CARLTON LEE**

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**BURTONHILL TOWNHOUSES HOA**

c/o Rubin Properties, Inc.  
P.O. Box 24740  
Los Angeles, CA 90024-0740  
ATTEN: Heather Miller

April 7, 2016

Planning Commission  
City of Beverly Hills  
455 North Rexford Drive  
Beverly Hills, CA 90210

Re: 9291 Burton Way (L'Ermitage Hotel)  
Development Plan Review Permit  
Conditional Use Permit

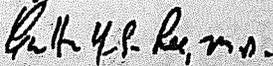
Dear Sirs or Madame:

The Burton Hill Townhouses Home Owners Association comprising 24 single family residential condominiums at Burton Way 9301-9323, Units A and B, express immediate concern over L'Ermitage Hotel (Viceroy) plans of expanding their open air dining area to include an additional 7 tables and 20 chairs toward the east near the main hotel entrance facing Burton Way. Our community, consisting of a mix of families with young children and elder individuals and will be negatively impacted by increased ambient noise from late night diners and parking on Burton Way adjacent to our townhouses. Additionally, we have grave concerns of increased littering involving the landscape fronting the A Units and on Burton Way fronting our community.

Historically, L'Ermitage Hotel has offered, in the past, to mitigate the noise issue with sound reducing windows and doors to the Burton Hill home owners at their cost; many of the former unit owners were not informed or aware of this generous offer at that time. Times have changed and many of the new and current home owners have young children and are concerned about noise adversely impacting their children's education with homework and school study. Additionally, we express great concern over potential disruption of sleep arising from late night outdoor diners and parking traffic in front of our homes affecting not only our children, but our hard working tax payers and elderly residents.

The HOA Board is open to further discussions concerning L'Ermitage Hotel's (Viceroy) request to renew a Development Plan Review Permit and a Conditional Use Permit if our concerns can be addressed in a positive and constructive manner.

Sincerely,

  
Carlton Y.S. Lee, M.D.  
Secretary

**Andre Sahakian**

---

**From:** Carlton Lee <carltoyl@pacbell.net>  
**Sent:** Monday, April 25, 2016 1:11 PM  
**To:** Andre Sahakian  
**Cc:** Heather Miller; Rita Kogan; Sendhil Kolandaivel; Baruh Burak Gatenyo; Atti Schmidt  
**Subject:** 9291 Burton Way (L'Ermitage Hotel) CUP; Development Plan Review; Extended Hours Permit  
**Attachments:** Objection to Extended Hour Permit04.25.2016.docx

Mr. Andre Sahakian:

I have attached a letter concerning 9291 Burton Way (L'Ermitage Hotel) and the scheduled May 2, 2016 Planning Commission of the City of Beverly Hills SPECIAL meeting. I will be in attendance and will submit a signed copy of this letter. Thank you for your attention to this important community concern.

Sincerely,

Carlton Y.S. Lee, M.D.  
Secretary, BurtonHill Townhome HOA

**BURTONHILL TOWNHOMES HOA**

**c/o Rubin Properties, Inc.**

**P.O. Box 24740**

**Los Angeles, CA 90024-0740**

**ATTEN: Heather Miller**

April 25, 2016

Planning Commission  
City of Beverly Hills  
455 North Rexford Drive  
Beverly Hills, CA 90210

Re: 9291 Burton Way (L'Ermitage Hotel)  
Development Plan Review Permit  
Extended Hours Permit

Dear Sirs or Madame:

The BurtonHill Townhome Home Owners Association comprising 24 single family residential condominiums at Burton Way 9301-9323, Units A and B, express immediate concern and objection to L'Ermitage Hotel (Viceroy) plans of expanding their open air dining area to include an additional 7 tables and 20 chairs toward the east near the main hotel entrance facing Burton Way and to their request for an Extended Hours Permit for their restaurant, open air dining area, and rooftop during extended hours in a commercial-residential transition area. Our community, consisting of a mix of families with young children and elder individuals and will be negatively impacted by increased ambient noise from late night diners and parking on Burton Way adjacent to our townhomes. Additionally, we have grave concerns of increased littering involving the landscape fronting the A Units and on Burton Way fronting our community.

Historically, L'Ermitage Hotel has offered, in the past to mitigate the noise issue with sound reducing windows and doors to the BurtonHill home owners at their cost; many of the former unit owners were not informed or aware of this generous offer at that time. Times have changed and many of the new and current home owners have young children and are concerned about noise adversely impacting their children's education with homework and school study. Additionally, we express great concerns over experienced disruption of sleep arising from late night outdoor diners and parking traffic in front of our homes affecting not only our children, but our hard working tax payers and elderly residents. Unfortunately, since the initial Conditional Use Permit was accorded L'Ermitage Hotel in 1999, the residents at the BurtonHill Townhome Community have experienced the concerns raised above with significant increase in littering, parking congestion in front of our units for our overnight guests, destruction of our plant foliage, boisterous late evening and night conversation and loud music for late night gala events from the L'Ermitage rooftop area following awards events that have disrupted our

attempts at sleep and that have adversely affected our quality of life as residents of Beverly Hills.

The HOA Board is open to further discussions concerning L'Ermitage Hotel's (Viceroy) request to renew a Development Plan Review Permit and a Conditional Use Permit if our concerns can be addressed in a positive and constructive manner. However, the HOA Board strongly objects to L'Ermitage Hotel's (Viceroy) request for an Extended Hours Permits as explained above from firsthand experience over the past 17 years by the residents of the BurtonHill Townhome community.

Sincerely,

Carlton Y.S. Lee, M.D.  
Secretary, BurtonHills Townhome HOA

## Andre Sahakian

---

**From:** Carlton Lee <carltoyl@pacbell.net>  
**Sent:** Tuesday, May 31, 2016 1:31 PM  
**To:** Andre Sahakian  
**Cc:** Heather Miller; Rita Kogan; Sendhil Kolandaivel; Baruh Burak Gatenyo; Atti Schmidt  
**Subject:** June 6, 2016 City Council Meeting  
**Attachments:** Objection to Extended Hour Permit.05.31.2016.docx; Objection to Extended Hour Permit04.25.2016.docx; Objection to Conditional Use Permit04.07.2016.docx

Mr. Sahakian, I have attached 3 letters to be presented at the City Council Meeting. My April 7th & 25th letters to the Planning Commission are also included with the letter to the City Council. Thank you.

Sincerely,

Carlton Y.S. Lee, M.D.

**BURTONHILL TOWNHOMES HOA**

**c/o Rubin Properties, Inc.  
P.O. Box 24740  
Los Angeles, CA 90024-0740  
ATTEN: Heather Miller**

May 31, 2016

City Council  
City of Beverly Hills  
455 North Rexford Drive  
Beverly Hills, CA 90210

Re: 9291 Burton Way (L'Ermitage Hotel)  
Development Plan Review Permit  
Extended Hours Permit

Dear Sirs or Madame:

I have written 2 prior letters dated April 7, 2016 and April 25, 2016 concerning the above referenced issue and have attended the prior Planning Commission meetings on April 14, 2016 and May 2, 2016 with public hearing and have addressed the Planning Commission in person as well. As a longtime resident of Beverly Hills, I was extremely impressed by the Planning Commission and extend special kudos to Commissioners Lori Green Gordon and Craig Corman for their thoughtfulness, consideration of facts, and discussion regarding L'Ermitage's CUP and request for Extended Hours Permit to allow operation of the hotel restaurant, open air dining area, and rooftop in a commercial-residential transition area. **Commissioners Green Gordon and Corman clearly acknowledged L'Ermitage to be in an R-4 zone and not in a commercial or transitional zone.** I was also shocked during the May 2, 2016 Planning Commission meeting by Commissioner Howard Fisher's comments and statements as he either reflected ignorance of City zoning codes or made a blatant attempt at single-handed strong arming of rezoning the area of concern into a transitional zone to conform with the interest of L'Ermitage's request for extended hours of operation.

During the May 2, 2016 meeting and public hearing, testimonial was given that noise emanating from the rooftop venue at L'Ermitage could not be heard several blocks away to the east on Maple Drive. I do not doubt this statement, however, as an otolaryngologist and Qualified Medical Expert for the State of California in hearing disorders, I can state in no uncertain terms that absent an obstructing barrier such as an adjacent building, sound waves will travel unimpeded and impact all residences that have a sight line to the L'Ermitage's rooftop venue. Such is the issue with the BurtonHill Townhouses which lay just west of the L'Ermitage and to the homeowners living to the south. At the May 2, 2016 Planning Commission meeting, the Commission concluded that L'Ermitage should not be granted an extended hours permit past 10 P.M. consistent with the current noise code for residents of the City of Beverly Hills. I fully

agree with this decision and strongly object to extending the hours of operation at L'Ermitage's rooftop venue past 10 P.M.

Parking on the north side of Burton Way west of Foothill continues to be problematic for the residents of the BurtonHill Townhomes and their guests. The BurtonHill Townhomes HOA board requests consideration for signage that would restrict parking in this area from 6 P.M. to 8 A.M. to permit only status. Thank you for your thoughtful and considered deliberation on this important issue related to Quality of Life Issues.

Sincerely,

Carlton Y.S. Lee, M.D.  
Secretary

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**PUBLIC CORRESPONDENCE**

**MATTI BIALER**

---

## Ryan Gohlich

---

**From:** Matti Bialer <bialermatti@aol.com>  
**Sent:** Thursday, June 02, 2016 6:58 AM  
**To:** Ryan Gohlich  
**Cc:** Mahdi Aluzri; George Chavez; Susan Healy Keene; ilanbialer@gmail.com; mikaelc@aol.com; lilibosse@icloud.com  
**Subject:** Re: Sunday 5/8/16 L'ermitage delivery 9:48 am

OK, Thank You!

-----Original Message-----

From: Ryan Gohlich <rgohlich@beverlyhills.org>  
To: Matti Bialer <bialermatti@aol.com>  
Cc: Mahdi Aluzri <maluzri@beverlyhills.org>; George Chavez <gchavez@beverlyhills.org>; Susan Healy Keene <skeene@beverlyhills.org>; ilanbialer <ilanbialer@gmail.com>; mikaelc <mikaelc@aol.com>; lilibosse <lilibosse@icloud.com>  
Sent: Thu, Jun 2, 2016 6:56 am  
Subject: RE: Sunday 5/8/16 L'ermitage delivery 9:48 am

Yes, everything that was provided to the planning commission will be provided to the city council. In addition, we're including any new correspondence.

Ryan

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Matti Bialer <[bialermatti@aol.com](mailto:bialermatti@aol.com)>  
Date: 6/2/16 6:43 AM (GMT-08:00)  
To: Ryan Gohlich <[rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org)>  
Cc: Mahdi Aluzri <[maluzri@beverlyhills.org](mailto:maluzri@beverlyhills.org)>, George Chavez <[gchavez@beverlyhills.org](mailto:gchavez@beverlyhills.org)>, Susan Healy Keene <[skeene@beverlyhills.org](mailto:skeene@beverlyhills.org)>, ilanbialer@gmail.com, mikaelc@aol.com, lilibosse@icloud.com  
Subject: Re: Sunday 5/8/16 L'ermitage delivery 9:48 am

Good morning Ryan,

I am trying to ascertain if the package I sent into the PC for the May 2, 2016 meeting is provided to the City Council for the DeNovo hearing. I understand your comments about photos and videos, but what about the petition with the 105 signatures, and my emails and letters to the planning commission.

Thank You,  
Matti

-----Original Message-----

From: Ryan Gohlich <[rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org)>  
To: Matti Bialer <[bialermatti@aol.com](mailto:bialermatti@aol.com)>  
Sent: Wed, Jun 1, 2016 10:55 pm  
Subject: RE: Sunday 5/8/16 L'ermitage delivery 9:48 am

The photos will definitely be included. We can email the videos as well, although some of the links may have expired by now. We'll have to check them tomorrow, and I may need you to send me new links if the old ones have expired. I'll let you know what I find.

Ryan

Ryan Gohlich, AICP  
Assistant Director / City Planner  
Community Development Department  
City of Beverly Hills  
455 N. Rexford Dr.  
Beverly Hills, CA 90210  
Direct: (310) 285-1118  
Fax: (310) 858-5966  
[rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org)

**From:** Matti Bialer [<mailto:bialermatti@aol.com>]  
**Sent:** Wednesday, June 01, 2016 9:28 PM  
**To:** Ryan Gohlich  
**Subject:** Re: Sunday 5/8/16 L'ermitage delivery 9:48 am

Ryan,

Will all the information plus the photo's and video's that were presented to the Planning Commission meeting on May 2, 2016 be provided for the DeNovo hearing? Let me know if you have all the photo's and video's plus all of my emails.

Thank You,  
Matti Bialer

-----Original Message-----

From: Ryan Gohlich <[rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org)>  
To: lili Bosse <[lilibosse@icloud.com](mailto:lilibosse@icloud.com)>  
Cc: Matti Bialer <[bialermatti@aol.com](mailto:bialermatti@aol.com)>; ilanbialer <[ilanbialer@gmail.com](mailto:ilanbialer@gmail.com)>; mikaelc <[mikaelc@aol.com](mailto:mikaelc@aol.com)>; Susan Healy Keene <[skeene@beverlyhills.org](mailto:skeene@beverlyhills.org)>; Mahdi Aluzri <[maluzri@beverlyhills.org](mailto:maluzri@beverlyhills.org)>; George Chavez <[gchavez@beverlyhills.org](mailto:gchavez@beverlyhills.org)>  
Sent: Wed, Jun 1, 2016 8:47 pm  
Subject: RE: Sunday 5/8/16 L'ermitage delivery 9:48 am

Will do.

Ryan Gohlich, AICP  
Assistant Director / City Planner  
Community Development Department  
City of Beverly Hills  
455 N. Rexford Dr.  
Beverly Hills, CA 90210  
Direct: (310) 285-1118  
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[rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org)

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**From:** lili Bosse [<mailto:lilibosse@icloud.com>]  
**Sent:** Wednesday, June 01, 2016 8:45 PM  
**To:** Ryan Gohlich  
**Cc:** Matti Bialer; [ilanbialer@gmail.com](mailto:ilanbialer@gmail.com); [mikaelc@aol.com](mailto:mikaelc@aol.com); Susan Healy Keene; Mahdi Aluzri; George Chavez  
**Subject:** Re: Sunday 5/8/16 L'ermitage delivery 9:48 am

Please have all this info be included in the staff report.  
Thanks!

On Jun 1, 2016, at 6:07 PM, Ryan Gohlich <[rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org)> wrote:

Hi Matti,

Following up on my email from yesterday, I wanted to let you know that a determination has been made regarding the violation you reported to have occurred on 5/8 regarding loading activities. Please see attached, which concludes that a violation did occur.

Thank you,

Ryan

Bcc: City Council

Ryan Gohlich, AICP  
Assistant Director / City Planner  
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**To:** 'Matti Bialer'; Mahdi Aluzri; George Chavez  
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**Subject:** RE: Sunday 5/8/16 L'ermitage delivery 9:48 am

Hi Matti,

I went to the hotel last week to review their video footage, and also had them email me various clips for our records. I am in the process of reviewing and will issue a formal determination by the end of the day tomorrow.

Thanks,

Ryan

Ryan Gohlich, AICP  
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[rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org)

**From:** Matti Bialer [<mailto:bialermatti@aol.com>]  
**Sent:** Tuesday, May 31, 2016 7:51 AM  
**To:** Ryan Gohlich; Mahdi Aluzri; George Chavez  
**Cc:** [ilanbialer@gmail.com](mailto:ilanbialer@gmail.com); [mikaelc@aol.com](mailto:mikaelc@aol.com); [lilibosse@icloud.com](mailto:lilibosse@icloud.com); 4-Nancy Krasne; 10-John Mirisch; Susan Healy Keene  
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Ryan,

When will we have an answer to this?

Thank You,  
Matti

Hi Matti,

I will investigate and get back to you with my findings.

Thanks,

Ryan

Ryan Gohlich, AICP  
Assistant Director / City Planner  
Community Development Department  
City of Beverly Hills  
455 N. Rexford Dr.  
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[rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org)

**From:** Matti Bialer [<mailto:bialermatti@aol.com>]  
**Sent:** Thursday, May 19, 2016 11:42 AM  
**To:** Ryan Gohlich; Mahdi Aluzri; George Chavez  
**Cc:** [ilanbialer@gmail.com](mailto:ilanbialer@gmail.com); [mikaelc@aol.com](mailto:mikaelc@aol.com); [lilibosse@icloud.com](mailto:lilibosse@icloud.com); 4-Nancy Krasne; 10-John Mirisch  
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Ryan ,

I will also send a video on a separate email. Could you please investigate possible violation.

Thank You,  
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The City keeps a copy of all E-mails sent and received for a minimum of 2 years. All retained E-mails will be treated as a Public Record per the California Public Records Act, and may be subject to disclosure pursuant to the terms, and subject to the exemptions, of that Act.

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<L'Ermitage Violation Determination - 6-1-2016.pdf>

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## Ryan Gohlich

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**Sent:** Thursday, June 02, 2016 6:44 AM  
**To:** Ryan Gohlich  
**Cc:** Mahdi Aluzri; George Chavez; Susan Healy Keene; ilanbialer@gmail.com; mikaelc@aol.com; lilibosse@icloud.com  
**Subject:** Re: Sunday 5/8/16 L'ermitage delivery 9:48 am

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## Ryan Gohlich

---

**From:** Matti Bialer <bialermatti@aol.com>  
**Sent:** Wednesday, June 01, 2016 9:28 PM  
**To:** Ryan Gohlich  
**Subject:** Re: Sunday 5/8/16 L'ermitage delivery 9:48 am

Ryan,

Will all the information plus the photo's and video's that were presented to the Planning Commission meeting on May 2, 2016 be provided for the DeNovo hearing? Let me know if you have all the photo's and video's plus all of my emails.

Thank You,  
Matti Bialer

-----Original Message-----

**From:** Ryan Gohlich <rgohlich@beverlyhills.org>  
**To:** lili Bosse <lilibosse@icloud.com>  
**Cc:** Matti Bialer <bialermatti@aol.com>; ilanbialer <ilanbialer@gmail.com>; mikaelc <mikaelc@aol.com>; Susan Healy Keene <skeene@beverlyhills.org>; Mahdi Aluzri <maluzri@beverlyhills.org>; George Chavez <gchavez@beverlyhills.org>  
**Sent:** Wed, Jun 1, 2016 8:47 pm  
**Subject:** RE: Sunday 5/8/16 L'ermitage delivery 9:48 am

Will do.

Ryan Gohlich, AICP  
Assistant Director / City Planner  
Community Development Department  
City of Beverly Hills  
455 N. Rexford Dr.  
Beverly Hills, CA 90210  
Direct: (310) 285-1118  
Fax: (310) 858-5966  
[rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org)

---

**From:** lili Bosse [<mailto:lilibosse@icloud.com>]  
**Sent:** Wednesday, June 01, 2016 8:45 PM  
**To:** Ryan Gohlich  
**Cc:** Matti Bialer; [ilanbialer@gmail.com](mailto:ilanbialer@gmail.com); [mikaelc@aol.com](mailto:mikaelc@aol.com); Susan Healy Keene; Mahdi Aluzri; George Chavez  
**Subject:** Re: Sunday 5/8/16 L'ermitage delivery 9:48 am

Please have all this info be included in the staff report..  
Thanks!

On Jun 1, 2016, at 6:07 PM, Ryan Gohlich <[rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org)> wrote:

Hi Matti,

Following up on my email from yesterday, I wanted to let you know that a determination has been made regarding the violation you reported to have occurred on 5/8 regarding loading activities. Please see attached, which concludes that a violation did occur.

Thank you,

Ryan

Bcc: City Council

Ryan Gohlich, AICP  
Assistant Director / City Planner  
Community Development Department  
City of Beverly Hills  
455 N. Rexford Dr.  
Beverly Hills, CA 90210  
Direct: (310) 285-1118  
Fax: (310) 858-5966  
[rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org)

---

**From:** Ryan Gohlich  
**Sent:** Tuesday, May 31, 2016 8:11 AM  
**To:** 'Matti Bialer'; Mahdi Aluzri; George Chavez  
**Cc:** [ilanbialer@gmail.com](mailto:ilanbialer@gmail.com); [mikaelc@aol.com](mailto:mikaelc@aol.com); [lilibosse@icloud.com](mailto:lilibosse@icloud.com); 4-Nancy Krasne; 10-John Mirisch; Susan Healy Keene  
**Subject:** RE: Sunday 5/8/16 L'ermitage delivery 9:48 am

Hi Matti,

I went to the hotel last week to review their video footage, and also had them email me various clips for our records. I am in the process of reviewing and will issue a formal determination by the end of the day tomorrow.

Thanks,

Ryan

Ryan Gohlich, AICP  
Assistant Director / City Planner  
Community Development Department  
City of Beverly Hills  
455 N. Rexford Dr.  
Beverly Hills, CA 90210  
Direct: (310) 285-1118  
Fax: (310) 858-5966  
[rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org)

**From:** Matti Bialer [<mailto:bialermatti@aol.com>]  
**Sent:** Tuesday, May 31, 2016 7:51 AM  
**To:** Ryan Gohlich; Mahdi Aluzri; George Chavez  
**Cc:** [ilanbialer@gmail.com](mailto:ilanbialer@gmail.com); [mikaelc@aol.com](mailto:mikaelc@aol.com); [lilibosse@icloud.com](mailto:lilibosse@icloud.com); 4-Nancy Krasne; 10-John Mirisch; Susan Healy Keene  
**Subject:** Re: Sunday 5/8/16 L'ermitage delivery 9:48 am

Ryan,

When will we have an answer to this?

Thank You,  
Matti

Hi Matti,

I will investigate and get back to you with my findings.

Thanks,

Ryan

Ryan Gohlich, AICP  
Assistant Director / City Planner  
Community Development Department  
City of Beverly Hills  
455 N. Rexford Dr.  
Beverly Hills, CA 90210  
Direct: (310) 285-1118  
Fax: (310) 858-5966  
[rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org)

**From:** Matti Bialer [<mailto:bialermatti@aol.com>]  
**Sent:** Thursday, May 19, 2016 11:42 AM  
**To:** Ryan Gohlich; Mahdi Aluzri; George Chavez  
**Cc:** [ilanbialer@gmail.com](mailto:ilanbialer@gmail.com); [mikaelc@aol.com](mailto:mikaelc@aol.com); [lilibosse@icloud.com](mailto:lilibosse@icloud.com); 4-Nancy Krasne; 10-John Mirisch  
**Subject:** Sunday 5/8/16 L'ermitage delivery 9:48 am

Ryan ,

I will also send a video on a separate email. Could you please investigate possible violation.

Thank You,  
Matti Bialer

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<L'Ermitage Violation Determination - 6-1-2016.pdf>

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## Ryan Gohlich

---

**From:** Matti Bialer <bialermatti@aol.com>  
**Sent:** Tuesday, May 31, 2016 7:49 AM  
**To:** Ryan Gohlich  
**Subject:** Re: Sunday 5/8/16 L'ermitage delivery 9:48 am

Ryan,

When will we have an answer to this?

Thank You,  
Matti

-----Original Message-----

**From:** Ryan Gohlich <rgohlich@beverlyhills.org>  
**To:** Matti Bialer <bialermatti@aol.com>; Mahdi Aluzri <maluzri@beverlyhills.org>; George Chavez <gchavez@beverlyhills.org>  
**Cc:** ilanbialer <ilanbialer@gmail.com>; mikaelc <mikaelc@aol.com>; lilibosse <lilibosse@icloud.com>; 4-Nancy Krasne <nancy@krasne.com>; 10-John Mirisch <john@reelectmirisch.com>; Susan Healy Keene <skeene@beverlyhills.org>  
**Sent:** Thu, May 19, 2016 12:54 pm  
**Subject:** RE: Sunday 5/8/16 L'ermitage delivery 9:48 am

Hi Matti,

I will investigate and get back to you with my findings.

Thanks,

Ryan

Ryan Gohlich, AICP  
Assistant Director / City Planner  
Community Development Department  
City of Beverly Hills  
455 N. Rexford Dr.  
Beverly Hills, CA 90210  
Direct: (310) 285-1118  
Fax: (310) 858-5966  
[rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org)

**From:** Matti Bialer [<mailto:bialermatti@aol.com>]  
**Sent:** Thursday, May 19, 2016 11:42 AM  
**To:** Ryan Gohlich; Mahdi Aluzri; George Chavez  
**Cc:** ilanbialer@gmail.com; mikaelc@aol.com; lilibosse@icloud.com; 4-Nancy Krasne; 10-John Mirisch  
**Subject:** Sunday 5/8/16 L'ermitage delivery 9:48 am

Ryan ,

I will also send a video on a separate email. Could you please investigate possible violation.

Thank You,  
Matti Bialer

---

The City keeps a copy of all E-mails sent and received for a minimum of 2 years. All retained E-mails will be treated as a Public Record per the California Public Records Act, and may be subject to disclosure pursuant to the terms, and subject to the exemptions, of that Act.

**From:** Matti Bialer <[bialermatti@aol.com](mailto:bialermatti@aol.com)>

**Date:** May 24, 2016 at 20:25:35 PDT

**To:** [john@reelectmirisch.com](mailto:john@reelectmirisch.com), [lilibosse@icloud.com](mailto:lilibosse@icloud.com), [nancy@krasne.com](mailto:nancy@krasne.com)

**Subject:** 5/24/2016 L'ermitage rooftop party

Dear Mayor Mirisch, Councilmembers Bosse and Krasne,

I received an email from Nicholas Remedio in reference to the party they were having this evening at the hotel rooftop. He stated they were doing sound testing on Burton/Elm, Burton/Maple, Burton/Foothill.

We can hear the loud party into our building and the noise from the rooftop resonates to the rear of the roof. Doing testing on Burton is pointless, there are cars driving home at 6pm, 7pm and 8 pm. Now parties at 10pm, 11pm or 12pm, Burton Way is much more silent. And in the quite of the later evenings, the noise from party's are much louder.

I know we are having a De Novo hearing to go over the hotels rules and regulations, I will definitely send the City Council a detailed letter, and will speak.

Wanted you to know there is a serious flaw in testing the sound coming off the rooftop of the hotel.

Thank you for listening.

Best,  
Matti Bialer

## Ryan Gohlich

---

**From:** Matti Bialer <bialermatti@aol.com>  
**Sent:** Thursday, May 19, 2016 11:50 AM  
**To:** Ryan Gohlich; Mahdi Aluzri; George Chavez  
**Cc:** ilanbialer@gmail.com; mikaelc@aol.com; 10-John Mirisch; lilibosse@icloud.com; 4-Nancy Krasne  
**Subject:** Sunday 5/8/16 L'ermitage delivery 9:48 am

Ryan, this is the video that goes along with still shot I just sent you. Please investigate further.

Thank You,  
Matti Bialer

[Download Attachment](#)  
[Available until Jun 12, 2016](#)

Truck driver clearly says "just dropping things off" you can hear back door opening. Truck blocking alley.

Click to Download

IMG\_0352.MOV  
0 bytes

Sent from my iPhone

## Ryan Gohlich

---

**From:** Matti Bialer <bialermatti@aol.com>  
**Sent:** Thursday, May 19, 2016 11:42 AM  
**To:** Ryan Gohlich; Mahdi Aluzri; George Chavez  
**Cc:** ilanbialer@gmail.com; mikaelc@aol.com; lilibosse@icloud.com; 4-Nancy Krasne; 10-John Mirisch  
**Subject:** Sunday 5/8/16 L'ermitage delivery 9:48 am  
**Attachments:** IMG\_0376.PNG

Ryan ,

I will also send a video on a separate email. Could you please investigate possible violation.

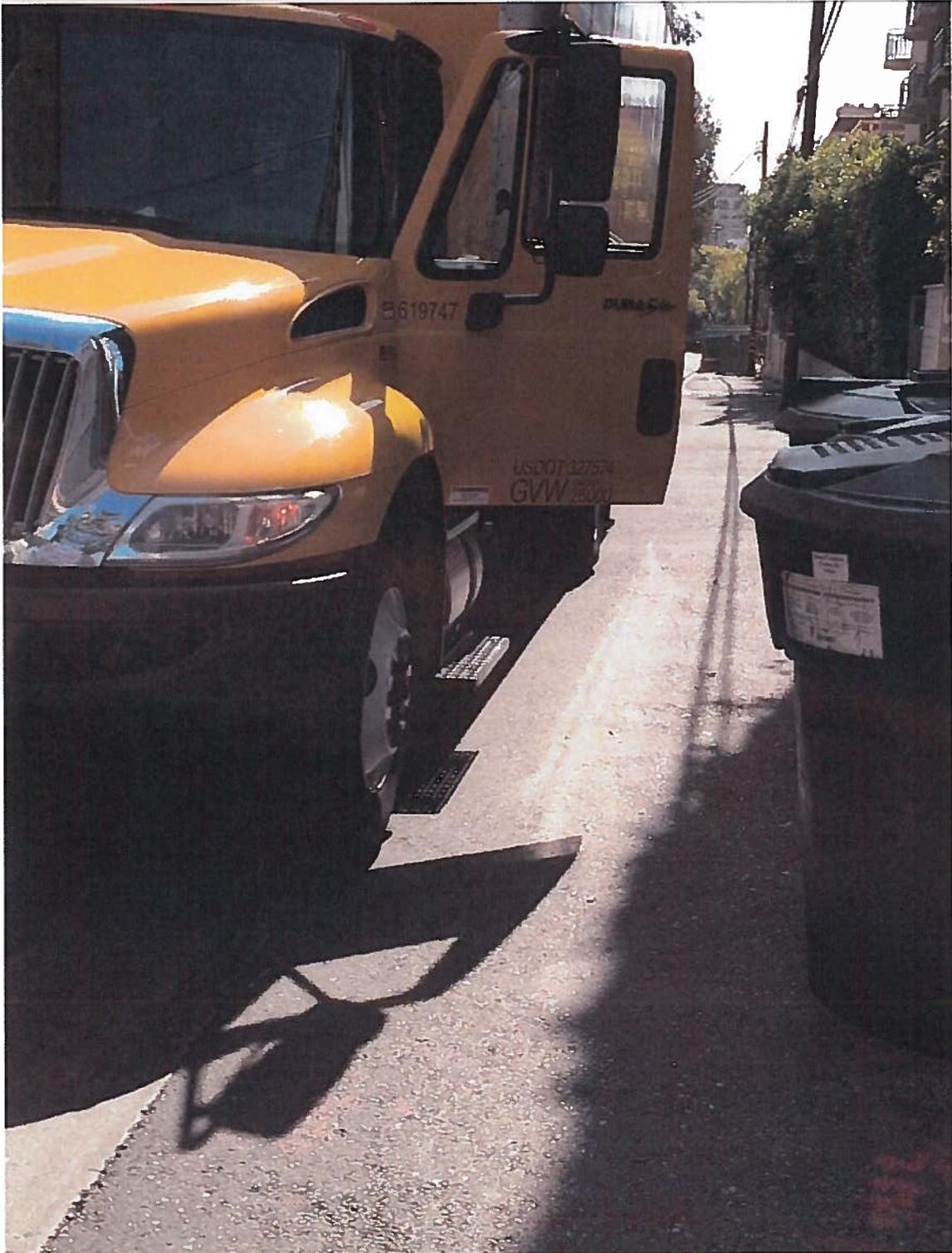
Thank You,  
Matti Bialer



Sunday  
9:48 AM



Edit



## Ryan Gohlich

---

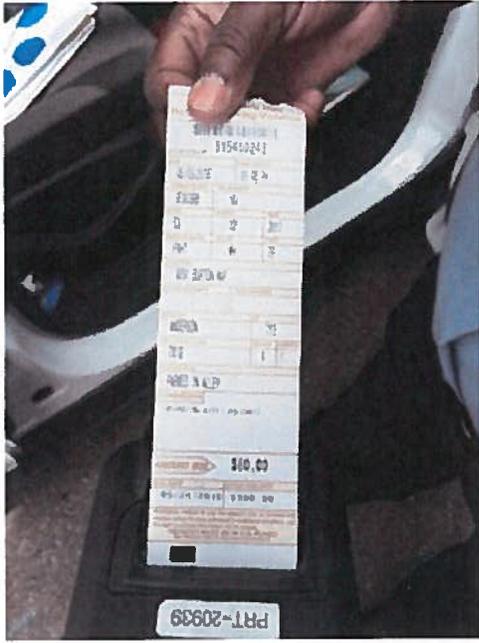
**From:** Matti Bialer <bialermatti@aol.com>  
**Sent:** Wednesday, May 04, 2016 7:41 AM  
**To:** Ryan Gohlich; Mahdi Aluzri; George Chavez  
**Cc:** 10-John Mirisch; lilibosse@icloud.com; 4-Nancy Krasne; ilanbialer@aol.com; mikaelc@aol.com  
**Subject:** May 3,2016 Hotel delivery - 2nd violation

Ryan,

Attached find 2nd violation yesterday 5/3/16.

Thank You,  
Matti Blialer





Sent from my iPhone

## Ryan Gohlich

---

**From:** Matti Bialer <bialermatti@aol.com>  
**Sent:** Wednesday, May 04, 2016 7:36 AM  
**To:** Ryan Gohlich; Mahdi Aluzri; George Chavez  
**Cc:** 10-John Mirisch; lilibosse@icloud.com; 4-Nancy Krasne; ilanbialer@gmail.com; mikaelc@aol.com  
**Subject:** 6:14am Bread delivery L'ermitage hotel May 3,2016  
**Attachments:** IMG\_20160503\_061452325.jpg

Ryan,

The violations starting yesterday at 6:14 am with a truck delivery in the alley. It was a bread delivery. Attached is a photo of the 1st violation . I will be sending another email to you with photo's of 2nd violation . Could you please send to me the new resolution that is currently in force.

Thank You,  
Matti Bialer



9291  
BURTON

**NO PARKING**  
**FIRE LANE**  
VIOLATORS WILL BE  
CITED AND FINED  
CITY OF LOS ANGELES  
POLICE DEPARTMENT

## Ryan Gohlich

---

**From:** Matti Bialer <bialermatti@aol.com>  
**Sent:** Friday, April 29, 2016 9:31 AM  
**To:** Ryan Gohlich; Mahdi Aluzri; George Chavez  
**Cc:** lilibosse@icloud.com; 4-Nancy Krasne; 10-John Mirisch; ilanbialer@gmail.com; mikaelc@aol.com; lorigordon@yahoo.com; cormans@earthlink.net; alan@blocklaw.net  
**Subject:** L'ermitage violating city ordered shut down outdoor dining patio

City officials and Staff,

So ,we allow the l'ermitage to violate city ordered shut down of the outdoor patio. Does that mean I can have loud amplified music on my front lawn? Or is it just the L'ermitage that gets to violate laws? All of these Police calls to the city in reference to loud amplified music all hours of the night and day?? Blocking residents garages, deliveries with no loading dock to accommodate?? What's wrong with the city to obviously favor the L'ermuitage violations and close their eyes to the suffering neighborhood.

-----Original Message-----

From: Matti Bialer <bialermatti@aol.com>  
To: bialermatti <bialermatti@aol.com>; rgohlich <rgohlich@beverlyhills.org>; maluzri <maluzri@beverlyhills.org>; gchavez <gchavez@beverlyhills.org>  
Cc: ilanbialer <ilanbialer@gmail.com>; mikaelc <mikaelc@aol.com>; lilibosse <lilibosse@icloud.com>; nancy <nancy@krasne.com>; john <john@reelectmirisch.com>; lorigordon <lorigordon@yahoo.com>; cormans <cormans@earthlink.net>; alan <alan@blocklaw.net>; howardscottfischer <howardscottfischer@yahoo.com>; joe <joe@bobometal.com>  
Sent: Fri, Apr 29, 2016 9:03 am  
Subject: Re: City Cited Violations L'ermitage hotel

Ryan,

I do see some comments on the code enforcement issues in your report. I guess the answer to my question is NO, NO CITED VIOLATION. And that is because the city has no way to enforce the CUP or other violations because they need to witness the violation first hand. Code enforcement is not around on the weekends or evenings. And they cannot come over to see the violations at the drop of a hat. The city has a major problem with code enforcement.

Thank You ,  
Matti Bialer

-----Original Message-----

From: Matti Bialer <bialermatti@aol.com>  
To: rgohlich <rgohlich@beverlyhills.org>; maluzri <maluzri@beverlyhills.org>; gchavez <gchavez@beverlyhills.org>  
Cc: ilanbialer <ilanbialer@gmail.com>; mikaelc <mikaelc@aol.com>; maluzri <maluzri@beverlyhills.org>; gchavez <gchavez@beverlyhills.org>; lilibosse <lilibosse@icloud.com>; nancy <nancy@krasne.com>; john <john@reelectmirisch.com>; lorigordon <lorigordon@yahoo.com>; cormans <cormans@earthlink.net>; alan <alan@blocklaw.net>; howardscottfischer <howardscottfischer@yahoo.com>; joe <joe@bobometal.com>  
Sent: Fri, Apr 29, 2016 7:54 am  
Subject: Re: City Cited Violations L'ermitage hotel

Ryan,

I received the planning commission packet and no where in the packet is an answer to my email to Mr. Notazu. Where are the cited violations for the hotel in the past 18 months.? Why was this not included in the packet sent to the planning commissioners?

I want an answer to my original question to Mr. Otazu.

Thank You,  
Matti Bialer

-----Original Message-----

From: Matti Bialer <bialermatti@aol.com>  
To: rgohlich <rgohlich@beverlyhills.org>  
Cc: ilanbialer <ilanbialer@gmail.com>; mikaelc <mikaelc@aol.com>; maluzri <maluzri@beverlyhills.org>; gchavez <gchavez@beverlyhills.org>; lilibosse <lilibosse@icloud.com>; nancy <nancy@krasne.com>; john <john@reelectmirisch.com>  
Sent: Thu, Apr 28, 2016 8:53 am  
Subject: Re: City Cited Violations L'ermitage hotel

Ryan,

I would like to see that information prior to the meeting on May 2.

Thank You,  
Matti

-----Original Message-----

From: Ryan Gohlich <rgohlich@beverlyhills.org>  
To: lili Bosse <lilibosse@icloud.com>; Matti Bialer <bialermatti@aol.com>; Mahdi Aluzri <maluzri@beverlyhills.org>  
Cc: Nestor Otazu <notazu@beverlyhills.org>; Mahdi Aluzri <maluzri@beverlyhills.org>; George Chavez <gchavez@beverlyhills.org>; ilanbialer <ilanbialer@gmail.com>; mikaelc <mikaelc@aol.com>; 10-John Mirisch <john@reelectmirisch.com>; lorigordon <lorigordon@yahoo.com>; cormans <cormans@earthlink.net>; alan <alan@blocklaw.net>; joe <joe@bobometal.com>; howardscottfisher <howardscottfisher@yahoo.com>  
Sent: Thu, Apr 28, 2016 8:22 am  
Subject: RE: City Cited Violations L'ermitage hotel

Hi Lili,

We have received your email (and Matti's). Nestor and I are pulling the enforcement info and will include it in the staff report.

Thanks,

Ryan

Ryan Gohlich, AICP  
Assistant Director / City Planner  
Community Development Department  
City of Beverly Hills  
455 N. Rexford Dr.  
Beverly Hills, CA 90210  
Direct: (310) 285-1118  
Fax: (310) 858-5966  
[rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org)

---

**From:** lili Bosse [<mailto:lilibosse@icloud.com>]

**Sent:** Thursday, April 28, 2016 7:11 AM

**To:** Matti Bialer; Mahdi Aluzri; Ryan Gohlich

**Cc:** Nestor Otazu; Mahdi Aluzri; George Chavez; [ilanbialer@gmail.com](mailto:ilanbialer@gmail.com); [mikaelc@aol.com](mailto:mikaelc@aol.com); 10-John Mirisch; [lorigordon@yahoo.com](mailto:lorigordon@yahoo.com); [cormans@earthlink.net](mailto:cormans@earthlink.net); [alan@blocklaw.net](mailto:alan@blocklaw.net); [joe@bobometal.com](mailto:joe@bobometal.com);

[howardscottfisher@yahoo.com](mailto:howardscottfisher@yahoo.com); Ryan Gohlich

**Subject:** Re: City Cited Violations L'ermitage hotel

As per my prior email, please include this information in the PC staff report as well.

I would like confirmation receipt of this request please ...

Sent from my iPhone

On Apr 28, 2016, at 6:49 AM, Matti Bialer <[bialermatti@aol.com](mailto:bialermatti@aol.com)> wrote:

Mr. Otazu,

It has been 2 days since I have sent your an email requesting an answer to City Cited Violations for the L'ermitage Hotel within the last 18 months. Iam requesting an answer please. This is a very important fact that we need to know. We have a hearing on May 2nd and we need this information now.

Please, transparency!

Thank You,  
Matti Bialer

-----Original Message-----

From: Matti Bialer <[bialermatti@aol.com](mailto:bialermatti@aol.com)>

To: notazu <[notazu@beverlyhills.org](mailto:notazu@beverlyhills.org)>; maluzri <[maluzri@beverlyhills.org](mailto:maluzri@beverlyhills.org)>; gchavez <[gchavez@beverlyhills.org](mailto:gchavez@beverlyhills.org)>

Cc: ilanbialer <[ilanbialer@gmail.com](mailto:ilanbialer@gmail.com)>; mikaelc <[mikaelc@aol.com](mailto:mikaelc@aol.com)>; lilibosse <[lilibosse@icloud.com](mailto:lilibosse@icloud.com)>; nancy <[nancy@krasne.com](mailto:nancy@krasne.com)>; john <[john@reelectmirisch.com](mailto:john@reelectmirisch.com)>

Sent: Tue, Apr 26, 2016 9:20 am

Subject: City Cited Violations L'ermitage hotel

Mr. Otazu,

I would like to know if the city has cited the L'ermitage hotel for any violations in the past 18months? I would like an answer to my question please, with the information attached to any cited violation.

Thank You,  
Matti Bialer

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## Ryan Gohlich

---

**From:** Matti Bialer <bialermatti@aol.com>  
**Sent:** Friday, April 29, 2016 9:06 AM  
**To:** Ryan Gohlich; lilibosse@icloud.com  
**Cc:** Mahdi Aluzri; George Chavez; ilanbialer@gmail.com; mikaelc@aol.com; 10-John Mirisch; lorigordon@yahoo.com; cormans@earthlink.net; alan@blocklaw.net; howardscottfischer@yahoo.com; joe@bobometal.com  
**Subject:** Re: City Cited Violations L'ermitage hotel

Yes, I see that.  
Thanks

-----Original Message-----

From: Ryan Gohlich <rgohlich@beverlyhills.org>  
To: lili Bosse <lilibosse@icloud.com>; Matti Bialer <bialermatti@aol.com>  
Cc: Mahdi Aluzri <maluzri@beverlyhills.org>; George Chavez <gchavez@beverlyhills.org>; ilanbialer <ilanbialer@gmail.com>; mikaelc <mikaelc@aol.com>; 10-John Mirisch <john@reelectmirisch.com>; lorigordon <lorigordon@yahoo.com>; cormans <cormans@earthlink.net>; alan <alan@blocklaw.net>; howardscottfischer <howardscottfischer@yahoo.com>; joe <joe@bobometal.com>  
Sent: Fri, Apr 29, 2016 8:58 am  
Subject: RE: City Cited Violations L'ermitage hotel

All,

Information regarding code enforcement cases is provided on page 17 of the staff report. Over the past 18 months there have been two code enforcement cases opened and investigated. Neither case resulted in the issuance of citations. Additional information is provided in the staff report, and I can answer further questions should you have any.

Thanks,

Ryan

Ryan Gohlich, AICP  
Assistant Director / City Planner  
Community Development Department  
City of Beverly Hills  
455 N. Rexford Dr.  
Beverly Hills, CA 90210  
Direct: (310) 285-1118  
Fax: (310) 858-5966  
[rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org)

---

**From:** lili Bosse [<mailto:lilibosse@icloud.com>]  
**Sent:** Friday, April 29, 2016 8:31 AM  
**To:** Matti Bialer  
**Cc:** Ryan Gohlich; Mahdi Aluzri; George Chavez; ilanbialer@gmail.com; mikaelc@aol.com; 10-John Mirisch; lorigordon@yahoo.com; cormans@earthlink.net; alan@blocklaw.net; howardscottfischer@yahoo.com; joe@bobometal.com  
**Subject:** Re: City Cited Violations L'ermitage hotel

I have not yet had the opportunity to read the packet..

I too requested that information be included in the staff report for the PC..

Is it not in the report?? Ryan, can you please correct this ASAP?

Sent from my iPhone

On Apr 29, 2016, at 7:54 AM, Matti Bialer <[bialermatti@aol.com](mailto:bialermatti@aol.com)> wrote:

Ryan,

I received the planning commission packet and no where in the packet is an answer to my email to Mr. Notazu. Where are the cited violations for the hotel in the past 18 months.? Why was this not included in the packet sent to the planning commissioners?

I want an answer to my original question to Mr. Otazu.

Thank You,  
Matti Bialer

-----Original Message-----

From: Matti Bialer <[bialermatti@aol.com](mailto:bialermatti@aol.com)>  
To: rgohlich <[rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org)>  
Cc: ilanbialer <[ilanbialer@gmail.com](mailto:ilanbialer@gmail.com)>; mikaelc <[mikaelc@aol.com](mailto:mikaelc@aol.com)>; maluzri <[maluzri@beverlyhills.org](mailto:maluzri@beverlyhills.org)>; gchavez <[gchavez@beverlyhills.org](mailto:gchavez@beverlyhills.org)>; lilibosse <[lilibosse@icloud.com](mailto:lilibosse@icloud.com)>; nancy <[nancy@krasne.com](mailto:nancy@krasne.com)>; john <[john@reelectmirisch.com](mailto:john@reelectmirisch.com)>  
Sent: Thu, Apr 28, 2016 8:53 am  
Subject: Re: City Cited Violations L'ermitage hotel

Ryan,

I would like to see that information prior to the meeting on May 2.

Thank You,  
Matti

-----Original Message-----

From: Ryan Gohlich <[rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org)>  
To: lili Bosse <[lilibosse@icloud.com](mailto:lilibosse@icloud.com)>; Matti Bialer <[bialermatti@aol.com](mailto:bialermatti@aol.com)>; Mahdi Aluzri <[maluzri@beverlyhills.org](mailto:maluzri@beverlyhills.org)>  
Cc: Nestor Otazu <[notazu@beverlyhills.org](mailto:notazu@beverlyhills.org)>; Mahdi Aluzri <[maluzri@beverlyhills.org](mailto:maluzri@beverlyhills.org)>; George Chavez <[gchavez@beverlyhills.org](mailto:gchavez@beverlyhills.org)>; ilanbialer <[ilanbialer@gmail.com](mailto:ilanbialer@gmail.com)>; mikaelc <[mikaelc@aol.com](mailto:mikaelc@aol.com)>; 10-John Mirisch <[john@reelectmirisch.com](mailto:john@reelectmirisch.com)>; lorigordon <[lorigordon@yahoo.com](mailto:lorigordon@yahoo.com)>; cormans <[cormans@earthlink.net](mailto:cormans@earthlink.net)>; alan <[alan@blocklaw.net](mailto:alan@blocklaw.net)>; joe <[joe@bobometal.com](mailto:joe@bobometal.com)>; howardscottfisher <[howardscottfisher@yahoo.com](mailto:howardscottfisher@yahoo.com)>  
Sent: Thu, Apr 28, 2016 8:22 am  
Subject: RE: City Cited Violations L'ermitage hotel

Hi Lili,

We have received your email (and Matti's). Nestor and I are pulling the enforcement info and will include it in the staff report.

Thanks,

Ryan

Ryan Gohlich, AICP  
Assistant Director / City Planner  
Community Development Department  
City of Beverly Hills  
455 N. Rexford Dr.  
Beverly Hills, CA 90210  
Direct: (310) 285-1118  
Fax: (310) 858-5966  
[rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org)

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**From:** lili Bosse [<mailto:lilibosse@icloud.com>]  
**Sent:** Thursday, April 28, 2016 7:11 AM  
**To:** Matti Bialer; Mahdi Aluzri; Ryan Gohlich  
**Cc:** Nestor Otazu; Mahdi Aluzri; George Chavez; [ilanbialer@gmail.com](mailto:ilanbialer@gmail.com); [mikaelc@aol.com](mailto:mikaelc@aol.com); 10-  
John Mirisch; [lorigordon@yahoo.com](mailto:lorigordon@yahoo.com); [cormans@earthlink.net](mailto:cormans@earthlink.net); [alan@blocklaw.net](mailto:alan@blocklaw.net);  
[joe@bobometal.com](mailto:joe@bobometal.com); [howardscottfisher@yahoo.com](mailto:howardscottfisher@yahoo.com); Ryan Gohlich  
**Subject:** Re: City Cited Violations L'ermitage hotel

As per my prior email, please include this information in the PC staff report as well.

I would like confirmation receipt of this request please ...

Sent from my iPhone

On Apr 28, 2016, at 6:49 AM, Matti Bialer <[bialermatti@aol.com](mailto:bialermatti@aol.com)> wrote:

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Please, transparency!

Thank You,  
Matti Bialer

-----Original Message-----

From: Matti Bialer <[bialermatti@aol.com](mailto:bialermatti@aol.com)>  
To: notazu <[notazu@beverlyhills.org](mailto:notazu@beverlyhills.org)>; maluzri <[maluzri@beverlyhills.org](mailto:maluzri@beverlyhills.org)>;  
gchavez <[gchavez@beverlyhills.org](mailto:gchavez@beverlyhills.org)>  
Cc: ilanbialer <[ilanbialer@gmail.com](mailto:ilanbialer@gmail.com)>; mikaelc <[mikaelc@aol.com](mailto:mikaelc@aol.com)>; lilibosse <[lilibosse@icloud.com](mailto:lilibosse@icloud.com)>; nancy <[nancy@krasne.com](mailto:nancy@krasne.com)>; john <[john@reelectmirisch.com](mailto:john@reelectmirisch.com)>  
Sent: Tue, Apr 26, 2016 9:20 am  
Subject: City Cited Violations L'ermitage hotel

Mr. Otazu,

I would like to know if the city has cited the L'ermitage hotel for any violations in the past 18months? I would like an answer to my question please, with the information attached to any cited violation.

Thank You,  
Matti Bialer

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## Ryan Gohlich

---

**From:** Matti Bialer <bialermatti@aol.com>  
**Sent:** Friday, April 29, 2016 9:04 AM  
**To:** bialermatti@aol.com; Ryan Gohlich; Mahdi Aluzri; George Chavez  
**Cc:** ilanbialer@gmail.com; mikaelc@aol.com; lilibosse@icloud.com; 4-Nancy Krasne; 10-John Mirisch; lorigordon@yahoo.com; cormans@earthlink.net; alan@blocklaw.net; howardscottfischer@yahoo.com; joe@bobometal.com  
**Subject:** Re: City Cited Violations L'ermitage hotel

Ryan,

I do see some comments on the code enforcement issues in your report. I guess the answer to my question is NO, NO CITED VIOLATION. And that is because the city has no way to enforce the CUP or other violations because they need to witness the violation first hand. Code enforcement is not around on the weekends or evenings. And they cannot come over to see the violations at the drop of a hat. The city has a major problem with code enforcement.

Thank You ,  
Matti Bialer

-----Original Message-----

From: Matti Bialer <bialermatti@aol.com>  
To: rgohlich <rgohlich@beverlyhills.org>; maluzri <maluzri@beverlyhills.org>; gchavez <gchavez@beverlyhills.org>  
Cc: ilanbialer <ilanbialer@gmail.com>; mikaelc <mikaelc@aol.com>; maluzri <maluzri@beverlyhills.org>; gchavez <gchavez@beverlyhills.org>; lilibosse <lilibosse@icloud.com>; nancy <nancy@krasne.com>; john <john@reelectmirisch.com>; lorigordon <lorigordon@yahoo.com>; cormans <cormans@earthlink.net>; alan <alan@blocklaw.net>; howardscottfischer <howardscottfischer@yahoo.com>; joe <joe@bobometal.com>  
Sent: Fri, Apr 29, 2016 7:54 am  
Subject: Re: City Cited Violations L'ermitage hotel

Ryan,

I received the planning commission packet and no where in the packet is an answer to my email to Mr. Notazu. Where are the cited violations for the hotel in the past 18 months.? Why was this not included in the packet sent to the planning commissioners?

I want an answer to my original question to Mr. Otazu.

Thank You,  
Matti Bialer

-----Original Message-----

From: Matti Bialer <bialermatti@aol.com>  
To: rgohlich <rgohlich@beverlyhills.org>  
Cc: ilanbialer <ilanbialer@gmail.com>; mikaelc <mikaelc@aol.com>; maluzri <maluzri@beverlyhills.org>; gchavez <gchavez@beverlyhills.org>; lilibosse <lilibosse@icloud.com>; nancy <nancy@krasne.com>; john <john@reelectmirisch.com>  
Sent: Thu, Apr 28, 2016 8:53 am  
Subject: Re: City Cited Violations L'ermitage hotel

Ryan,

I would like to see that information prior to the meeting on May 2.

Thank You,  
Matti

-----Original Message-----

From: Ryan Gohlich <rgohlich@beverlyhills.org>  
To: lili Bosse <lilibosse@icloud.com>; Matti Bialer <bialermatti@aol.com>; Mahdi Aluzri <maluzri@beverlyhills.org>  
Cc: Nestor Otazu <notazu@beverlyhills.org>; Mahdi Aluzri <maluzri@beverlyhills.org>; George Chavez <gchavez@beverlyhills.org>; ilanbialer <ilanbialer@gmail.com>; mikaelc <mikaelc@aol.com>; 10-John Mirisch <john@reelectmirisch.com>; lorigordon <lorigordon@yahoo.com>; cormans <cormans@earthlink.net>; alan <alan@blocklaw.net>; joe <joe@bobometal.com>; howardscottfisher <howardscottfisher@yahoo.com>  
Sent: Thu, Apr 28, 2016 8:22 am  
Subject: RE: City Cited Violations L'ermitage hotel

Hi Lili,

We have received your email (and Matti's). Nestor and I are pulling the enforcement info and will include it in the staff report.

Thanks,

Ryan

Ryan Gohlich, AICP  
Assistant Director / City Planner  
Community Development Department  
City of Beverly Hills  
455 N. Rexford Dr.  
Beverly Hills, CA 90210  
Direct: (310) 285-1118  
Fax: (310) 858-5966  
[rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org)

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**Sent:** Thursday, April 28, 2016 7:11 AM  
**To:** Matti Bialer; Mahdi Aluzri; Ryan Gohlich  
**Cc:** Nestor Otazu; Mahdi Aluzri; George Chavez; [ilanbialer@gmail.com](mailto:ilanbialer@gmail.com); [mikaelc@aol.com](mailto:mikaelc@aol.com); 10-John Mirisch; [lorigordon@yahoo.com](mailto:lorigordon@yahoo.com); [cormans@earthlink.net](mailto:cormans@earthlink.net); [alan@blocklaw.net](mailto:alan@blocklaw.net); [joe@bobometal.com](mailto:joe@bobometal.com); [howardscottfisher@yahoo.com](mailto:howardscottfisher@yahoo.com); Ryan Gohlich  
**Subject:** Re: City Cited Violations L'ermitage hotel

As per my prior email, please include this information in the PC staff report as well.

I would like confirmation receipt of this request please ...

Sent from my iPhone

On Apr 28, 2016, at 6:49 AM, Matti Bialer <[bialermatti@aol.com](mailto:bialermatti@aol.com)> wrote:

Mr. Otazu,

It has been 2 days since I have sent your an email requesting an answer to City Cited Violations for the L'ermitage Hotel within the last 18 months. Iam requesting an answer please. This is a very important fact that we need to know. We have a hearing on May 2nd and we need this information now.

Please, transparency!

Thank You,

Matti Bialer

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From: Matti Bialer <[bialermatti@aol.com](mailto:bialermatti@aol.com)>

To: notazu <[notazu@beverlyhills.org](mailto:notazu@beverlyhills.org)>; maluzri <[maluzri@beverlyhills.org](mailto:maluzri@beverlyhills.org)>; gchavez <[gchavez@beverlyhills.org](mailto:gchavez@beverlyhills.org)>

Cc: ilanbialer <[ilanbialer@gmail.com](mailto:ilanbialer@gmail.com)>; mikaelc <[mikaelc@aol.com](mailto:mikaelc@aol.com)>; lilibosse <[lilibosse@icloud.com](mailto:lilibosse@icloud.com)>; nancy <[nancy@krasne.com](mailto:nancy@krasne.com)>; john <[john@reelectmirisch.com](mailto:john@reelectmirisch.com)>

Sent: Tue, Apr 26, 2016 9:20 am

Subject: City Cited Violations L'ermitage hotel

Mr. Otazu,

I would like to know if the city has cited the L'ermitage hotel for any violations in the past 18months? I would like an answer to my question please, with the information attached to any cited violation.

Thank You,  
Matti Bialer

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## Ryan Gohlich

---

**From:** Matti Bialer <bialermatti@aol.com>  
**Sent:** Thursday, April 28, 2016 9:15 AM  
**To:** Ryan Gohlich; Mahdi Aluzri; George Chavez  
**Cc:** ilanbialer@gmail.com; mikaelc@aol.com; lilibosse@icloud.com; 4-Nancy Krasne; 10-John Mirisch  
**Subject:** Fwd: City Cited Violations L'ermitage hotel

Ryan,

When will we be receiving the Packet you will be submitting to the planning commission. You had mentioned this week, weds.. Its already thursday and you have not sent us copies of the Planning Commission packet with your staff report. When will we receive that? Please provide an answer to my question.

Thank You,  
Matti

-----Original Message-----

From: Matti Bialer <bialermatti@aol.com>  
To: rgohlich <rgohlich@beverlyhills.org>  
Cc: ilanbialer <ilanbialer@gmail.com>; mikaelc <mikaelc@aol.com>; maluzri <maluzri@beverlyhills.org>; gchavez <gchavez@beverlyhills.org>; lilibosse <lilibosse@icloud.com>; nancy <nancy@krasne.com>; john <john@reelectmirisch.com>  
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Assistant Director / City Planner  
Community Development Department  
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**Subject:** Re: City Cited Violations L'ermitage hotel

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Cc: ilanbialer <[ilanbialer@gmail.com](mailto:ilanbialer@gmail.com)>; mikaelc <[mikaelc@aol.com](mailto:mikaelc@aol.com)>; lilibosse <[lilibosse@icloud.com](mailto:lilibosse@icloud.com)>; nancy <[nancy@krasne.com](mailto:nancy@krasne.com)>; john <[john@reelectmirisch.com](mailto:john@reelectmirisch.com)>  
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**From:** Matti Bialer <bialermatti@aol.com>  
**Sent:** Thursday, April 28, 2016 8:54 AM  
**To:** Ryan Gohlich  
**Cc:** ilanbialer@gmail.com; mikaelc@aol.com; Mahdi Aluzri; George Chavez; lilibosse@icloud.com; 4-Nancy Krasne; 10-John Mirisch  
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Cc: ilanbialer <[ilanbialer@gmail.com](mailto:ilanbialer@gmail.com)>; mikaelc <[mikaelc@aol.com](mailto:mikaelc@aol.com)>; lilibosse <[lilibosse@icloud.com](mailto:lilibosse@icloud.com)>; nancy <[nancy@krasne.com](mailto:nancy@krasne.com)>; john <[john@reelectmirisch.com](mailto:john@reelectmirisch.com)>

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Subject: City Cited Violations L'ermitage hotel

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## Ryan Gohlich

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**From:** Matti Bialer <bialermatti@aol.com>  
**Sent:** Monday, April 25, 2016 7:26 AM  
**To:** Ryan Gohlich; Mahdi Aluzri; George Chavez  
**Cc:** ilanbialer@gmail.com; mikaelc@aol.com; lilibosse@icloud.com; 4-Nancy Krasne; 10-John Mirisch  
**Subject:** Re: L'ermtage Hearing May 2

Ryan,

Please make absolute sure you include my email and photo's dated 4/23/16 of the hotel illegally using their outdoor patio for the Planning Commissioners packet for the May 2 hearing.

I hope the planning department is not planning on using documents that are 17 years old in reference to a new CUP for the hotel. The changes over the last 17 years are immense. The city has to make new findings in reference to allowing an outdoor patio to disturb the neighborhood.

Thank You,  
Matti Bialer

-----Original Message-----

From: Ryan Gohlich <rgohlich@beverlyhills.org>  
To: Matti Bialer <bialermatti@aol.com>; Andre Sahakian <asahakian@beverlyhills.org>; Mahdi Aluzri <maluzri@beverlyhills.org>; George Chavez <gchavez@beverlyhills.org>  
Cc: ilanbialer <ilanbialer@gmail.com>; mikaelc <mikaelc@aol.com>; lilibosse <lilibosse@icloud.com>; 4-Nancy Krasne <nancy@krasne.com>; 10-John Mirisch <john@reelectmirisch.com>  
Sent: Sun, Apr 24, 2016 9:03 am  
Subject: RE: L'ermtage Hearing May 2

Hi Matti,

We will email you the complete planning commission packet, inclusive of all the correspondence, as soon as is distributed to the commission. Distribution will likely be on Tuesday or Wednesday this week.

Thanks,

Ryan

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Matti Bialer <bialermatti@aol.com>  
Date: 4/24/16 8:13 AM (GMT-08:00)  
To: Ryan Gohlich <rgohlich@beverlyhills.org>; Andre Sahakian <asahakian@beverlyhills.org>; Mahdi Aluzri <maluzri@beverlyhills.org>; George Chavez <gchavez@beverlyhills.org>  
Cc: ilanbialer@gmail.com; ilanbialer@gmail.com, mikaelc@aol.com; mikaelc@aol.com, lilibosse@icloud.com; lilibosse@icloud.com, 4-Nancy Krasne <nancy@krasne.com>; 10-John Mirisch <john@reelectmirisch.com>  
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Ryan,

I would like to receive copies of the new and additional documents that will be submitted to the planning commission for the May 2nd hearing.

Thank You,  
Matti Bialer

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## Ryan Gohlich

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**From:** Matti Bialer <bialermatti@aol.com>  
**Sent:** Sunday, April 24, 2016 8:14 AM  
**To:** Ryan Gohlich; Andre Sahakian; Mahdi Aluzri; George Chavez  
**Cc:** ilanbialer@gmail.com; mikaelc@aol.com; lilibosse@icloud.com; 4-Nancy Krasne; 10-John Mirisch  
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Matti Bialer

## Ryan Gohlich

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**From:** Matti Bialer <bialermatti@aol.com>  
**Sent:** Saturday, April 23, 2016 11:39 AM  
**To:** Ryan Gohlich; Andre Sahakian; Mahdi Aluzri; George Chavez; 6-Laurence Wiener  
**Cc:** ilanbialer@gmail.com; mikaelc@aol.com; lilibosse@icloud.com; 4-Nancy Krasne; 10-John Mirisch; lorigordon@yahoo.com; cormans@earthlink.net; alan@blocklaw.net; joe@bobometal.com; howardscottfisher@yahoo.com  
**Subject:** L'ermitge outdoor restaurant patio being used 4/23/16 11am  
**Attachments:** IMG\_0315.PNG; IMG\_0314.PNG; IMG\_0313.PNG; IMG\_0312.PNG; IMG\_0316.PNG

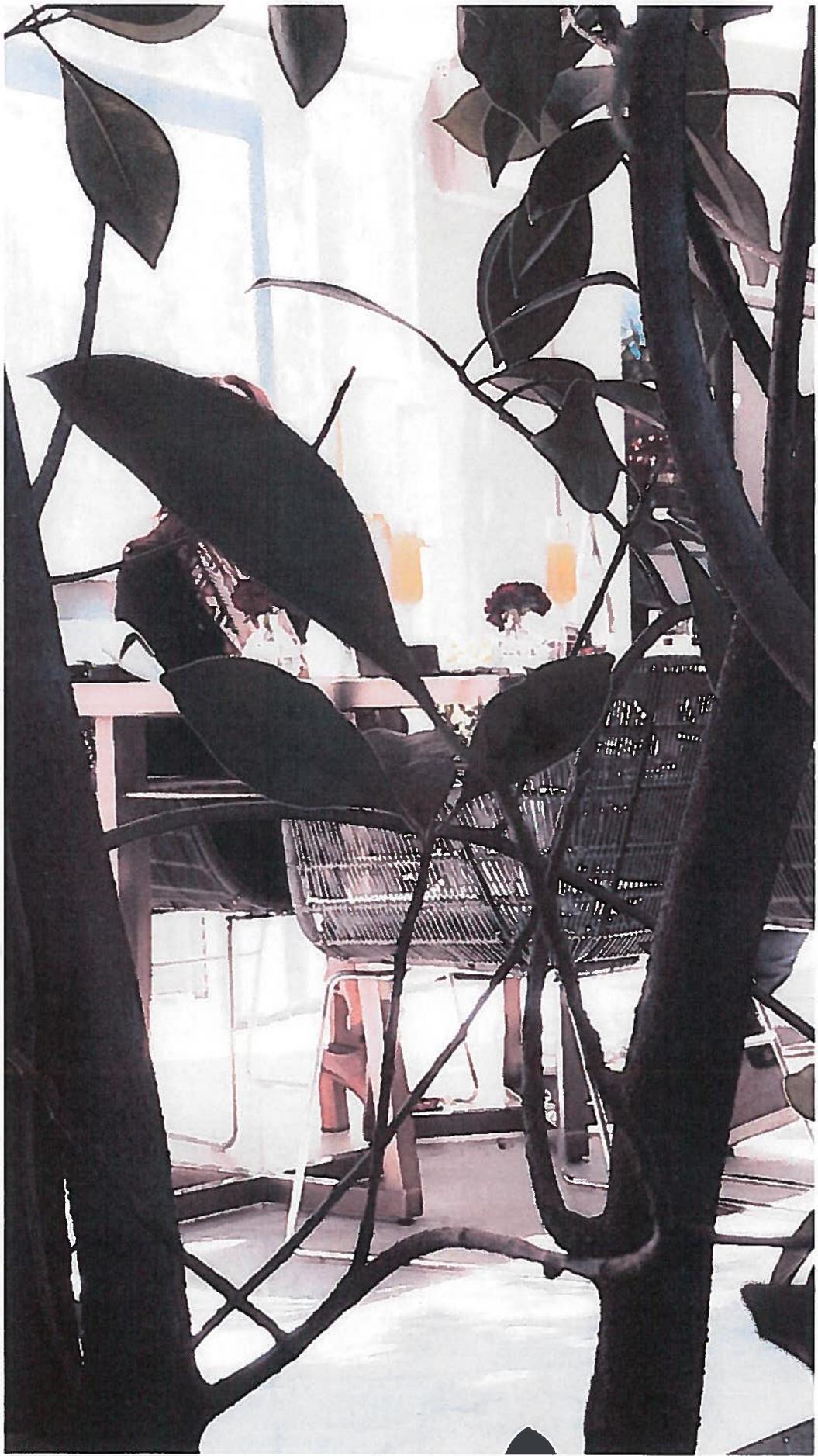
City staff and officials,

The l'ermitage was ordered to cease usage of the outdoor patio due to the expiration of their CUP. Attached find photo's of the outdoor patio being used by patrons.

Everyone needs to see how the hotel follows instructions. Then you will understand what the residents have been going through.

Thank You,  
Matti Bialer

Sent from my iPhone











Today  
11:02 AM

Edit

 HDR



## Ryan Gohlich

---

**From:** Matti Bialer <bialermatti@aol.com>  
**Sent:** Friday, April 22, 2016 12:12 PM  
**To:** Ryan Gohlich; Andre Sahakian; lwiener@rwglaw.com; Mahdi Aluzri; George Chavez  
**Cc:** lilibosse@icloud.com; 4-Nancy Krasne; ilanbialer@gmail.com; mikaelc@aol.com  
**Subject:** Fwd: RENEWAL CUP l'ermitage

Ryan,

Please explain why the L'ermitage hotel is exempt from CEQA.

Thank you

-----Original Message-----

**From:** Laurence S. Wiener <LWiener@rwglaw.com>  
**To:** Matti Bialer <bialermatti@aol.com>  
**Sent:** Fri, Apr 22, 2016 12:01 pm  
**Subject:** RE: RENEWAL CUP l'ermitage

Mr. Bialer,

Thank you for your email correspondence. In answer to your question, in the case of Conditional Use Permits (CUPs) and Development Plan Review applications (DPRs), neither the City's codes nor State law require any specific studies. Studies may be necessary pursuant to the California Environmental Quality Act (CEQA) unless the project qualifies for one or more CEQA exemptions. As you may have seen by the notice which appeared in the newspapers, staff's analysis concluded that the present project qualifies as categorically exempt from CEQA.

That said, the Planning Commission can request any studies that it deems necessary in order to determine whether the findings required to approve a CUP and DPR can be made. Should you believe that specific studies are necessary to inform the Planning Commission's consideration of the applications, you could draft a letter to the Planning Commission to recommend those studies, appear at the Planning Commission meeting to make that suggestion, or both. Staff will provide all correspondence received regarding the matter to the Planning Commission for its consideration.

I would be happy to discuss this with you further if you would like to give me a call. I can be reached at 310-285-1055.

(The Planning Commission and senior staff were blind copied.)

---

**From:** lili Bosse [<mailto:lilibosse@icloud.com>]  
**Sent:** Friday, April 22, 2016 10:09 AM  
**To:** Matti Bialer; Laurence S. Wiener  
**Cc:** [maluzri@beverlyhills.org](mailto:maluzri@beverlyhills.org); [maluzri@beverlyhills.org](mailto:maluzri@beverlyhills.org); [gchavez@beverlyhills.org](mailto:gchavez@beverlyhills.org); [gchavez@beverlyhills.org](mailto:gchavez@beverlyhills.org); [rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org); [rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org); [asahakian@beverlyhills.org](mailto:asahakian@beverlyhills.org); [asahakian@beverlyhills.org](mailto:asahakian@beverlyhills.org); [lwiener@beverlyhills.org](mailto:lwiener@beverlyhills.org); [lwiener@beverlyhills.org](mailto:lwiener@beverlyhills.org); [ilanbialer@gmail.com](mailto:ilanbialer@gmail.com); [ilanbialer@gmail.com](mailto:ilanbialer@gmail.com); [mikaelc@aol.com](mailto:mikaelc@aol.com); [mikaelc@aol.com](mailto:mikaelc@aol.com); Lori Gordon; Farshid Joe Shooshani; howard fisher; craig corman; alan block; John Mirisch  
**Subject:** Re: RENEWAL CUP l'ermitage

Larry, as city attorney please address these questions and include the planning commission on the response ..

Thanks!

Sent from my iPhone

On Apr 22, 2016, at 9:33 AM, Matti Bialer <[bialermatti@aol.com](mailto:bialermatti@aol.com)> wrote:

City officials and staff,

I would like an answer to my question as soon as possible. How can the city of Beverly Hills allow a new CUP without all the required by law studies, prior to allowing a CUP.

Previous studies were done approximately 17 to 18 years ago. Things have changed over the years. Let's follow the LAW OF THE LAND and do what is the legal process.

The hotel is obviously following their own agenda, and the city is allowing this illegal behavior with granting them more additional outdoor uses that disturb the whole area surrounding the hotel. In the past year, the city has allowed the hotel a second outdoor patio for dining. WHY? With out public hearing? More outdoor spaces to disturb the community.

Its time the City conducted itself in a legal and upstanding manner.

Our tax dollars are paying extremely high salaries to staff that are obviously not enforcing the laws of our city. Hiding behind closed doors to make deals happen and excuses for their mistakes. Let the city staff take responsibilities for their horrible errors.

When will city staff and officials protect the residents that abide by the city laws instead of a hotel that violates an expired CUP. It's not the city's responsibility to renew a CUP, It's the duty of the holder.

Remember the hotel is supposed to be an apartment building not a hotel with the capacity of thousands of guests partying on the rooftop with amplified music heard 1/2 mile away.

City of Beverly Hills, follow the laws that govern our city. Don't continue this big mess by not following legal procedures.

Thank you,  
Matti Bialer

Owner and resident for 45 yrs at 9297 Burton Way.

Click [here](#) to report this email as spam.

## Ryan Gohlich

---

**From:** Matti Bialer <bialermatti@aol.com>  
**Sent:** Friday, April 22, 2016 11:49 AM  
**To:** Mahdi Aluzri; George Chavez; Ryan Gohlich; Andre Sahakian; lwiener@aol.com  
**Cc:** lilibosse@icloud.com; 4-Nancy Krasne; ilanbialer@gmail.com; mikaelc@aol.com  
**Subject:** Public hearing May 2,2016 Planning Commission

City officials and staff,

I want to make sure that all of my emails, photo's and video's of the hotel violations and disturbances will be submitted to the planning commission for the May 2, public hearing. Since we were not able to discuss any issue's the residents have at the last planning commission meeting, will our submissions be brought to the meeting on May 2nd?

Please respond with an answer.

Thank You,

Matti Bialer

-----Original Message-----

**From:** lili Bosse <lilibosse@icloud.com>  
**To:** Matti Bialer <bialermatti@aol.com>; larry wiener <lwiener@rwglaw.com>  
**Cc:** maluzri <maluzri@beverlyhills.org>; gchavez <gchavez@beverlyhills.org>; rgohlich <rgohlich@beverlyhills.org>; asahakian <asahakian@beverlyhills.org>; lwiener <lwiener@beverlyhills.org>; ilanbialer <ilanbialer@gmail.com>; mikaelc <mikaelc@aol.com>; Lori Gordon <lorigordon@yahoo.com>; Farshid Joe Shooshani <joe@bobcometal.com>; howard fisher <howardscottfisher@yahoo.com>; craig corman <cormans@earthlink.net>; alan block <alan@blocklaw.net>; John Mirisch <jmirisch@beverlyhills.org>  
**Sent:** Fri, Apr 22, 2016 10:09 am  
**Subject:** Re: RENEWAL CUP l'ermitage

Larry, as city attorney please address these questions and include the planning commission on the response ..

Thanks!

Sent from my iPhone

On Apr 22, 2016, at 9:33 AM, Matti Bialer <bialermatti@aol.com> wrote:

City officials and staff,

I would like an answer to my question as soon as possible. How can the city of beverly hills allow a new CUP without all the required by law studies, prior to allowing a CUP.

Previous studies were done approximately 17 to 18 years ago. Things have changed over the years. Let's follow the LAW OF THE LAND and do what is the legal process.

The hotel is obviously following their own agenda, and the city is allowing this illegal behavior with granting them more additional outdoor uses that disturb the whole area surrounding the hotel. In the past year, the city has allowed the hotel a second outdoor patio for dining. WHY? With out public hearing? More outdoor spaces to disturb the community.

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---

When will city staff and officials protect the residents that abide by the city laws instead of a hotel that violates an expired CUP. It's not the city's responsibility to renew a CUP, It's the duty of the holder.

Remember the hotel is supposed to be an apartment building not a hotel with the capacity of thousands of guests partying on the rooftop with amplified music heard 1/2 mile away.

City of Beverly Hills, follow the laws that govern our city. Don't continue this big mess by not following legal procedures.

Thank you,  
Matti Bialer  
Owner and resident for 45 yrs at 9297 Burton Way.

## Ryan Gohlich

---

**From:** Matti Bialer <bialermatti@aol.com>  
**Sent:** Friday, April 22, 2016 9:34 AM  
**To:** Mahdi Aluzri; George Chavez; Ryan Gohlich; Andre Sahakian; lwiener@beverlyhills.org  
**Cc:** lilibosse@icloud.com; 4-Nancy Krasne; ilanbialer@gmail.com; mikaelc@aol.com  
**Subject:** RENEWAL CUP l'ermitage

City officials and staff,

I would like an answer to my question as soon as possible. How can the city of Beverly Hills allow a new CUP without all the required by law studies, prior to allowing a CUP. Previous studies were done approximately 17 to 18 years ago. Things have changed over the years. Let's follow the LAW OF THE LAND and do what is the legal process.

The hotel is obviously following their own agenda, and the city is allowing this illegal behavior with granting them more additional outdoor uses that disturb the whole area surrounding the hotel. In the past year, the city has allowed the hotel a second outdoor patio for dining. WHY? With out public hearing? More outdoor spaces to disturb the community. Its time the City conducted itself in a legal and upstanding manner. Our tax dollars are paying extremely high salaries to staff that are obviously not enforcing the laws of our city. Hiding behind closed doors to make deals happen and excuses for their mistakes. Let the city staff take responsibilities for their horrible errors.

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Remember the hotel is supposed to be an apartment building not a hotel with the capacity of thousands of guests partying on the rooftop with amplified music heard 1/2 mile away.

City of Beverly Hills, follow the laws that govern our city. Don't continue this big mess by not following legal procedures.

Thank you,  
Matti Bialer  
Owner and resident for 45 yrs at 9297 Burton Way.

## Andre Sahakian

---

**From:** Matti Bialer <bialermatti@aol.com>  
**Sent:** Tuesday, April 12, 2016 6:08 AM  
**To:** Ryan Gohlich; Andre Sahakian  
**Subject:** Fwd: L'ermitage videos

These were also sent to Andre and yourself. Make sure they are included for the planning commission hearing.

Thanks,  
Matti

-----Original Message-----

**From:** Matti Bialer <bialermatti@aol.com>  
**To:** asahakian <asahakian@beverlyhills.org>  
**Sent:** Wed, Apr 6, 2016 6:45 pm  
**Subject:** Fwd: L'ermitage videos

-----Original Message-----

**From:** Matti Bialer <bialermatti@aol.com>  
**To:** Ryan Gohlich <rgohlich@beverlyhills.org>  
**Sent:** Wed, Apr 6, 2016 6:15 pm  
**Subject:** L'ermitage videos

[Download Attachment](#)  
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Please submit to planning commission for April 14th meeting  
Thanks  
Matti

Click to Download

IMG\_0008.MOV  
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61926E99-8282-4F95-95C0-EBE98930EB64.MOV  
0 bytes

Click to Download

IMG\_0079.MOV  
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Sent from my iPhone

**Andre Sahakian**

---

**From:** Matti Bialer <bialermatti@aol.com>  
**Sent:** Tuesday, April 12, 2016 6:06 AM  
**To:** Ryan Gohlich; Andre Sahakian  
**Subject:** Fwd: L'ermitage videos

These were sent to Andre as well. Make sure these are included for the Planning Commission hearing

-----Original Message-----  
From: Matti Bialer <bialermatti@aol.com>  
To: asahakian <asahakian@beverlyhills.org>  
Sent: Wed, Apr 6, 2016 6:45 pm  
Subject: Fwd: L'ermitage videos

-----Original Message-----  
From: Matti Bialer <bialermatti@aol.com>  
To: Ryan Gohlich <rgohlich@beverlyhills.org>  
Sent: Wed, Apr 6, 2016 6:09 pm  
Subject: L'ermitage videos

[Download Attachment](#)  
Available until May 6, 2016

Submit to planning commission  
Thanks  
Matti

Click to Download

IMG\_0169.MOV  
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IMG\_0079.MOV  
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Click to Download

1F061D0E-96B4-40B7-BE9F-019919E2AD49.MOV  
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IMG\_0170.MOV  
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Sent from my iPhone

## Andre Sahakian

---

**From:** Matti Bialer <bialermatti@aol.com>  
**Sent:** Monday, April 11, 2016 6:54 PM  
**To:** Ryan Gohlich; Mahdi Aluzri; George Chavez; Ian; mikaelc@aol.com;  
lilibosse@icloud.com; 4-Nancy Krasne; Andre Sahakian  
**Subject:** L'ermitage deliveries  
**Attachments:** ATT00001.htm; ATT00002.htm; ATT00003.htm

[Download Attachment](#)  
[Available until May 11, 2016](#)

## Andre Sahakian

---

**From:** Matti Bialer <bialermatti@aol.com>  
**Sent:** Monday, April 11, 2016 6:20 PM  
**To:** Ryan Gohlich; Mahdi Aluzri; George Chavez; Andre Sahakian  
**Cc:** lilibosse@icloud.com; 4-Nancy Krasne; ilanbialer@gmail.com; mikaelc@aol.com  
**Subject:** Fwd: L'ermitage videos

Ryan,

I sent you more than 3 video's. Where is the video of the truck blocking our garages, engine on for 30 minutes???  
Let me know.  
Thanks,  
Matti

-----Original Message-----

From: Matti Bialer <bialermatti@aol.com>  
To: rgohlich <rgohlich@beverlyhills.org>; maluzri <maluzri@beverlyhills.org>; gchavez <gchavez@beverlyhills.org>; asahakian <asahakian@beverlyhills.org>  
Cc: lilibosse <lilibosse@icloud.com>; nancy <nancy@krasne.com>; ilanbialer <ilanbialer@gmail.com>; mikaelc <mikaelc@aol.com>  
Sent: Mon, Apr 11, 2016 5:58 pm  
Subject: Fwd: L'ermitage videos

Ryan,

You have not submitted these video's.

-----Original Message-----

From: Matti Bialer <bialermatti@aol.com>  
To: Ryan Gohlich <rgohlich@beverlyhills.org>  
Sent: Wed, Apr 6, 2016 6:09 pm  
Subject: L'ermitage videos

[Download Attachment](#)  
Available until May 6, 2016

Submit to planning commission  
Thanks  
Matti

Click to Download

IMG\_0169.MOV  
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IMG\_0079.MOV  
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Click to Download

IMG\_0170.MOV  
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Sent from my iPhone

## Andre Sahakian

---

**From:** Matti Bialer <bialermatti@aol.com>  
**Sent:** Monday, April 11, 2016 5:59 PM  
**To:** Ryan Gohlich; Mahdi Aluzri; George Chavez; Andre Sahakian  
**Cc:** lilibosse@icloud.com; 4-Nancy Krasne; ilanbialer@gmail.com; mikaelc@aol.com  
**Subject:** Fwd: L'ermitage videos

Ryan,

You have not submitted these video's.

-----Original Message-----

**From:** Matti Bialer <bialermatti@aol.com>  
**To:** Ryan Gohlich <rgohlich@beverlyhills.org>  
**Sent:** Wed, Apr 6, 2016 6:09 pm  
**Subject:** L'ermitage videos

[Download Attachment](#)  
Available until May 6, 2016

Submit to planning commission  
Thanks  
Matti

Click to Download

IMG\_0169.MOV  
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1F061D0E-96B4-40B7-BE9F-019919E2AD49.MOV  
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Click to Download

IMG\_0170.MOV  
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Sent from my iPhone

## Andre Sahakian

---

**From:** Matti Bialer <bialermatti@aol.com>  
**Sent:** Monday, April 11, 2016 5:56 PM  
**To:** Ryan Gohlich; Mahdi Aluzri; George Chavez; Andre Sahakian  
**Cc:** lilibosse@icloud.com; 4-Nancy Krasne; ilanbialer@gmail.com; mikaelc@aol.com  
**Subject:** Fwd: L'ermitage videos

Ryan,

You have not submitted these video's.

-----Original Message-----

**From:** Matti Bialer <bialermatti@aol.com>  
**To:** Ryan Gohlich <rgohlich@beverlyhills.org>; Sahakian Andre <asahakian@beverlyhills.org>  
**Sent:** Wed, Apr 6, 2016 7:11 pm  
**Subject:** L'ermitage videos

[Download Attachment](#)  
[Available until May 6, 2016](#)

Please submit to planning commission for meeting  
Thanks

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IMG\_0170.MOV  
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[Click to Download](#)

C0CEF18C-6F2C-47D0-9E5D-DF9B6D2CB65A.MOV  
0 bytes

Sent from my iPhone

## Ryan Gohlich

---

**From:** Matti Bialer <bialermatti@aol.com>  
**Sent:** Monday, April 11, 2016 11:39 AM  
**To:** Ryan Gohlich; Mahdi Aluzri; George Chavez; Andre Sahakian  
**Cc:** lilibosse@icloud.com; 4-Nancy Krasne; ilanbialer@gmail.com; mikaelc@aol.com  
**Subject:** Re: L'Ermitage Planning Commission Staff Report

Ryan,

Not only are my photo's missing, my emails and concerns sent to your department are also missing. You have submitted Mikael's emails but not mine. The photo's you sent do not make any impact on the commissioners unless they see the volume of photo's that have been submitted. You send one picture of our garages being blocked and the many pictures of delivery trucks parked in a NO PARKING ZONE.

My major concerns are blocking our garages to accommodate their deliveries, piercing back beeping alarms from delivery trucks all day and night 24/7. Noise from their outdoor patio and outdoor rooftop events. AMPLIFIED MUSIC which should not be allowed anywhere in a residential zone. Violating all the hours allowed by the current CUP.

The picture of the hotel re-setting up the old dining area with tables and chairs, where is that picture??? As soon as we turn our heads the hotel is extending their usage They follow NO LAWS or RULES. They are extremely arrogant and do whatever suits them.

Now the planning department is prepared to give them extended privileges when they cannot perform under their current CUP's.

And these sanctions you speak of, who is going to enforce the violations???? Police can't, Code Enforcement can't, so am I going to be your city policeman?

Matti Bialer

-----Original Message-----

**From:** Ryan Gohlich <rgohlich@beverlyhills.org>  
**To:** Matti Bialer <bialermatti@aol.com>; Mahdi Aluzri <maluzri@beverlyhills.org>; George Chavez <gchavez@beverlyhills.org>; WebCBH MAYORANDCITYCOUNCIL <MAYORANDCITYCOUNCIL@beverlyhills.org>; Andre Sahakian <asahakian@beverlyhills.org>  
**Cc:** lilibosse <lilibosse@icloud.com>; 4-Nancy Krasne <nancy@krasne.com>; ilanbialer <ilanbialer@gmail.com>; mikaelc <mikaelc@aol.com>; Susan Healy Keene <skeene@beverlyhills.org>  
**Sent:** Mon, Apr 11, 2016 10:58 am  
**Subject:** RE: L'Ermitage Planning Commission Staff Report

Hi Matti,

I've been going through and comparing the packet materials to the emails you sent me, and while it appears that most of the emails were included, some apparently did not transfer through when I forwarded the entire package of emails to Andre for inclusion in the packet. The packet includes over 50 pages of email correspondence, and the photos that are included appear on pages 26, 27, 60, 61, 62, 63, 64, 69, and 70. I sincerely apologize that some of them were not included, and want to be clear that we are in no way trying to protect the hotel or prevent the Planning Commission from seeing all the photos. We will be preparing a separate memo to the Planning Commission with the additional photos, and will distribute that later today. Thank you for bringing this to my attention, and please let me know if you have any other questions.

Ryan

Ryan Gohlich, AICP  
Assistant Director / City Planner

Community Development Department  
City of Beverly Hills  
455 N. Rexford Dr.  
Beverly Hills, CA 90210  
Direct: (310) 285-1118  
Fax: (310) 858-5966  
[rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org)

**From:** Matti Bialer [<mailto:bialermatti@aol.com>]  
**Sent:** Monday, April 11, 2016 10:13 AM  
**To:** Ryan Gohlich; Mahdi Aluzri; George Chavez; WebCBH MAYORANDCITYCOUNCIL; Andre Sahakian  
**Cc:** [lilibosse@icloud.com](mailto:lilibosse@icloud.com); 4-Nancy Krasne; [ilanbialer@gmail.com](mailto:ilanbialer@gmail.com); [mikaelc@aol.com](mailto:mikaelc@aol.com)  
**Subject:** Re: L'Ermitage Planning Commission Staff Report

Ryan and Andre,

Now I know that you at the planning department are not doing your job in a transparent way. I specifically asked if my photos and emails would be included in the packet for the Planning Commission Hearing. Where are all my emails to you??? Why have you not included the March 27th email to you Ryan with 20 different deliveries blocking our garages. March 27th email with hotel employees taking breaks on our property, talking on phones under tenants windows. Pictures of speakers in there outdoor dining area., etc, etc.  
I have submitted a lot of photo's with violations, where are they in the packet you submitted?

I am very angry at the planning dep't. for protecting the hotel, and not submitting all the violations to the commission.

Matti Bialer

-----Original Message-----

**From:** Andre Sahakian <[asahakian@beverlyhills.org](mailto:asahakian@beverlyhills.org)>  
**To:** bialermatti <[bialermatti@aol.com](mailto:bialermatti@aol.com)>; mikaelc <[mikaelc@aol.com](mailto:mikaelc@aol.com)>; ilanbialer <[ilanbialer@gmail.com](mailto:ilanbialer@gmail.com)>  
**Cc:** Ryan Gohlich <[rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org)>  
**Sent:** Fri, Apr 8, 2016 9:28 pm  
**Subject:** L'Ermitage Planning Commission Staff Report

Good evening,

Please see attached for the staff report on the L'Ermitage Hotel item for the April 14th Planning Commission meeting. You can view the full agenda by [clicking here](#).

Please let me know if you have any questions.

Regards,

Andre Sahakian  
Associate Planner  
(310) 285-1127

---

---  
The City keeps a copy of all E-mails sent and received for a minimum of 2 years. All retained E-mails will be treated as a Public Record per the California Public Records Act, and may be subject to disclosure pursuant to the terms, and subject to the exemptions, of that Act.

---

---  
The City keeps a copy of all E-mails sent and received for a minimum of 2 years. All retained E-mails will be treated as a Public Record per the California Public Records Act, and may be subject to disclosure pursuant to the terms, and subject to the exemptions, of that Act.

## Ryan Gohlich

---

**From:** Matti Bialer <bialermatti@aol.com>  
**Sent:** Monday, April 11, 2016 10:27 AM  
**To:** Ryan Gohlich  
**Cc:** lilibosse@icloud.com; 4-Nancy Krasne; ilanbialer@gmail.com; mikaelc@aol.com  
**Subject:** Fwd: L'ermitage deliveries blocking garages

RYAN,

Why is this not in the planning commission packet???? Why are you not showing the Planning commission the truth of what goes on here next to the hotel.

Matti

-----Original Message-----

**From:** Matti Bialer <bialermatti@aol.com>  
**To:** rgohlich <rgohlich@beverlyhills.org>  
**Sent:** Sun, Mar 27, 2016 12:12 pm  
**Subject:** Fwd: L'ermitage deliveries blocking garages

-----Original Message-----

**From:** Matti Bialer <bialermatti@aol.com>  
**To:** maluzri <maluzri@beverlyhills.org>; gchavez <gchavez@beverlyhills.org>  
**Cc:** ilanbialer <ilanbialer@gmail.com>; mikaelc <mikaelc@aol.com>  
**Sent:** Sun, Mar 27, 2016 12:10 pm  
**Subject:** Fwd: L'ermitage deliveries blocking garages

FYI

-----Original Message-----

**From:** Matti Bialer <bialermatti@aol.com>  
**To:** nancy <nancy@krasne.com>; lilibosse <lilibosse@icloud.com>  
**Sent:** Sun, Mar 27, 2016 11:43 am  
**Subject:** L'ermitage deliveries blocking garages

Nancy and Lili,

I wanted to show you what the L'ermitage does with their delivery trucks. I have hundreds of pictures of blocking our garages in the alley. I have tenants that have moved out because of the many violations of the Hotel. The delivery trucks are left engines running, back beeping all day long. They are allowed deliveries during the week from 9am to 9pm and weekends 9am to 8pm. We can't get a break from the noise. The delivery trucks move our garbage cans to accommodate the deliveries, therefor making it difficult to access the garbage cans.

I have video's that I have sent Ryan Gohlich and Mahdi Aluzri. with trucks delivering before 7am and trucks blocking the garages for 30 minutes at 7:15pm. L'ermitage has also in the past, broken down their rooftop parties at midnight. Police are called, they do not tell them to stop loading their trucks.

The delivery trucks are also parking in a NO PARKING zone on Foothill. Disturbing the flow of traffic

I don't want to overwhelm you with complaints, I know you are aware of the violations. I just wanted you to see pictures of what is going on. The minute you turn your head the other way, the hotel started to set the old outdoor restaurant with tables and chairs. This photo was also sent to city officials. They were going to have 2 outdoor patios!

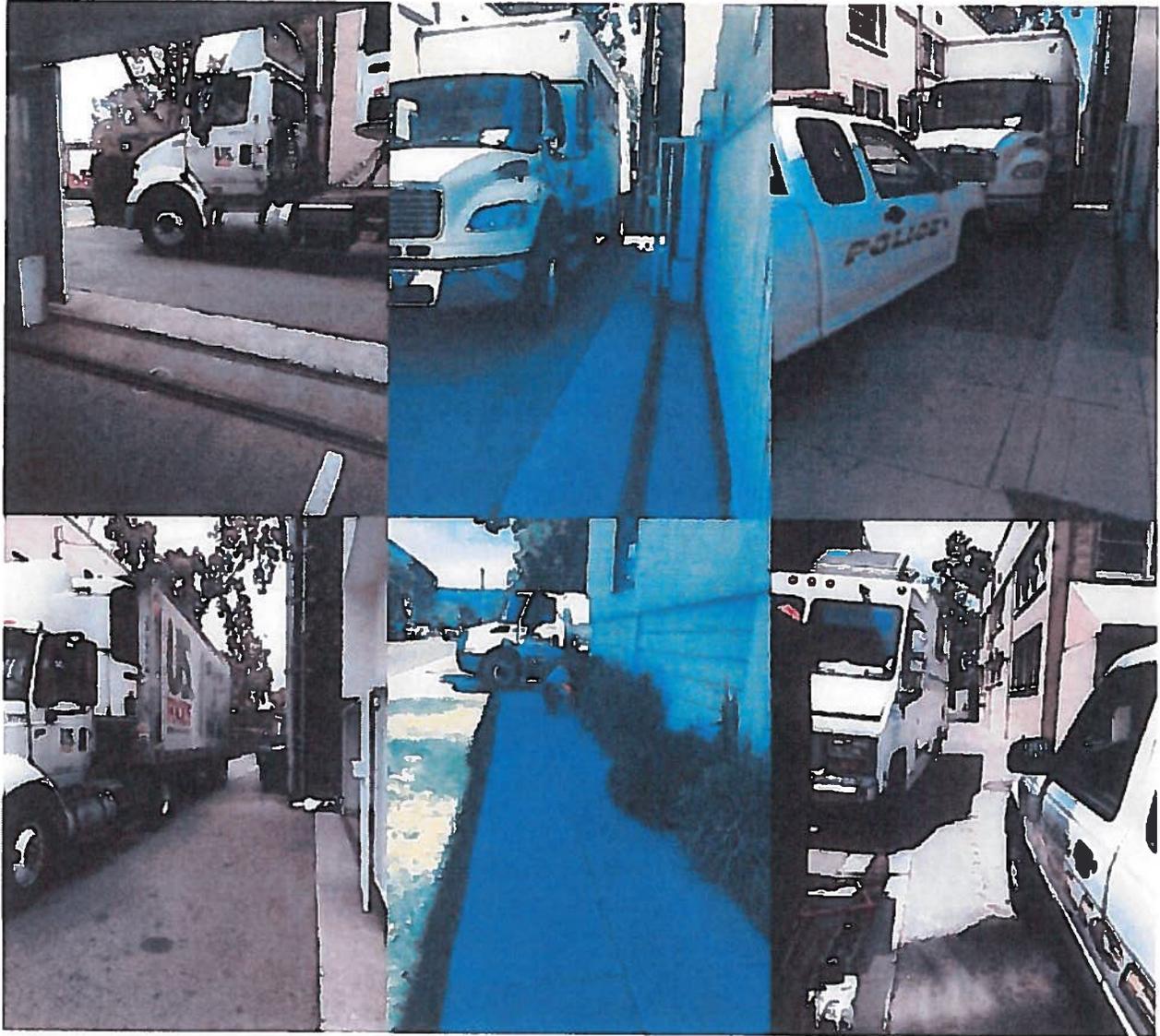
Its too bad that an upstanding resident has to constantly police the L'ermitage due to the disturbances of the residential neighborhood.

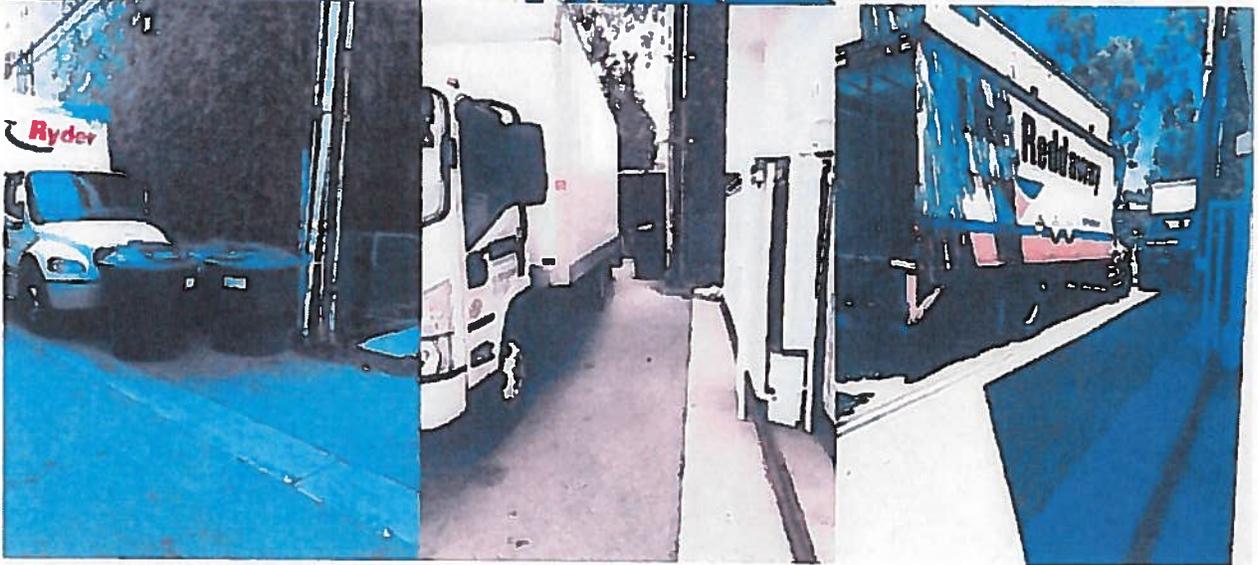
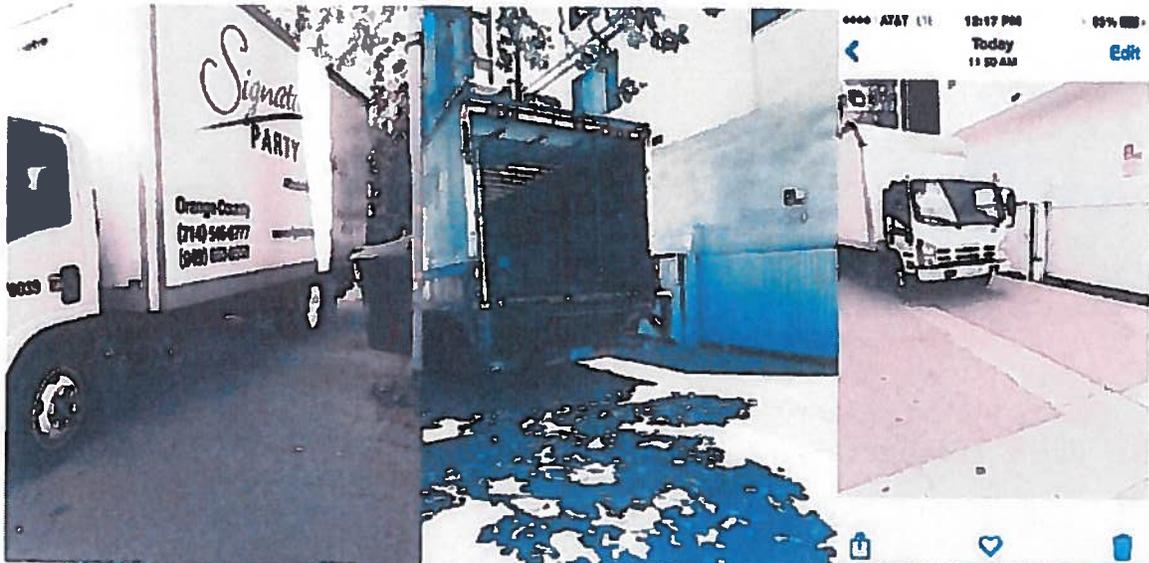
Thank you for your support, I admire the hard work of the council

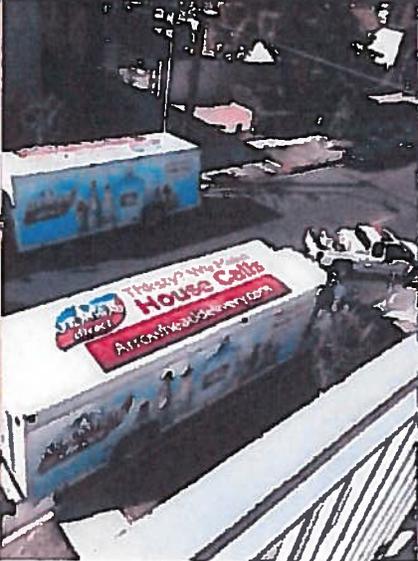
Sincerely,

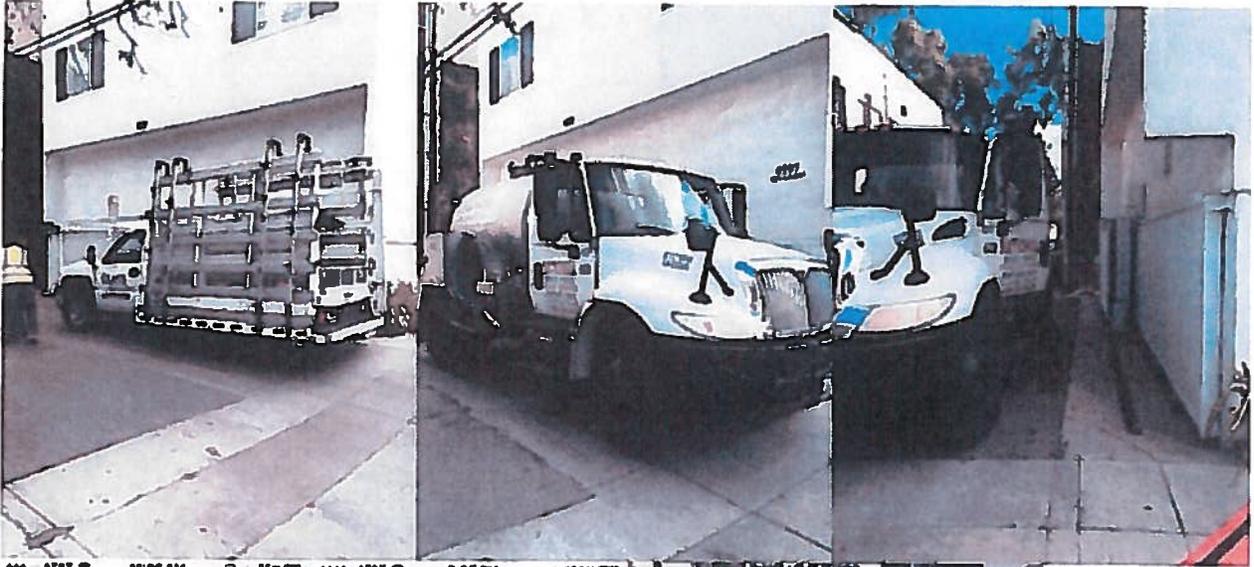
Matti Bialer

310 804-7008



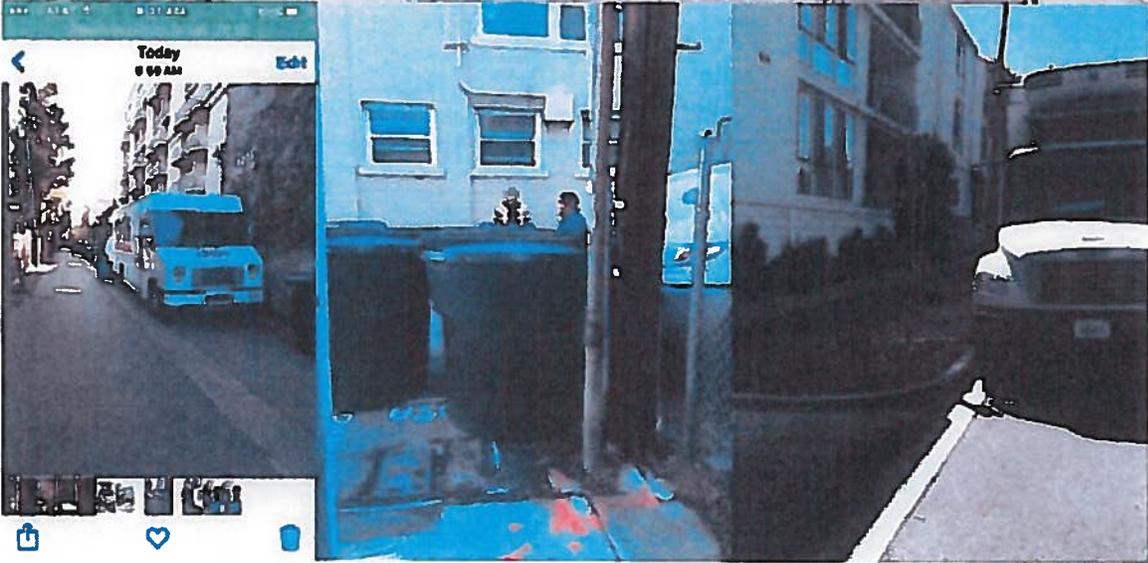
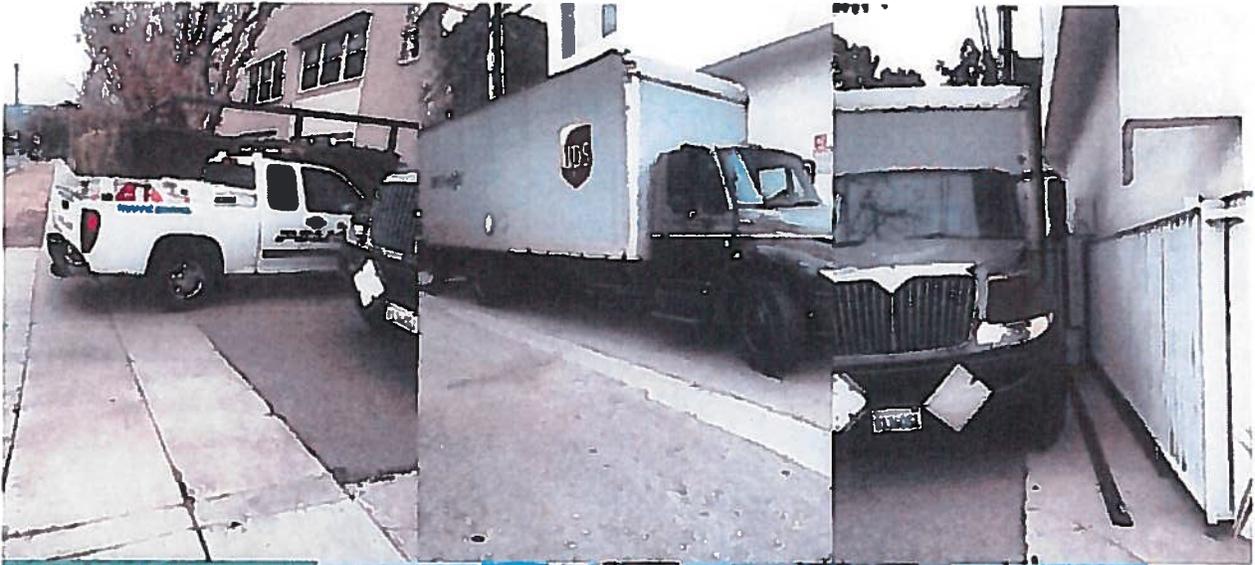




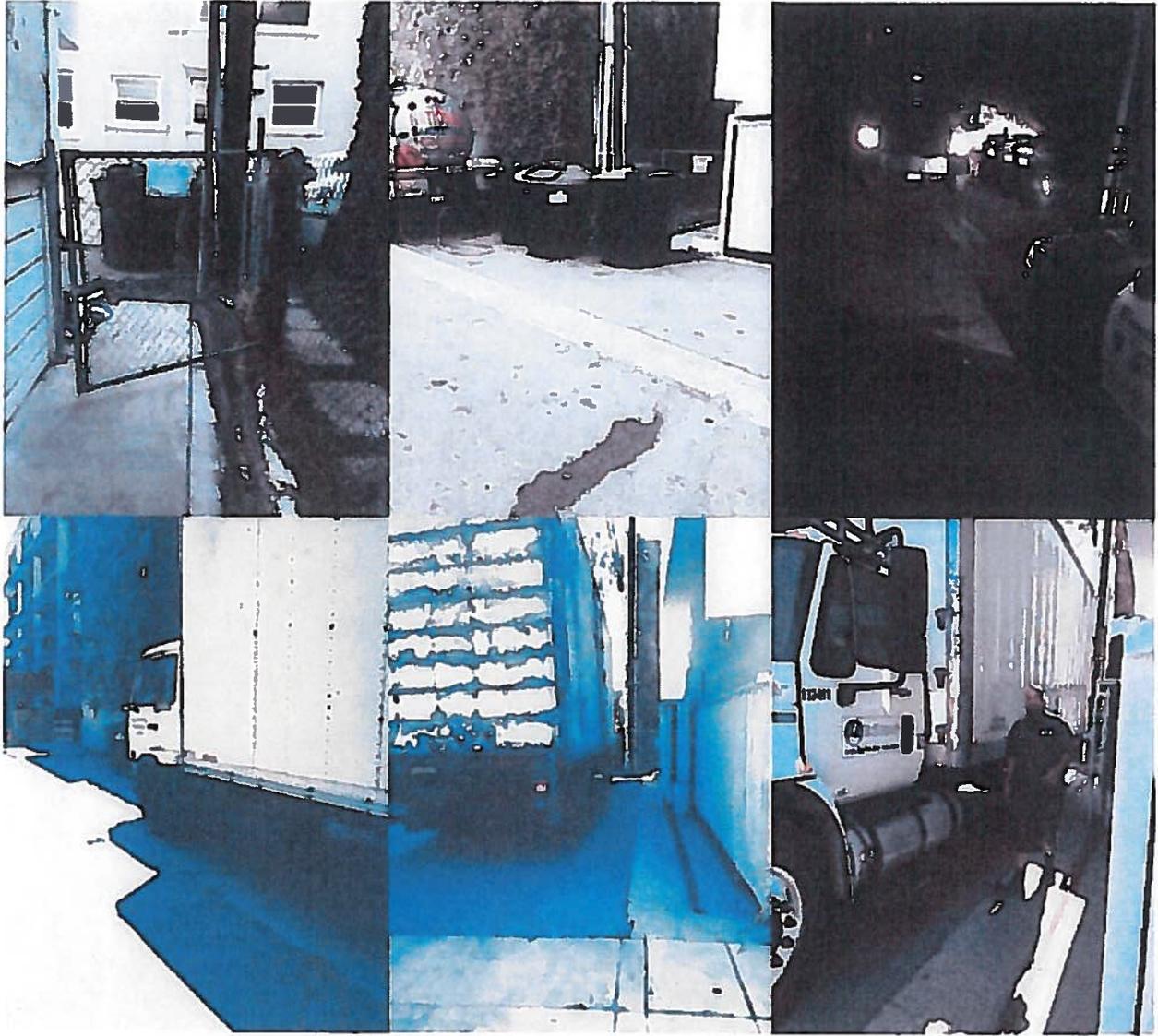


AT&T 10:05 AM 75% AT&T 8:33 PM 100%  
Today January 27  
10:28 AM 11:04 AM

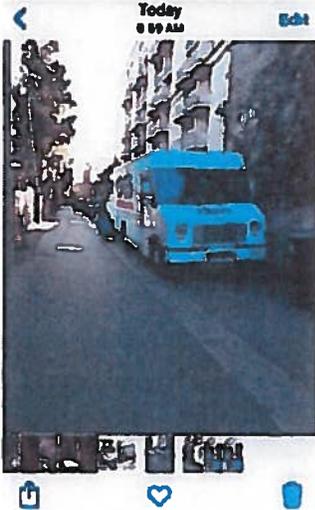












## Ryan Gohlich

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**From:** Matti Bialer <bialermatti@aol.com>  
**Sent:** Monday, April 11, 2016 10:13 AM  
**To:** Ryan Gohlich; Mahdi Aluzri; George Chavez; WebCBH MAYORANDCITYCOUNCIL; Andre Sahakian  
**Cc:** lilibosse@icloud.com; 4-Nancy Krasne; ilanbialer@gmail.com; mikaelc@aol.com  
**Subject:** Re: L'Ermitage Planning Commission Staff Report

Ryan and Andre,

Now I know that you at the planning department are not doing your job in a transparent way. I specifically asked if my photos and emails would be included in the packet for the Planning Commission Hearing. Where are all my emails to you??? Why have you not included the March 27th email to you Ryan with 20 different deliveries blocking our garages. March 27th email with hotel employees taking breaks on our property, talking on phones under tenants windows. Pictures of speakers in there outdoor dining area., etc, etc.  
I have submitted a lot of photo's with violations, where are they in the packet you submitted?

I am very angry at the planning dep't. for protecting the hotel, and not submitting all the violations to the commission.

Matti Bialer

-----Original Message-----

**From:** Andre Sahakian <asahakian@beverlyhills.org>  
**To:** bialermatti <bialermatti@aol.com>; mikaelc <mikaelc@aol.com>; ilanbialer <ilanbialer@gmail.com>  
**Cc:** Ryan Gohlich <rgohlich@beverlyhills.org>  
**Sent:** Fri, Apr 8, 2016 9:28 pm  
**Subject:** L'Ermitage Planning Commission Staff Report

Good evening,

Please see attached for the staff report on the L'Ermitage Hotel item for the April 14th Planning Commission meeting. You can view the full agenda by [clicking here](#).

Please let me know if you have any questions.

Regards,

Andre Sahakian  
Associate Planner  
(310) 285-1127

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The City keeps a copy of all E-mails sent and received for a minimum of 2 years. All retained E-mails will be treated as a Public Record per the California Public Records Act, and may be subject to disclosure pursuant to the terms, and subject to the exemptions, of that Act.

**Ryan Gohlich**

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**From:** Matti Bialer <bialermatti@aol.com>  
**Sent:** Friday, April 08, 2016 1:02 PM  
**To:** Ryan Gohlich; Mahdi Aluzri; George Chavez  
**Subject:** L'ermitage delivery NO PARKING ZONE  
**Attachments:** IMG\_0261.PNG; IMG\_0262.PNG; IMG\_0263.PNG

RYAN,

Illegal loading continues right now 4/8/16 Blocking traffic.

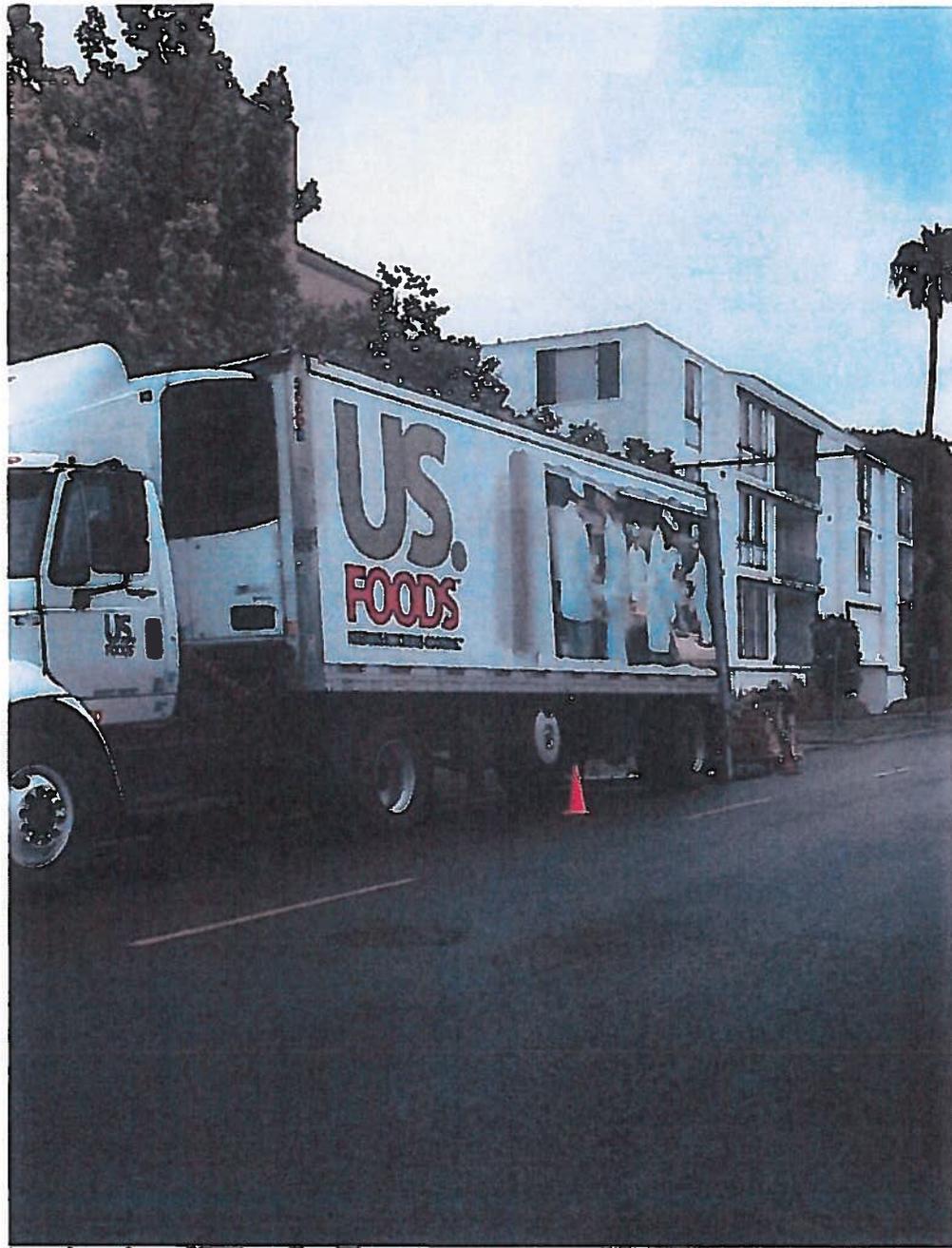
NO PARKING ZONE  
Foothill/Alley

Sent from my iPhone



Today  
12:44 PM

Edit





Today  
12:48 PM

Edit



●●●●○ AT&T



12:54 PM

64%



Today  
12:44 PM

Edit



## Ryan Gohlich

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**From:** Matti Bialer <bialermatti@aol.com>  
**Sent:** Thursday, April 07, 2016 6:56 PM  
**To:** Ryan Gohlich  
**Subject:** Re: Lili Bosse request for Planning Commission hearing

Ryan,  
Are my emails included in the commission packet?  
You only mentioned photos and videos.  
Thank you  
Matti

Sent from my iPhone

On Apr 7, 2016, at 1:27 PM, Ryan Gohlich <[rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org)> wrote:

Yes, we will be providing all of the information you have sent us to the Planning Commission. The photos will be included in the printed Planning Commission packet, and the videos will be emailed separately.

Ryan

Ryan Gohlich, AICP  
Assistant Director / City Planner  
Community Development Department  
City of Beverly Hills  
455 N. Rexford Dr.  
Beverly Hills, CA 90210  
Direct: (310) 285-1118  
Fax: (310) 858-5966  
[rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org)

**From:** Matti Bialer [<mailto:bialermatti@aol.com>]  
**Sent:** Thursday, April 07, 2016 1:25 PM  
**To:** Ryan Gohlich; Andre Sahakian  
**Cc:** [ilanbialer@gmail.com](mailto:ilanbialer@gmail.com); [mikaelc@aol.com](mailto:mikaelc@aol.com)  
**Subject:** Lili Bosse request for Planning Commission hearing

Ryan & Andre

Are you going to include all my photo's and videos and emails I have sent you??? Please verify this.

Thank You,  
Matti Bialer

-----Original Message-----

**From:** lilibosse <[lilibosse@icloud.com](mailto:lilibosse@icloud.com)>  
**To:** Matti Bialer <[bialermatti@aol.com](mailto:bialermatti@aol.com)>; george chavez <[gchavez@beverlyhills.org](mailto:gchavez@beverlyhills.org)>; Mahdi Aluzri <[maluzri@beverlyhills.org](mailto:maluzri@beverlyhills.org)>; Ryan Gohlich <[rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org)>  
**Sent:** Mon, Mar 28, 2016 9:43 am  
**Subject:** Re: L'ermitage deliveries 6:55 am

Please make sure that all photos and violation concerns..emails etc..is included in the Planning Commission packet

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The City keeps a copy of all E-mails sent and received for a minimum of 2 years. All retained E-mails will be treated as a Public Record per the California Public Records Act, and may be subject to disclosure pursuant to the terms, and subject to the exemptions, of that Act.

## Ryan Gohlich

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**From:** Matti Bialer <bialermatti@aol.com>  
**Sent:** Thursday, April 07, 2016 2:15 PM  
**To:** Ryan Gohlich  
**Subject:** Re: Lili Bosse request for Planning Commission hearing

Thank You!

-----Original Message-----

**From:** Ryan Gohlich <rgohlich@beverlyhills.org>  
**To:** Matti Bialer <bialermatti@aol.com>; Andre Sahakian <asahakian@beverlyhills.org>  
**Cc:** ilanbialer <ilanbialer@gmail.com>; mikaelc <mikaelc@aol.com>  
**Sent:** Thu, Apr 7, 2016 1:28 pm  
**Subject:** RE: Lili Bosse request for Planning Commission hearing

Yes, we will be providing all of the information you have sent us to the Planning Commission. The photos will be included in the printed Planning Commission packet, and the videos will be emailed separately.

Ryan

Ryan Gohlich, AICP  
Assistant Director / City Planner  
Community Development Department  
City of Beverly Hills  
455 N. Rexford Dr.  
Beverly Hills, CA 90210  
Direct: (310) 285-1118  
Fax: (310) 858-5966  
[rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org)

**From:** Matti Bialer [<mailto:bialermatti@aol.com>]  
**Sent:** Thursday, April 07, 2016 1:25 PM  
**To:** Ryan Gohlich; Andre Sahakian  
**Cc:** [ilanbialer@gmail.com](mailto:ilanbialer@gmail.com); [mikaelc@aol.com](mailto:mikaelc@aol.com)  
**Subject:** Lili Bosse request for Planning Commission hearing

Ryan & Andre

Are you going to include all my photo's and videos and emails I have sent you??? Please verify this.

Thank You,  
Matti Bialer

-----Original Message-----

**From:** lilibosse <lilibosse@icloud.com>  
**To:** Matti Bialer <bialermatti@aol.com>; george chavez <gchavez@beverlyhills.org>; Mahdi Aluzri <maluzri@beverlyhills.org>; Ryan Gohlich <rgohlich@beverlyhills.org>  
**Sent:** Mon, Mar 28, 2016 9:43 am  
**Subject:** Re: L'ermitage deliveries 6:55 am

Please make sure that all photos and violation concerns..emails etc..is included in the Planning Commission packet

---  
The City keeps a copy of all E-mails sent and received for a minimum of 2 years. All retained E-mails will be treated as a

Public Record per the California Public Records Act, and may be subject to disclosure pursuant to the terms, and subject to the exemptions, of that Act.

## **Ryan Gohlich**

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**From:** Matti Bialer <bialermatti@aol.com>  
**Sent:** Wednesday, April 06, 2016 11:26 AM  
**To:** Ryan Gohlich; Mahdi Aluzri; George Chavez; WebCBH MAYORANDCITYCOUNCIL  
**Cc:** ilanbialer@gmail.com; mikaelc@aol.com; lilibosse@icloud.com; 4-Nancy Krasne  
**Subject:** BH Planning Commission Meeting April 14, 2016  
**Attachments:** BH Planning Commission Meeting April 14, 2016.pdf

City staff, Mayor and City Council, Planning Commission,

Attached please find residents letter, police log, and residents petition in reference to the L'ermitage hotel .

APRIL 6, 2014

Dear Beverly Hills Planning Commission and Staff,

We would like to bring to your attention the following information regarding the L'Ermitage Hotel, which is operating under several CUPs as a non-conforming commercial use in the middle of a residential neighborhood. Please see attached police call log for the hotel address and attached petition.

The L'Ermitage property was originally built as a multi-family residential building and slowly began its non-conforming nature in an intentional and planned manner converting into commercial uses that have brought and continue to bring disruption, noise pollution, congestion, traffic, crime, inconvenience, burdens, vandalism, headaches and heartaches to the residents of the city that live near the hotel. Additionally, these operations and violations place burdens on the various city departments (including but not limited to the City Council, City Manager, Planning Department, Code Enforcement, Police Department, and Traffic Department) and are seriously out of proportion to any benefits the city might receive in return (including tax revenue sharing and fees). The CUPs were created to maintain a residential nature to the neighborhood. At first slowly, and now more rapidly, the residential nature has been eaten away and the hotel is a blatant commercial operation, with a fully public restaurant, constant partying by guests and visitors, constant traffic, constant noise, etc. There is more of nightclub environment that has been created, and with that comes more noise, traffic, inconvenience, crime and many other negative conditions that directly and indirectly disturb and inconvenience the residents of the neighborhood and ultimately cost everyone money in the form of city services required to monitor and police this type of use, and ultimately the deterioration of property values. We have personally witnessed and been exposed to MUCH NOISE AND DISRUPTION DURING THE DAY AND NIGHT, public intoxication, illegal drug use (including the smoke from illegal substances entering our homes both from room balconies and public hotel spaces), littering, persons urinating/defecating/vomiting on private and public property, blocking of access to parking garages, etc. It is not just the guests and visitors, vendors and employees also disturb the peace.

How did this happen and why is it being allowed? The hotel has and is accelerating direct violations of the CUPs in place and other city laws and regulations. These are wanton and willful violations, knowingly and openly committed by the hotel. L'Ermitage does not have any repercussions for these infractions and violations and is rewarded by receiving further approvals that make the situation even worse for the residents. How can you allow this to happen? Changes and approvals are granted in back room dealings, the residents are not informed and made a part of the process as is required in the instances of non-conforming uses. This defies all logic.

The hotel is now requesting that its CUPs be renewed and further modifications be made. We believe that the hotel's CUPs should be modified...by rolling them back so that the residential

nature of the neighborhood is protected in a better and more viable way and the hotel becomes a better citizen in the community. Please immediately implement rules and procedures to insure that there are mechanisms in place that insure that the residential nature that surrounds the hotel is maintain in an appropriate manner. Please insure that there is monitoring in place to guarantee the hotel remains in compliance, and if not that violations are dealt with in a serious and timely manner. You have the responsibility and power to fix this.

Beverly Hills has always been know as great place to live, a peaceful place with first class shops and merchants, top rated restaurants, top notch medical providers, great schools, among many other wonderful attributes. Are we now on the road to creating a nightclub and nightlife district in midst of our residential neighborhoods? Let's insure that the quality of our city be maintained.

The residents are upset. If we don't raise our voices we will not be heard. We have signed a petition and many more will follow. Our voices will get louder, just as the noise from the hotel gets louder. Please listen.

**CONCERNED RESIDENTS OF BEVERLY HILLS**

CALLS FOR SERVICE FOR 9291 BURTON WAY - JANUARY 1 THROUGH APRIL 1, 2016

Call Date/Time	Location	Dispositions	Incident Type
4/1/2016 12:34	9291 BURTON WAY, BEVERLY HILLS	CIT - 1	PARKING CALL
4/1/2016 12:33	9291 BURTON WAY, BEVERLY HILLS	DUP - 1	PARKING CALL
3/24/2016 8:18	9291 BURTON WAY, BEVERLY HILLS	CKOK - 1	PARKING CALL
3/19/2016 21:55	9291 BURTON WAY, BEVERLY HILLS	AQA - 1	DISTURBING THE PEACE
3/19/2016 21:01	9291 BURTON WAY, BEVERLY HILLS	ADV - 1	DISTURBING THE PEACE
3/19/2016 19:06	9291 BURTON WAY, BEVERLY HILLS	CKOK - 2	PARKING CALL
3/18/2016 19:48	9291 BURTON WAY, BEVERLY HILLS	CKOK - 1	SIGNS
3/17/2016 18:39	9291 BURTON WAY, BEVERLY HILLS	NPA - 1	PARKING CALL
3/16/2016 10:52	9291 BURTON WAY, BEVERLY HILLS	CIT - 1	PARKING CALL
3/10/2016 7:05	9291 BURTON WAY, BEVERLY HILLS	GOA - 1	PARKING CALL
3/8/2016 6:55	9291 BURTON WAY, BEVERLY HILLS	ADV - 1	MUNICIPAL CODE VIOLATION
3/3/2016 10:25	9291 BURTON WAY, BEVERLY HILLS	GOA - 1	PARKING CALL
3/3/2016 9:51	9291 BURTON WAY, BEVERLY HILLS	GOA - 1	PARKING CALL
2/26/2016 12:56	9291 BURTON WAY, BEVERLY HILLS	CKOK - 1	PARKING CALL
2/24/2016 11:19	9291 BURTON WAY, BEVERLY HILLS	ADV - 1	PARKING CALL
2/23/2016 20:35	9291 BURTON WAY, BEVERLY HILLS	CKOK - 1	KEEP THE PEACE
2/20/2016 12:39	9291 BURTON WAY, BEVERLY HILLS	CIT - 1	PARKING CALL
2/20/2016 12:08	9291 BURTON WAY, BEVERLY HILLS	CKOK - 1	MUNICIPAL CODE VIOLATION
2/12/2016 20:53	9291 BURTON WAY, BEVERLY HILLS	ADV - 1	DISTURBING THE PEACE
2/12/2016 19:23	9291 BURTON WAY, BEVERLY HILLS	ADV - 1	DISTURBING THE PEACE
2/12/2016 15:19	9291 BURTON WAY, BEVERLY HILLS	CKOK - 1	PARKING CALL
2/12/2016 14:31	9291 BURTON WAY, BEVERLY HILLS	CKOK - 1	PARKING CALL
2/11/2016 11:15	9291 BURTON WAY, BEVERLY HILLS	CIT - 1	PARKING CALL
2/10/2016 12:45	9291 BURTON WAY, BEVERLY HILLS	CKOK - 1	PARKING CALL
2/10/2016 6:56	9291 BURTON WAY, BEVERLY HILLS	CKOK - 1	MUNICIPAL CODE VIOLATION
1/30/2016 10:49	9291 BURTON WAY, BEVERLY HILLS	GOA - 1	PARKING CALL
1/28/2016 13:28	9291 BURTON WAY, BEVERLY HILLS	ADV - 1	PARKING CALL
1/27/2016 11:02	9291 BURTON WAY, BEVERLY HILLS	ADV - 1	PARKING CALL
1/26/2016 10:05	9291 BURTON WAY, BEVERLY HILLS	RPT - 1	PROPERTY (LOST OR FOUND)
1/25/2016 21:13	9291 BURTON WAY, BEVERLY HILLS	CKOK - 1	911 CALL
1/20/2016 10:53	9291 BURTON WAY, BEVERLY HILLS	CMP - 1	PARKING CALL
1/18/2016 13:12	9291 BURTON WAY, BEVERLY HILLS	NPA - 1	PARKING CALL
1/16/2016 14:04	9291 BURTON WAY, BEVERLY HILLS	CKOK - 1	MUNICIPAL CODE VIOLATION
1/10/2016 9:58	9291 BURTON WAY, BEVERLY HILLS	NPA - 1	MUNICIPAL CODE VIOLATION
1/8/2016 10:04	9291 BURTON WAY, BEVERLY HILLS	RPT - 1	MISSING PERSON
1/4/2016 22:44	9291 BURTON WAY, BEVERLY HILLS	CKOK - 1	911 CALL
1/3/2016 12:34	9291 BURTON WAY, BEVERLY HILLS	CKOK - 1	PARKING CALL

CALLS FOR SERVICE FOR 9291 BURTON WAY JANUARY 1, 2015 THROUGH OCTOBER 29, 2015

Call Date/Time	Location	Dispositions	Incident Type
1/25/2015 20:17	9291 BURTON WAY, BEVERLY HILLS	ADV - 1	KEEP THE PEACE
1/25/2015 20:59	9291 BURTON WAY, BEVERLY HILLS	ADV - 1	DISTURBING THE PEACE
2/5/2015 22:09	9291 BURTON WAY, BEVERLY HILLS	ADV - 2	DISTURBING THE PEACE
2/9/2015 12:18	9291 BURTON WAY, BEVERLY HILLS	CKOK - 1	PARKING CALL
2/12/2015 21:03	9291 BURTON WAY, BEVERLY HILLS	AST - 1	ASSIST THE CITIZEN
2/23/2015 11:10	9291 BURTON WAY, BEVERLY HILLS	CRP - 1	ASSIST OTHFR CITY EMPLOYEE
2/28/2015 18:31	9291 BURTON WAY, BEVERLY HILLS	CKOK - 1	911 CALL
3/1/2015 15:06	9291 BURTON WAY, BEVERLY HILLS	CRP - 1	KEEP THE PEACE
3/1/2015 20:01	9291 BURTON WAY, BEVERLY HILLS	CKOK - 1	911 CALL
3/2/2015 10:20	9291 BURTON WAY, BEVERLY HILLS	CIT - 1	PARKING CALL
3/14/2015 1:49	9291 BURTON WAY, BEVERLY HILLS	CKOK - 1	DISTURBING THE PEACE
4/26/2015 16:19	9291 BURTON WAY, BEVERLY HILLS	CIT - 1	PARKING CALL
5/6/2015 8:45	9291 BURTON WAY, BEVERLY HILLS	GOA - 1	PARKING CALL
5/6/2015 12:51	9291 BURTON WAY, BEVERLY HILLS	GOA - 1	PARKING CALL
5/6/2015 13:14	9291 BURTON WAY, BEVERLY HILLS	GOA - 1	PARKING CALL
5/7/2015 9:29	9291 BURTON WAY, BEVERLY HILLS	GOA - 1	PARKING CALL
5/7/2015 16:22	9291 BURTON WAY, BEVERLY HILLS	CIT - 1	PARKING CALL
5/8/2015 9:17	9291 BURTON WAY, BEVERLY HILLS	GOA - 1	PARKING CALL
5/9/2015 7:14	9291 BURTON WAY, BEVERLY HILLS	CKOK - 1	PARKING CALL
5/9/2015 9:30	9291 BURTON WAY, BEVERLY HILLS	GOA - 1	PARKING CALL
5/9/2015 11:33	9291 BURTON WAY, BEVERLY HILLS	CMP - 1	PARKING CALL
5/9/2015 13:47	9291 BURTON WAY, BEVERLY HILLS	CKOK - 1	PARKING CALL
5/11/2015 8:01	9291 BURTON WAY, BEVERLY HILLS	CKOK - 1	PARKING CALL
5/11/2015 10:30	9291 BURTON WAY, BEVERLY HILLS	CMP - 1	PARKING CALL
5/12/2015 12:24	9291 BURTON WAY, BEVERLY HILLS	ADV - 1	PARKING CALL
5/12/2015 13:13	9291 BURTON WAY, BEVERLY HILLS	ADV - 1	PARKING CALL
5/13/2015 12:45	9291 BURTON WAY, BEVERLY HILLS	CIT - 1	PARKING CALL
5/13/2015 12:54	9291 BURTON WAY, BEVERLY HILLS	AST - 1	ASSIST OTHER CITY EMPLOYEE
5/14/2015 7:11	9291 BURTON WAY, BEVERLY HILLS	REF - 1	PARKING CALL
5/14/2015 9 26	9291 BURTON WAY, BEVERLY HILLS	ADV - 1	PARKING CALL
5/15/2015 11:54	9291 BURTON WAY, BEVERLY HILLS	CKOK - 1	PARKING CALL
5/20/2015 7:04	9291 BURTON WAY, BEVERLY HILLS	GOA - 1	MUNICIPAL CODE VIOLATION
5/20/2015 13:07	9291 BURTON WAY, BEVERLY HILLS	GOA - 1	PARKING CALL
5/21/2015 10:24	9291 BURTON WAY, BEVERLY HILLS	CKOK - 1	PARKING CALL
5/27/2015 11:12	9291 BURTON WAY, BEVERLY HILLS	ADV - 1	PARKING CALL
6/1/2015 9:00	9291 BURTON WAY, BEVFRIY HILLS	CKOK - 1	PARKING CALL
6/3/2015 9:38	9291 BURTON WAY, BEVERLY HILLS	CKOK - 1	PARKING CALL
6/9/2015 9:52	9291 BURTON WAY, BEVERLY HILLS	CMP - 1	PARKING CALL
6/11/2015 11:45	9291 BURTON WAY, BEVERLY HILLS	CIT - 1	PARKING CALL
6/15/2015 7:02	9291 BURTON WAY, BEVERLY HILLS	GOA - 1	PARKING CALL
6/15/2015 10:37	9291 BURTON WAY, BEVERLY HILLS	CIV - 1	594 PC- VANDALISM
6/17/2015 9:20	9291 BURTON WAY, BEVERLY HILLS	NPA - 1	PARKING CALL
6/20/2015 17:58	9291 BURTON WAY, BEVERLY HILLS	ARR - 1	647(F) PC- DRUNK/DRUGS
6/24/2015 15:51	9291 BURTON WAY, BEVERLY HILLS	ADV - 1	PARKING CALL
6/25/2015 13:04	9291 BURTON WAY, BEVERLY HILLS	CIT - 1	PARKING CALL

6/26/2015 7:43	9291 BURTON WAY, BEVERLY HILLS	CKOK - 1	PARKING CALL
7/1/2015 7:39	9291 BURTON WAY, BEVERLY HILLS	UTL - 1	MUNICIPAL CODE VIOLATION
7/10/2015 11:55	9291 BURTON WAY, BEVERLY HILLS	CIT - 1	PARKING CALL
7/10/2015 13:33	9291 BURTON WAY, BEVERLY HILLS	NPA - 1	PARKING CALL
7/10/2015 22:59	9291 BURTON WAY, BEVERLY HILLS	ADV - 1	DISTURBING THE PEACE
7/13/2015 9:13	9291 BURTON WAY, BEVERLY HILLS	ADV - 1	PARKING CALL
7/13/2015 9:33	9291 BURTON WAY, BEVERLY HILLS	ADV - 1	PARKING CALL
7/13/2015 21:07	9291 BURTON WAY, BEVERLY HILLS	CKOK - 1	SPECIAL WATCH
7/17/2015 8:15	9291 BURTON WAY, BEVERLY HILLS	SOW - 1	PARKING CALL
7/17/2015 12:37	9291 BURTON WAY, BEVERLY HILLS	NPA - 1	PARKING CALL
7/17/2015 12:58	9291 BURTON WAY, BEVERLY HILLS	ADV - 1	PARKING CALL
7/21/2015 11:36	9291 BURTON WAY, BEVERLY HILLS	GOA - 1	PARKING CALL
7/23/2015 9:55	9291 BURTON WAY, BEVERLY HILLS	GOA - 1	PARKING CALL
7/23/2015 13:18	9291 BURTON WAY, BEVERLY HILLS	GOA - 1	PARKING CALL
7/31/2015 11:56	9291 BURTON WAY, BEVERLY HILLS	GOA - 1	PARKING CALL
8/3/2015 14:57	9291 BURTON WAY, BEVERLY HILLS	NPA - 1	OTHER
8/5/2015 11:36	9291 BURTON WAY, BEVERLY HILLS	CMP - 1	KEEP THE PEACE
8/6/2015 10:49	9291 BURTON WAY, BEVERLY HILLS	ADV - 1	PARKING CALL
8/9/2015 10:34	9291 BURTON WAY, BEVERLY HILLS	ADV - 1	MUNICIPAL CODE VIOLATION
9/1/2015 13:17	9291 BURTON WAY, BEVERLY HILLS	GOA - 1	PARKING CALL
9/5/2015 12:54	9291 BURTON WAY, BEVERLY HILLS	CKOK - 1, CRP - 1	MUNICIPAL CODE VIOLATION
9/6/2015 20:47	9291 BURTON WAY, BEVERLY HILLS	ADV - 1	DISTURBING THE PEACE
9/8/2015 10:01	9291 BURTON WAY, BEVERLY HILLS	GOA - 1	PARKING CALL
9/10/2015 10:03	9291 BURTON WAY, BEVERLY HILLS	GOA - 1	PARKING CALL
9/12/2015 7:24	9291 BURTON WAY, BEVERLY HILLS	NPA - 1	MUNICIPAL CODE VIOLATION
9/12/2015 8:21	9291 BURTON WAY, BEVERLY HILLS	CMP - 1	PARKING CALL
9/12/2015 20:16	9291 BURTON WAY, BEVERLY HILLS	ADV - 1	DISTURBING THE PEACE
9/19/2015 20:48	9291 BURTON WAY, BEVERLY HILLS	CIT - 1	PARKING CALL
9/22/2015 6:39	9291 BURTON WAY, BEVERLY HILLS	NEC - 1	DISTURBING THE PEACE
9/24/2015 23:09	9291 BURTON WAY, BEVERLY HILLS	AQA - 1	DISTURBING THE PEACE
9/25/2015 13:26	9291 BURTON WAY, BEVERLY HILLS	CMP - 1	PARKING CALL
9/26/2015 6:51	9291 BURTON WAY, BEVERLY HILLS	ADV - 1	MUNICIPAL CODE VIOLATION
10/4/2015 11:47	9291 BURTON WAY, BEVERLY HILLS	ADV - 1	PARKING CALL
10/4/2015 16:25	9291 BURTON WAY, BEVERLY HILLS	CKOK - 1	DISTURBING THE PEACE
10/4/2015 22:34	9291 BURTON WAY, BEVERLY HILLS	AQA - 1, ADV - 1	DISTURBING THE PEACE
10/10/2015 15:36	9291 BURTON WAY, BEVERLY HILLS	CMP - 1	OTHER REPORT
10/15/2015 10:25	9291 BURTON WAY, BEVERLY HILLS	AST - 1	ASSIST OTHER POLICE DEPT
10/25/2015 22:51	9291 BURTON WAY, BEVERLY HILLS	CKOK - 1	DISTURBING THE PEACE

CALLS FOR SERVICE FOR 9291 BURTON WAY OCTOBER 30, 2015 THROUGH DECEMBER 2015

Call Date/Time	Location	Dispositions	Incident Type
12/19/2015 7:22	9291 BURTON WAY, BEVERLY HILLS	ADV - 1	MUNICIPAL CODE VIOLATION
12/14/2015 9:07	9291 BURTON WAY, BEVERLY HILLS	GOA - 1	PARKING CALL
12/5/2015 10:22	9291 BURTON WAY, BEVERLY HILLS	CKOK - 1	MUNICIPAL CODE VIOLATION
11/21/2015 13:13	9291 BURTON WAY, BEVERLY HILLS	CKOK - 1	MUNICIPAL CODE VIOLATION

341 10/27

U

### PETITION TO STOP L'ERMITAGE FROM EXPANDING NOISE AND DAILY EVENTS IN A RESIDENTIAL ZONE

We, the undersigned, oppose any renovations that includes modifications by L'Ermitage Hotel (at 9291 Burton Way, Beverly Hills, California) to its rooftop venue and interior spaces that involves additional and extended hours of activity and increased frequency of events, because this change will cause significant increased traffic, noise, air quality, loss of privacy and environment impacts to the immediate neighborhood and the residents and their families.

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We implore the City Planning Commission and City Council to deny any extension of permitted use and protect the integrity of our neighborhood.

Petition from:

1) Name Joe Bialer  
Address 9297 Burton Way

Signature [Signature]  
Email \_\_\_\_\_

2) Name Rachel Bialer  
Address 9297 Burton Way

Signature [Signature]  
Email \_\_\_\_\_

Request to stop L'Emitage from expanding noise (2)

Signature                      Print Name                      Street Address

Mathi Braten    MATHI BRATEN    9297 Burton Way #5

Robina Gibb    ROBINA GIBB    9297 Burton way #1

R. John Gibb    JOHN GIBB    "   "   "   "

Emily Frida    FAMILY FREDRICK    9297 Burton way 2

Jonelle Thomas    Jonelle Thomas    9297 Burton way 1/2

✓ Rachel Levy - 9297 Burton way #4 B.H CA 90210

Erinny J. Littlejohn    9294 Burton Way B.H. CA 90210

✓ Dany Levy - 9297 Burton way #4 B.H CA 90210

John Brate    17000 ... #11/11 90210

John Brate    9297 Burton way #11 90210

Caroline    ALEXANDER MAMALILI    9297 BURTON WAY

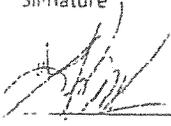
Petition to stop 11' Enclosure from extending north

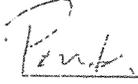
3

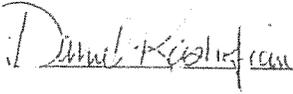
Signature

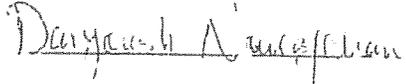
Print Name

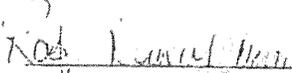
Street Address

 Tereza Nunez 9317 N. Burton Way

 Tereza Nunez 9317 Burton Way

 Daniel Koshoff 9317 A

 Danyush Nunez 9317 A

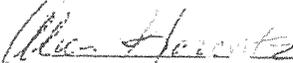
 Tereza Nunez 9317 A

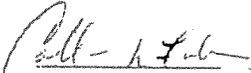
 Tereza Nunez 9317 A

 Julia Kraus 9317 A

 Paminta Kraus 9321 A

 Veronica Kelen 9321 A

 Alice Horvath 9321 A

 Colleen Matados 9311 - A

Petition to stop 1 exchange from expanding noise

(11)

FIS 6/23/70

Signature

Print Name

Street Address

[Signature] WILLY WASSER 4300 S

Josiah Wiggins Foster Wiggins 4040

[Signature] 21 N. Foothill 437 N. Foothill

[Signature] 210 N. Foothill

Jean/Jan Messer 301 N. Foothill RD

[Signature] 301 N. Foothill RD

Michael Moran 304 N. Foothill RD

[Signature] 301 N Foothill RD

[Signature] 304 N Foothill RD

[Signature] 302 N. Foothill RD  
315-435 5444

MORRIS FOWLER 302 N Foothill  
200-5944

Polibaru to stop 1. Ermitage from expanding water

(5)

Signature

Print Name

Street Address

Ermitage CONSTANCE WALKER 300 N. S. WALL DR  
90211

Cotton Walker 305 N. S. WALL DR

Dale Walker 305 N. S. WALL DR

Chaya Mishka Sulami 314 N. ALPINE DR.

Ayala Sulami 314 N. ALPINE DR.

Hilka Sulami 314 N. ALPINE DR.

David Sulami 311 N. ALPINE DR.

Ben Azizi 20948 1999 313 N. ALPINE DR.

Bita Azizi 315 N. ALPINE DR.

Jacob Azizi 315 N. ALPINE DR.

Nicol Azizi 315 N. ALPINE DR.

Petition to stop 1 envelope from expanding more (6)

Signature:

Print Name

Street Address

Jenny Miller, Sandra Walder 303 N  
Alpine Dr

[Signature] Sandra Walder 303 N Alpine

315

754 7826

[Signature] Ron Dyer 9301 A Benton

[Signature] Milton Dyer 9301 A

312  
779-9713

[Signature] Jill Carter 9311 B Benton

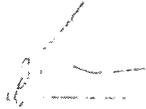
[Signature] Barbara [unclear] 9311 B

Petition to stop 1 Country Price expanding name

Signature

Print Name

Street Address



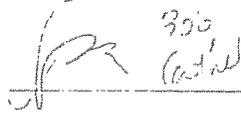
Tom K. Brown

3000 Foot Hill Rd



Tom K. Brown

3000 Foot Hill Rd



300  
Foot Hill

Amy M. Vojty

310-886-9771

306

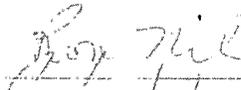
Foot Hill



Zoltan L. Zoltan

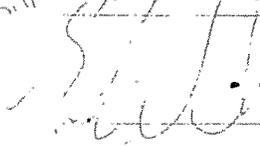
310-863-3311

301  
Foot Hill



Ron Neri

310-770-1523



Eric Neri

310-770-2999

305  
Foot Hill



Ruth Rosenfeld

310-278-4186

305  
Foot Hill

R R

Robert Rosenfeld

310-278-4186

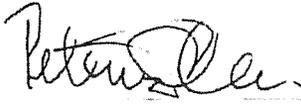
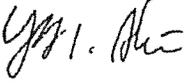
Petition to stop 1 Emulate Row expanding house

(5)

Signature

Print Name

Street Address

	Meir Graff	9249 Burton Way #204, BH, CA 90210
	Petrina Aberle	9249 Burton Way #504 BH 90210
	Young Shim	9249 Burton Way #305 BH 90210
	Leahuel Peter	" " " #205 BH 90210
	Charlene Tammy	9249 Burton Way #501 BH 90210

**PETITION TO STOP L'ERMITAGE FROM EXPANDING NOISE AND  
DAILY EVENTS IN A RESIDENTIAL ZONE**

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WE REQUEST THE CITY TO STOP L'ERMITAGE HOTEL FROM EXPANDING THEIR CONDITIONAL USE PERMIT AND TO DENY THEM THE ADDITION OF STREET EXPOSED ELEVATORS, ANY EVENTS LATE INTO THE NIGHT FROM THE ROOFTOP AND WITHIN THE HOTEL, AS THEY ARE RIGHT IN THE MIDDLE OF OUR RESIDENTIAL AREA.

We implore the City Planning Commission and City Council to deny any extension of permitted use and protect the integrity of our neighborhood.

Petition from:

1) Name \_\_\_\_\_  
Address \_\_\_\_\_

Signature \_\_\_\_\_  
Email \_\_\_\_\_

2) Name Jonathan Cohen  
Address 311 N. Eldon St

Signature [Handwritten Signature]  
Email jonathan@l'ermitage.com

**PETITION TO STOP L'ERMITAGE FROM EXPANDING NOISE AND  
DAILY EVENTS IN A RESIDENTIAL ZONE**

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We implore the City Planning Commission and City Council to deny any extension of permitted use and protect the integrity of our neighborhood.

Petition from:

1) Name Lucy E.  
Address 302 N. Lind Dr

Signature \_\_\_\_\_  
Email \_\_\_\_\_

2) Name Adam Cohen  
Address 315 N. Elm Dr

Signature [Signature]  
Email adam.stal@gmail.com

**PETITION TO STOP L'ERMITAGE FROM EXPANDING NOISE AND  
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We implore the City Planning Commission and City Council to deny any extension of permitted use and protect the integrity of our neighborhood.

Petition from:

1) Name John E. ...  
Address 302 L. ...

Signature \_\_\_\_\_  
Email \_\_\_\_\_

2) Name \_\_\_\_\_  
Address \_\_\_\_\_

Signature \_\_\_\_\_  
Email \_\_\_\_\_

**PETITION TO STOP L'ERMITAGE FROM EXPANDING NOISE AND  
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Petition from:

1) Name NATHANIEL CARRASCO  
Address 304 W. BURTON DR

Signature   
Email \_\_\_\_\_

2) Name \_\_\_\_\_  
Address \_\_\_\_\_

Signature \_\_\_\_\_  
Email \_\_\_\_\_

**PETITION TO STOP L'ERMITAGE FROM EXPANDING NOISE AND  
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We implore the City Planning Commission and City Council to deny any extension of permitted use and protect the integrity of our neighborhood.

Petition from:

1) Name ABRAHAM SARAFI  
Address 304 N. BURLINGAME

Signature   
Email AL.CHIT@AOL

2) Name SHIRAZ SEARATI  
Address 304 N. BURLINGAME

Signature   
Email \_\_\_\_\_

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We implore the City Planning Commission and City Council to deny any extension of permitted use and protect the integrity of our neighborhood.

Petition from:

1) Name Robert [unclear]  
Address 522 N Elm Dr.

Signature \_\_\_\_\_  
Email \_\_\_\_\_

2) Name Sherry Jane  
Address 215 N Elm Dr.

Signature Sherry Jane  
Email sherryj@ymail.com

**PETITION TO STOP L'ERMITAGE FROM EXPANDING NOISE AND  
DAILY EVENTS IN A RESIDENTIAL ZONE**

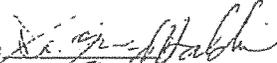
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Petition from:

- |  |  |
|--|--|
| 1) Name <u>OSAN-GHALCHE</u><br>Address <u>311 N. ELK DR. B.H. CA 90210</u> | Signature <br>Email <u>OSANGHALCHE@sbeglobal.NET</u> |
| 2) Name <u>Matthew Galchi</u><br>Address <u>311 N. Elk Dr. BH CA 90210</u> | Signature <br>Email <u>galchi@usc.edu</u>            |
-

**PETITION TO STOP L'ERMITAGE FROM EXPANDING NOISE AND  
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We implore the City Planning Commission and City Council to deny any extension of permitted use and protect the integrity of our neighborhood.

Petition from:

1) Name Faranak Aboulinejad  
Address 11111 1st St  
LA 90210

Signature   
Email faranakabady@sbcglobal.net

2) Name \_\_\_\_\_  
Address \_\_\_\_\_

Signature \_\_\_\_\_  
Email \_\_\_\_\_

\_\_\_\_\_

**PETITION TO STOP L'ERMITAGE FROM EXPANDING NOISE AND  
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Petition from:

1) Name MENACHEM SHUSTERMAN  
Address 303 N ELM DR  
BH CA 90210

Signature   
Email menachemshusterman@msn.com

2) Name Aida Shusterman  
Address 503 N Elm Dr  
BH CA 90210

Signature   
Email aidieshusterman@gmail.com

**PETITION TO STOP L'ERMITAGE FROM EXPANDING NOISE AND  
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Petition from:

- |         |                                |           |                   |
|---------|--------------------------------|-----------|-------------------|
| 1) Name | <u>Tarous Ehayate</u>          | Signature | <u>T Ehayate</u>  |
| Address | <u>307 N Elm Dr.</u>           | Email     |                   |
|         | <u>Beverly Hills, CA 90210</u> |           |                   |
| 2) Name | <u>Mahmud Israeli</u>          | Signature | <u>M. Israeli</u> |
| Address | <u>307 North Elm Dr.</u>       | Email     |                   |
|         | <u>B.H. CA 90210</u>           |           |                   |

**PETITION TO STOP L'ERMITAGE FROM EXPANDING NOISE AND  
DAILY EVENTS IN A RESIDENTIAL ZONE**

We, the undersigned, oppose any renovations that includes modifications by L'Ermitage Hotel (at 9291 Burton Way, Beverly Hills, California) to its rooftop venue and interior spaces that involves additional and extended hours of activity and increased frequency of events, because this change will cause significant increased traffic, noise, air quality, loss of privacy and environment impacts to the immediate neighborhood and the residents and their families.

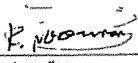
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WE REQUEST THE CITY TO STOP L'ERMITAGE HOTEL FROM EXPANDING THEIR CONDITIONAL USE PERMIT AND TO DENY THEM THE ADDITION OF STREET EXPOSED ELEVATORS, ANY EVENTS LATE INTO THE NIGHT FROM THE ROOFTOP AND WITHIN THE HOTEL, AS THEY ARE RIGHT IN THE MIDDLE OF OUR RESIDENTIAL AREA.

We implore the City Planning Commission and City Council to deny any extension of permitted use and protect the integrity of our neighborhood.

Petition from:

1) Name KOUL H. HOERHANN  
Address 309 N. ELM DR

Signature   
Email KOUL.HOERHANN@GMAIL.COM

2) Name MARY ZARHI  
Address 309 N. ELM DR

Signature   
Email \_\_\_\_\_

**PETITION TO STOP L'ERMITAGE FROM EXPANDING NOISE AND  
DAILY EVENTS IN A RESIDENTIAL ZONE**

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Petition from:

1) Name John J. ...  
Address ...

Signature [Handwritten Signature]  
Email ...

2) Name Mike ...  
Address ...

Signature [Handwritten Signature]  
Email ...

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We implore the City Planning Commission and City Council to deny any extension of permitted use and protect the integrity of our neighborhood.

Petition from:

1) Name Michael Cohen  
Address 315 N. Elm St  
Beverly Hills CA 90210

Signature   
Email: michaelc@sol.com

2) Name Dan Bazini  
Address 315 N Elm St  
BH 90210

Signature Dan B  
Email bazinifamily@yahoo.com

**PETITION TO STOP L'ERMITAGE FROM EXPANDING NOISE AND  
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Petition from:

- |                               |                                |
|-------------------------------|--------------------------------|
| 1) Name <u>Jeanine Cohen</u>  | Signature <u>Jeanine Cohen</u> |
| Address <u>315 N. Elm Dr</u>  | Email <u>jeaninecb@aol.com</u> |
| <u>Beverly Hills CA 90210</u> |                                |
| 2) Name _____                 | Signature _____                |
| Address _____                 | Email _____                    |
-

**PETITION TO STOP L'ERMITAGE FROM EXPANDING NOISE AND  
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Petition from

- |               |                 |
|---------------|-----------------|
| 1) Name _____ | Signature _____ |
| Address _____ | Email _____     |
| _____         |                 |
| 2) Name _____ | Signature _____ |
| Address _____ | Email _____     |
| _____         |                 |

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We implore the City Planning Commission and City Council to deny any extension of permitted use and protect the integrity of our neighborhood.

Petition from:

1) Name Fouqia Raikho  
Address 307 N. Elm St. BH 90210

Signature Fouqia Raikho  
Email Fraikho31@gmail.com

2) Name \_\_\_\_\_  
Address \_\_\_\_\_

Signature \_\_\_\_\_  
Email \_\_\_\_\_



**PETITION TO STOP L'ERMITAGE FROM EXPANDING NOISE AND  
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We implore the City Planning Commission and City Council to deny any extension of permitted use and protect the integrity of our neighborhood.

Petition from:

- 1) Name Bijan Fazal Signature [Signature]  
Address 314 N Elm St. Beverly Hills, CA 90210 Email biyan.fazal@unh.com

---

- 2) Name Maryseh Lotfi Signature [Signature]  
Address 314 N Elm St. Beverly Hills, CA 90210 Email marysehlotfi@unh.com

Sign  
1 Return TO  
218 W. ILMAR

### PETITION TO STOP L'ERMITAGE FROM EXPANDING NOISE AND DAILY EVENTS IN A RESIDENTIAL ZONE

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We implore the City Planning Commission and City Council to deny any extension of permitted use and protect the integrity of our neighborhood.

Petition from:

1) Name 1697 KOPAN  
Address 307 W. MAPLE DR

Signature [Signature]  
Email \_\_\_\_\_

2) Name \_\_\_\_\_  
Address \_\_\_\_\_

Signature \_\_\_\_\_  
Email \_\_\_\_\_

**PETITION TO STOP L'ERMITAGE FROM EXPANDING NOISE AND  
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Petition from:

1) Name	<u>Afsaneh Sadik</u>	Signature	<u>[Signature]</u>
Address	<u>49 North Elm Dr Brentwood Ca 90043</u>	Email	_____
2) Name	_____	Signature	_____
Address	_____	Email	_____

**PETITION TO STOP L'ERMITAGE FROM EXPANDING NOISE AND  
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Petition from:

- 1) Name Mahmud Sadik  
Address 217 N. Elm St.  
Beverly Hills, Ca 90210
- 2) Name SARAH SADIK  
Address 217 N. Elm St.  
BH Ca 90210

*Permitted to sign petition*  
Signature [Handwritten Signature]  
Email \_\_\_\_\_  
Signature [Handwritten Signature]  
Email \_\_\_\_\_

**PETITION TO STOP L'ERMITAGE FROM EXPANDING NOISE AND  
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Petition from:

- |   |   |
|---|---|
| 1) Name <u>MIKE RISSA</u><br>Address <u>219 N. RUM BL</u><br><u>BH 90210</u>      | Signature <u>[Signature]</u><br>Email <u>18MIKE@GMAIL.COM</u> |
| 2) Name <u>Elia Socolik</u><br>Address <u>217 N. ELI BL</u><br><u>BH CA 90210</u> | Signature <u>[Signature]</u><br>Email _____                   |

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We implore the City Planning Commission and City Council to deny any extension of permitted use and protect the integrity of our neighborhood.

Petition from:

- |                                |                                  |
|--------------------------------|----------------------------------|
| 1) Name <u>SHAHNAZ CHUKHAT</u> | Signature <u>SHAHNAZ CHUKHAT</u> |
| Address <u>312 N ELM DR</u>    | Email _____                      |
| <u>Beverly Hills CA 90210</u>  |                                  |
| 2) Name _____                  | Signature _____                  |
| Address _____                  | Email _____                      |
|                                |                                  |

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We implore the City Planning Commission and City Council to deny any extension of permitted use and protect the integrity of our neighborhood.

Petition from:

- |                                    |                                |
|------------------------------------|--------------------------------|
| 1) Name <u>JENNIFER D'VON CHOI</u> | Signature <u>JENNIFER CHOI</u> |
| Address <u>312 N. LINDEN DR.</u>   | Email _____                    |
| <u>Beverly Hills CA 90210</u>      | _____                          |
| 2) Name _____                      | Signature _____                |
| Address _____                      | Email _____                    |
| _____                              | _____                          |

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Petition from:

1) Name \_\_\_\_\_  
Address \_\_\_\_\_

Signature \_\_\_\_\_  
Email \_\_\_\_\_

2) Name \_\_\_\_\_  
Address \_\_\_\_\_

Signature \_\_\_\_\_  
Email \_\_\_\_\_

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Petition from:

1) Name \_\_\_\_\_  
Address \_\_\_\_\_

Signature \_\_\_\_\_  
Email \_\_\_\_\_

2) Name \_\_\_\_\_  
Address \_\_\_\_\_

Signature \_\_\_\_\_  
Email \_\_\_\_\_

## Ryan Gohlich

---

**From:** Matti Bialer <bialermatti@aol.com>  
**Sent:** Wednesday, April 06, 2016 8:39 AM  
**To:** Ryan Gohlich  
**Cc:** ilanbialer@gmail.com; mikaelc@aol.com  
**Subject:** Re: L'Ermitage Planning Commission Hearing

I don't know how to do that. I would be happy to come in to your office with my phone and get some assistance in doing that.  
Let me know if that works.

Thank you,  
Matti

-----Original Message-----

**From:** Ryan Gohlich <[rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org)>  
**To:** Matti Bialer <[bialermatti@aol.com](mailto:bialermatti@aol.com)>  
**Cc:** Andre Sahakian <[asahakian@beverlyhills.org](mailto:asahakian@beverlyhills.org)>  
**Sent:** Wed, Apr 6, 2016 8:32 am  
**Subject:** RE: L'Ermitage Planning Commission Hearing

We will send it to you as soon as the Commission receives it, which will likely be the end of the day Thursday, or early Friday.

In looking back at the videos you've sent us, is it possible for you to provide a single email with all of the video links? I don't want to make extra work for you, but we obviously can't include videos in the printed packet, and I'm just trying to find the most efficient way to share all of the videos with the Planning Commission so that they have an opportunity to review them prior to the meeting. Please let me know if that's something you're able to do.

Thanks,

Ryan

Ryan Gohlich, AICP  
Assistant Director / City Planner  
Community Development Department  
City of Beverly Hills  
455 N. Rexford Dr.  
Beverly Hills, CA 90210  
Direct: (310) 285-1118  
Fax: (310) 858-5966  
[rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org)

**From:** Matti Bialer [<mailto:bialermatti@aol.com>]  
**Sent:** Wednesday, April 06, 2016 8:28 AM  
**To:** Ryan Gohlich  
**Subject:** Re: L'Ermitage Planning Commission Hearing

Ryan,

When will we receive a copy of the packet sent to the commission?

Thank you,  
Matti

-----Original Message-----

From: Ryan Gohlich <[rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org)>  
To: Matti Bialer ([bialermatti@aol.com](mailto:bialermatti@aol.com)) <[bialermatti@aol.com](mailto:bialermatti@aol.com)>; mikaelc <[mikaelc@aol.com](mailto:mikaelc@aol.com)>  
Cc: Andre Sahakian <[asahakian@beverlyhills.org](mailto:asahakian@beverlyhills.org)>  
Sent: Wed, Apr 6, 2016 8:22 am  
Subject: L'Ermitage Planning Commission Hearing

Dear Matti and Mikael,

We are currently preparing the documents that will be presented to the Planning Commission, and I wanted to reach out to you to see if you have any additional materials you'd like included in the packet of information we'll be sending to the Commission. We currently plan to include the documentation and correspondence you've provided to us thus far, but if there is anything additional I'd ask that you please get it to us by the end of the day today for inclusion in the Commission packet. If you get us materials later than that we'll still provide it to the Commission, it just won't be included in their printed packet that we send to them this week. Please let me know if you have any questions.

Thank you,

Ryan

Ryan Gohlich, AICP  
Assistant Director / City Planner  
Community Development Department  
City of Beverly Hills  
455 N. Rexford Dr.  
Beverly Hills, CA 90210  
Direct: (310) 285-1118  
Fax: (310) 858-5966  
[rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org)

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---  
The City keeps a copy of all E-mails sent and received for a minimum of 2 years. All retained E-mails will be treated as a Public Record per the California Public Records Act, and may be subject to disclosure pursuant to the terms, and subject to the exemptions, of that Act.

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The City keeps a copy of all E-mails sent and received for a minimum of 2 years. All retained E-mails will be treated as a Public Record per the California Public Records Act, and may be subject to disclosure pursuant to the terms, and subject to the exemptions, of that Act.

## Ryan Gohlich

---

**From:** Matti Bialer <bialermatti@aol.com>  
**Sent:** Friday, April 01, 2016 8:19 PM  
**To:** Ryan Gohlich; Mahdi Aluzri; George Chavez  
**Cc:** lilibosse@icloud.com; 4-Nancy Krasne; ilanbialer@gmail.com; mikaelc@aol.com  
**Subject:** L'ermitage delivery truck blocking our garages  
**Attachments:** IMG\_0224.PNG; IMG\_0225.PNG; IMG\_0226.PNG; IMG\_0227.PNG; IMG\_0228.PNG

City staff,

Here are the complete 5 pictures of the l'ermitage delivery 4/1/16 blocking our garages.  
All the photo's did not come through to you in my first email.

Thank You,  
Matti

Sent from my iPhone

●●●●○ AT&T LTE

12:44 PM

✳ 58% 



Today  
12:34 PM

Edit



●●●●○ AT&T LTE

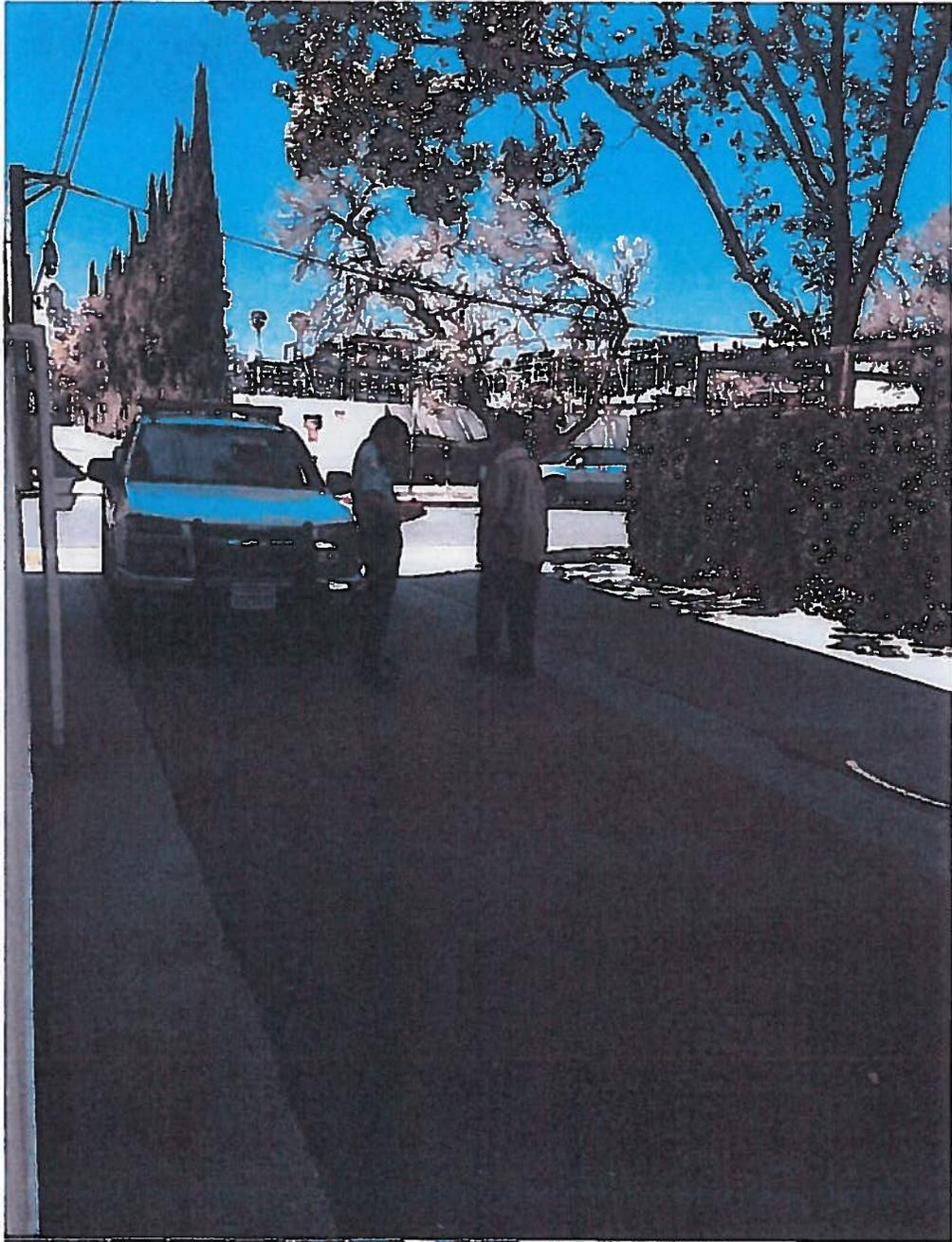
12:44 PM

✳ 58% 



Today  
12:35 PM

Edit



●●●●○ AT&T LTE

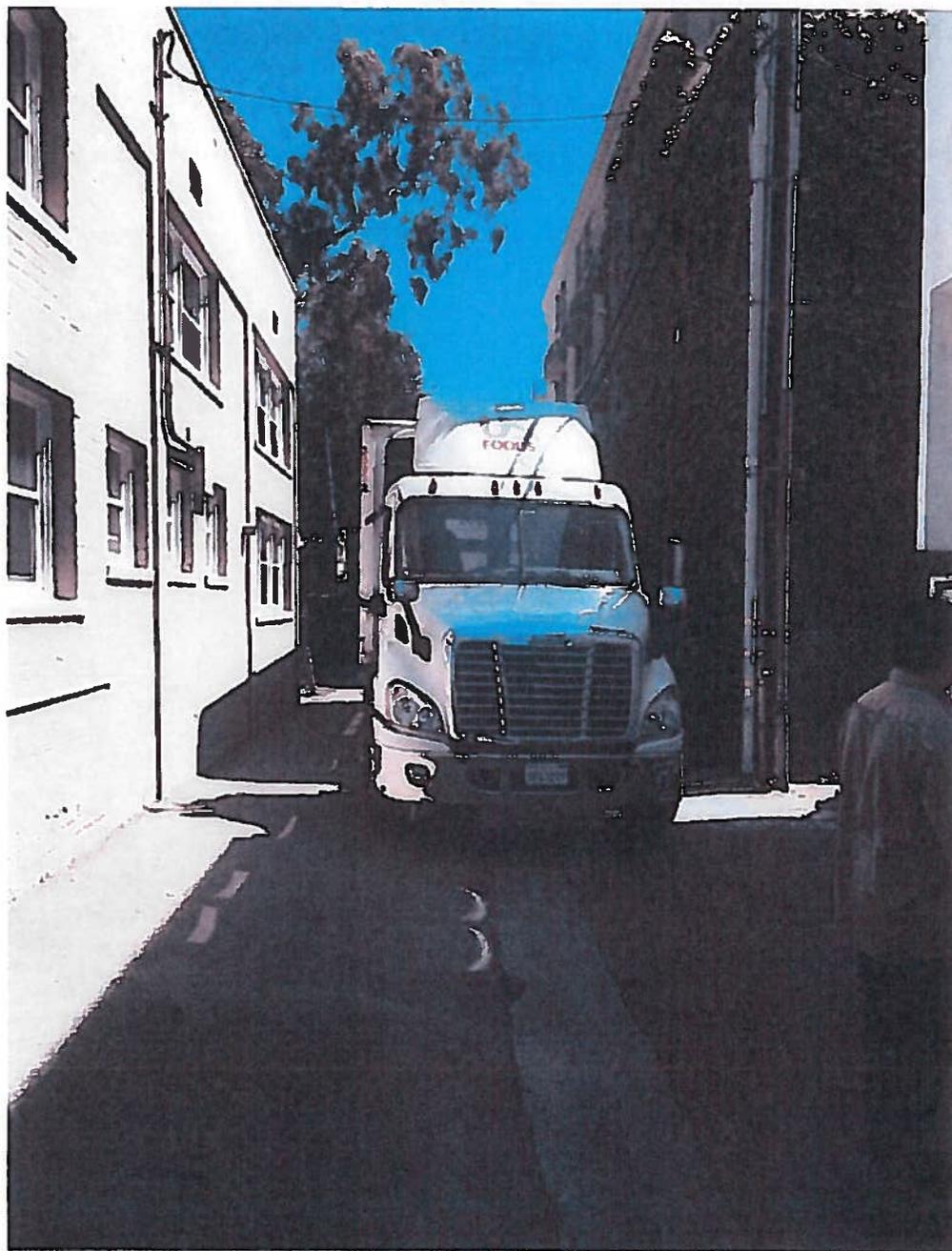
12:44 PM

✶ 58% 



Today  
12:34 PM

Edit



●●●●○ AT&T LTE

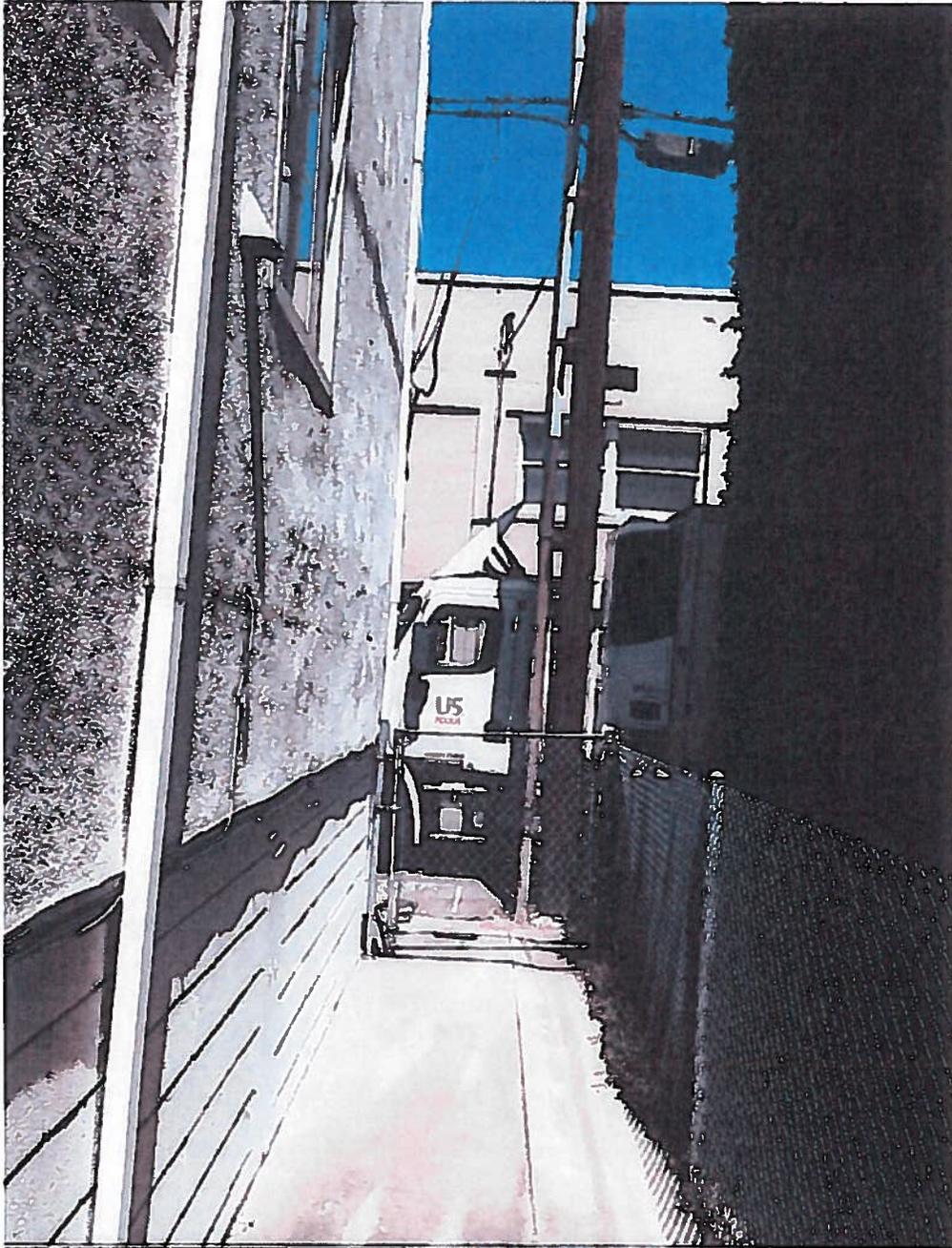
12:44 PM

✳ 58% 



Today  
12:34 PM

Edit



**From:** Matti Bialer <bialermatti@aol.com>  
**To:** ilanbialer <ilanbialer@gmail.com>  
**Cc:** bialermatti <bialermatti@aol.com>  
**Subject:** Josh McCrow letter Re: Windows  
**Date:** Sat, Apr 2, 2016 10:58 am

---

-----Original Message-----

**From:** Josh McCrow <j.mccrow@gardinerusa.com>  
**To:** Ilan Bialer <ilanbialer@gmail.com>  
**Cc:** Matti Bialer <bialermatti@aol.com>; Mitchell Dawson <mdawsonlaw@aol.com>  
**Sent:** Wed, Aug 19, 2015 7:33 am  
**Subject:** RE: Windows

Dear Ilan,

We have received full approval to proceed with the replacement of your windows and doors on Burton Way and Foothill.

We have prices from (2) of McGuire's sub contractors which I would like to formalize and confirm lead times on material and installation. Please give me until Monday/Tuesday to do this.

The preferred procurement route of the Owner is that you take on the sub contractor of choice directly and they will advanced the funds. I would suggest that I set up a couple of meetings next week for you to meet with both sub contractors with a view to seeing who you will be most comfortable with. If there are any sub contractors that you would wish to use, we can also discuss this as an alternate. The aim of the game here is to ensure that the work is completed with little disruption to you and your tenants and that all work associated is paid in full. Myself and Denny will be able to help out if you have any problems along the way, but we would look largely to you as experienced landlords to manage the installation directly.

The Owner supports this work proceeding on the proviso that during the public review of the new rooftop scheme at the hotel, you and Matti communicate any concerns with the scheme through ourselves in the first instance so we can manage these concerns before they enter the wider forum. See this as a gentleman's agreement. What we want to avoid is opposing language to the scheme used at one of the hearings which could cause a stir in the local community – we have invested a lot of time and money into this process to date and we (Mitch & Harvey Englander) are micro managing the process to the extent of local canvassing that we are planning in the coming weeks. We really appreciate your support and it is very much our view that once the work is complete on the rooftop it will improve living conditions for you and your tenants (especially during events at the hotel).

If you wish to discuss any of the above please contact me on my cell number below.

Kind Regards,

Joshua McCrow | Senior Project Manager  
gardiner&theobald

## **Ryan Gohlich**

---

**From:** Matti Bialer <bialermatti@aol.com>  
**Sent:** Friday, April 01, 2016 9:51 AM  
**To:** Mahdi Aluzri; George Chavez; Ryan Gohlich  
**Cc:** lilibosse@icloud.com; 4-Nancy Krasne; ilanbialer@gmail.com; mikaelc@aol.com  
**Subject:** :L'ermitage old outdoor patio-hidden outdoor "rock speakers"  
**Attachments:** IMG\_0215.PNG; IMG\_0216.PNG; IMG\_0217.PNG; IMG\_0218.PNG

City officials,

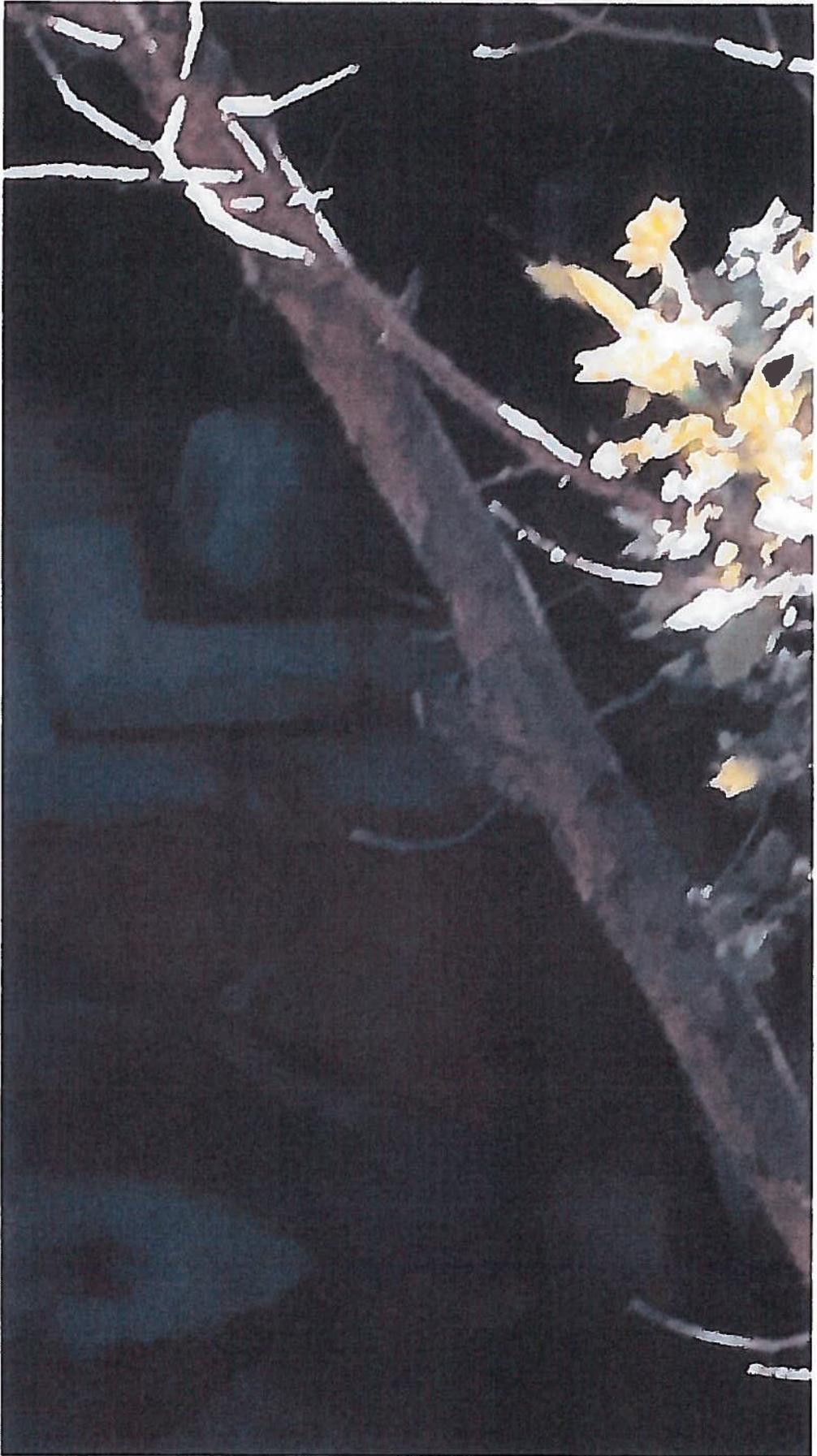
Photo's of outdoor patio with hidden speakers. Now you can see the outdoor amplified music that was happening on a regular basis. This is a VIOLATION of their CUP's!!!!

Thank You

Matti Bialer

Sent from my iPhone









## **Ryan Gohlich**

---

**From:** Matti Bialer <bialermatti@aol.com>  
**Sent:** Friday, April 01, 2016 7:05 AM  
**To:** Mahdi Aluzri; George Chavez; Ryan Gohlich  
**Cc:** lilibosse@icloud.com; 4-Nancy Krasne; ilanbialer@gmail.com; mikaelc@aol.com  
**Subject:** L'ermitge Hotel

City staff,

Please include all my emails, photo's, video's of the hotel's violations and disturbances to the planning commissioners for the April 14th meeting .

Thank You,  
Matti Bialer

## **Ryan Gohlich**

---

**From:** Matti Bialer <bialermatti@aol.com>  
**Sent:** Thursday, March 31, 2016 11:39 AM  
**To:** Ryan Gohlich  
**Subject:** Planning Commission meeting April 14

Ryan,

What is the Hotel asking for? May I get a copy of what the commission is receiving? The packet on the l'heritage hotel meeting.

Are my photo's ,video's, and emails going to be supplied to the commissioners for the meeting?

Please let me know  
Thank You,  
Matti Bialer

## Ryan Gohlich

---

**From:** Matti Bialer <bialermatti@aol.com>  
**Sent:** Wednesday, March 30, 2016 9:29 AM  
**To:** Mahdi Aluzri; George Chavez; Ryan Gohlich  
**Cc:** Matti Bialer; lili Bosse; 4-Nancy Krasne; Ilan Bialer; mikaelc@aol.com  
**Subject:** L'ermitage delivery trucks /videos back beeping

City officials,

Attached please find 2 video's of one truck. You cannot see the truck in the first video, but you can see the truck in the second video. These 2 video's have the same date and time stamp to assure the authenticity. When speaking with Ryan Gohlich on the phone this week, he heard the loud, intense beeping of a delivery truck for the hotel.

This goes on all day long, 7 days a week. Residents have the right to enjoy their homes, not to be subjected to detrimental adverse impacts caused by the L'ermitage hotel.

Please attach this email and video's to the Planning Commission's packet for the April 14th meeting.

If more video's are needed, let me know.

Thank you,  
Matti Bialer

[Download full resolution images](#)  
[Available until Apr 29, 2016](#)

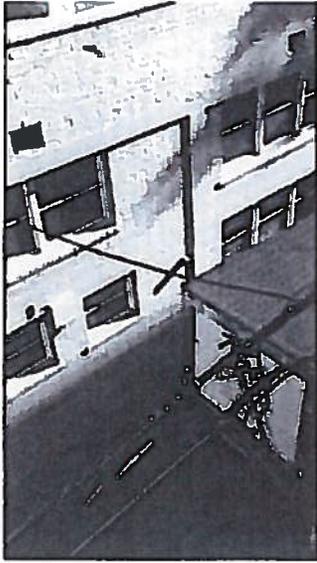
Click to Download

IMG\_0169.MOV  
0 bytes

Click to Download

IMG\_0170.MOV  
0 bytes

Sent from my iPhone



## Ryan Gohlich

---

**From:** Matti Bialer <bialermatti@aol.com>  
**Sent:** Tuesday, March 29, 2016 9:23 AM  
**To:** Ryan Gohlich  
**Cc:** lilibosse@icloud.com; ilanbialer@gmail.com; 4-Nancy Krasne; Susan Healy Keene; Mahdi Aluzri; George Chavez  
**Subject:** Re: Lots of Delivery trucks prior to 9am

Ryan,

You are right, my mistake. Thank you for the correction.

Matti

-----Original Message-----

**From:** Ryan Gohlich <rgohlich@beverlyhills.org>  
**To:** Matti Bialer <bialermatti@aol.com>  
**Cc:** lilibosse <lilibosse@icloud.com>; ilanbialer <ilanbialer@gmail.com>; 4-Nancy Krasne <nancy@krasne.com>; Susan Healy Keene <skeene@beverlyhills.org>; Mahdi Aluzri <maluzri@beverlyhills.org>; George Chavez <gchavez@beverlyhills.org>  
**Sent:** Tue, Mar 29, 2016 9:17 am  
**Subject:** RE: Lots of Delivery trucks prior to 9am

Hi Matti,

Thank you for the images. Please be advised that the CUP allows loading after 8:00 AM on weekdays, whereas the 9:00 AM restriction only applies on weekends (see condition 13 of the attached resolution). While I understand from our conversations that the backup alarms are problematic at all times of the day (and we're looking for solutions to this), today's loading activities do not appear to be a violation of the CUP. Let me know if you have any questions.

Thanks,

Ryan

Ryan Gohlich, AICP  
Assistant Director / City Planner  
Community Development Department  
City of Beverly Hills  
455 N. Rexford Dr.  
Beverly Hills, CA 90210  
Direct: (310) 285-1118  
Fax: (310) 858-5966  
[rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org)

**From:** Matti Bialer [<mailto:bialermatti@aol.com>]  
**Sent:** Tuesday, March 29, 2016 8:58 AM  
**To:** Mahdi Aluzri; George Chavez; Ryan Gohlich  
**Cc:** [lilibosse@icloud.com](mailto:lilibosse@icloud.com); [ilanbialer@gmail.com](mailto:ilanbialer@gmail.com); 4-Nancy Krasne  
**Subject:** Lots of Delivery trucks prior to 9am

More deliveries prior to 9am. I will also send video of the back beeping all day long. It takes me a good 5 minutes to run downstairs to take photo's.

Thank You,

Matti Bialer

Sent from my iPhone

---

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## Ryan Gohlich

---

**From:** Matti Bialer <bialermatti@aol.com>  
**Sent:** Tuesday, March 29, 2016 8:58 AM  
**To:** Mahdi Aluzri; George Chavez; Ryan Gohlich  
**Cc:** lilibosse@icloud.com; ilanbialer@gmail.com; 4-Nancy Krasne  
**Subject:** Lots of Delivery trucks prior to 9am  
**Attachments:** IMG\_0166.PNG; IMG\_0167.PNG; IMG\_0168.PNG

More deliveries prior to 9am. I will also send video of the back beeping all day long.  
It takes me a good 5 minutes to run downstairs to take photo's.

Thank You,

Matti Bialer

Sent from my iPhone

●●○○○ AT&T LTE

8:47 AM

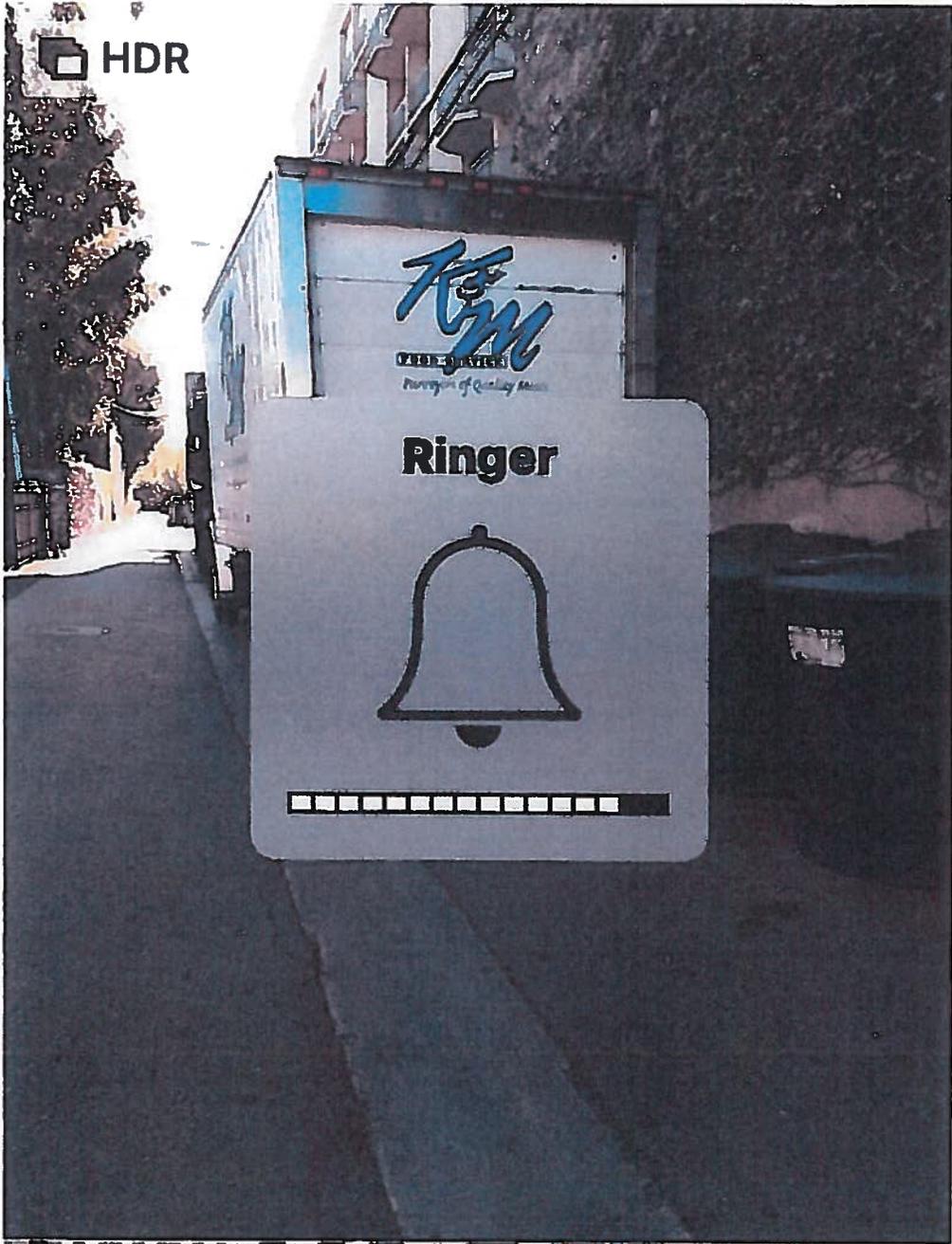
90% 



Today  
8:45 AM

Edit

 HDR



●●○○○ AT&T LTE

8:47 AM

✳️ 90% 🔋



Today  
8:45 AM

Edit



●●○○ AT&T LTE

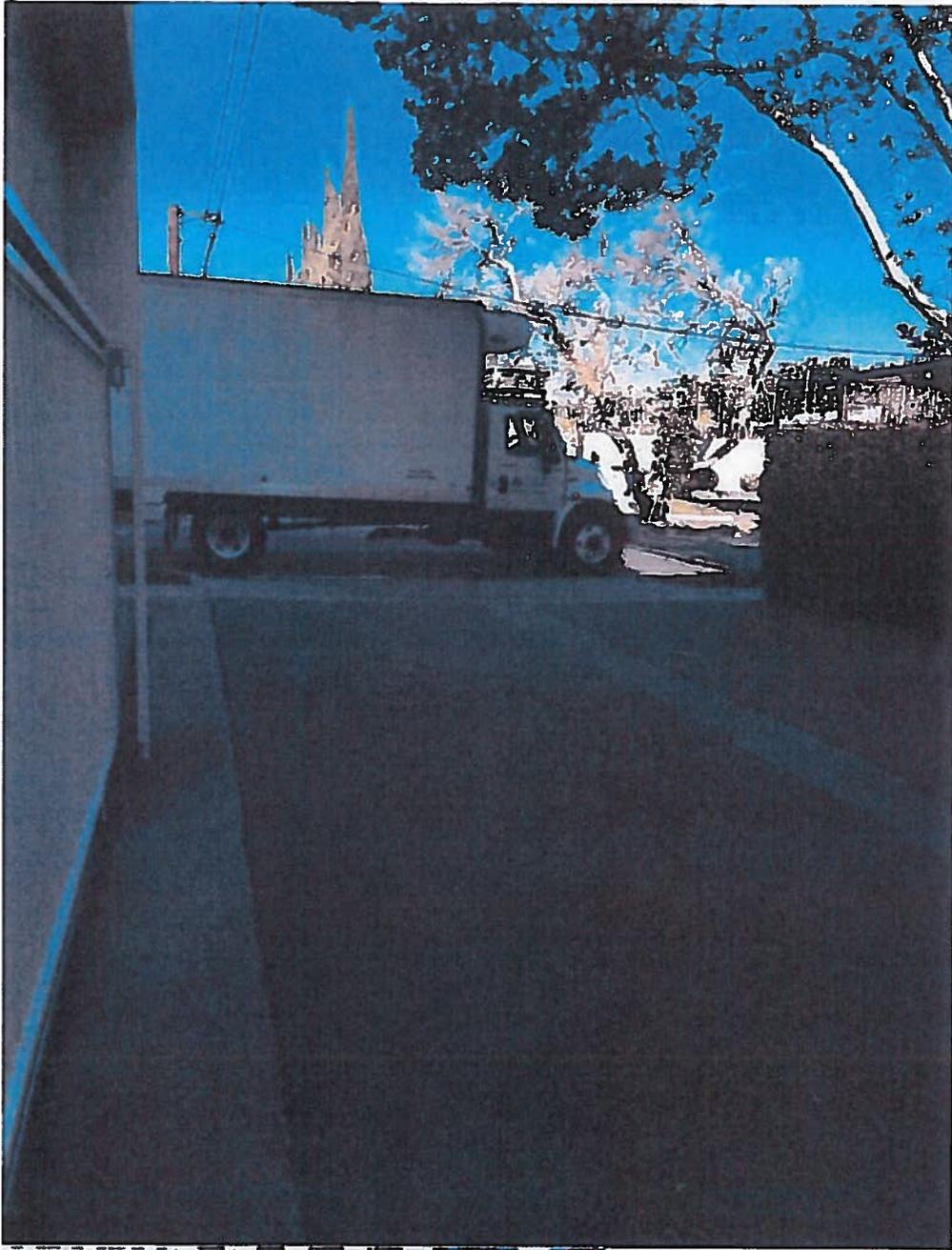
8:47 AM

✶ 90% 



Today  
8:46 AM

Edit



## Ryan Gohlich

---

**From:** Matti Bialer <bialermatti@aol.com>  
**Sent:** Tuesday, March 29, 2016 8:37 AM  
**To:** Mahdi Aluzri; George Chavez; Ryan Gohlich  
**Cc:** lilibosse@icloud.com; 4-Nancy Krasne; ilanbialer@gmail.com; mikaelc@aol.com  
**Subject:** Today deliveries prior to 9am  
**Attachments:** IMG\_0157.PNG; IMG\_0158.PNG; IMG\_0159.PNG

City Officials,

Hotel deliveries continue this morning prior to 9am. US food truck entered alley at 8:20. I got dressed to go downstairs and take photo.

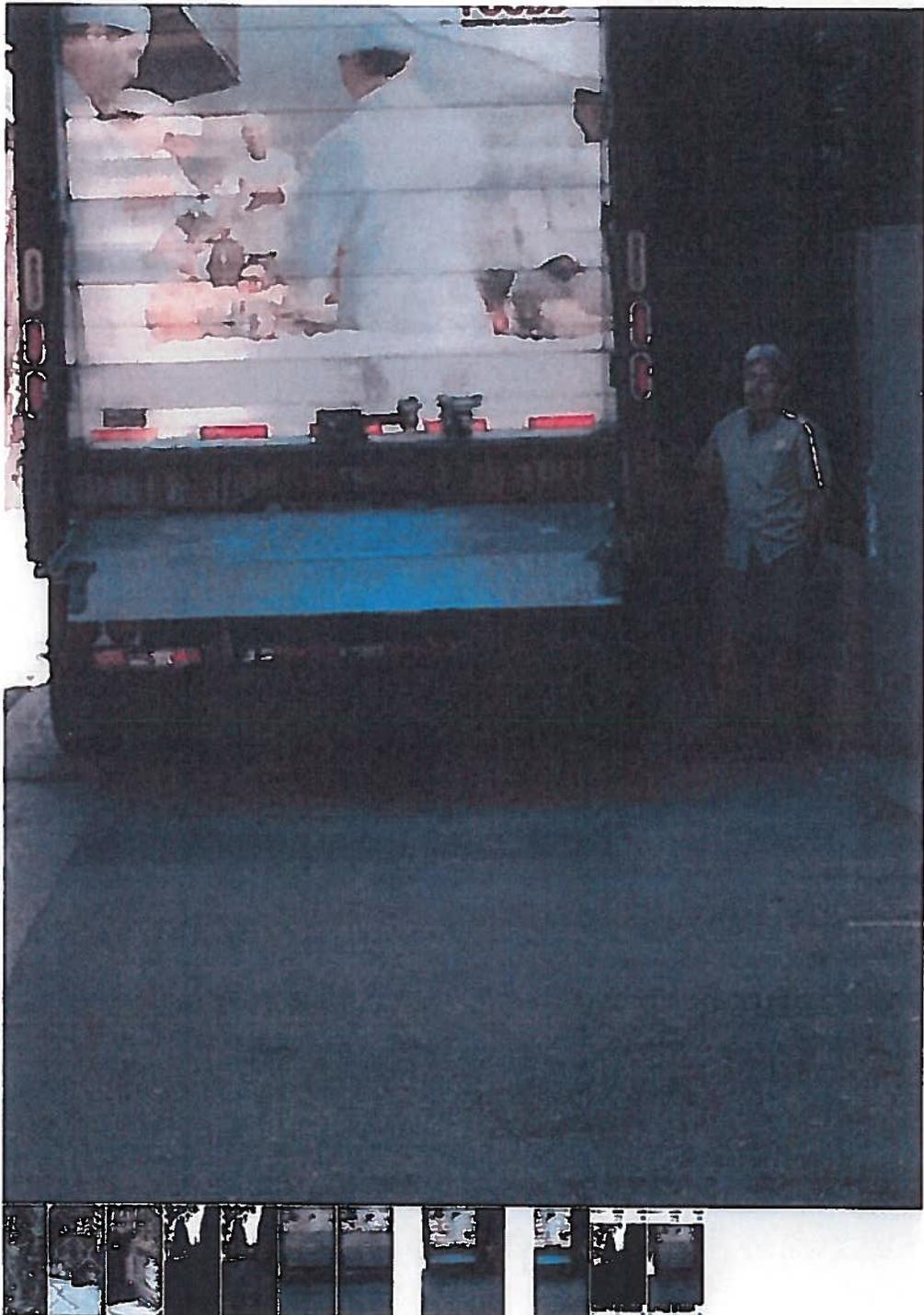
Thank You,  
Matti Bialer

Sent from my iPhone



Today  
8:27 AM

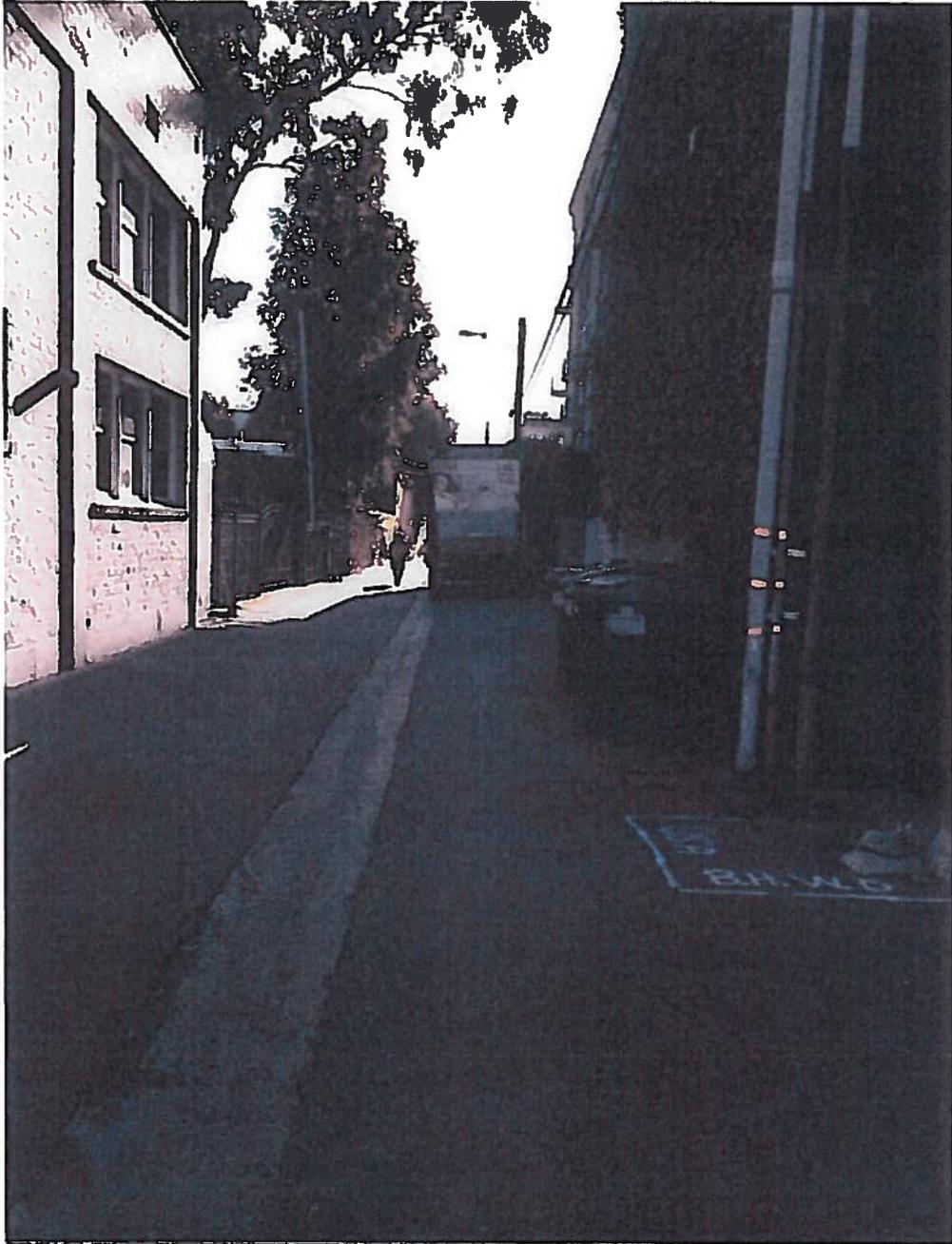
Edit





Today  
8:26 AM

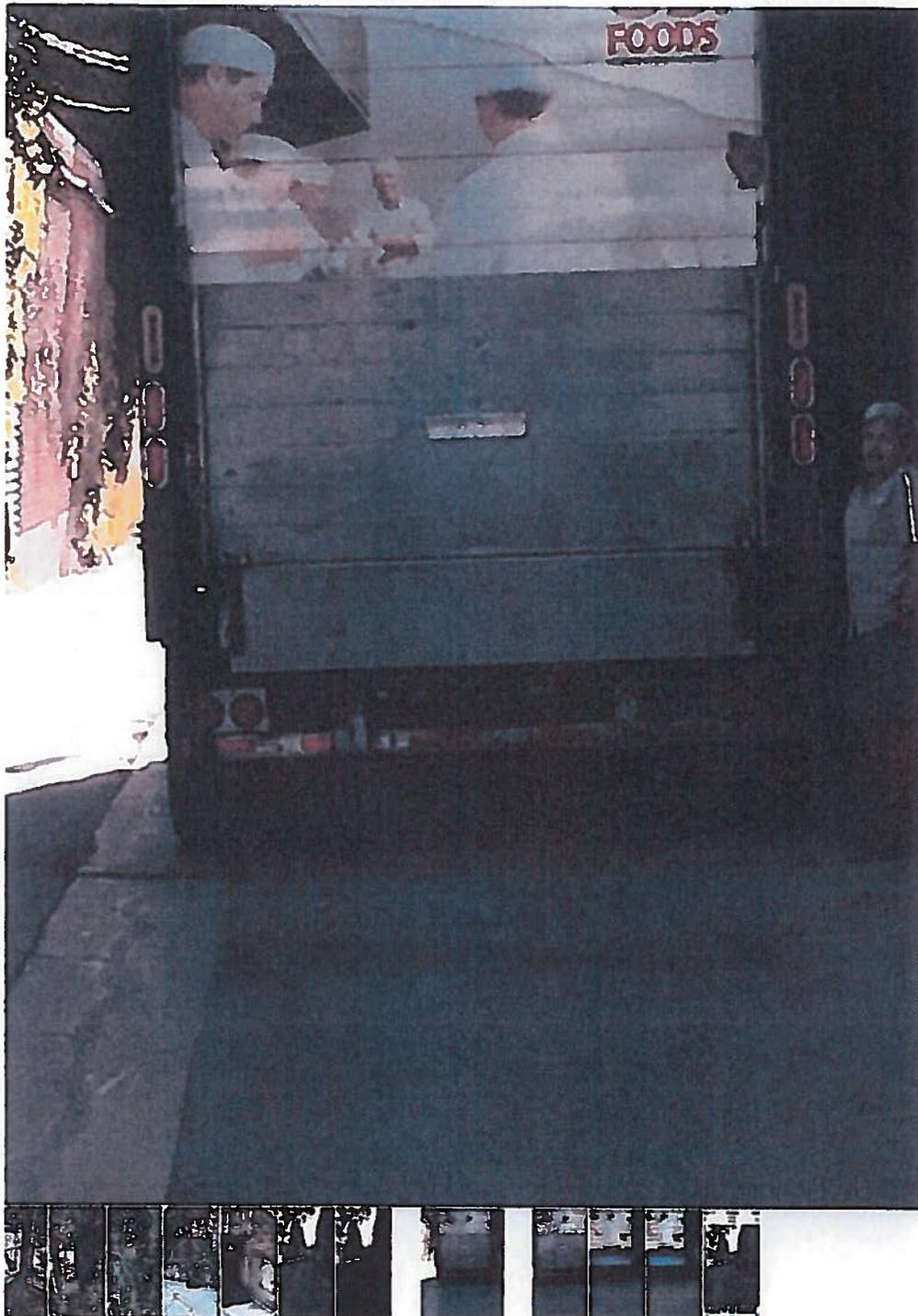
Edit





Today  
8:27 AM

Edit



## Ryan Gohlich

---

**From:** Matti Bialer <bialermatti@aol.com>  
**Sent:** Monday, March 28, 2016 2:58 PM  
**To:** Ryan Gohlich  
**Subject:** Re: Deliveries Foothill Rd. NO PARKING ZONES

Thank you

-----Original Message-----

**From:** Ryan Gohlich <rgohlich@beverlyhills.org>  
**To:** Matti Bialer <bialermatti@aol.com>; Mahdi Aluzri <maluzri@beverlyhills.org>; George Chavez <gchavez@beverlyhills.org>  
**Cc:** ilanbialer <ilanbialer@gmail.com>; mikaelc <mikaelc@aol.com>; lilibosse <lilibosse@icloud.com>; 4-Nancy Krasne <nancy@krasne.com>  
**Sent:** Mon, Mar 28, 2016 2:42 pm  
**Subject:** RE: Deliveries Foothill Rd. NO PARKING ZONES

Hi Matti,

Thank you for the images. These will all be provided to the Planning Commission for their April 14<sup>th</sup> review of the hotel's CUP. Following up on our phone conversation this morning, I also want to let you know that we are exploring the feasibility of moving loading operations to Burton Way, away from your property, with the goal of preventing the impacts you're now experiencing, particularly the backup alarms. I'll keep you posted on our progress.

Thanks,

Ryan

Ryan Gohlich, AICP  
Assistant Director / City Planner  
Community Development Department  
City of Beverly Hills  
455 N. Rexford Dr.  
Beverly Hills, CA 90210  
Direct: (310) 285-1118  
Fax: (310) 858-5966  
[rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org)

**From:** Matti Bialer [<mailto:bialermatti@aol.com>]  
**Sent:** Monday, March 28, 2016 2:37 PM  
**To:** Mahdi Aluzri; George Chavez; Ryan Gohlich  
**Cc:** [ilanbialer@gmail.com](mailto:ilanbialer@gmail.com); [mikaelc@aol.com](mailto:mikaelc@aol.com); [lilibosse@icloud.com](mailto:lilibosse@icloud.com); 4-Nancy Krasne  
**Subject:** Deliveries Foothill Rd. NO PARKING ZONES

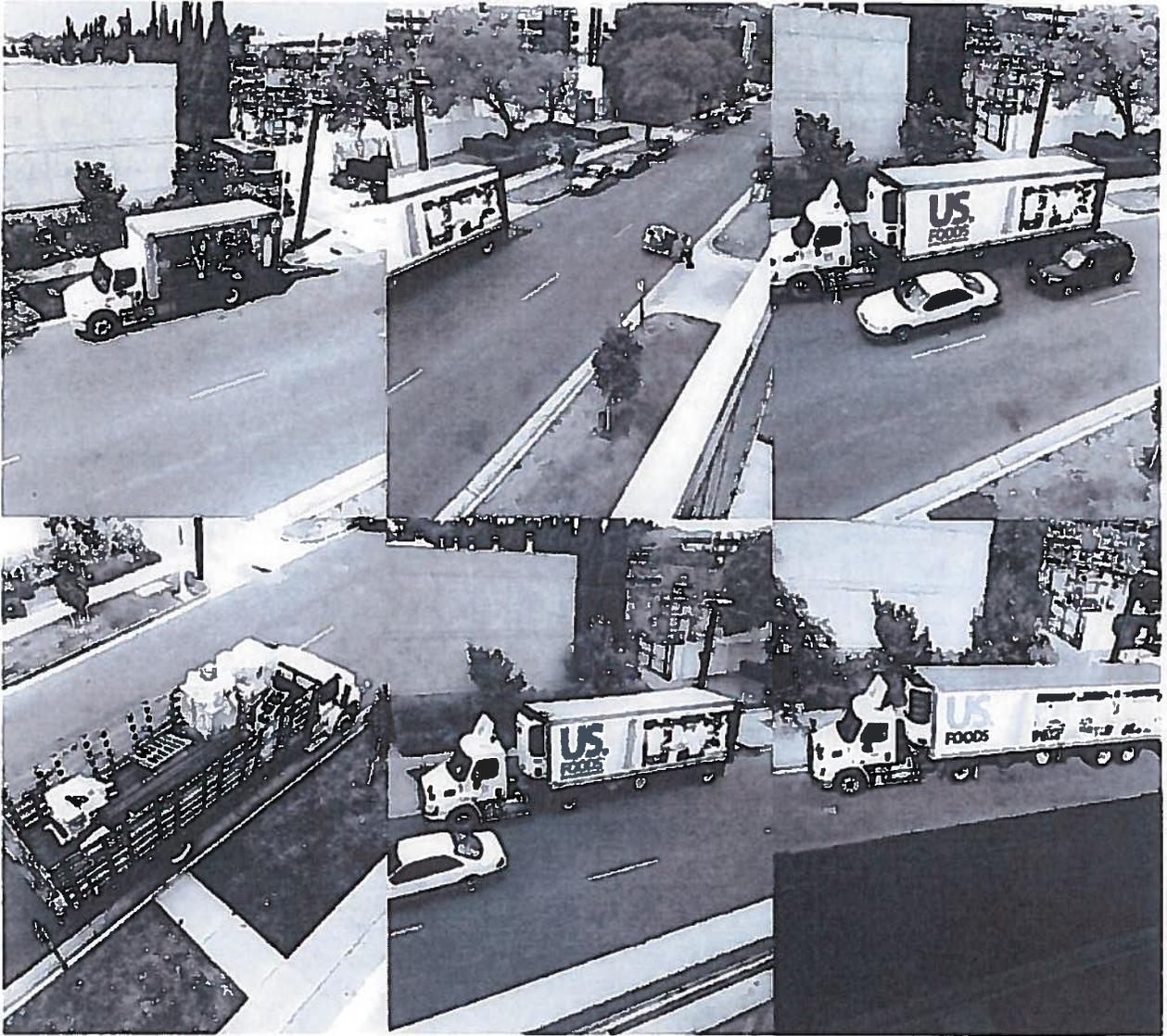
CITY OFFICIALS,

Documentation of L'ermitage delivery trucks parking on Foothill Rd in NO PARKING ZONES. When the alley in the rear is full of delivery trucks, they park illegally on Foothill Rd.

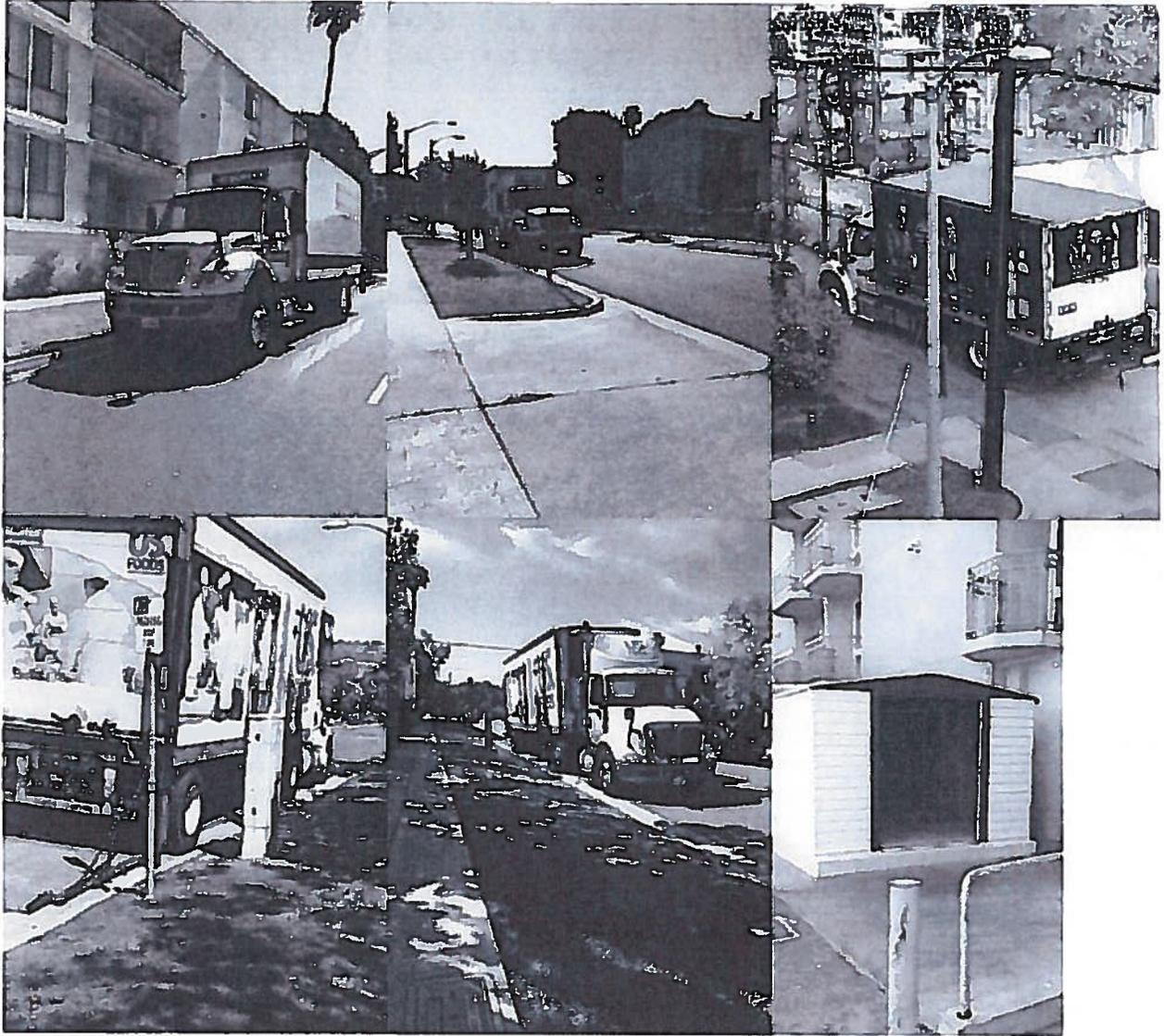
They also just installed a large storage shed in place of the temporary construction elevator in the rear alley.

Thank you for your attention to these violations,

Matti Bialer







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## **Ryan Gohlich**

---

**From:** Matti Bialer <bialermatti@aol.com>  
**Sent:** Monday, March 28, 2016 2:37 PM  
**To:** Mahdi Aluzri; George Chavez; Ryan Gohlich  
**Cc:** ilanbialer@gmail.com; mikaelc@aol.com; lilibosse@icloud.com; 4-Nancy Krasne  
**Subject:** Deliveries Foothill Rd. NO PARKING ZONES

CITY OFFICIALS,

Documentation of L'ermitage delivery trucks parking on Foothill Rd in NO PARKING ZONES. When the alley in the rear is full of delivery trucks, they park illegally on Foothill Rd.

They also just installed a large storage shed in place of the temporary construction elevator in the rear alley.

Thank you for your attention to these violations,

Matti Bialer







## Ryan Gohlich

---

**From:** Matti Bialer <bialermatti@aol.com>  
**Sent:** Sunday, March 27, 2016 12:13 PM  
**To:** Ryan Gohlich  
**Subject:** Fwd: L'ermitage deliveries blocking garages

-----Original Message-----

**From:** Matti Bialer <bialermatti@aol.com>  
**To:** maluzri <maluzri@beverlyhills.org>; gchavez <gchavez@beverlyhills.org>  
**Cc:** ilanbialer <ilanbialer@gmail.com>; mikaelc <mikaelc@aol.com>  
**Sent:** Sun, Mar 27, 2016 12:10 pm  
**Subject:** Fwd: L'ermitage deliveries blocking garages

FYI

-----Original Message-----

**From:** Matti Bialer <bialermatti@aol.com>  
**To:** nancy <nancy@krasne.com>; lilibosse <lilibosse@icloud.com>  
**Sent:** Sun, Mar 27, 2016 11:43 am  
**Subject:** L'ermitage deliveries blocking garages

Nancy and Lili,

I wanted to show you what the L'ermitage does with their delivery trucks. I have hundreds of pictures of blocking our garages in the alley. I have tenants that have moved out because of the many violations of the Hotel. The delivery trucks are left engines running, back beeping all day long. They are allowed deliveries during the week from 9am to 9pm and weekends 9am to 8pm. We can't get a break from the noise. The delivery trucks move our garbage cans to accommodate the deliveries, therefor making it difficult to access the garbage cans.

I have video's that I have sent Ryan Gohlich and Mahdi Aluzri. with trucks delivering before 7am and trucks blocking the garages for 30 minutes at 7:15pm. L'ermitage has also in the past, broken down their rooftop parties at midnight. Police are called, they do not tell them to stop loading their trucks.

The delivery trucks are also parking in a NO PARKING zone on Foothill. Disturbing the flow of traffic

I don't want to overwhelm you with complaints, I know you are aware of the violations. I just wanted you to see pictures of what is going on. The minute you turn your head the other way, the hotel started to set the old outdoor restaurant with tables and chairs. This photo was also sent to city officials.  
They were going to have 2 outdoor patios!

Its too bad that an upstanding resident has to constantly police the L'ermitage due to the disturbances of the residential neighborhood.

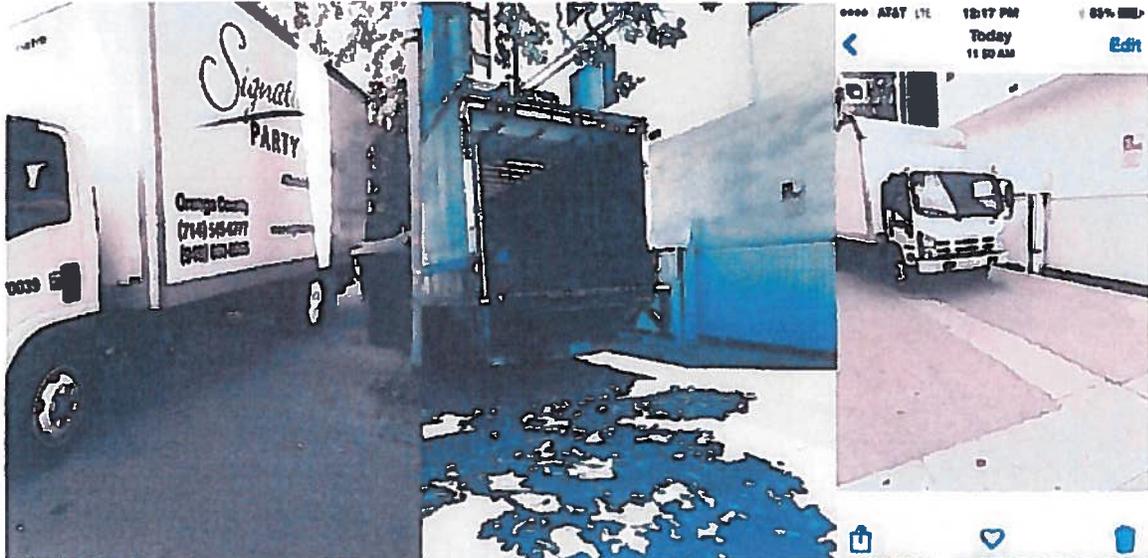
Thank you for your support, I admire the hard work of the council

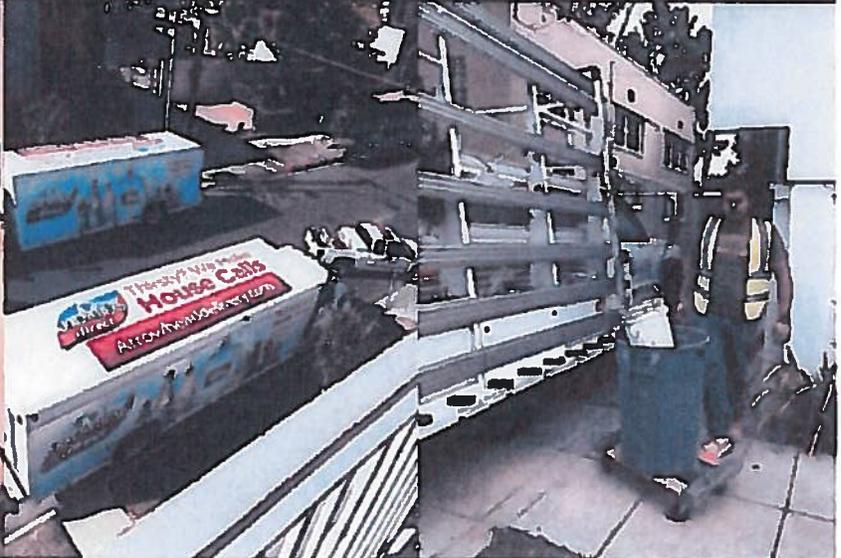
Sincerely,

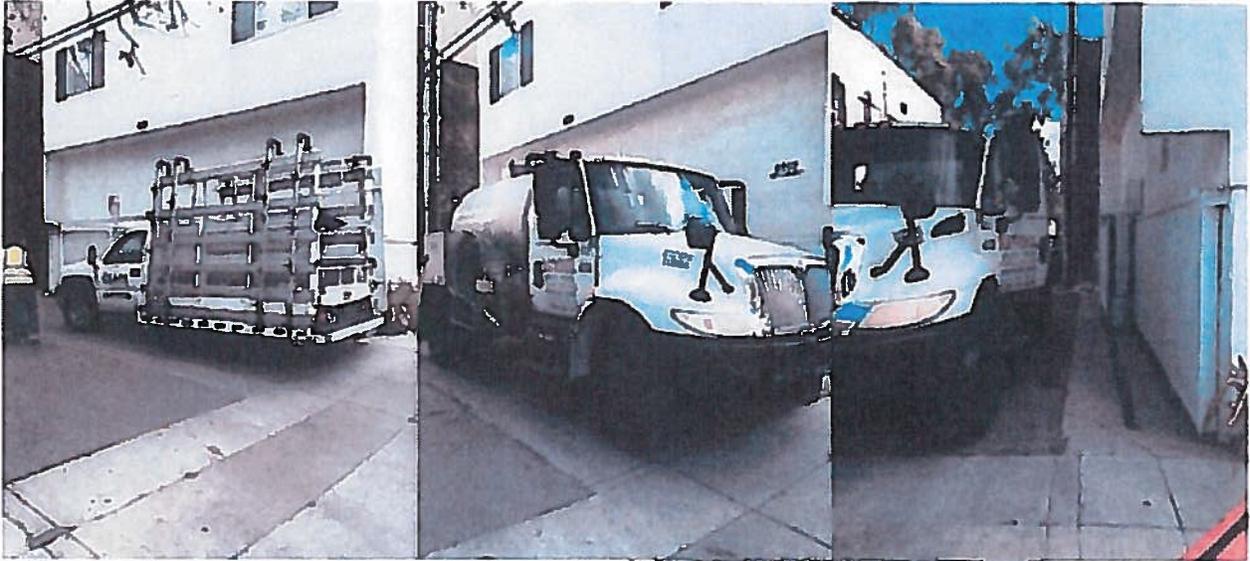
Matti Bialer

310 804-7008



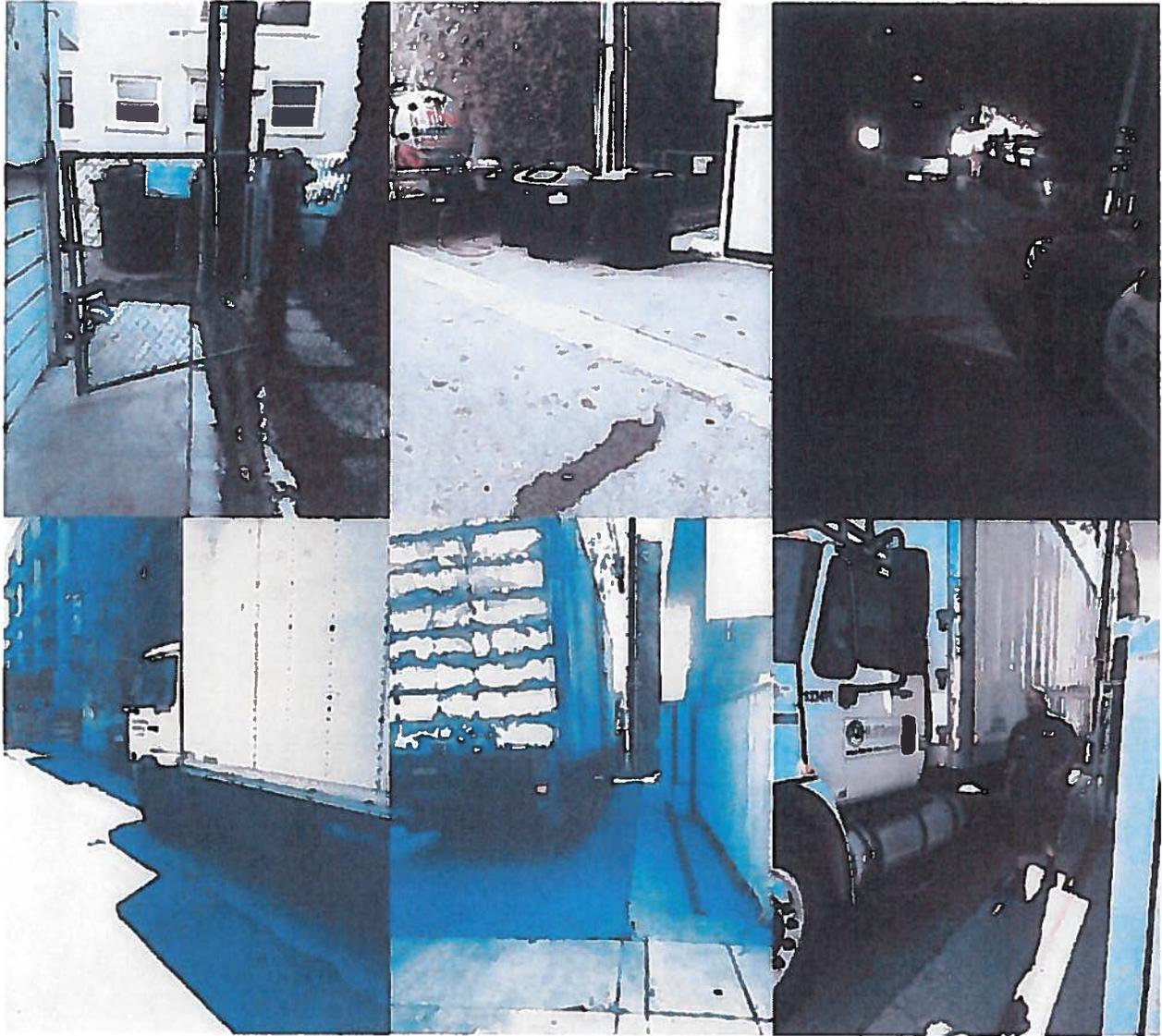




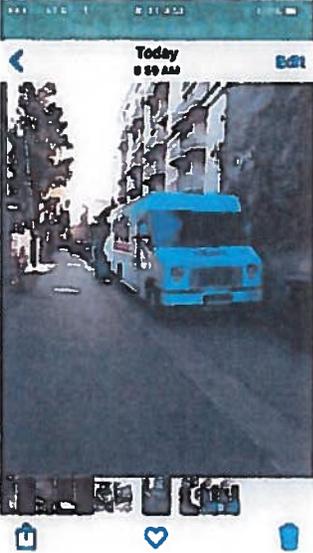












## Ryan Gohlich

---

**From:** Matti Bialer <bialermatti@aol.com>  
**Sent:** Sunday, March 27, 2016 12:12 PM  
**To:** Mahdi Aluzri; George Chavez; Ryan Gohlich  
**Cc:** ilanbialer@gmail.com; mikaelc@aol.com  
**Subject:** Fwd: L'ermitage employees taking breaks on and around our property , garbage cans moved to accommodate delivery trucks

-----Original Message-----

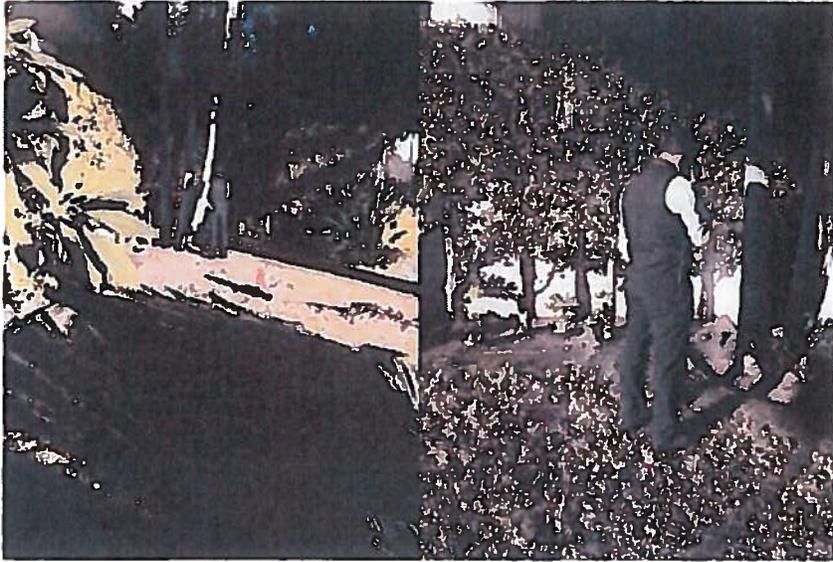
**From:** Matti Bialer <bialermatti@aol.com>  
**To:** nancy <nancy@krasne.com>; lilibosse <lilibosse@icloud.com>  
**Sent:** Sun, Mar 27, 2016 11:48 am  
**Subject:** L'ermitage employees taking breaks on and around our property , garbage cans moved to accommodate delivery trucks

Nancy and Lili,

Employees of L'ermitage taking breaks on and around our property, smoking, talking on phones under tenants bedroom windows, littering, moving our garbage cans to accommodate delivery trucks.

Sincerely,  
Matti





## Ryan Gohlich

---

**From:** Matti Bialer <bialermatti@aol.com>  
**Sent:** Friday, March 25, 2016 12:33 PM  
**To:** Ryan Gohlich; Mahdi Aluzri; George Chavez; Susan Healy Keene; Nestor Otazu; WebCBH  
MAYORANDCITYCOUNCIL  
**Cc:** ilanbialer@gmail.com; mikaelc@aol.com  
**Subject:** L'ermitage delivery trucks  
**Attachments:** IMG\_0126.JPG; IMG\_0127.JPG; IMG\_0128.JPG; IMG\_0129.JPG; IMG\_0130.JPG

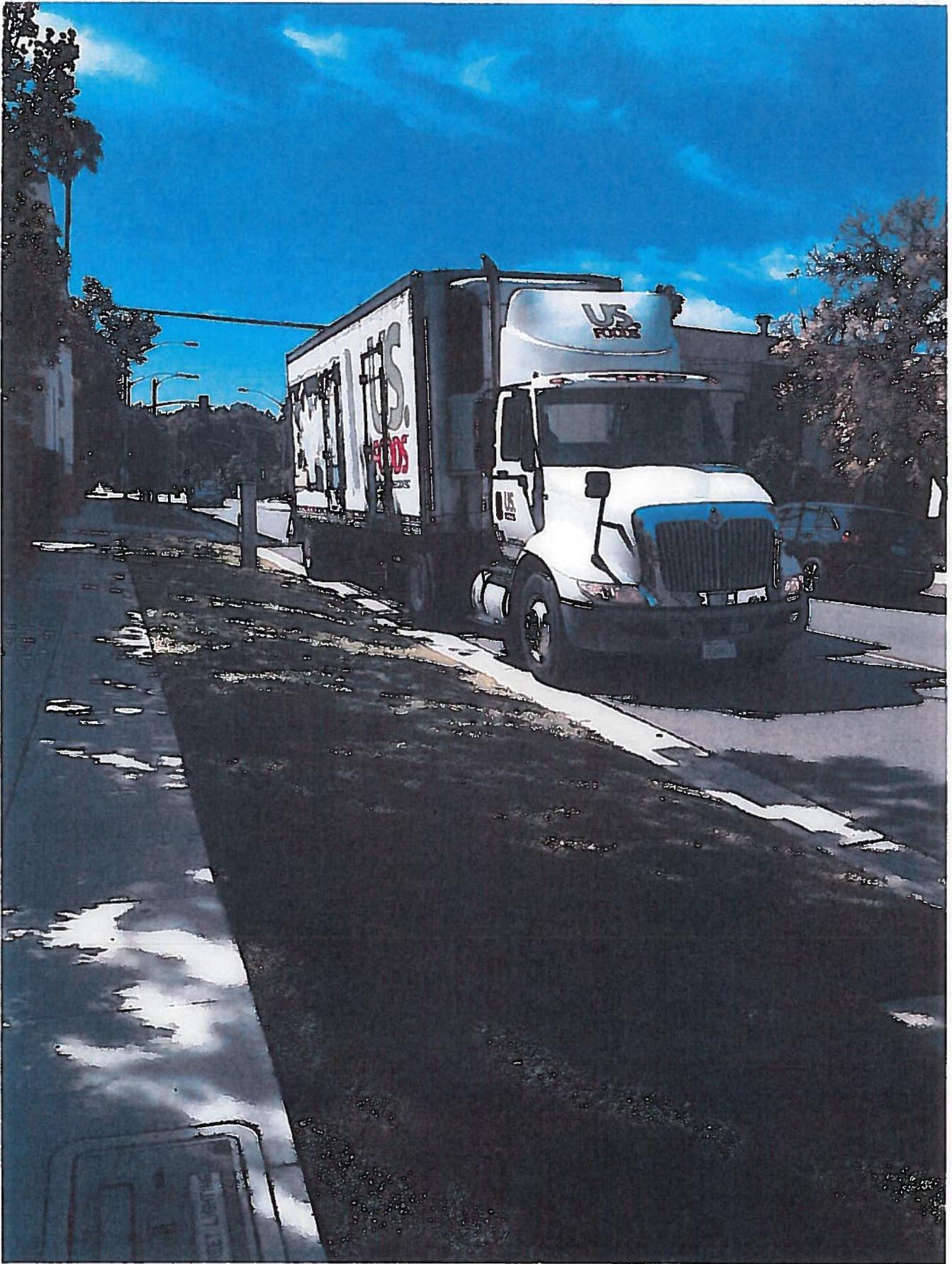
City officials,

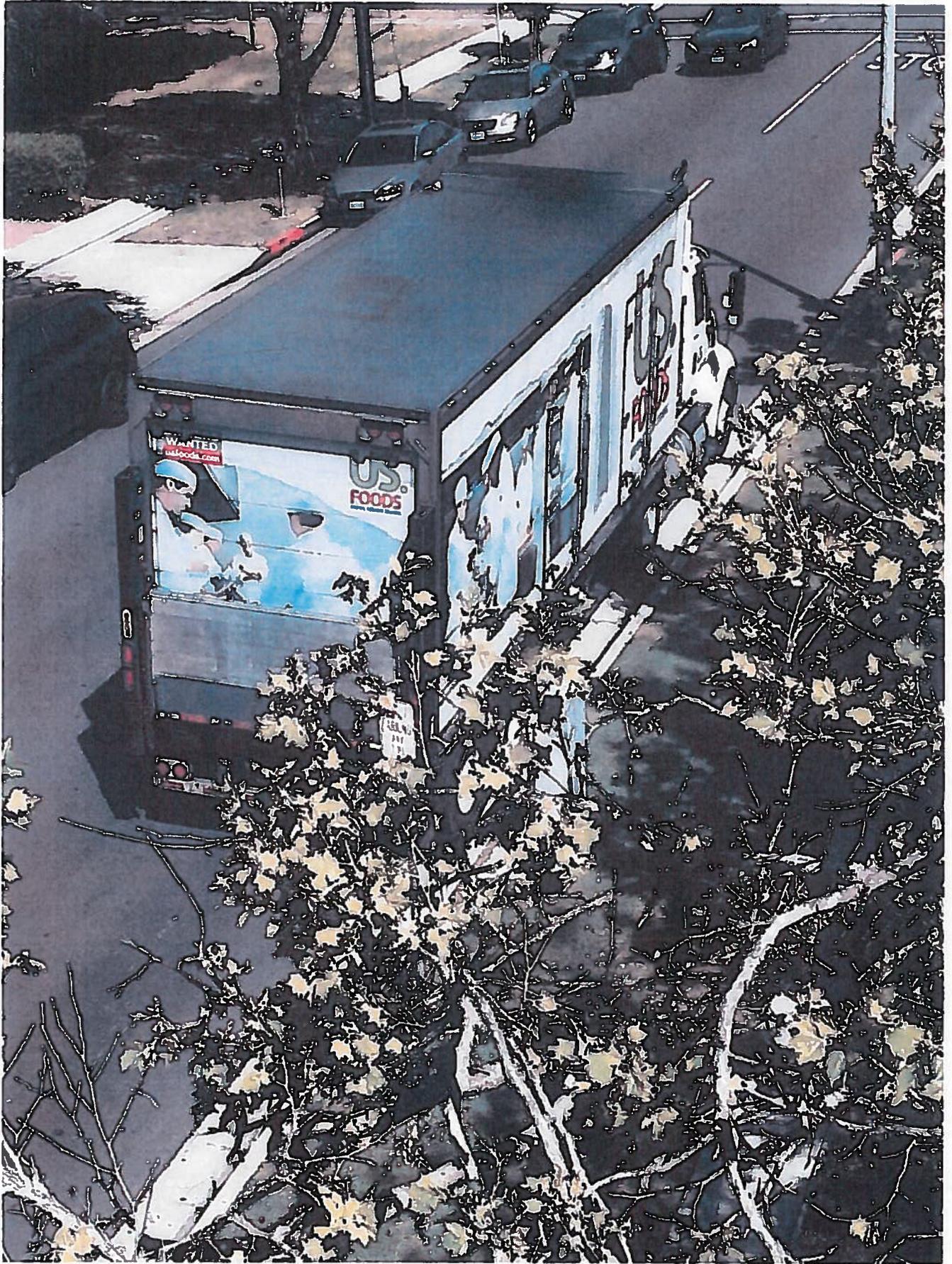
If the giant l'ermitage delivery trucks are not blocking our driveways and entrance to our garages, they park on Foothill with engines on, in a NO PARKING ZONE on Foothill and the alley. Disturbing the neighborhood and the flow of traffic.

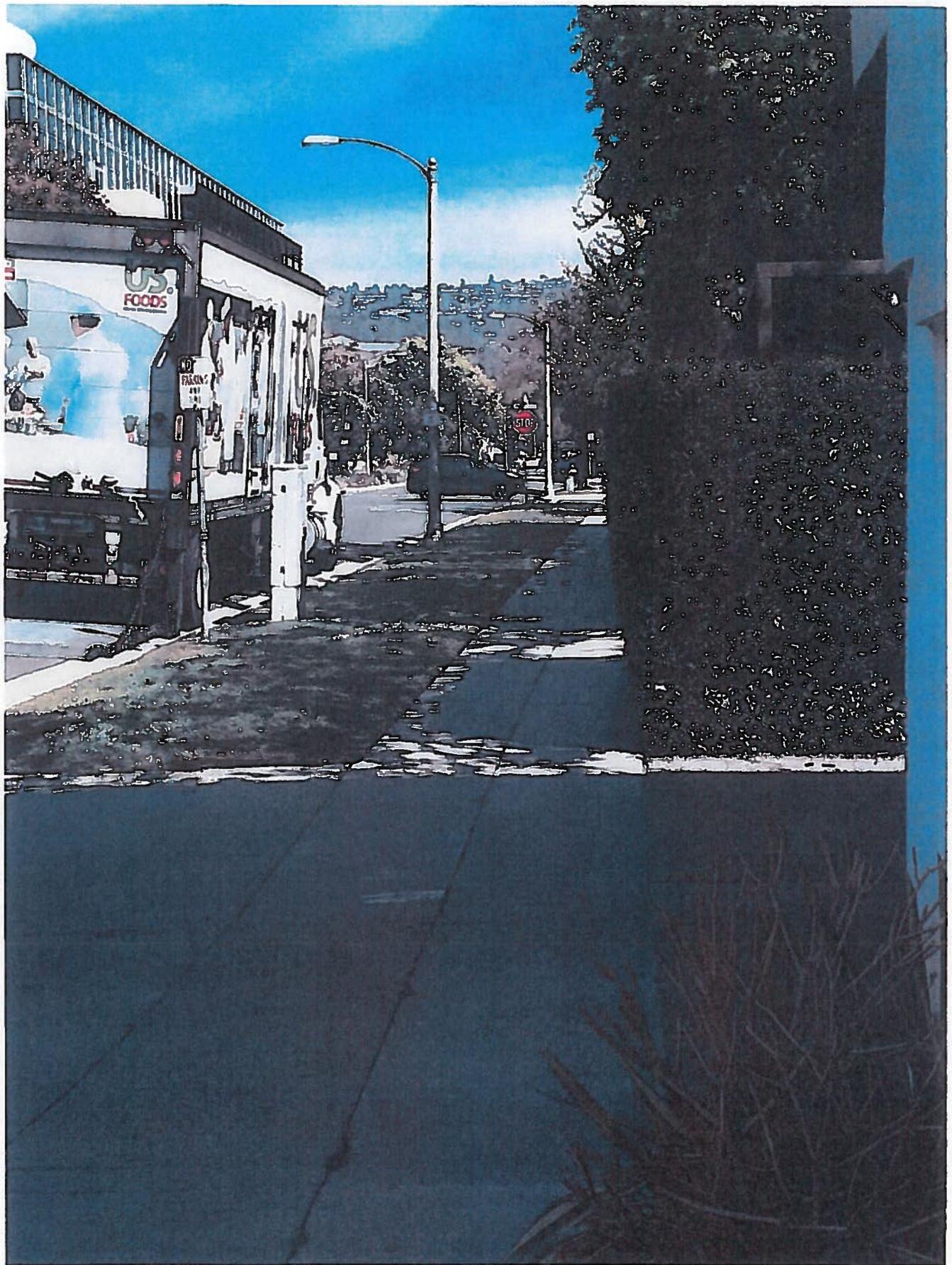
Sincerely,

Matti Bialer











## **Ryan Gohlich**

---

**From:** Matti Bialer <bialermatti@aol.com>  
**Sent:** Thursday, March 10, 2016 1:55 PM  
**To:** Ryan Gohlich; Mahdi Aluzri; George Chavez; Nestor Otazu; Raj Patel; Susan Healy Keene; Ilan; mikaelc@aol.com  
**Subject:** L'ermitage old outdoor patio  
**Attachments:** IMG\_0085.PNG; ATT00001.txt; IMG\_0086.PNG; ATT00002.txt

Ryan,

The hotel is setting up the old outdoor patio with all the tables and chairs that were originally the outdoor patio.

What's going on?

Now they have two outdoor patios with tables and chairs??



Today  
1:49 PM

Edit





Today  
1:49 PM

Edit



## Ryan Gohlich

---

**From:** Matti Bialer <bialermatti@aol.com>  
**Sent:** Thursday, March 10, 2016 9:49 AM  
**To:** Ryan Gohlich  
**Subject:** L'ermitage deliveries 7am  
**Attachments:** IMG\_0080.PNG; ATT00001.txt; IMG\_0081.PNG; ATT00002.txt

Violation CUP

●●●●○ AT&T



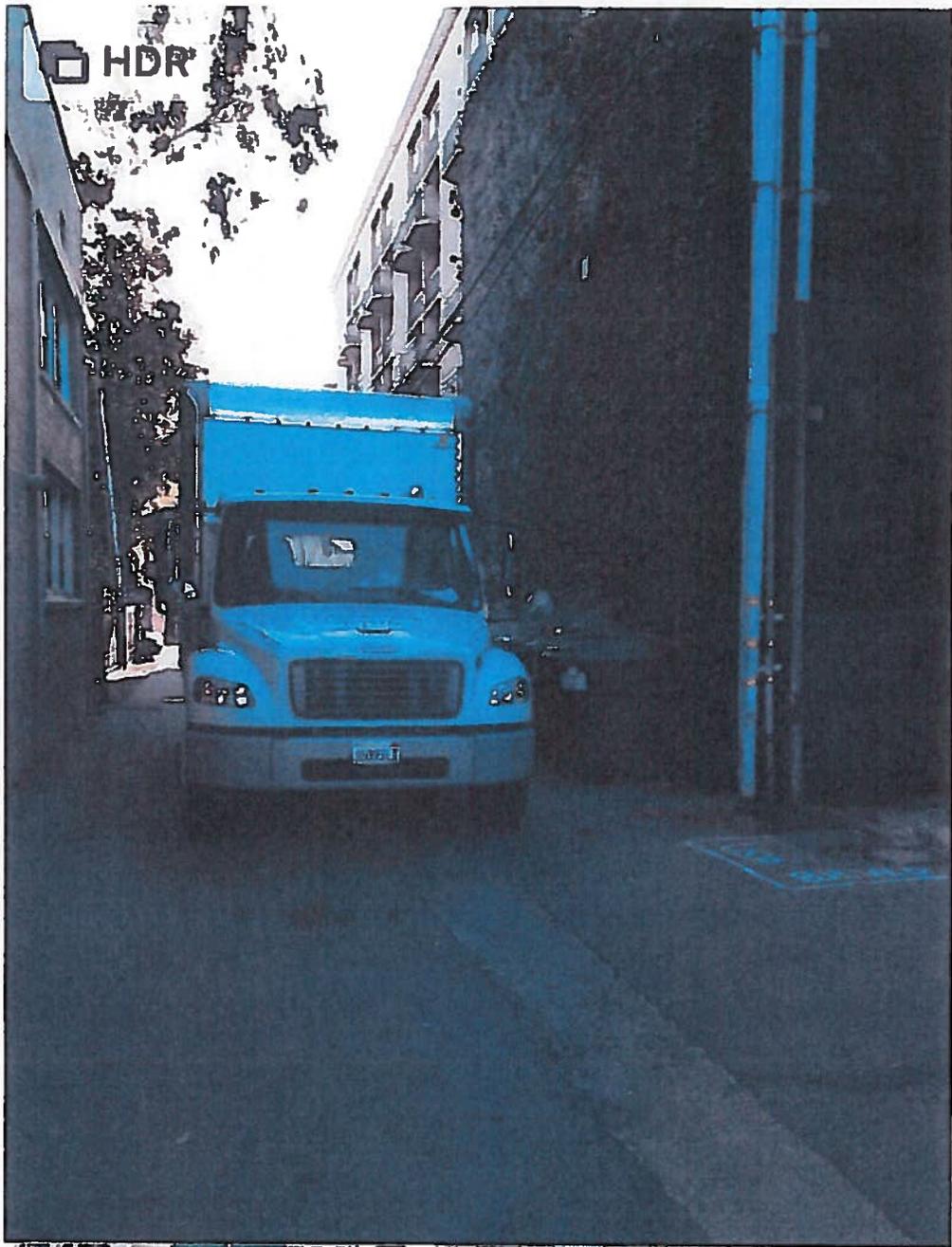
7:21 AM

100%



Today  
7:08 AM

Edit



●●●●○ AT&T

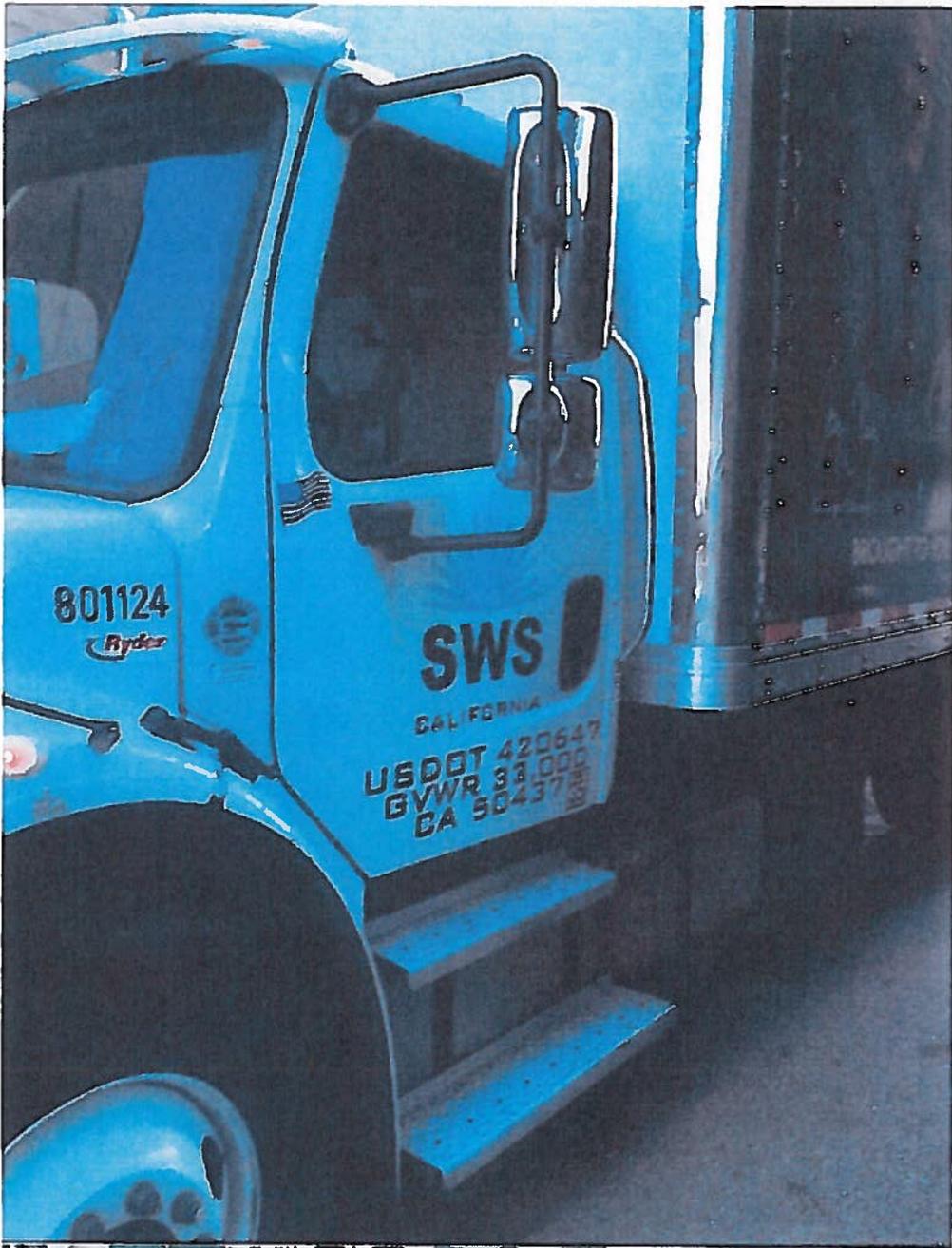
7:21 AM

✶ 100%



Today  
7:08 AM

Edit



## Ryan Gohlich

---

**From:** Matti Bialer <bialermatti@aol.com>  
**Sent:** Thursday, March 10, 2016 9:45 AM  
**To:** Ryan Gohlich  
**Subject:** L'ermitage deliveries 6:55 am  
**Attachments:** IMG\_0075.PNG; ATT00001.txt; IMG\_0074.PNG; ATT00002.txt; IMG\_0073.PNG; ATT00003.txt

Violation CUP

AT&T

8:31 AM

57%

Touch to return to call 12:15



Today  
6:59 AM

Edit





Today  
6:59 AM

Edit





Today  
6:59 AM

Edit



## Ryan Gohlich

---

**From:** Matti Bialer <bialermatti@aol.com>  
**Sent:** Sunday, March 06, 2016 10:00 AM  
**To:** Ryan Gohlich  
**Subject:** Re: L'ermitage restaurant entry outside VIDEO

Thank you for your prompt response. I do have additional videos if you need.

Matti

-----Original Message-----

**From:** Ryan Gohlich <rgohlich@beverlyhills.org>  
**To:** Matti Bialer <bialermatti@aol.com>; Mahdi Aluzri <maluzri@beverlyhills.org>; Nestor Otazu <notazu@beverlyhills.org>; Terence May <tmay@beverlyhills.org>; Andre Sahakian <asahakian@beverlyhills.org>  
**Cc:** ilanbialer <ilanbialer@gmail.com>; mikaelc <mikaelc@aol.com>  
**Sent:** Sun, Mar 6, 2016 9:40 am  
**Subject:** RE: L'ermitage restaurant entry outside VIDEO

Hi Matti,

Thank you for the email and video. I will be working with code enforcement over the coming week to address this matter, and am also in the process of outlining the timeframe and procedure for bringing the hotel back in front of the Planning Commission. I'll update you as soon as I have additional details to share, but please know that we are committed to resolving these issues.

Thanks,

Ryan

Sent from my Verizon Wireless 4G LTE smartphone

----- Original message -----

**From:** Matti Bialer <bialermatti@aol.com>  
**Date:** 3/6/2016 7:29 AM (GMT-08:00)  
**To:** Mahdi Aluzri <maluzri@beverlyhills.org>, Ryan Gohlich <rgohlich@beverlyhills.org>, Nestor Otazu <notazu@beverlyhills.org>, Terence May <tmay@beverlyhills.org>, Andre Sahakian <asahakian@beverlyhills.org>  
**Cc:** ilanbialer@gmail.com, mikaelc@aol.com  
**Subject:** L'ermitage restaurant entry outside VIDEO

As we had suspected, L'Ermitage is using the street ("emergency") entrance to the new restaurant as the primary entrance point including a hosting station and base for several employees.

How can you let this commercial intrusion into a residential neighborhood be approved without hearings and discussions? They operate under CUPs and this a direct violation of them.

[Download Attachment](#)  
Available until Apr 4, 2016

[Click to Download](#)

6B592F62-90BE-466F-8313-8C5F86FF652B.MOV  
0 bytes

**Sent from my iPhone**

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## Ryan Gohlich

---

**From:** Matti Bialer <bialermatti@aol.com>  
**Sent:** Thursday, March 03, 2016 10:58 AM  
**To:** Ryan Gohlich  
**Cc:** Nestor Otazu; Mahdi Aluzri; ilanbialer@gmail.com  
**Subject:** Fwd: L'ermitage delivery trucks blocking garages  
**Attachments:** IMG\_1474.PNG; IMG\_1475.PNG; IMG\_1476.PNG; IMG\_1477.PNG

Ryan,

I have additional photo's of l'ermitage delivery trucks blocking our garages in the alley. I just walked over to the hotel to speak with Nicholas Remedy and he addressed me as "Harassing the Hotel" in his words.

I was extremely nice and asked him to make sure that their delivery trucks don't block our garages. Our tenants cannot get in or out of the garage. This goes on every day and night. I have tried to take photo's and tenants have continued to call traffic police. Sometimes the Traffic police take 45 minutes to arrive.

-----Original Message-----

**From:** Matti Bialer <bialermatti@aol.com>  
**To:** rgohlich <rgohlich@beverlyhills.org>  
**Sent:** Wed, Mar 2, 2016 8:48 pm  
**Subject:** L'ermitage delivery trucks blocking garages

Hi Ryan,

Hotel delivery trucks blocking our garages all hours of the day and night.

This is one of the many violations that occur daily.

I tried to send you the video of this, but was not successful. This truck was parked with engine on for close to 30 minutes blocking our tenants garages.

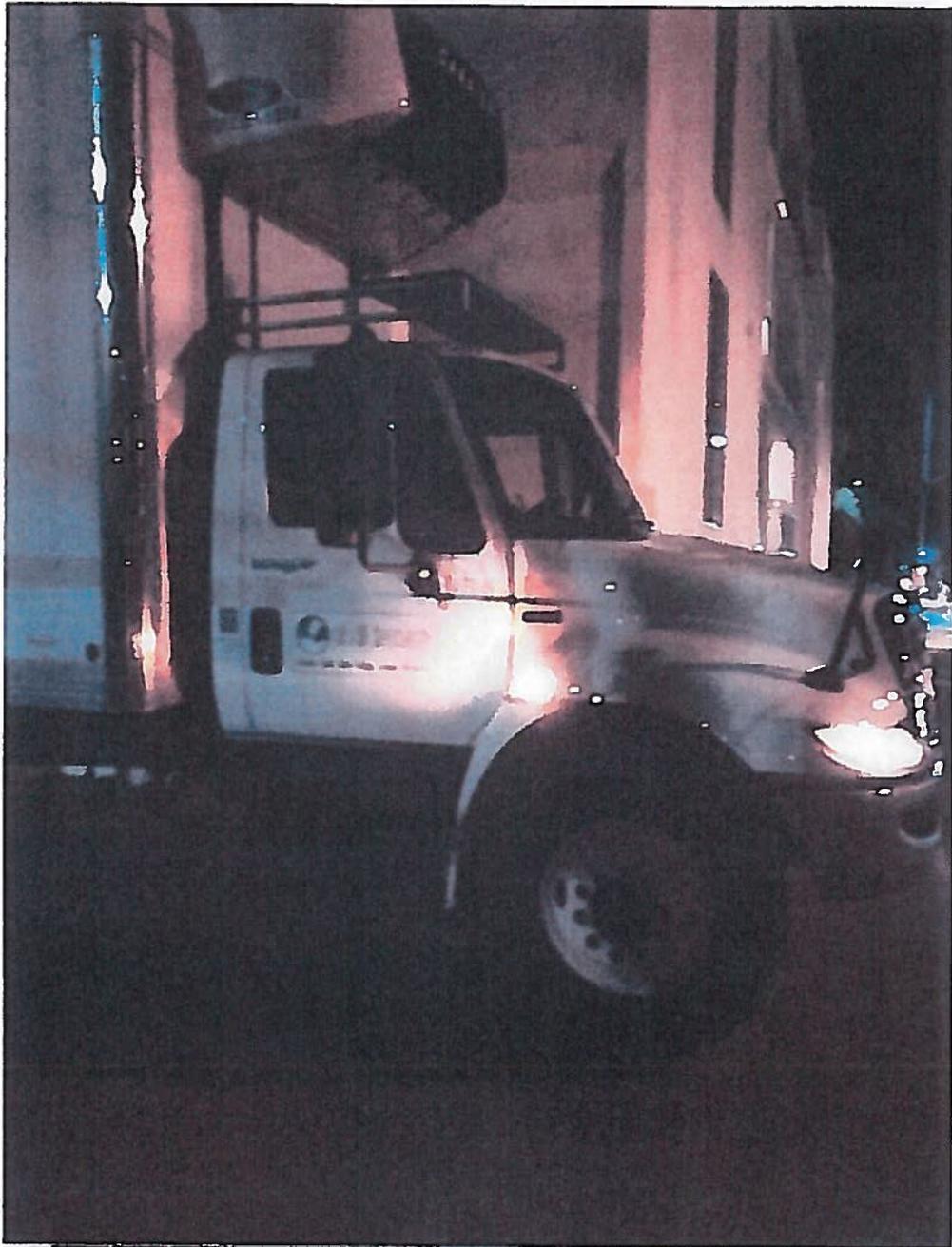
Thank You  
Matti Bialer

Sent from my iPhone



Today  
7:27 PM

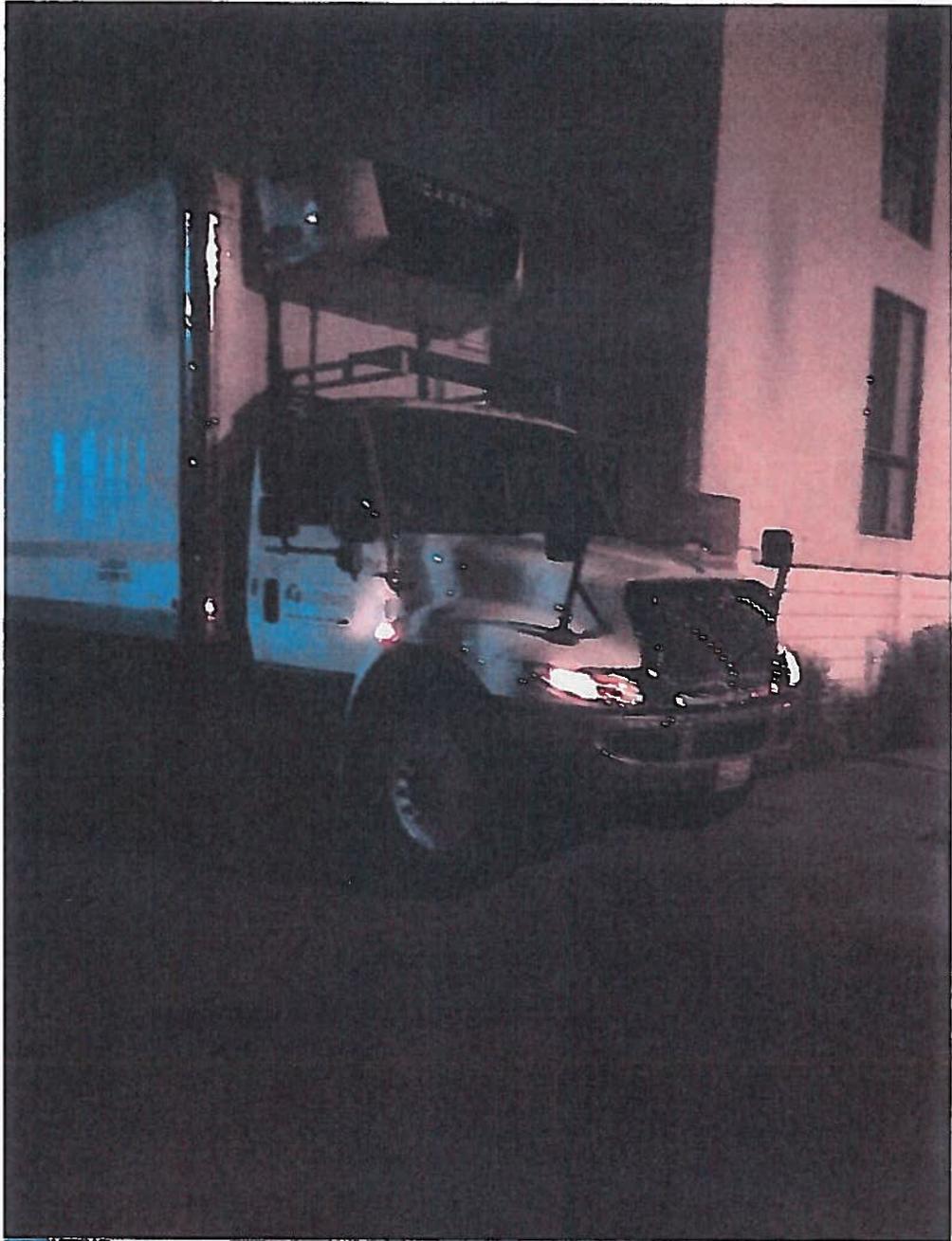
Edit





Today  
7:19 PM

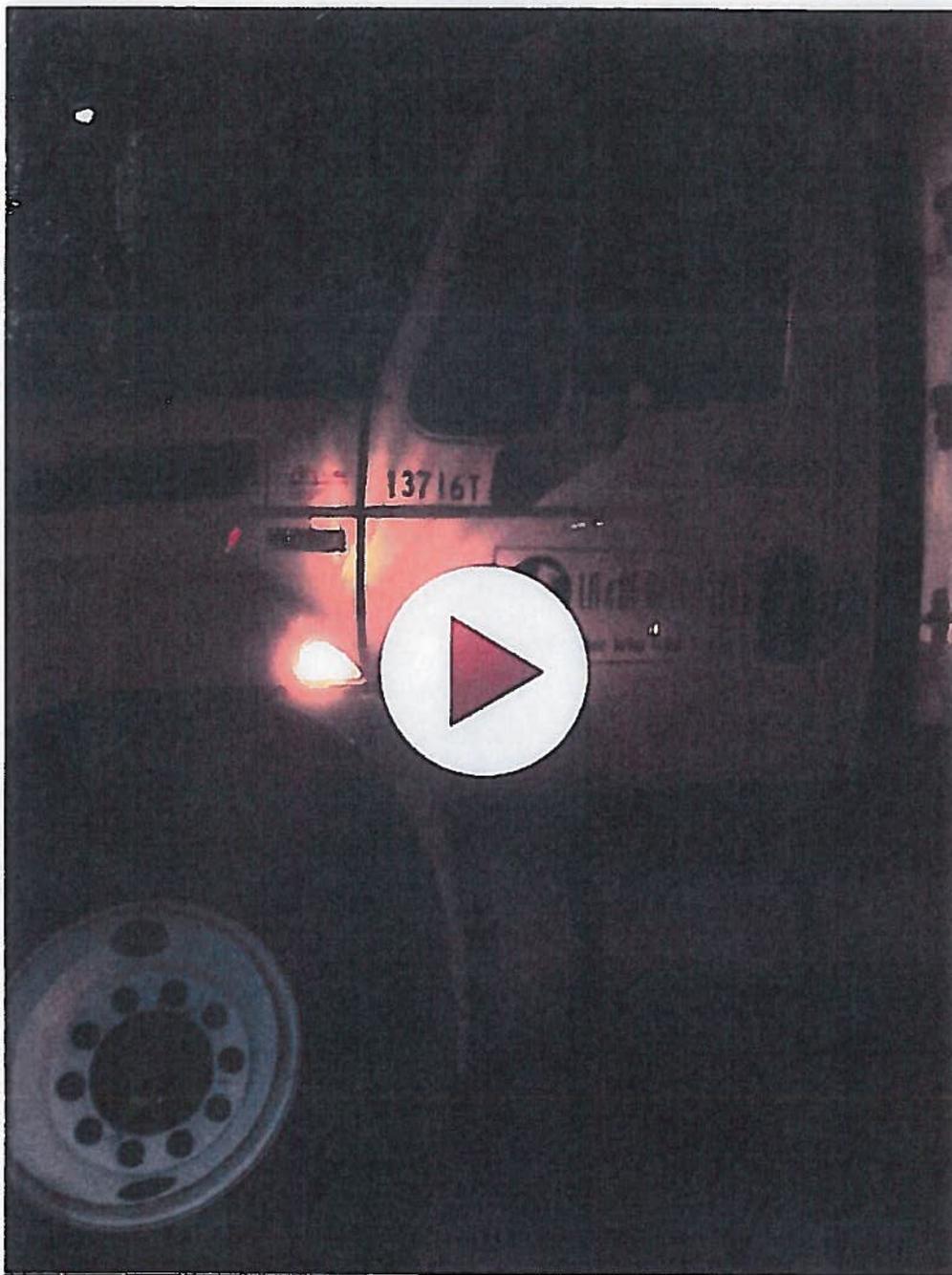
Edit





Today  
7:42 PM

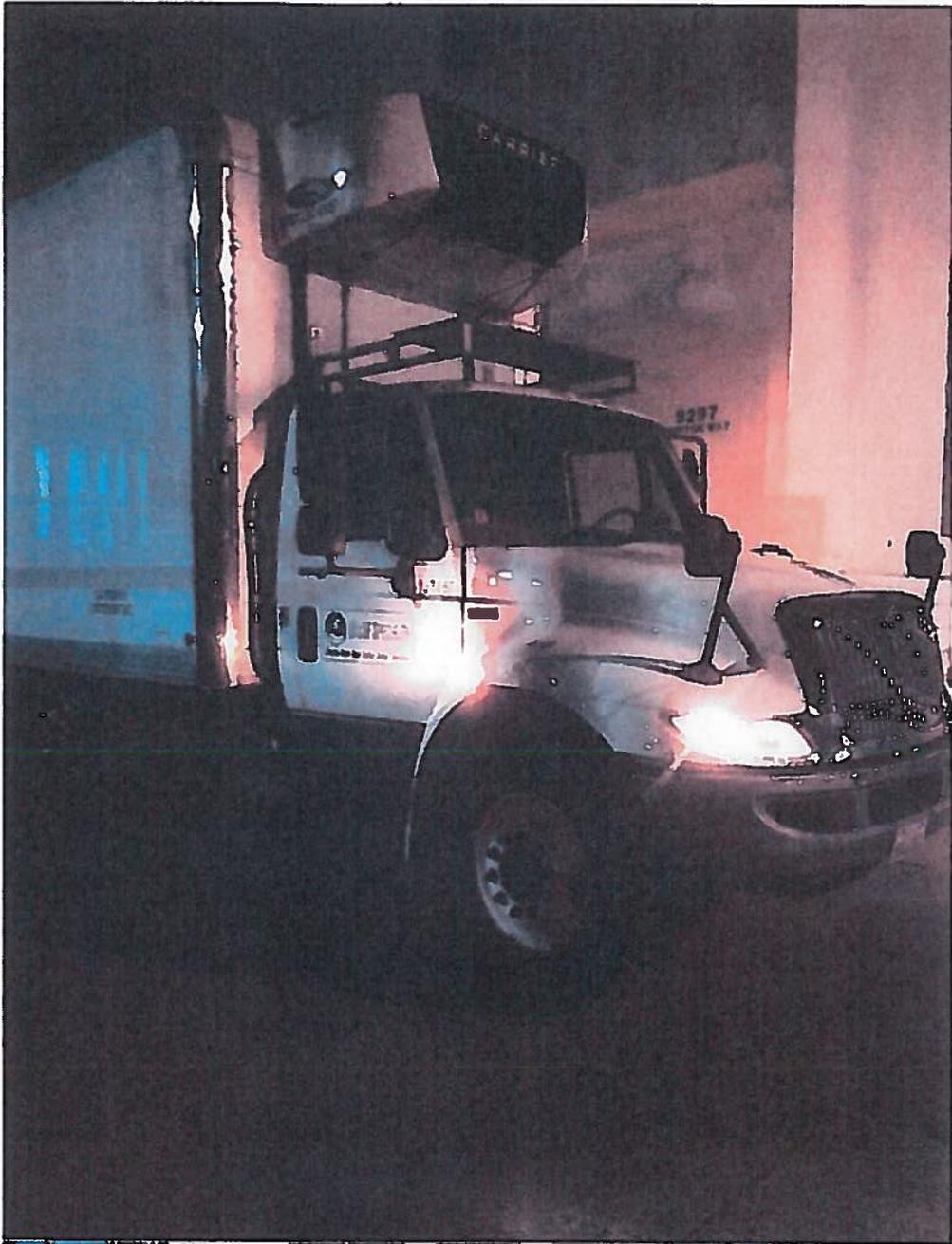
Edit





Today  
7:19 PM

Edit



## **Ryan Gohlich**

---

**From:** Matti Bialer <bialermatti@aol.com>  
**Sent:** Wednesday, March 02, 2016 8:48 PM  
**To:** Ryan Gohlich  
**Subject:** L'ermitage delivery trucks blocking garages  
**Attachments:** IMG\_1474.PNG; ATT00001.txt; IMG\_1475.PNG; ATT00002.txt; IMG\_1476.PNG; ATT00003.txt; IMG\_1477.PNG; ATT00004.txt

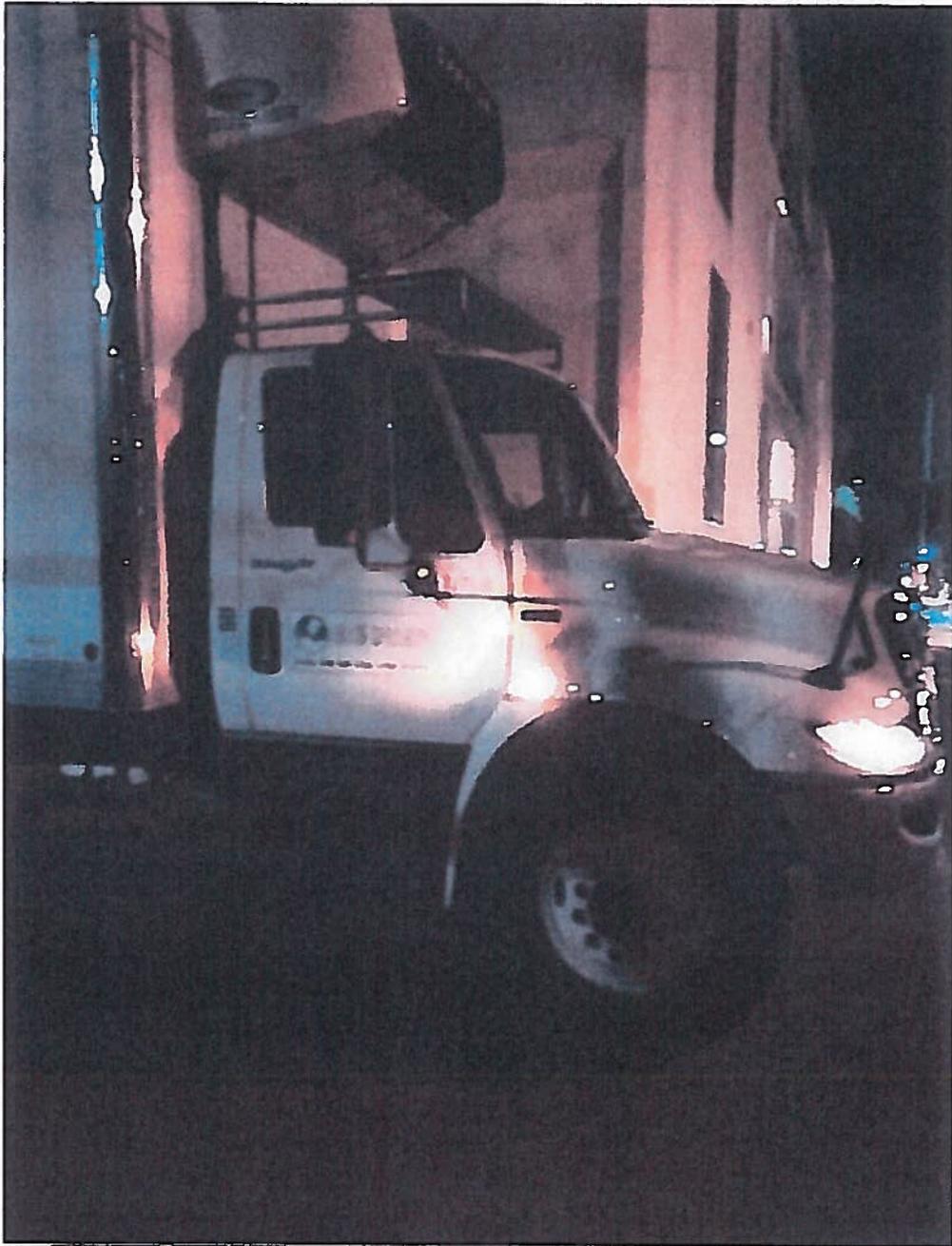
Hi Ryan,  
Hotel delivery trucks blocking our garages all hours of the day and night.  
This is one of the many violations that occur daily.  
I tried to send you the video of this, but was not successful. This truck was parked with engine on for close to 30 minutes blocking our tenants garages.

Thank You  
Matti Bialer



Today  
7:27 PM

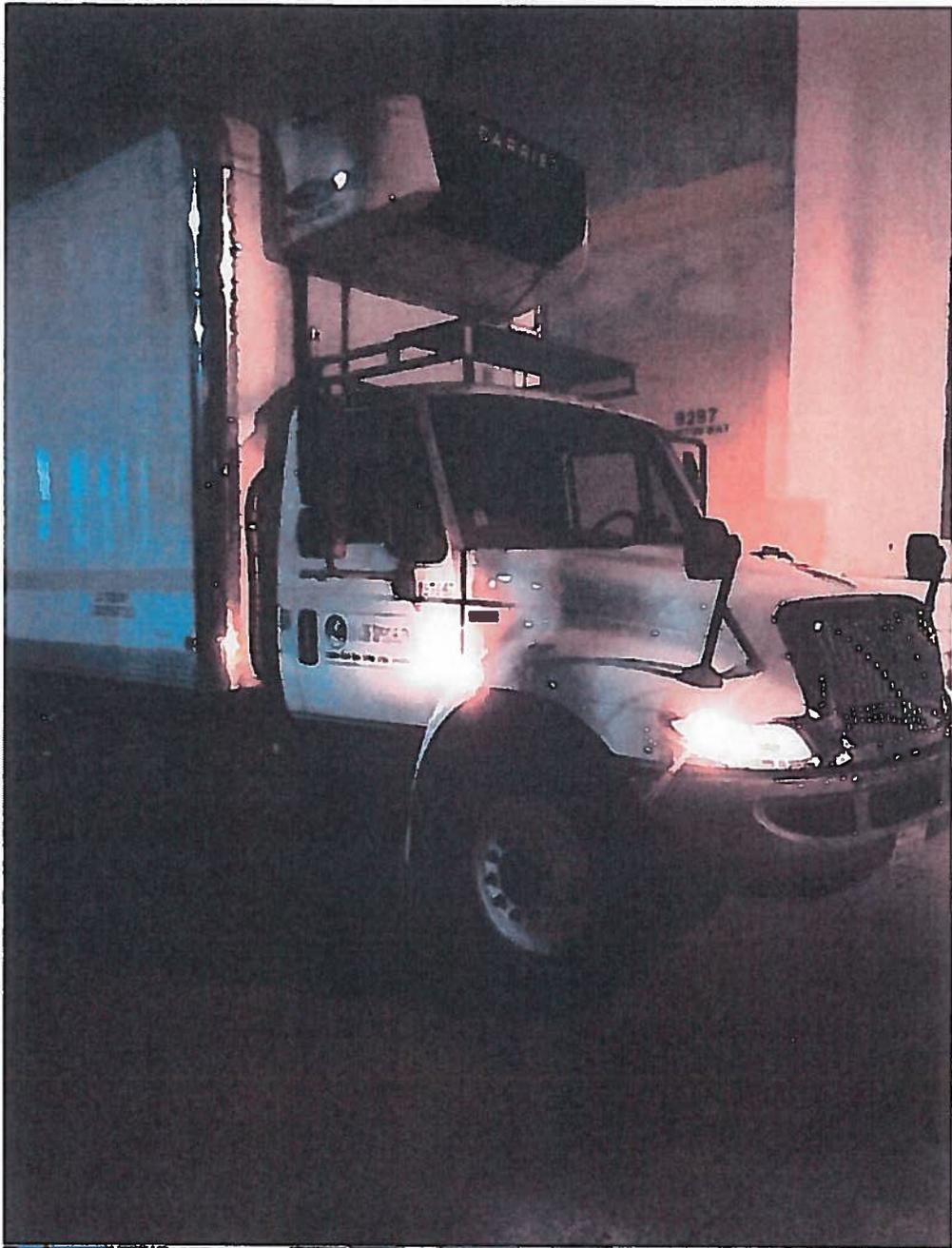
Edit





Today  
7:19 PM

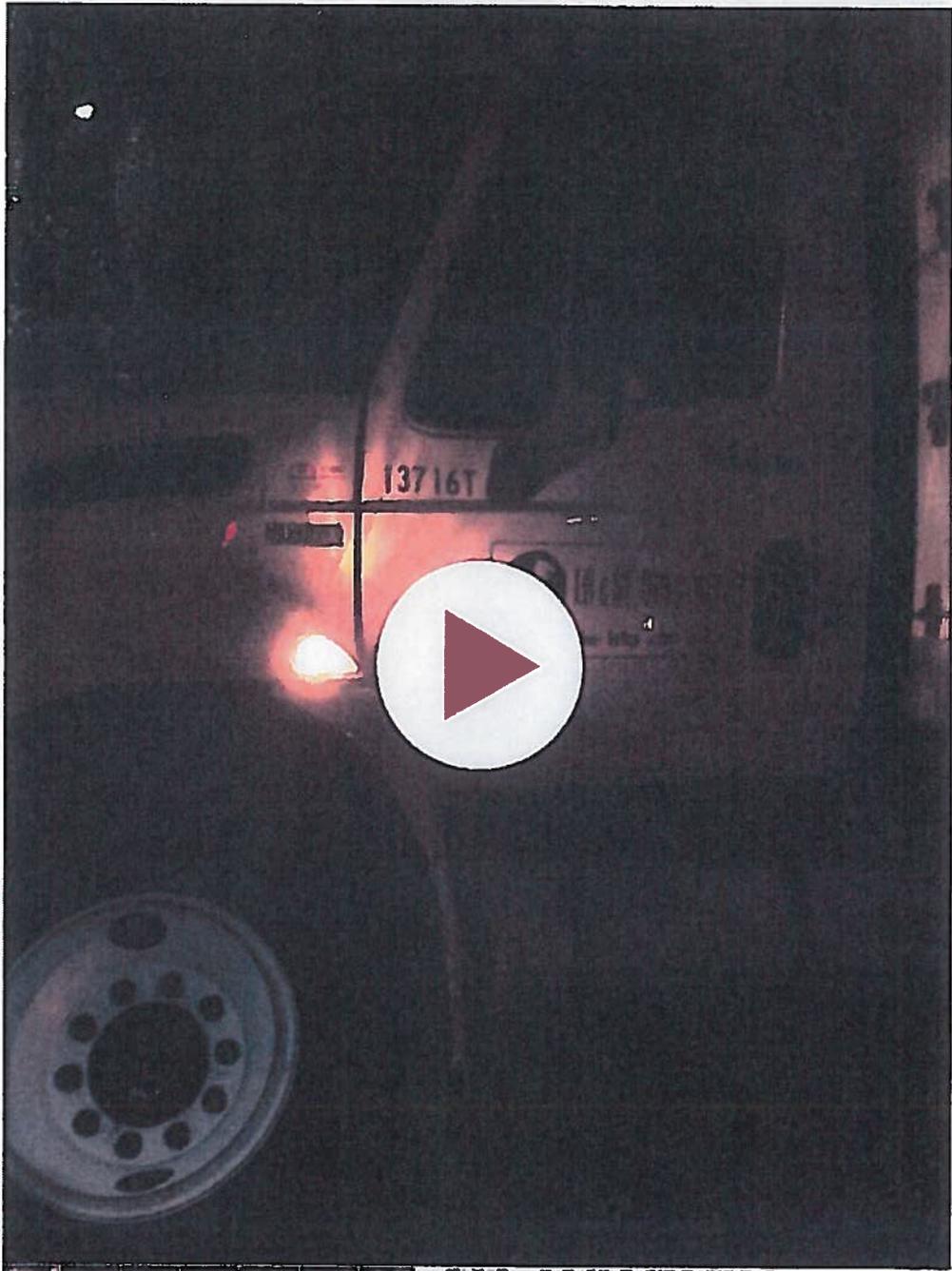
Edit





Today  
7:42 PM

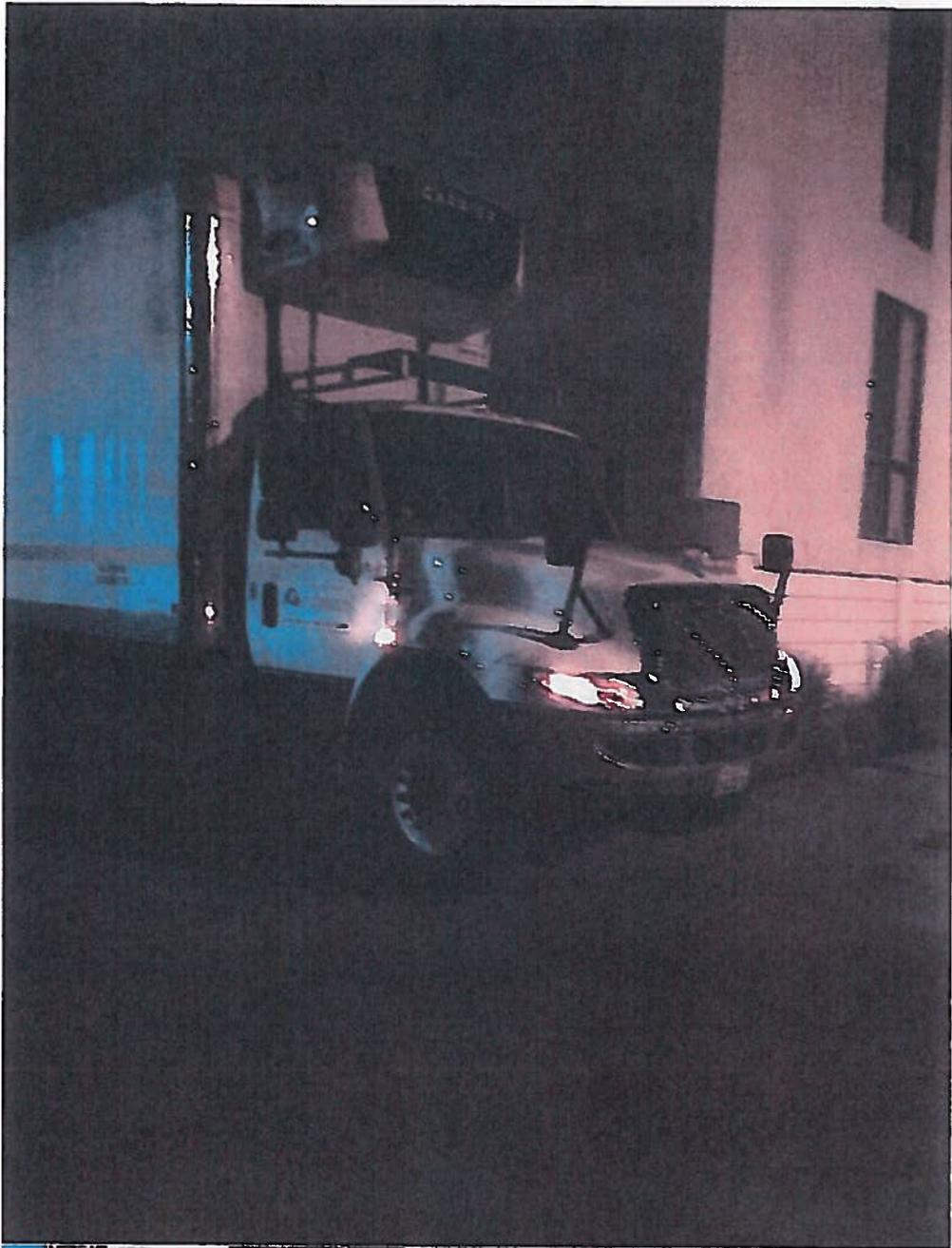
Edit





Today  
7:19 PM

Edit



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**PUBLIC CORRESPONDENCE**

**MIKAEL COHEN**

## Ryan Gohlich

---

**From:** mikaelc@aol.com  
**Sent:** Wednesday, May 25, 2016 7:12 PM  
**To:** ilanbialer@gmail.com; Ryan Gohlich  
**Cc:** bialermatti@aol.com; Mahdi Aluzri; George Chavez; 10-John Mirisch; lilibosse@icloud.com; 4-Nancy Krasne; Susan Healy Keene  
**Subject:** Re: 5/25/16 9:30am L'ermitage loud back reversing beeping delivery

Ryan

I want to add on this same note, that parking on south side of Burton way was also used by the guests or workers of the hotel. I called the parking enforcement at around 7PM.

This is also not a violation, but another inconvenience created by the operations of the Hotel in a middle of residential area.

Thank you for making note.

Regards

Mikael Cohen

-----Original Message-----

From: Ilan Bialer <ilanbialer@gmail.com>

To: Ryan Gohlich <rgohlich@beverlyhills.org>

Cc: Matti Bialer <bialermatti@aol.com>; Mahdi Aluzri <maluzri@beverlyhills.org>; George Chavez <gchavez@beverlyhills.org>; 10-John Mirisch <john@reelectmirisch.com>; lilibosse <lilibosse@icloud.com>; 4-Nancy Krasne <nancy@krasne.com>; mikaelc <mikaelc@aol.com>; Susan Healy Keene <skeene@beverlyhills.org>

Sent: Wed, May 25, 2016 6:40 pm

Subject: Re: 5/25/16 9:30am L'ermitage loud back reversing beeping delivery

Ryan,

We are aware that the reverse beeping is not a violation of the CUP. The purpose of the videos being presented to you is to be indicative of one of the many issues not covered by the CUP that negatively affect the quality of life for residents neighboring L'Ermitage. The hotel has created protocols that are not followed by its vendors and are difficult for the hotel to enforce. This is one of many many issues that create community problems for a hotel operating in the middle of a residential neighborhood. These are daily issues that we have to face as neighbors.

Thank you for your attention to this matter,

Ilan Bialer

On Wed, May 25, 2016 at 8:28 PM, Ryan Gohlich <[rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org)> wrote:

Hi Matti,

Thanks for the video. While the backing of trucks is not a violation of the CUP, I am investigating with the hotel to determine if there was some specific reason that the two trucks had to back up, rather than pull forward to Maple. I'll let you know as soon as I have any info.

Ryan

Ryan Gohlich, AICP  
Assistant Director / City Planner  
Community Development Department  
City of Beverly Hills

455 N. Rexford Dr.  
Beverly Hills, CA 90210  
Direct: (310) 285-1118  
Fax: (310) 858-5966  
[rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org)

**From:** Matti Bialer [mailto:[bialermatti@aol.com](mailto:bialermatti@aol.com)]  
**Sent:** Wednesday, May 25, 2016 2:23 PM  
**To:** Ryan Gohlich; Mahdi Aluzri; George Chavez  
**Cc:** 10-John Mirisch; [lilibosse@icloud.com](mailto:lilibosse@icloud.com); 4-Nancy Krasne; [ilanbialer@gmail.com](mailto:ilanbialer@gmail.com); [mikaelc@aol.com](mailto:mikaelc@aol.com)  
**Subject:** Fwd: 5/25/16 9:30am L'ermitage loud back reversing beeping delivery

Ryan,

We continue to have the same problems with heavy noise daily. Nicholas supplied new delivery instructions that he gave both myself and Mikael, I believe City Council also received copies of all the hotels new policies. Unfortunately the problems persist.

[Download Attachment](#)  
[Available until Jun 24, 2016](#)

Click to Download

IMG\_0406.MOV  
0 bytes

Click to Download

IMG\_0405.MOV  
0 bytes

Sent from my iPhone

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Kind regards,

Ilan Bialer

USA Mobile +1-310-990-7979

This communication is confidential and intended only for the addressee. If you are not the intended recipient, you may not copy, disclose, or distribute this message to anyone else; any such actions may be unlawful. If you have received this communication in error, please contact the sender of the message to inform him or her of the error.

## Ryan Gohlich

---

**From:** mikaelc@aol.com  
**Sent:** Wednesday, May 04, 2016 11:56 AM  
**To:** Ryan Gohlich; bialermatti@aol.com; Mahdi Aluzri; George Chavez  
**Cc:** 10-John Mirisch; lilibosse@icloud.com; 4-Nancy Krasne; ilanbialer@aol.com; Susan Healy Keene  
**Subject:** Re: May 3,2016 Hotel delivery - 2nd violation

Hi Ryan

Doesn't the citation already qualify this parking as a violation? We do not trust anymore our police department and we have to rely on L'Ermitage to contradict the citation?

Is the planning working exclusively for L Ermitage? and who cares especially about residents?

This bias needs to stop. This is so frustrating.

Thank you

Mikael Cohen

-----Original Message-----

**From:** Ryan Gohlich <rgohlich@beverlyhills.org>  
**To:** Matti Bialer <bialermatti@aol.com>; Mahdi Aluzri <maluzri@beverlyhills.org>; George Chavez <gchavez@beverlyhills.org>  
**Cc:** 10-John Mirisch <john@reelectmirisch.com>; lilibosse <lilibosse@icloud.com>; 4-Nancy Krasne <nancy@krasne.com>; ilanbialer <ilanbialer@aol.com>; mikaelc <mikaelc@aol.com>; Susan Healy Keene <skeene@beverlyhills.org>  
**Sent:** Wed, May 4, 2016 10:41 am  
**Subject:** RE: May 3,2016 Hotel delivery - 2nd violation

Hi Matti,

Thank you for the photos. We will review, and also seek video footage from the hotel, to determine whether these instances qualify as violations. I'll let you know once a determination has been made. We are currently finalizing the new resolution, and I'll provide you with a copy as soon as it is available.

Thanks,

Ryan

Ryan Gohlich, AICP  
Assistant Director / City Planner  
Community Development Department  
City of Beverly Hills  
455 N. Rexford Dr.  
Beverly Hills, CA 90210  
Direct: (310) 285-1118  
Fax: (310) 858-5966  
[rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org)

**From:** Matti Bialer [<mailto:bialermatti@aol.com>]  
**Sent:** Wednesday, May 04, 2016 7:41 AM  
**To:** Ryan Gohlich; Mahdi Aluzri; George Chavez

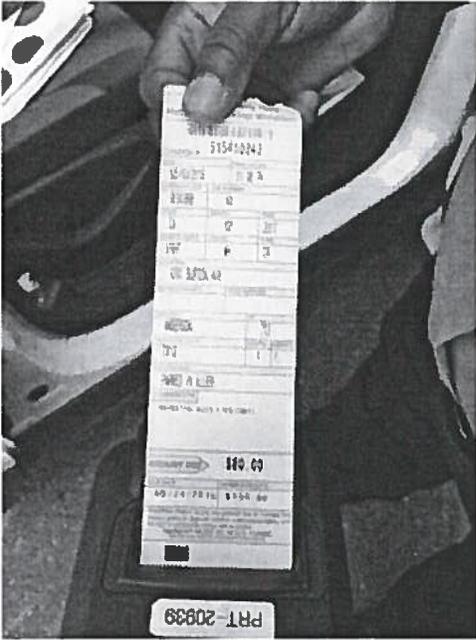
**Cc:** 10-John Mirisch; [lilibosse@icloud.com](mailto:lilibosse@icloud.com); 4-Nancy Krasne; [ilanbialer@aol.com](mailto:ilanbialer@aol.com); [mikaelc@aol.com](mailto:mikaelc@aol.com)  
**Subject:** May 3,2016 Hotel delivery - 2nd violation

Ryan,

Attached find 2nd violation yesterday 5/3/16.

Thank You,  
Matti Bialer





Sent from my iPhone

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## Ryan Gohlich

---

**From:** mikaelc@aol.com  
**Sent:** Friday, April 29, 2016 2:53 PM  
**To:** Andre Sahakian; bialermatti@aol.com; ilanbialer@gmail.com  
**Cc:** Ryan Gohlich; Masa Alkire  
**Subject:** Re: L'Ermitage Hotel - May 2nd Special Meeting Staff Report Available

You need to send it to all city officials, including the Council and the Mayor.  
Thank you

Mikael Cohen

-----Original Message-----

From: Andre Sahakian <asahakian@beverlyhills.org>  
To: bialermatti <bialermatti@aol.com>; mikaelc <mikaelc@aol.com>; ilanbialer <ilanbialer@gmail.com>  
Cc: Ryan Gohlich <rgohlich@beverlyhills.org>; Masa Alkire <malkire@beverlyhills.org>  
Sent: Fri, Apr 29, 2016 2:49 pm  
Subject: L'Ermitage Hotel - May 2nd Special Meeting Staff Report Available

Dear stakeholders,

The agenda and staff report for the upcoming Special Meeting of the Planning Commission on Monday, May 2nd is available, and can be viewed by clicking on the following link:

[http://beverlyhills.granicus.com/GeneratedAgendaViewer.php?event\\_id=da4da080-5aec-464a-965a-7920b9125da6](http://beverlyhills.granicus.com/GeneratedAgendaViewer.php?event_id=da4da080-5aec-464a-965a-7920b9125da6)  
[http://beverlyhills.granicus.com/GeneratedAgendaViewer.php?event\\_id=da4da080-5aec-464a-965a-7920b9125da6](http://beverlyhills.granicus.com/GeneratedAgendaViewer.php?event_id=da4da080-5aec-464a-965a-7920b9125da6)

Please note that the meeting will convene at City Hall at 7:00 p.m., and shortly thereafter we will take a walking tour to the hotel. After the walking tour, we will return to City Hall for the remainder of the evening.

Regards,

--

Andre Sahakian

Associate Planner | City of Beverly Hills

310.285.1127

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## Ryan Gohlich

---

**From:** mikaelc@aol.com  
**Sent:** Friday, April 29, 2016 10:48 AM  
**To:** bialermatti@aol.com; Ryan Gohlich; Mahdi Aluzri; George Chavez  
**Cc:** ilanbialer@gmail.com; lilibosse@icloud.com; 4-Nancy Krasne; 10-John Mirisch; lorigordon@yahoo.com; cormans@earthlink.net; alan@blocklaw.net; howardscottfischer@yahoo.com; joe@bobometal.com  
**Subject:** Re: City Cited Violations L'ermitage hotel

Ryan

Please provide the two violations and Investigation reports that you had for L'Ermitage and you referred in your email today. I want to check their conclusions and how good is the department in enforcing the laws.

Thank you

Regards

Mikael Cohen

-----Original Message-----

From: Matti Bialer <bialermatti@aol.com>  
To: bialermatti <bialermatti@aol.com>; rgohlich <rgohlich@beverlyhills.org>; maluzri <maluzri@beverlyhills.org>; gchavez <gchavez@beverlyhills.org>  
Cc: ilanbialer <ilanbialer@gmail.com>; mikaelc <mikaelc@aol.com>; lilibosse <lilibosse@icloud.com>; nancy <nancy@krasne.com>; john <john@reelectmirisch.com>; lorigordon <lorigordon@yahoo.com>; cormans <cormans@earthlink.net>; alan <alan@blocklaw.net>; howardscottfischer <howardscottfischer@yahoo.com>; joe <joe@bobometal.com>  
Sent: Fri, Apr 29, 2016 9:03 am  
Subject: Re: City Cited Violations L'ermitage hotel

Ryan,

I do see some comments on the code enforcement issues in your report. I guess the answer to my question is NO, NO CITED VIOLATION. And that is because the city has no way to enforce the CUP or other violations because they need to witness the violation first hand. Code enforcement is not around on the weekends or evenings. And they cannot come over to see the violations at the drop of a hat. The city has a major problem with code enforcement.

Thank You ,  
Matti Bialer

-----Original Message-----

From: Matti Bialer <bialermatti@aol.com>  
To: rgohlich <rgohlich@beverlyhills.org>; maluzri <maluzri@beverlyhills.org>; gchavez <gchavez@beverlyhills.org>  
Cc: ilanbialer <ilanbialer@gmail.com>; mikaelc <mikaelc@aol.com>; maluzri <maluzri@beverlyhills.org>; gchavez <gchavez@beverlyhills.org>; lilibosse <lilibosse@icloud.com>; nancy <nancy@krasne.com>; john <john@reelectmirisch.com>; lorigordon <lorigordon@yahoo.com>; cormans <cormans@earthlink.net>; alan <alan@blocklaw.net>; howardscottfischer <howardscottfischer@yahoo.com>; joe <joe@bobometal.com>  
Sent: Fri, Apr 29, 2016 7:54 am  
Subject: Re: City Cited Violations L'ermitage hotel

Ryan,

I received the planning commission packet and no where in the packet is an answer to my email to Mr. Notazu. Where are the cited violations for the hotel in the past 18 months.? Why was this not included in the packet sent to the planning commissioners?

I want an answer to my original question to Mr. Otazu.

Thank You,  
Matti Bialer

-----Original Message-----

From: Matti Bialer <bialermatti@aol.com>  
To: rgohlich <rgohlich@beverlyhills.org>  
Cc: ilanbialer <ilanbialer@gmail.com>; mikaelc <mikaelc@aol.com>; maluzri <maluzri@beverlyhills.org>; gchavez <gchavez@beverlyhills.org>; lilibosse <lilibosse@icloud.com>; nancy <nancy@krasne.com>; john <john@reelectmirisch.com>  
Sent: Thu, Apr 28, 2016 8:53 am  
Subject: Re: City Cited Violations L'ermitage hotel

Ryan,

I would like to see that information prior to the meeting on May 2.

Thank You,  
Matti

-----Original Message-----

From: Ryan Gohlich <rgohlich@beverlyhills.org>  
To: lili Bosse <lilibosse@icloud.com>; Matti Bialer <bialermatti@aol.com>; Mahdi Aluzri <maluzri@beverlyhills.org>  
Cc: Nestor Otazu <notazu@beverlyhills.org>; Mahdi Aluzri <maluzri@beverlyhills.org>; George Chavez <gchavez@beverlyhills.org>; ilanbialer <ilanbialer@gmail.com>; mikaelc <mikaelc@aol.com>; 10-John Mirisch <john@reelectmirisch.com>; lorigordon <lorigordon@yahoo.com>; cormans <cormans@earthlink.net>; alan <alan@blocklaw.net>; joe <joe@bobometal.com>; howardscottfisher <howardscottfisher@yahoo.com>  
Sent: Thu, Apr 28, 2016 8:22 am  
Subject: RE: City Cited Violations L'ermitage hotel

Hi Lili,

We have received your email (and Matti's). Nestor and I are pulling the enforcement info and will include it in the staff report.

Thanks,

Ryan

Ryan Gohlich, AICP  
Assistant Director / City Planner  
Community Development Department  
City of Beverly Hills  
455 N. Rexford Dr.  
Beverly Hills, CA 90210  
Direct: (310) 285-1118  
Fax: (310) 858-5966  
[rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org)

---

**From:** lili Bosse [<mailto:lilibosse@icloud.com>]  
**Sent:** Thursday, April 28, 2016 7:11 AM

**To:** Matti Bialer; Mahdi Aluzri; Ryan Gohlich  
**Cc:** Nestor Otazu; Mahdi Aluzri; George Chavez; ilanbialer@gmail.com; mikaelc@aol.com; 10-John Mirisch; lorigordon@yahoo.com; cormans@earthlink.net; alan@blocklaw.net; joe@bobometal.com; howardscottfisher@yahoo.com; Ryan Gohlich  
**Subject:** Re: City Cited Violations L'ermitage hotel

As per my prior email, please include this information in the PC staff report as well.

I would like confirmation receipt of this request please ...

Sent from my iPhone

On Apr 28, 2016, at 6:49 AM, Matti Bialer <bialermatti@aol.com> wrote:

Mr. Otazu,

It has been 2 days since I have sent your an email requesting an answer to City Cited Violations for the L'ermitage Hotel within the last 18 months. Iam requesting an answer please. This is a very important fact that we need to know. We have a hearing on May 2nd and we need this information now.

Please, transparency!

Thank You,  
Matti Bialer

-----Original Message-----

From: Matti Bialer <bialermatti@aol.com>

To: notazu <notazu@beverlyhills.org>; maluzri <maluzri@beverlyhills.org>; gchavez <gchavez@beverlyhills.org>

Cc: ilanbialer <ilanbialer@gmail.com>; mikaelc <mikaelc@aol.com>; lilibosse <lilibosse@icloud.com>; nancy <nancy@krasne.com>; john <john@reelectmirisch.com>

Sent: Tue, Apr 26, 2016 9:20 am

Subject: City Cited Violations L'ermitage hotel

Mr. Otazu,

I would like to know if the city has cited the L'ermitage hotel for any violations in the past 18months? I would like an answer to my question please, with the information attached to any cited violation.

Thank You,  
Matti Bialer

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## Ryan Gohlich

---

**From:** mikaelc@aol.com  
**Sent:** Thursday, April 28, 2016 9:20 AM  
**To:** Ryan Gohlich; lilibosse@icloud.com; bialermatti@aol.com; Mahdi Aluzri  
**Cc:** Nestor Otazu; George Chavez; ilanbialer@gmail.com; 10-John Mirisch; lorigordon@yahoo.com; cormans@earthlink.net; alan@blocklaw.net; joe@bobometal.com; howardscottfisher@yahoo.com  
**Subject:** Re: City Cited Violations L'ermitage hotel

Dear Ryan

I would like to have a copy of the staff report before the meeting of Monday. I want to know exactly what the planning is reporting to the commission, so, I can bring also, my documents.

Thank you for your support

Mikael Cohen

-----Original Message-----

**From:** Ryan Gohlich <rgohlich@beverlyhills.org>  
**To:** lili Bosse <lilibosse@icloud.com>; Matti Bialer <bialermatti@aol.com>; Mahdi Aluzri <maluzri@beverlyhills.org>  
**Cc:** Nestor Otazu <notazu@beverlyhills.org>; Mahdi Aluzri <maluzri@beverlyhills.org>; George Chavez <gchavez@beverlyhills.org>; ilanbialer <ilanbialer@gmail.com>; mikaelc <mikaelc@aol.com>; 10-John Mirisch <john@reelectmirisch.com>; lorigordon <lorigordon@yahoo.com>; cormans <cormans@earthlink.net>; alan <alan@blocklaw.net>; joe <joe@bobometal.com>; howardscottfisher <howardscottfisher@yahoo.com>  
**Sent:** Thu, Apr 28, 2016 8:22 am  
**Subject:** RE: City Cited Violations L'ermitage hotel

Hi Lili,

We have received your email (and Matti's). Nestor and I are pulling the enforcement info and will include it in the staff report.

Thanks,

Ryan

Ryan Gohlich, AICP  
Assistant Director / City Planner  
Community Development Department  
City of Beverly Hills  
455 N. Rexford Dr.  
Beverly Hills, CA 90210  
Direct: (310) 285-1118  
Fax: (310) 858-5966  
[rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org)

---

**From:** lili Bosse [<mailto:lilibosse@icloud.com>]  
**Sent:** Thursday, April 28, 2016 7:11 AM  
**To:** Matti Bialer; Mahdi Aluzri; Ryan Gohlich  
**Cc:** Nestor Otazu; Mahdi Aluzri; George Chavez; [ilanbialer@gmail.com](mailto:ilanbialer@gmail.com); [mikaelc@aol.com](mailto:mikaelc@aol.com); 10-John Mirisch; [lorigordon@yahoo.com](mailto:lorigordon@yahoo.com); [cormans@earthlink.net](mailto:cormans@earthlink.net); [alan@blocklaw.net](mailto:alan@blocklaw.net); [joe@bobometal.com](mailto:joe@bobometal.com); [howardscottfisher@yahoo.com](mailto:howardscottfisher@yahoo.com); Ryan Gohlich  
**Subject:** Re: City Cited Violations L'ermitage hotel

As per my prior email, please include this information in the PC staff report as well.

I would like confirmation receipt of this request please ...

Sent from my iPhone

On Apr 28, 2016, at 6:49 AM, Matti Bialer <[bialermatti@aol.com](mailto:bialermatti@aol.com)> wrote:

Mr. Otazu,

It has been 2 days since I have sent your an email requesting an answer to City Cited Violations for the L'ermitage Hotel within the last 18 months. I am requesting an answer please. This is a very important fact that we need to know. We have a hearing on May 2nd and we need this information now.

Please, transparency!

Thank You,  
Matti Bialer

-----Original Message-----

From: Matti Bialer <[bialermatti@aol.com](mailto:bialermatti@aol.com)>

To: notazu <[notazu@beverlyhills.org](mailto:notazu@beverlyhills.org)>; maluzri <[maluzri@beverlyhills.org](mailto:maluzri@beverlyhills.org)>; gchavez <[gchavez@beverlyhills.org](mailto:gchavez@beverlyhills.org)>

Cc: ilanbialer <[ilanbialer@gmail.com](mailto:ilanbialer@gmail.com)>; mikaelc <[mikaelc@aol.com](mailto:mikaelc@aol.com)>; lilibosse <[lilibosse@icloud.com](mailto:lilibosse@icloud.com)>; nancy <[nancy@krasne.com](mailto:nancy@krasne.com)>; john <[john@reelectmirisch.com](mailto:john@reelectmirisch.com)>

Sent: Tue, Apr 26, 2016 9:20 am

Subject: City Cited Violations L'ermitage hotel

Mr. Otazu,

I would like to know if the city has cited the L'ermitage hotel for any violations in the past 18months? I would like an answer to my question please, with the information attached to any cited violation.

Thank You,  
Matti Bialer

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The City keeps a copy of all E-mails sent and received for a minimum of 2 years. All retained E-mails will be treated as a Public Record per the California Public Records Act, and may be subject to disclosure pursuant to the terms, and subject to the exemptions, of that Act.

## Ryan Gohlich

---

**From:** mikaelc@aol.com  
**Sent:** Wednesday, April 27, 2016 10:02 PM  
**To:** Mahdi Aluzri  
**Cc:** Laurence Wiener; lilibosse@icloud.com; 4-Nancy Krasne; ilanbialer@gmail.com; bialermatti@aol.com; WebCBH MAYORANDCITYCOUNCIL; lorigordon@yahoo.com; cormans@earthlink.net; howardscottfisher@yahoo.com; Ryan Gohlich; RWG DavidSnow  
**Subject:** Re: RENEWAL CUP l'ermitage, Planning commsission May 2 and objection to new CUP

Thank you Mr. Aluzri,  
Would it be a second review by the City Council members? after the planning commission meeting.  
Thank you  
Regards

Mikael Cohen

-----Original Message-----

From: Mahdi Aluzri <maluzri@beverlyhills.org>  
To: mikaelc <mikaelc@aol.com>  
Cc: lwiener <lwiener@rwglaw.com>; lilibosse <lilibosse@icloud.com>; 4-Nancy Krasne <nancy@krasne.com>; ilanbialer <ilanbialer@gmail.com>; bialermatti <bialermatti@aol.com>; WebCBH MAYORANDCITYCOUNCIL <MAYORANDCITYCOUNCIL@beverlyhills.org>; lorigordon <lorigordon@yahoo.com>; cormans <cormans@earthlink.net>; howardscottfisher <howardscottfisher@yahoo.com>; Ryan Gohlich <rgohlich@beverlyhills.org>; RWG DavidSnow <dsnow@rwglaw.com>  
Sent: Wed, Apr 27, 2016 8:21 am  
Subject: Re: RENEWAL CUP l'ermitage, Planning commsission May 2 and objection to new CUP

Dear Mr. Cohen,

Thank you for sending the questions and request for clarifications on the issues you raised, these are all important aspects of the project and staff will address them as part of the staff report for the May 2nd Planning Commission meeting.

Sent from my iPad

On Apr 26, 2016, at 11:03 AM, "mikaelc@aol.com" <mikaelc@aol.com> wrote:

To Counsel and City Planning Commission;  
Re: Planning commission May 2nd

I have reviewed your notice of public hearing, appeared in the last weekly Beverly Hills courier, and I disagree with its contents. It is so ambiguous and vague and furthermore leading facts to total confusion. This is also in response to your email sent to another resident; Matti Bialer. I am presenting my comments in the order of your public notice.

### **Conditional Use Permit:**

I reviewed the conditions that are required for a project to be accepted according to the State CEQA guidelines and I am totally in disagreement with the City Counsel and city planning to waive the required environment study. It has been a significant change in our residential area with the increase traffic in the city of Beverly Hills and especially along the Burton Way corridor

in the last 17 years. We have more residents, the area has seen more residential building built and under construction. These changes must be taken into account with the effects of the hotel running outside dining restaurants and roof top noisy events in detriment of the Residents. In addition, to the Hotel limousines parking and the wash of their cars right in the middle of Burton way corridor, and not to mention the loud deliveries blocking exit residential garages.

L'Ermitage was not built to be a Hotel, but first as an apartment residence, and now L'Ermitage, with the blessing of the Planning, wants to become a Sunset or Hollywood Hotel style. They do not have the proper drive way for valet causing traffic obstruction and honking from passing cars, not equipped for the proper limousines parking, not having the proper social hall, and the room for a restaurant, to run such operations (like Beverly Hilton, Le Montage or the Peninsula). Simply the building was never meant to be a hotel. L'Ermitage wants now simply, to expand their business in a residential area by making our resident's life miserable. Of course the City Attorney and the Planning staff do not live in the area and are happy to jump and incline in favor of the Hotel. The Hotel does not need an outdoor dining with 7 tables to make them rich, but just a ploy for more violations.

A new environment study should consider the increase of traffic and valet parking added to the traffic of Burton Way, and more significantly, for the roof top parties that can accommodate up to 800 people and loud music events with all alcohols and drugs (marijuana) involved with screams and music through early morning in A RESIDENTIAL AREA. Imagine 600 to 800 persons down from the roof top after the loud parties. It will be 3 AM before every one goes home.

**According to section 15382 of the CEQA; SIGNIFICANT EFFECT ON THE ENVIRONMENT, clearly defines the necessity of an environment review as significant noise is expected from the use of loud music events, and that should be considered a significant event of change within the residential area. Therefore employees of the City cannot arbitrarily waive the requirement and unilaterally assessed a state rule as non-applicable.**

**Development Plan review:** The planning department has been made aware (through my emails of course) and even agreed that the opening restaurant from the street was against the permit and any rule from the ancient CUP. Are you suggesting by bringing this condition to hearing, that the violation will be then approved with no other sanctions. You have got to be kidding. It is an insult to all regulations. So, this case should also be reviewed according to Section CEQA section 15382, as it brings significant change to the RESIDENTIAL AREA with outside dining area, right by the resident's homes and building and why everyone intends to forget that the Hotel is operating in a RESIDENTIAL AREA.

**Extended Hours Permit:** Do we have any set hours to start with? Are you referring to the old canceled CUP? Therefore if you are talking about extended hours, are you reviving the CUP that you have canceled? THIS IS SO CONFUSING? It just look like a play of "Yoyo". You cancel and you Re-instate. **No hours can be set, and let alone "extended hours on non-existing hours"**, without the study of the environment.

This scheduled and planning session and demand for a new CUP, of May 2<sup>nd</sup>, must **be canceled**, until such an environment review, impacting the noise and the lives of residents, be reviewed according to State CEQA regulations.

What we ought to be talking about at the hearing, are the violations that L'Ermitage has been impacting in our residents day today lives. Every time I or other Resident, try to bring the subject of violations, the City manager, the planning or the enforcement, just ignored them. Even at the planning commission meeting of April 14th, I was personally shut off by the Chair commissioner as I raised the violations. No one wants to address the problems?

**WHY IS IT INAPPROPRIATE TO BRING VIOLATIONS UP TO LIGHT?** The city is incapable to enforce or there is simply a cover up, as discussed in the Beverly Hills Courier of April 22, 2016. Have you seen the article? If not, I would recommend you to read it.

**WHY YOUR PUBLIC NOTICE DOES NOT MENTION THE VIOLATIONS,** They must also be brought to hearing? This is another reason why appropriate state regulations must be involved.

-Building Entrance to the restaurant against the building permit, will not be brought to review as per public notice, and as it is becoming another violation slipping through the cracks of enforcement.

-Is loud music from the Roof top, also will continue to be violated and no action? .

- Is the restaurant loud diner not to be considered a violation? **Hotel Insisting on outdoor dining for 7 tables?? so meager and miserable.**

-Are the Limousines washing cars on Burton Way, throwing garbage on lawns, and even seen driver peeing in the alley while waiting their hotel clients, not to be considered a violation? And a lack of respect to our city.

-Are deliveries trucks blocking garages of resident not a violation?

So why, can't we talk about violations, no one wants to bring this up in the city. But I will continue until we are heard. Why can't you look at the complaints from only the last two years? They were part of the packet submitted last time to the Planning. We have more than 100 signatures against the noise expansion. Are they not to be considered too?

Mikael Cohen  
April 26, 2016

Mikael Cohen

-----Original Message-----

From: Matti Bialer <bialermatti@aol.com>

To: rgohlich <rgohlich@beverlyhills.org>; asahakian <asahakian@beverlyhills.org>; lwienner <lwienner@rwglaw.com>; maluzri <maluzri@beverlyhills.org>; gchavez <gchavez@beverlyhills.org>

Cc: lilibosse <lilibosse@icloud.com>; nancy <nancy@krasne.com>; ilanbialer <ilanbialer@gmail.com>; mikaelc <mikaelc@aol.com>

Sent: Fri, Apr 22, 2016 12:12 pm

Subject: Fwd: RENEWAL CUP l'ermitage

Ryan,

Please explain why the L'ermitage hotel is exempt from CEQA.

Thank you

-----Original Message-----

From: Laurence S. Wiener <LWiener@rwglaw.comLWiener@rwglaw.com>

To: Matti Bialer <bialermatti@aol.combialermatti@aol.com>

Sent: Fri, Apr 22, 2016 12:01 pm

Subject: RE: RENEWAL CUP l'ermitage

Mr. Bialer,

Thank you for your email correspondence. In answer to your question, in the case of Conditional Use Permits (CUPs) and Development Plan Review applications (DPRs), neither the City's codes nor State law require any specific studies. Studies may be necessary pursuant to the California Environmental Quality Act (CEQA) unless the project qualifies for one or more CEQA exemptions. As you may have seen by the notice which appeared in the newspapers, staff's analysis concluded that the present project qualifies as categorically exempt from CEQA.

That said, the Planning Commission can request any studies that it deems necessary in order to determine whether the findings required to approve a CUP and DPR can be made. Should you believe that specific studies are necessary to inform the Planning Commission's consideration of the applications, you could draft a letter to the Planning Commission to recommend those studies, appear at the Planning Commission meeting to make that suggestion, or both. Staff will provide all correspondence received regarding the matter to the Planning Commission for its consideration.

I would be happy to discuss this with you further if you would like to give me a call. I can be reached at 310-285-1055.

(The Planning Commission and senior staff were blind copied.)

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**From:** lili Bosse [<mailto:lilibosse@icloud.com>]

**Sent:** Friday, April 22, 2016 10:09 AM

**To:** Matti Bialer; Laurence S. Wiener

**Cc:** [maluzri@beverlyhills.org](mailto:maluzri@beverlyhills.org); [maluzri@beverlyhills.org](mailto:maluzri@beverlyhills.org); [maluzri@beverlyhills.org](mailto:maluzri@beverlyhills.org);

[gchavez@beverlyhills.org](mailto:gchavez@beverlyhills.org); [gchavez@beverlyhills.org](mailto:gchavez@beverlyhills.org); [gchavez@beverlyhills.org](mailto:gchavez@beverlyhills.org);

[rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org); [rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org); [rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org);

[asahakian@beverlyhills.org](mailto:asahakian@beverlyhills.org); [asahakian@beverlyhills.org](mailto:asahakian@beverlyhills.org); [asahakian@beverlyhills.org](mailto:asahakian@beverlyhills.org);

[lwienner@beverlyhills.org](mailto:lwienner@beverlyhills.org); [lwienner@beverlyhills.org](mailto:lwienner@beverlyhills.org); [lwienner@beverlyhills.org](mailto:lwienner@beverlyhills.org);

[ilanbialer@gmail.com](mailto:ilanbialer@gmail.com); [ilanbialer@gmail.com](mailto:ilanbialer@gmail.com); [ilanbialer@gmail.com](mailto:ilanbialer@gmail.com);

[mikaelc@aol.com](mailto:mikaelc@aol.com); [mikaelc@aol.com](mailto:mikaelc@aol.com); [mikaelc@aol.com](mailto:mikaelc@aol.com); Lori Gordon; Farshid Joe Shooshani; howard fisher;

craig corman; alan block; John Mirisch

**Subject:** Re: RENEWAL CUP l'ermitage

Larry, as city attorney please address these questions and include the planning commission on the response ..

Thanks!

Sent from my iPhone

On Apr 22, 2016, at 9:33 AM, Matti Bialer <[bialermatti@aol.com](mailto:bialermatti@aol.com)> wrote:

City officials and staff,

I would like an answer to my question as soon as possible. How can the city of beverly hills allow a new CUP without all the required by law studies, prior to allowing a CUP. Previous studies were done approximately 17 to 18 years ago. Things have changed over the years. Let's follow the LAW OF THE LAND and do what is the legal process.

The hotel is obviously following their own agenda, and the city is allowing this illegal behavior with granting them more additional outdoor uses that disturb the whole area surrounding the hotel. In the past year, the city has allowed the hotel a second outdoor patio for dining. WHY? With out public hearing? More outdoor spaces to disturb the community.

Its time the City conducted itself in a legal and upstanding manner.

Our tax dollars are paying extremely high salaries to staff that are obviously not enforcing the laws of our city. Hiding behind closed doors to make deals happen and excuses for their mistakes. Let the city staff take responsibilities for their horrible errors.

When will city staff and officials protect the residents that abide by the city laws instead of a hotel that violates an expired CUP. It's not the city's responsibility to renew a CUP, It's the duty of the holder.

Remember the hotel is supposed to be an apartment building not a hotel with the capacity of thousands of guests partying on the rooftop with amplified music heard 1/2 mile away.

City of Beverly Hills, follow the laws that govern our city. Don't continue this big mess by not following legal procedures.

Thank you,  
Matti Bialer

Owner and resident for 45 yrs at 9297 Burton Way.

Click [here](#) to report this email as spam.

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The City keeps a copy of all E-mails sent and received for a minimum of 2 years. All retained E-mails will be treated as a Public Record per the California Public Records Act, and may be subject to disclosure pursuant to the terms, and subject to the exemptions, of that Act.

**From:** [mikaelc@aol.com](mailto:mikaelc@aol.com) [mailto:mikaelc@aol.com]

**Sent:** Tuesday, April 26, 2016 11:03 AM

**To:** [lwiener@rwglaw.com](mailto:lwiener@rwglaw.com); Mahdi Aluzri

**Cc:** [lilibosse@icloud.com](mailto:lilibosse@icloud.com); 4-Nancy Krasne; [ilanbialer@gmail.com](mailto:ilanbialer@gmail.com); [bialermatti@aol.com](mailto:bialermatti@aol.com); WebCBH MAYORANDCITYCOUNCIL; [lorigordon@yahoo.com](mailto:lorigordon@yahoo.com); [cormans@earthlink.net](mailto:cormans@earthlink.net); [howardscottfisher@yahoo.com](mailto:howardscottfisher@yahoo.com)

**Subject:** Re: RENEWAL CUP l'ermitage, Planning commsission May 2 and objection to new CUP

To Counsel and City Planning Commission;

Re: Planning commission May 2nd

I have reviewed your notice of public hearing, appeared in the last weekly Beverly Hills courier, and I disagree with its contents. It is so ambiguous and vague and furthermore leading facts to total confusion. This is also in response to your email sent to another resident; Matti Bialer. I am presenting my comments in the order of your public notice.

**Conditional Use Permit:**

I reviewed the conditions that are required for a project to be accepted according to the State CEQA guidelines and I am totally in disagreement with the City Counsel and city planning to waive the required environment study. It has been a significant change in our residential area with the increase traffic in the city of Beverly Hills and especially along the Burton Way corridor in the last 17 years. We have more residents, the area has seen more residential building built and under construction. These changes must be taken into account with the effects of the hotel running outside dining restaurants and roof top noisy events in detriment of the Residents. In addition, to the Hotel limousines parking and the wash of their cars right in the middle of Burton way corridor, and not to mention the loud deliveries blocking exit residential garages. L'Ermitage was not built to be a Hotel, but first AS an apartment residence, and now L'Ermitage, with the blessing of the Planning, wants to become a Sunset or Hollywood Hotel style. They do not have the proper drive way for valet causing traffic obstruction and honking from passing cars, not equipped for the proper limousines parking, not having the proper social hall, and the room for a restaurant, to run such operations (like Beverly Hilton, Le Montage or the Peninsula). Simply the building was never meant to be a hotel. L'Ermitage wants now simply, to expand their business in a residential area by making our resident's life miserable. Of course the City Attorney and the Planning staff do not live in the area and are happy to jump and incline in favor of the Hotel. The Hotel does not need an outdoor dining with 7 tables to make them rich, but just a ploy for more violations.

A new environment study should consider the increase of traffic and valet parking added to the traffic of Burton Way, and more significantly, for the roof top parties that can accommodate up to 800 people and loud music events with all alcohols and drugs (marijuana) involved with screams and music through early morning in A RESDENTIAL AREA. Imagine 600 to 800 persons down from the roof top after the loud parties. It will be 3 AM before every one goes home.

**Staff Response:** The California Environmental Quality Act (CEQA) sets forth the required process and parameters for environmental review. CEQA establishes several different types of environmental review that may occur depending on the nature of a project and anticipated impacts. The types of CEQA review available include Statutory Exemptions, Categorical Exemptions, Negative Declarations, Mitigated Negative Declarations, and Environmental Impact Reports. The Planning Commission is not being asked to waive environmental review, but rather determine which level of environmental review is appropriate given the scope of the project. In this case, it is staff's recommendation that the project is eligible for Categorical Exemptions under CEQA, which is a list of previously identified project types (categories) set by the State Legislature. In particular, staff found that the project is eligible for a Class 1 Exemption (minor alterations to existing structures), a Class 2 Exemption (replacement or reconstruction of existing structures or facilities), and a Class 32 Exemption (infill development). A more detailed explanation of each exemption is provided in the staff report. Finally, while it is staff's recommendation that the project is eligible for the abovementioned exemptions, final authority rests with the Planning Commission.

**According to section 15382 of the CEQA; SIGNIFICANT EFFECT ON THE ENVIRONMENT, clearly defines the necessity of an environment review as significant noise is expected from the use of loud music events, and that should be considered a significant event of change within the residential area. Therefore employees of the City cannot arbitrarily waive the requirement and unilaterally assessed a state rule as non-applicable.**

**Staff Response:** §15382 of the CEQA Guidelines as referenced, specifically reads as follows:

*"Significant effect on the environment" means a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance. An economic or social change by itself shall not be considered a significant effect on the environment. A social or economic change related to a physical change may be considered in determining whether the physical change is significant.*

The above excerpt is one definition set forth within the CEQA Guidelines, but it cannot be taken out of context and must be considered within the overall framework of CEQA, inclusive of other review parameters and definitions. Importantly, one cannot simply assert that there is a significant effect, but instead must rely on substantial evidence

supported by expert opinion. At this time, no substantial evidence supported by expert opinion has been provided to suggest that there would be a significant effect on the environment. Furthermore, as noted above, staff's recommendation is not to waive CEQA requirements, but instead to make a determination that the project fits within the Categorical Exemption criteria established by the State Legislature and outlined above and in the staff report. Finally, the purpose of CEQA is to review projects against established baseline conditions to disclose whether a project would create new impacts beyond the established norm. In the case of the L'Ermitage, the hotel restaurant, outdoor dining, and rooftop has operated for approximately the past 16 years, which under CEQA is the established norm and baseline condition. The fact that the use has been shut down for the past 2-3 weeks does not instantly create a new baseline, as businesses may close from time to time, and buildings may also be vacant during tenancy changes. This is particularly notable under the Class 2 Exemption, which allows for the full demolition and reconstruction of structures or facilities, provided the new structure will have "substantially the same purpose and capacity." This demonstrates that CEQA contemplates temporary closures while facilities are reconstructed or re-established, and that baseline conditions should be associated with established usage, not temporary stoppages.

**Development Plan review:** The planning department has been made aware (through my emails of course) and even agreed that the opening restaurant from the street was against the permit and any rule from the ancient CUP. Are you suggesting by bringing this condition to hearing, that the violation will be then approved with no other sanctions. You have got to be kidding. It is an insult to all regulations. So, this case should also be reviewed according to Section CEQA section 15382, as it brings significant change to the RESIDENTIAL AREA with outside dining area, right by the resident's homes and building and why everyone intends to forget that the Hotel is operating in a RESIDENTIAL AREA.

**Staff Response:** The issue of the new stair access is discussed in detail in the staff report. The prior conditions of approval did not prohibit a new stair access; however, a portion of the findings for approval relied on outdoor dining patrons accessing the dining area from within the hotel in order to keep them away from the adjacent residential building. The new stair access was legally permitted, as it did not violate any of the prior conditions of approval. However, because the stair access is a component of the outdoor dining, particularly given that the hotel desires to use it as a primary access point for the restaurant, it is included under the Development Plan Review, which the Planning Commission has purview over.

**Extended Hours Permit:** Do we have any set hours to start with? Are you referring to the old canceled CUP? Therefore if you are talking about extended hours, are you reviving the CUP that you have canceled? THIS IS SO CONFUSING? It just look like a play of "Yoyo". You cancel and you Re-instate. **No**

**hours can be set, and let alone “extended hours on non-existing hours”, without the study of the environment.**

**Staff Response:** The Municipal Code establishes 10:00 PM as the closing time for businesses that are located within 170’ of residential uses. Accordingly, this is the time that would be allowed without the issuance of an Extended Hours Permit. The staff report provides greater detail on this topic, and compares the requested hours of operation against the standard 10:00 PM cutoff, as well as the previously approved hours for a reference point.

**This scheduled and planning session and demand for a new CUP, of May 2<sup>nd</sup>, must be canceled, until such an environment review, impacting the noise and the lives of residents, be reviewed according to State CEQA regulations.**

**Staff Response:** The applicable CEQA provisions, and potential levels of environmental review are discussed above. While it is staff’s recommendation that the project is eligible for Categorical Exemptions under CEQA, the Planning Commission may elect to make a different determination or require additional studies.

**What we ought to be talking about at the hearing, are the violations that L’Ermitage has been impacting in our residents day today lives. Every time I or other Resident, try to bring the subject of violations, the City manager, the planning or the enforcement, just ignored them. Even at the planning commission meeting of April 14th, I was personally shut off by the Chair commissioner as I raised the violations. No one wants to address the problems?**

**Staff Response:** The issue of violations is discussed in the staff report, and all correspondence received regarding violations is also included. Over the past 18 months two code enforcement cases have been opened in response to complaints; however, neither code enforcement case resulted in documented, verifiable violations where the City could issue a citation. It is anticipated that violations will be a part of the Planning Commission’s discussion, and the only reason violations were not able to be discussed at the April 14<sup>th</sup> hearing is that the Planning Commission had no authority to review the project since it was determined that the CUP and DPR were expired.

**WHY IS IT INAPPROPRIATE TO BRING VIOLATIONS UP TO LIGHT? The city is incapable to enforce or there is simply a cover up, as discussed in the Beverly Hills Courier of April 22, 2016. Have you seen the article? If not, I would recommend you to read it.**

**Staff Response:** As noted above, violations can and will be discussed at the Planning Commission hearing.

**WHY YOUR PUBLIC NOTICE DOES NOT MENTION THE VIOLATIONS,** They must also be brought to hearing? This is another reason why appropriate state regulations must be involved.

-Building Entrance to the restaurant against the building permit, will not be brought to review as per public notice, and as it is becoming another violation slipping through the cracks of enforcement.

-Is loud music from the Roof top, also will continue to be violated and no action? .

- Is the restaurant loud diner not to be considered a violation? Hotel Insisting on outdoor dining for 7 tables?? so meager and miserable.

-Are the Limousines washing cars on Burton Way, throwing garbage on lawns, and even seen driver peeing in the alley while waiting their hotel clients, not to be considered a violation? And a lack of respect to our city.

-Are deliveries trucks blocking garages of resident not a violation?

So why, can't we talk about violations, no one wants to bring this up in the city. But I will continue until we are heard. Why can't you look at the complaints from only the last two years? They were part of the packet submitted last time to the Planning. We have more than 100 signatures against the noise expansion. Are they not to be considered too?

**Staff Response:** The City's public notice is intended to document the specific applications sought by the hotel. As noted above, the issue of violations can and will be discussed at the Planning Commission hearing. A discussion of violations does not require public notice, but may be considered by the Planning Commission in determining whether the necessary findings can be made in support of the project.

Mikael Cohen

April 26, 2016

Mikael Cohen

## Ryan Gohlich

---

**From:** mikaelc@aol.com  
**Sent:** Sunday, April 24, 2016 11:31 AM  
**To:** bialermatti@aol.com; Ryan Gohlich; Andre Sahakian; Mahdi Aluzri; George Chavez; 6-Laurence Wiener  
**Cc:** ilanbialer@gmail.com; lilibosse@icloud.com; 4-Nancy Krasne; 10-John Mirisch; lorigordon@yahoo.com; cormans@earthlink.net; alan@blocklaw.net; joe@bobometal.com; howardscottfisher@yahoo.com  
**Subject:** Re: L'ermitge outdoor restaurant patio being used 4/23/16 11am

Hi Matti

Great pictures to send. I have noticed also guests at the outside being served  
The Hotel is just laughing at us, at the City and its rules with complete arrogance and no fear from any sanction. They will continue. This will definitely impact our lives in the area.  
Thank you for reporting these facts

Mikael Cohen

-----Original Message-----

From: Matti Bialer <[bialermatti@aol.com](mailto:bialermatti@aol.com)>  
To: rgohlich <[rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org)>; asahakian <[asahakian@beverlyhills.org](mailto:asahakian@beverlyhills.org)>; maluzri <[maluzri@beverlyhills.org](mailto:maluzri@beverlyhills.org)>; gchavez <[gchavez@beverlyhills.org](mailto:gchavez@beverlyhills.org)>; lwiener <[lwiener@rwqlaw.com](mailto:lwiener@rwqlaw.com)>  
Cc: ilanbialer <[ilanbialer@gmail.com](mailto:ilanbialer@gmail.com)>; mikaelc <[mikaelc@aol.com](mailto:mikaelc@aol.com)>; lilibosse <[lilibosse@icloud.com](mailto:lilibosse@icloud.com)>; nancy <[nancy@krasne.com](mailto:nancy@krasne.com)>; john <[john@reelectmirisch.com](mailto:john@reelectmirisch.com)>; lorigordon <[lorigordon@yahoo.com](mailto:lorigordon@yahoo.com)>; cormans <[cormans@earthlink.net](mailto:cormans@earthlink.net)>; alan <[alan@blocklaw.net](mailto:alan@blocklaw.net)>; joe <[joe@bobometal.com](mailto:joe@bobometal.com)>; howardscottfisher <[howardscottfisher@yahoo.com](mailto:howardscottfisher@yahoo.com)>  
Sent: Sat, Apr 23, 2016 11:39 am  
Subject: L'ermitge outdoor restaurant patio being used 4/23/16 11am

City staff and officials,

The l'ermitage was ordered to cease usage of the outdoor patio due to the expiration of their CUP. Attached find photo's of the outdoor patio being used by patrons.  
Everyone needs to see how the hotel follows instructions. Then you will understand what the residents have been going through.

Thank You,  
Matti Bialer

Sent from my iPhone

## **Ryan Gohlich**

---

**From:** mikaelc@aol.com  
**Sent:** Monday, April 11, 2016 12:31 PM  
**To:** bialermatti@aol.com; Ryan Gohlich; Mahdi Aluzri; George Chavez; Andre Sahakian  
**Cc:** lilibosse@icloud.com; 4-Nancy Krasne; ilanbialer@gmail.com  
**Subject:** Re: L'Ermitage Planning Commission Staff Report

Thank you Matti for raising the department deficiencies.  
To Ryan, Please include my pictures sent to you yesterday showing L'Ermitage's Limousines washing their cars in the middle of Burton Way.  
What a beautiful image, L'Ermitage brings to the city.

Mikael Cohen

-----Original Message-----

**From:** Matti Bialer <bialermatti@aol.com>  
**To:** rgohlich <rgohlich@beverlyhills.org>; maluzri <maluzri@beverlyhills.org>; gchavez <gchavez@beverlyhills.org>; asahakian <asahakian@beverlyhills.org>  
**Cc:** lilibosse <lilibosse@icloud.com>; nancy <nancy@krasne.com>; ilanbialer <ilanbialer@gmail.com>; mikaelc <mikaelc@aol.com>  
**Sent:** Mon, Apr 11, 2016 11:38 am  
**Subject:** Re: L'Ermitage Planning Commission Staff Report

Ryan,

Not only are my photo's missing, my emails and concerns sent to your department are also missing. You have submitted Mikael's emails but not mine. The photo's you sent do not make any impact on the commissioners unless they see the volume of photo's that have been submitted. You send one picture of our garages being blocked and the many pictures of delivery trucks parked in a NO PARKING ZONE.

My major concerns are blocking our garages to accommodate their deliveries, piercing back beeping alarms from delivery trucks all day and night 24/7. Noise from their outdoor patio and outdoor rooftop events. AMPLIFIED MUSIC which should not be allowed anywhere in a residential zone. Violating all the hours allowed by the current CUP. The picture of the hotel re-setting up the old dining area with tables and chairs, where is that picture??? As soon as we turn our heads the hotel is extending their usage They follow NO LAWS or RULES. They are extremely arrogant and do whatever suits them.  
Now the planning department is prepared to give them extended privileges when they cannot perform under their current CUP's.

And these sanctions you speak of, who is going to enforce the violations???? Police can't, Code Enforcement can't, so am I going to be your city policeman?

Matti Bialer

-----Original Message-----

**From:** Ryan Gohlich <rgohlich@beverlyhills.org>  
**To:** Matti Bialer <bialermatti@aol.com>; Mahdi Aluzri <maluzri@beverlyhills.org>; George Chavez <gchavez@beverlyhills.org>; WebCBH MAYORANDCITYCOUNCIL <MAYORANDCITYCOUNCIL@beverlyhills.org>; Andre Sahakian <asahakian@beverlyhills.org>  
**Cc:** lilibosse <lilibosse@icloud.com>; 4-Nancy Krasne <nancy@krasne.com>; ilanbialer <ilanbialer@gmail.com>; mikaelc <mikaelc@aol.com>; Susan Healy Keene <skeene@beverlyhills.org>  
**Sent:** Mon, Apr 11, 2016 10:58 am  
**Subject:** RE: L'Ermitage Planning Commission Staff Report

Hi Matti,

I've been going through and comparing the packet materials to the emails you sent me, and while it appears that most of the emails were included, some apparently did not transfer through when I forwarded the entire package of emails to Andre for inclusion in the packet. The packet includes over 50 pages of email correspondence, and the photos that are included appear on pages 26, 27, 60, 61, 62, 63, 64, 69, and 70. I sincerely apologize that some of them were not included, and want to be clear that we are in no way trying to protect the hotel or prevent the Planning Commission from seeing all the photos. We will be preparing a separate memo to the Planning Commission with the additional photos, and will distribute that later today. Thank you for bringing this to my attention, and please let me know if you have any other questions.

Ryan

Ryan Gohlich, AICP  
Assistant Director / City Planner  
Community Development Department  
City of Beverly Hills  
455 N. Rexford Dr.  
Beverly Hills, CA 90210  
Direct: (310) 285-1118  
Fax: (310) 858-5966  
[rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org)

**From:** Matti Bialer [<mailto:bialermatti@aol.com>]

**Sent:** Monday, April 11, 2016 10:13 AM

**To:** Ryan Gohlich; Mahdi Aluzri; George Chavez; WebCBH MAYORANDCITYCOUNCIL; Andre Sahakian

**Cc:** [lilibosse@icloud.com](mailto:lilibosse@icloud.com); 4-Nancy Krasne; [ilanbialer@gmail.com](mailto:ilanbialer@gmail.com); [mikaelc@aol.com](mailto:mikaelc@aol.com)

**Subject:** Re: L'Ermitage Planning Commission Staff Report

Ryan and Andre,

Now I know that you at the planning department are not doing your job in a transparent way. I specifically asked if my photos and emails would be included in the packet for the Planning Commission Hearing. Where are all my emails to you??? Why have you not included the March 27th email to you Ryan with 20 different deliveries blocking our garages. March 27th email with hotel employees taking breaks on our property, talking on phones under tenants windows. Pictures of speakers in there outdoor dining area., etc, etc.

I have submitted a lot of photo's with violations, where are they in the packet you submitted?

I am very angry at the planning dep't. for protecting the hotel, and not submitting all the violations to the commission.

Matti Bialer

-----Original Message-----

**From:** Andre Sahakian <[asahakian@beverlyhills.org](mailto:asahakian@beverlyhills.org)>

**To:** bialermatti <[bialermatti@aol.com](mailto:bialermatti@aol.com)>; mikaelc <[mikaelc@aol.com](mailto:mikaelc@aol.com)>; ilanbialer <[ilanbialer@gmail.com](mailto:ilanbialer@gmail.com)>

**Cc:** Ryan Gohlich <[rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org)>

**Sent:** Fri, Apr 8, 2016 9:28 pm

**Subject:** L'Ermitage Planning Commission Staff Report

Good evening,

Please see attached for the staff report on the L'Ermitage Hotel item for the April 14th Planning Commission meeting. You can view the full agenda by [clicking here](#).

Please let me know if you have any questions.

Regards,

**Andre Sahakian  
Associate Planner  
(310) 285-1127**

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**The City keeps a copy of all E-mails sent and received for a minimum of 2 years. All retained E-mails will be treated as a Public Record per the California Public Records Act, and may be subject to disclosure pursuant to the terms, and subject to the exemptions, of that Act.**

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**The City keeps a copy of all E-mails sent and received for a minimum of 2 years. All retained E-mails will be treated as a Public Record per the California Public Records Act, and may be subject to disclosure pursuant to the terms, and subject to the exemptions, of that Act.**

## Ryan Gohlich

---

**From:** mikaelc@aol.com  
**Sent:** Sunday, April 10, 2016 4:09 PM  
**To:** Ryan Gohlich; Andre Sahakian  
**Cc:** lilibosse@icloud.com; 4-Nancy Krasne; ilanbialer@gmail.com; bialermatti@aol.com; Mahdi Aluzri  
**Subject:** Re: Pictures limousines hotel  
**Attachments:** IMG\_1096 (1).JPG; IMG\_1095 (1).JPG; IMG\_1091 (1).JPG; IMG\_1090 (1).JPG; IMG\_1090 (1).JPG

Hi Andre and Ryan

See other pictures attached. Looks like Burton way is becoming ( south side of the street) is becoming a wash car center. You may see all limousines for the hotel are parked to clean their cars using my lawn.

We need to talk about this at the commission.

Thank you for your attention

Regards

Mikael Cohen

-----Original Message-----

**From:** Mikael Cohen <mikaelc@aol.com>

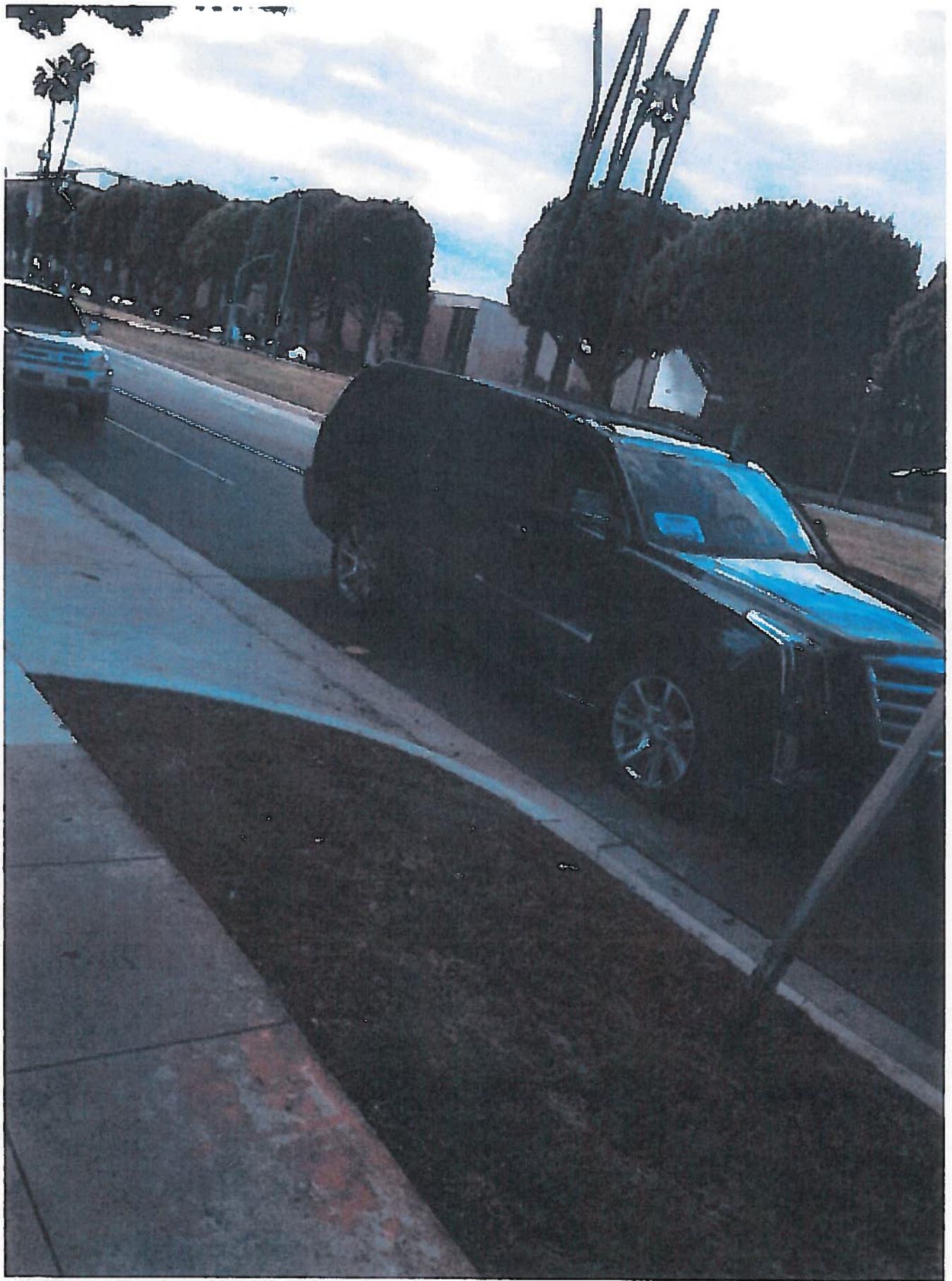
**To:** Mikael Cohen <mikaelc@aol.com>

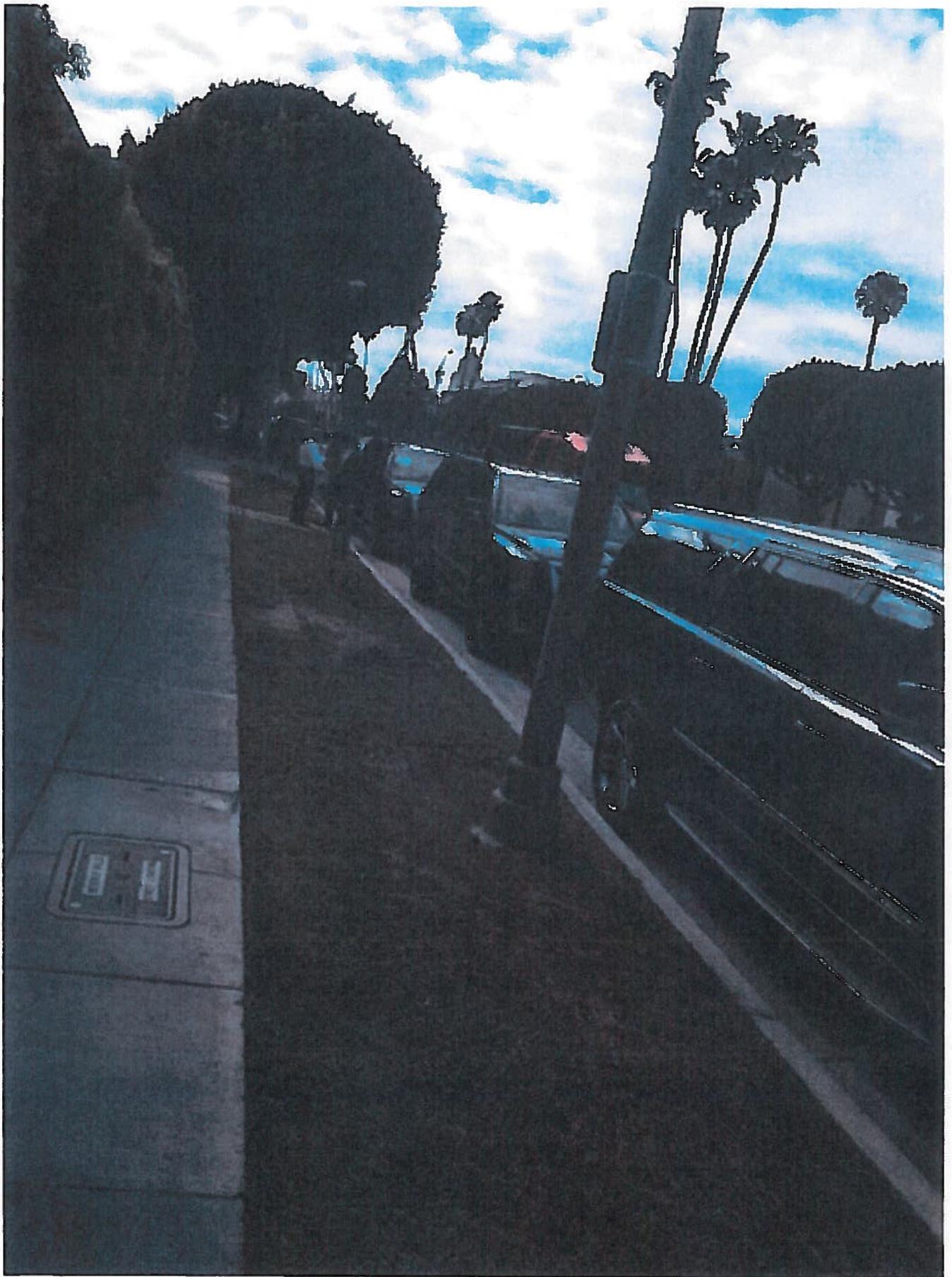
**Sent:** Sun, Apr 10, 2016 4:02 pm

**Subject:** Pictures limousines hotel

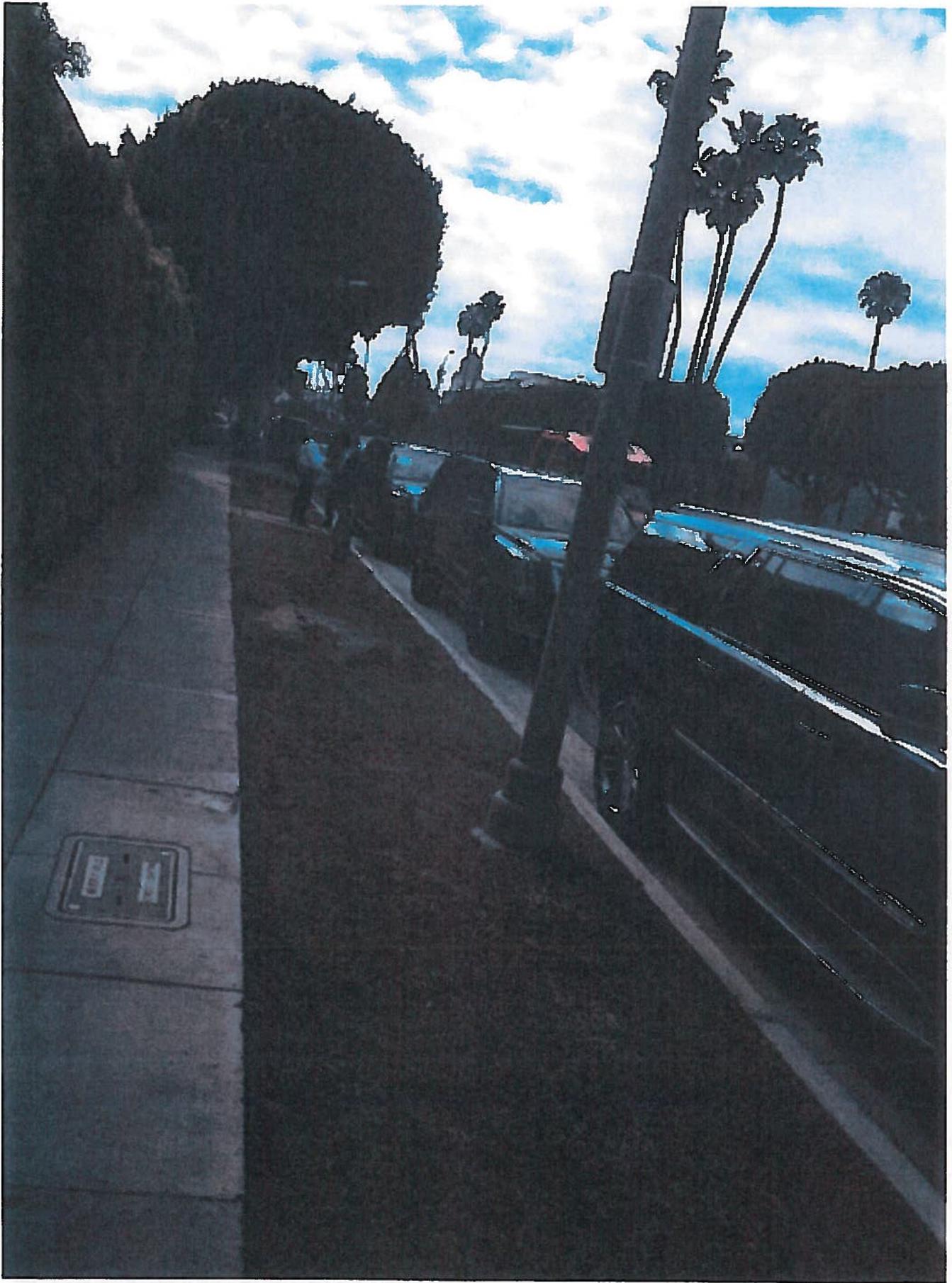
Sent from my iPhone

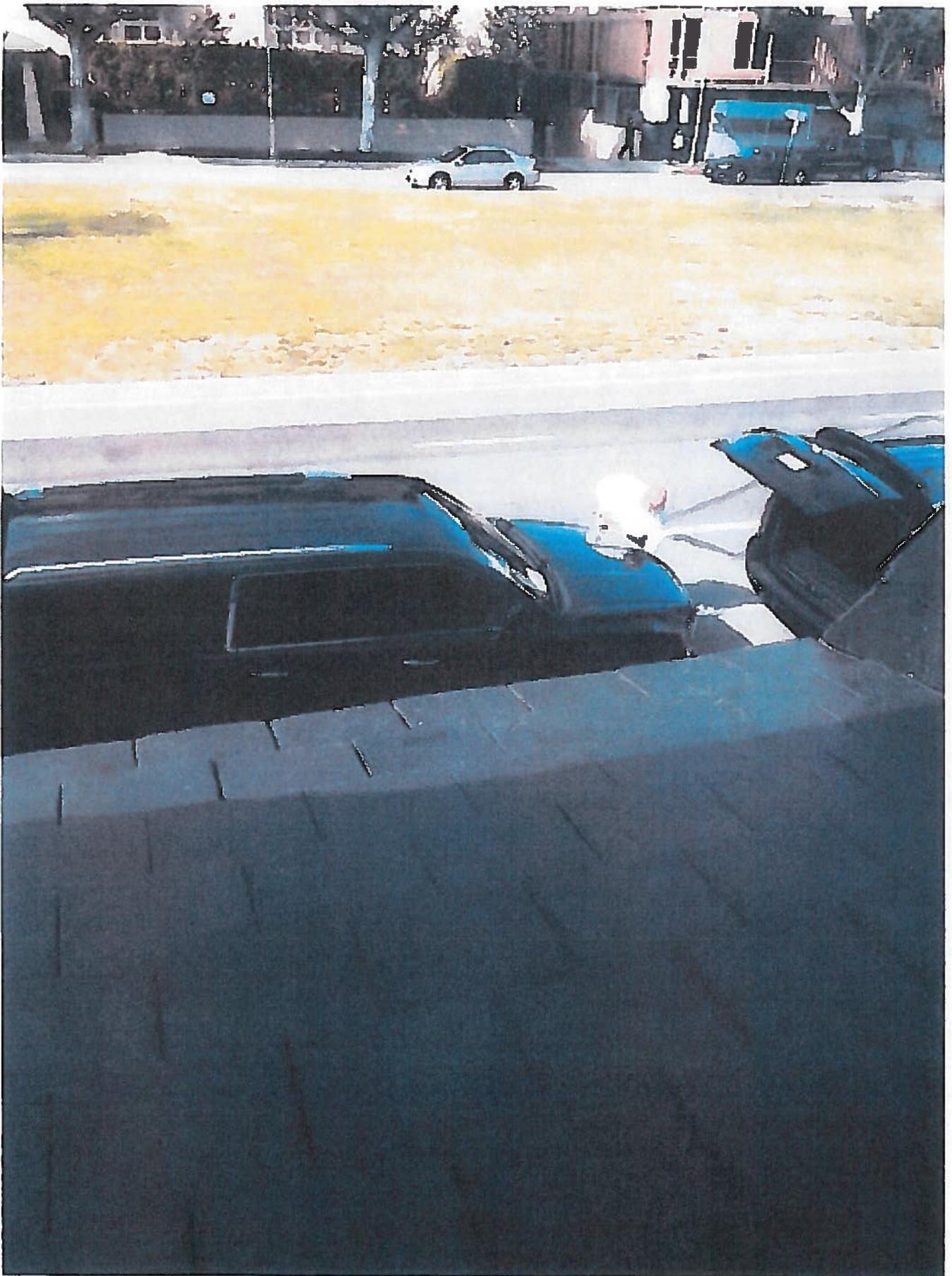
Mikael Cohen











## Ryan Gohlich

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**From:** mikaelc@aol.com  
**Sent:** Sunday, April 10, 2016 12:42 PM  
**To:** Ryan Gohlich; Andre Sahakian  
**Cc:** ilanbialer@gmail.com; bialermatti@aol.com; 4-Nancy Krasne; lilibosse@icloud.com; Mahdi Aluzri  
**Subject:** Fwd: Limousine cleaning and washing their cars on my lawn  
**Attachments:** IMG\_1059 (1).JPG; IMG\_1085 (2).JPG; IMG\_1083 (2).JPG

Hi Andre and Ryan

I received your packet and thank you. You have not touched or discussed about all violations in your comments. One of them , is our complain the hotel is authorizing limousine parking south side of Burton ( please read the CUP) and most of the drivers, while waiting their clients from L'Ermitage, they use the time to wash their cars like in the pictures attached, just taken today Sunday April 10th, 2016. Most of the time they leave all the trash right on my lawn, including beer and wine bottle. See picture attached.

Please add these pictures to the packet.

Thank you

Mikael Cohen  
MMS Group Corporation  
Email: [Mikaelc@mmsgroupc.com](mailto:Mikaelc@mmsgroupc.com)

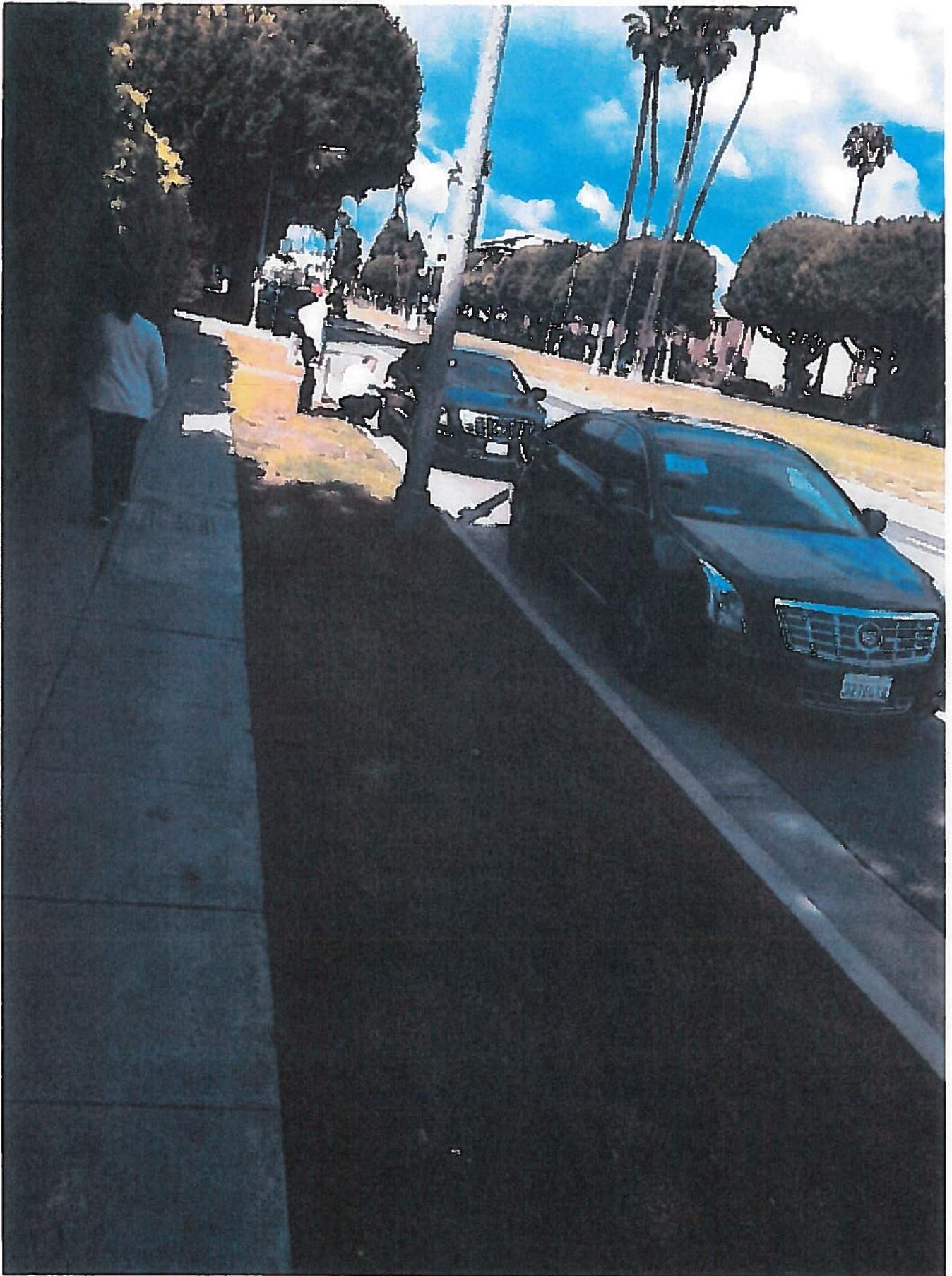
-----Original Message-----

**From:** Mikael Cohen <[mikaelc@aol.com](mailto:mikaelc@aol.com)>  
**To:** Mikael Cohen <[mikaelc@aol.com](mailto:mikaelc@aol.com)>  
**Sent:** Sun, Apr 10, 2016 10:19 am  
**Subject:** Limousine cleaning and washing their cars on my lawn

Sent from my iPhone  
Mikael Cohen







## **Ryan Gohlich**

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**From:** mikaelc@aol.com  
**Sent:** Thursday, April 07, 2016 1:44 PM  
**To:** Ryan Gohlich; Andre Sahakian  
**Cc:** bialermatti@aol.com  
**Subject:** Confirmation of my memo and attachments

Dear Ryan And Andre

I emailed you yesterday my letter along 45 pages attachments.

Please confirm that you have received the whole file and that the copies have been distributed to all members of the commission for their information. If you can't, then please send me email address of each member.

I would very much appreciate your confirmation.

As always, Thank you and Best Regards

Mikael Cohen

## Ryan Gohlich

---

**From:** mikaelc@aol.com  
**Sent:** Wednesday, April 06, 2016 11:40 AM  
**To:** Ryan Gohlich; bialermatti@aol.com  
**Cc:** Andre Sahakian; 4-Nancy Krasne; WebCBH MAYORANDCITYCOUNCIL; lilibosse@icloud.com; Mahdi Aluzri; ilanbialer@gmail.com  
**Subject:** Re: L'Ermitage Planning Commission Hearing  
**Attachments:** Memo\_Letter Planning Commission 4.14.206 with Attachements.pdf

Dear Ryan

I noticed that attachment was not transferred in my first email. I am sorry for any inconvenience  
Please see my email below and please confirm if all received fine  
Thank you

Mikael Cohen  
MMS Group Corporation  
Email: Mikaelc@mmsgroupc.com

-----Original Message-----

**From:** mikaelc <mikaelc@aol.com>  
**To:** rgohlich <rgohlich@beverlyhills.org>; bialermatti <bialermatti@aol.com>  
**Cc:** asahakian <asahakian@beverlyhills.org>; nancy <nancy@krasne.com>; mayorandcitycouncil <mayorandcitycouncil@beverlyhills.org>; lilibosse <lilibosse@icloud.com>; maluzri <maluzri@beverlyhills.org>; ilanbialer <ilanbialer@gmail.com>; mikaelc <mikaelc@aol.com>  
**Sent:** Wed, Apr 6, 2016 11:00 am  
**Subject:** Re: L'Ermitage Planning Commission Hearing

Dear Ryan

Please find attached my letter/Memo, along with all supporting and exchanged emails,( total 47 pages, including 2 pages memo) objecting any change to be made to the current CUP. The fact that now, L'Ermitage is asking Planning, to allow them the new stairs and new entrance, after they violated all the rules, is flabbergasting. How can we reward illegal acts? How the planning can even consider this demand? The residents do not want to have a Sunset's strip or Hollywood type restaurants in the middle of a RESIDENTIAL AREA. I would like also, to include in our demand that the non-authorized roof top canopy to be discussed during the commission meeting.

I am certain the planning commission will take all appropriate actions.

Please have my emails and attachments circulated among all members of the commission and any other member in the Planning.

I will be glad to answer any question.

Please confirm distribution to all Commission Members.

Thank you

Regards

Mikael Cohen

-----Original Message-----

From: Ryan Gohlich <[rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org)>  
To: Matti Bialer ([bialermatti@aol.com](mailto:bialermatti@aol.com)) <[bialermatti@aol.com](mailto:bialermatti@aol.com)>; mikaelc <[mikaelc@aol.com](mailto:mikaelc@aol.com)>  
Cc: Andre Sahakian <[asahakian@beverlyhills.org](mailto:asahakian@beverlyhills.org)>  
Sent: Wed, Apr 6, 2016 8:22 am  
Subject: L'Ermitage Planning Commission Hearing

Dear Matti and Mikael,

We are currently preparing the documents that will be presented to the Planning Commission, and I wanted to reach out to you to see if you have any additional materials you'd like included in the packet of information we'll be sending to the Commission. We currently plan to include the documentation and correspondence you've provided to us thus far, but if there is anything additional I'd ask that you please get it to us by the end of the day today for inclusion in the Commission packet. If you get us materials later than that we'll still provide it to the Commission, it just won't be included in their printed packet that we send to them this week. Please let me know if you have any questions.

Thank you,

Ryan

Ryan Gohlich, AICP  
Assistant Director / City Planner  
Community Development Department  
City of Beverly Hills  
455 N. Rexford Dr.  
Beverly Hills, CA 90210  
Direct: (310) 285-1118  
Fax: (310) 858-5966  
[rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org)

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The City keeps a copy of all E-mails sent and received for a minimum of 2 years. All retained E-mails will be treated as a Public Record per the California Public Records Act, and may be subject to disclosure pursuant to the terms, and subject to the exemptions, of that Act.

**From:**  
Mikael Cohen  
315 N Elm Drive

**To:**  
Note to the planning commission  
Re: Meeting April 14, 2016 regarding L'Ermitage

Dear All,

I have attached most of my emails and responses exchanged with the Planning department during the last two months. In the emails, I have reported many of the events that are in violation of the CUP and permits Issued by the Planning and the City of Beverly Hills Construction Permit.

As you could notice from these emails, it is so disappointing to mention that the Planning Dept. is not enforcing any of the rules, and furthermore, helping the hotel accommodating their violations. The Planning Dpt. even suggested that there were no complaints filed for the past two years. Have they looked at the records?? See number of parking violations, deliveries, music and roof top violations?

Hotel is not respecting the CUP or rules; Violation after Violation and no one to discipline them despite promises from the Code enforcement or the police depts. The hotel has not respected the permit issued by the planning to remodel the restaurant, they did open an entrance to the Burton to great more patrons from outside the hotel. Against the CUP, Planning tried to protect them by calling the new entrance an emergency exit. It is really beautiful exit with a host counter at the front and a hostess, probably to direct the guests for emergency food. Then the Planning went on to explain that the new entrance was located from 50' to the east and 120' from previous location, making us believe that it was adequate even though in contradiction with the CUP or the remodeling permit.

Once the Panning Dept. has finally agreed that the entrance was in violation, they made the hotel closing the access with a nice red velvet rope. No citation and no enforcement to bring back the site to its original condition. Planning is again helping the hotel to approve the changes. Mass invitations have been sent by the Hotel to advertise the opening of new restaurant from 7AM, while CUP authorizes from 8 AM for the outside area. The intention of the Hotel is to bring crowd to the restaurant like on Sunset's strip, with no consideration that it is operating in Residential area.

When the Planning was asked on why deliveries are done from 7 AM against the CUP, Planning is again trying to help the hotel to bring the deliveries on Burton way, rather than citing them or disciplining them. According to CUP, deliveries are only authorized from 8AM and not meant to block the garage of residents, who often have to wait for the trucks to move.

How about late events with loud music and noise late at night under a canopy that has no permit. How about complaints filed during the year. How about the one on February 12<sup>th</sup> where I called 3 times. How about the last one on March 19<sup>th</sup>. Do the planning have access to the calls? They had 3 buses with at

least 60 persons each one that attended the evening with loud music. Music you can hear from 5 miles away and that even after the visit of the police department with a promise to lower the noise. Why are they so arrogant? According to resolution 99R -10211 section 10 that prior to any evening function, with more than 25 persons other than guests, the hotel shall submit a traffic and parking plan for the evening to transportation for the Director's approval. None.

I would like to see and has requested those approvals from the director as stated in the resolution. I am telling this hotel does not respect any law and runs its operations in complete anarchy with the blessing of the planning department and indifference from the code enforcement.

Also, according to section 15, the CUP has to be renewed and renewed every year. I have asked for the renewals, they are none. Is the Hotel operating without a valid permit?

As per email attached (April 3<sup>rd</sup>) from the Planning Department, L'Ermitage will be requesting during the next commission, to allow them the new stairs and the new entrance. In fact they are asking the Planning to reward them for their violations. This a total inconsideration to the laws and the rules of the City.

I have some emails attached that suggest that the planning will not enforce any non-compliance or violations against the Hotel. I had a conversation with the Officer Terrence May who promised to enforce the codes. Never heard from him.

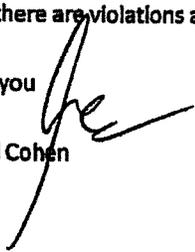
So, my question for the next Planning Commission, why are we discussing a CUP that has been approved 15 years ago? I was present during all debates. We had the same problems and resolutions were adopted. There are no changes to be made as there have been no changes in our way of life, in a zoning or anything else in the vicinity of the Hotel in the last 15 years that would suggest any reason to modify the CUP. Yes, the ownership changed, and I am pretty sure that the current owner, has done its due diligence and was acquainted with the CUP's rules. We see no reason to change the current CUP.

A real change that all of residents insist to see, is to bring the hotel to comply with the rules and stop them from violating those rules, against the CUP or building permits and enforce all codes with first action is to close permanently the new street entrance for their new restaurant.

I am hereby asking, the Planning Commission, not to change anything to the current CUP as there are no existing reasons for any changes, but rather helping us to enforce the codes of the city, issue citations when there are violations and to bring back discipline and respect to our beautiful City rules.

Thank you

Mikael Cohen



JEAN ANDRÉ / PARIS. FRANCE

A  
special invitation  
for you and a  
guest to join us for brunch.  
*Opening March 2016*

Brunch served daily from  
7:00 AM-2:30 PM.

675.60 each and including tax and gratuity

No.110

avecvous.com — @avecvousnb

9291 Burton Way, Beverly Hills, California 90210 ph. 310 860 8660

AN  
NV

*Merci!  
Avec Vous*

**From:** mikaelc <mikaelc@aol.com>  
**To:** rgohlich <rgohlich@beverlyhills.org>; bialermatti <bialermatti@aol.com>; maluzri <maluzri@beverlyhills.org>; gchavez <gchavez@beverlyhills.org>  
**Cc:** lilibosse <lilibosse@icloud.com>; nancy <nancy@krasne.com>; ilanblaler <ilanblaler@gmail.com>; asahakian <asahakian@beverlyhills.org>  
**Bcc:** ejrebibo <ejrebibo@yahoo.com>  
**Subject:** Re: L'Ermitages violations going on.....and on.....  
**Date:** Mon, Apr 4, 2016 5:51 pm

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Hi Ryan

Thank you for the Hotel agenda. I will be present at the meeting. You have now confirmed what I have assumed and predicted. The Hotel violates the CUP and the building permit. Then the Planning department and its inspection ignore the violations, and do not enforce the codes. Ironically, now the Hotel is coming back to correct with the blessing of the planning. Wow! everything works backward and no fear of consequences for the non-compliance. I would love to tell you my story of how difficult the inspection I had for just re-roofing my house. The inspector was at my place twice to three times a week to check every progress and in compliance with the permit I had.

I will talk about your planning procedures in my memo/letter to the Planning commission. This entrance that was built in violation to all rules, must be closed permanently and the stairs be removed.

By the way, do not forget to ask the hotel to remove the canopy from the roof top. It is there without a valid permit and give the hotel ploys to run loud events with no approval from the Director of transportation. (always as per CUP).

Thank you  
Regards

Mikael Cohen

—Original Message—

**From:** Ryan Gohlich <rgohlich@beverlyhills.org>  
**To:** mikaelc <mikaelc@aol.com>; bialermatti <bialermatti@aol.com>; Mahdi Aluzri <maluzri@beverlyhills.org>; George Chavez <gchavez@beverlyhills.org>  
**Cc:** lilibosse <lilibosse@icloud.com>; 4-Nancy Krasne <nancy@krasne.com>; ilanblaler <ilanblaler@gmail.com>; Andre Sahakian <asahakian@beverlyhills.org>  
**Sent:** Sun, Apr 3, 2016 11:26 pm  
**Subject:** RE: L'ermitage delivery truck blocking our garages 4/1/2016

Hi Mikael,

At present, the hotel is asking to renew their CUP under the same conditions, but with the allowance to utilize the new stairs adjacent to the main entrance. The meeting will start at 1:30 PM on the 14<sup>th</sup>. I'll have Andre Sahakian from my office follow up with you later this week to make sure you get a copy of the staff report. Also, if you have any materials you'd like us to attach to the staff report we would need to receive them from you by Wednesday at noon. Let me know if you have any questions.

Thank you,

Ryan

Ryan Gohlch, AICP  
Assistant Director / City Planner  
Community Development Department  
City of Beverly Hills  
455 N. Rexford Dr.  
Beverly Hills, CA 90210  
Direct: (310) 285-1118  
Fax: (310) 858-5966  
[rgohlch@beverlyhills.org](mailto:rgohlch@beverlyhills.org)

**From:** [mikaelc@aol.com](mailto:mikaelc@aol.com) [<mailto:mikaelc@aol.com>]  
**Sent:** Friday, April 01, 2016 6:03 PM  
**To:** Ryan Gohlch; [bialermatti@aol.com](mailto:bialermatti@aol.com); Mahdi Aluzri; George Chavez  
**Cc:** [lilibosse@icloud.com](mailto:lilibosse@icloud.com); 4-Nancy Krasne; [ilanbialer@gmail.com](mailto:ilanbialer@gmail.com)  
**Subject:** Re: L'ermitage delivery truck blocking our garages 4/1/2016

Hi Ryan

Thank you for advising the Commission about all problems.  
Also, I am preparing my letter to the Commission along with all violations by the Hotel.  
I would like to know ASAP, the requests submitted by L'Ermitage for discussion with the Commission and any changes that may be proposed by the hotel and challenged by residents. I need also to inform other concerned residents and prepare our arguments for the continued violations.  
Please confirm also, the time of the planning Commission meeting April 14th.  
Thank you for your help.  
Regards

Mikael Cohen

—Original Message—

**From:** Ryan Gohlch <[rgohlch@beverlyhills.org](mailto:rgohlch@beverlyhills.org)>  
**To:** Matti Bialer <[bialermatti@aol.com](mailto:bialermatti@aol.com)>; Mahdi Aluzri <[maluzri@beverlyhills.org](mailto:maluzri@beverlyhills.org)>; George Chavez <[gchavez@beverlyhills.org](mailto:gchavez@beverlyhills.org)>  
**Cc:** lili Bosse <[lilibosse@icloud.com](mailto:lilibosse@icloud.com)>; 4-Nancy Krasne <[nancy@krasne.com](mailto:nancy@krasne.com)>; Ilan Bialer <[ilanbialer@gmail.com](mailto:ilanbialer@gmail.com)>; mikaelc <[mikaelc@aol.com](mailto:mikaelc@aol.com)>  
**Sent:** Fri, Apr 1, 2016 4:26 pm  
**Subject:** RE: L'ermitage delivery truck blocking our garages 4/1/2016

Hi Matti,

We will include this in the information we provide to the Commission as well.

Thanks,

Ryan

Ryan Gohlich, AICP  
Assistant Director / City Planner  
Community Development Department  
City of Beverly Hills  
455 N. Rexford Dr.  
Beverly Hills, CA 90210  
Direct (310) 285-1118  
Fax (310) 858-6966  
[rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org)

---

**From:** Matti Bialer [<mailto:bialematti@aol.com>]  
**Sent:** Friday, April 01, 2016 4:03 PM  
**To:** Mahdi Aluzri; George Chavez; Ryan Gohlich  
**Cc:** Matti Bialer; Ili Bosse; 4-Nancy Krasne; Ilan Bialer; [mikaslc@aol.com](mailto:mikaslc@aol.com)  
**Subject:** L'ermitage delivery truck blocking our garages 4/1/2016

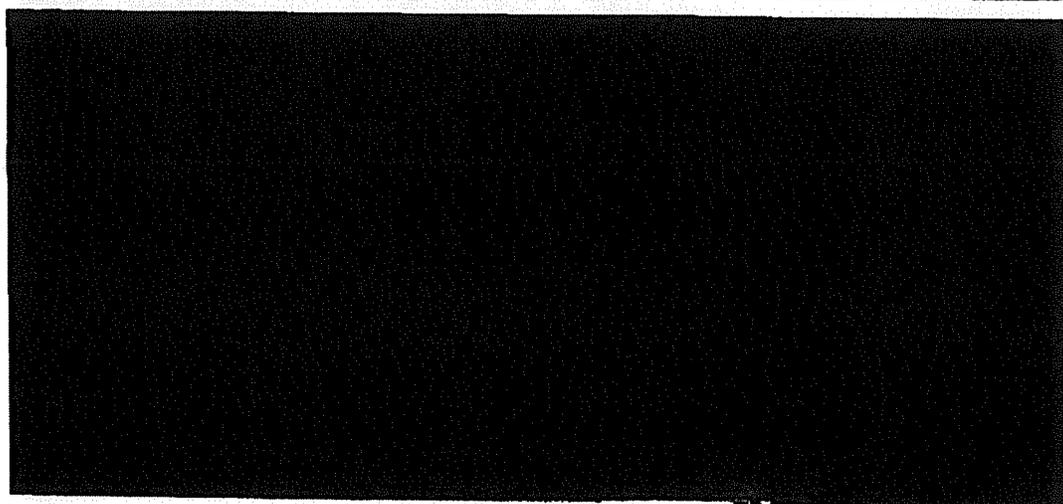
City Staff,

The l'ermitage deliveries are continuing to block our garages. This was today 4/1/16 at 12:30 pm. Traffic police were called and cited the vehicle.

>  
>  
>

●●●●○ AT&T LTE 12:44 PM 58% 

< Today Edit  
12:34 PM





>>>

●●●●● AT&T LTE

12:44 PM

\* 58% 



Today  
12:34 PM

Edit

3/31/2016

RE: L'Ermitage violations of their CUP

**From:** Ryan Gohlich <rgohlich@beverlyhills.org>  
**To:** mikaelc <mikaelc@aol.com>  
**Cc:** Mehdi Aluzri <maluzri@beverlyhills.org>; George Chavez <gchavez@beverlyhills.org>; Andre Sahakian <asahakian@beverlyhills.org>; Raj Patel <rpatel@beverlyhills.org>  
**Subject:** RE: L'Ermitage violations of their CUP  
**Date:** Mon, Feb 29, 2016 5:33 pm

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Hi Mikael,

I wanted to follow up on your email and let you know that we are reviewing the items you've raised. I hope to have a detailed response for you before tomorrow's City Council meeting so that you have a complete understanding of what has been approved at this point, what is currently pending review and public hearings, and what is being done to investigate and/or enforce any violations. Regarding your desire to speak at tomorrow's Council meeting, please be advised of the following:

Your prior email has been distributed to the City Council for their information and consideration.

The L'Ermitage Hotel is not a formal item on tomorrow's agenda, so you will need to speak at the beginning of the meeting (7:30 PM) during the time allotted for general public communications.

Because it is not a formal agenda item, each person speaking will be given 3 minutes to make comments on the matter.

The City Council will listen to any comments you have, but will be unable to engage in a dialogue since the item is not on the agenda.

Please let me know if you have any questions, and I'll follow up tomorrow with additional information on the issues you've raised.

Thank you,

Ryan

Bcc: City Council

Ryan Gohlich, AICP  
Assistant Director / City Planner  
Community Development Department  
City of Beverly Hills  
455 N. Rexford Dr.  
Beverly Hills, CA 90210  
Direct: (310) 285-1118  
Fax: (310) 858-5986  
[rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org)

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**From:** Andre Sahakian  
**Sent:** Monday, February 29, 2016 11:02 AM  
**To:** Ryan Gohlich  
**Subject:** FW: L'Ermitage violations of their CUP

3/31/2016

RE: L'Ermitage violations of their CUP

---

**From:** Mikael Cohen [mailto: ]  
**Sent:** Monday, February 29, 2016 11:00 AM  
**To:** Andre Sahakian  
**Cc:** [ilanbialer@gmail.com](mailto:ilanbialer@gmail.com); 12-Julian Gold; Mahdi Aluzri; WebCBH MAYORANDCITYCOUNCIL; Terence May; Mary Riedel  
**Subject:** Re: L'Ermitage violations of their CUP

Dear all

Email that I have sent last Thursday and that i would like to be in part of the next council meeting. This is a serious concern fur all of the residents living in the vicinity of L'Ermitage. Please confirm

Thank you

Sincerely

Mikael Cohen

Sent from my iPhone

Mikael Cohen

On Feb 25, 2016, at 9:41 PM, [mikaelc@aol.com](mailto:mikaelc@aol.com) wrote:

Dear Andre

I am observing L'Ermitage across my house, remodeling their restaurant, they are now calling it "Bistro" with a move in front of Burton Way. I do not know if the City has given permission to remodel with an entrance to the restaurant from the street and open walls. This is another intrusion into the residential character of the neighborhood.

However, before I start blaming the Hotel, I want to remind the following extracts from the Resolution number 99R-10211 adopted August 3, 1999 and it states:

Section 4 Paragraph 2: Both live entertainment and amplified music will be prohibited at all times in the open air dining area. Also operation of the open air dining will cease at 10.30PM.

The new bistro will have an opening area. Paragraph 3 of this same section states: "The project, as conditioned, will not significantly interfere with the use and enjoyment of residential properties in the vicinity for the additional reason that ENTRY AND EXITING FROM THE RESTAURANT WILL OCURR THROUGH THE INTERIOR OF THE HOTEL. My comment; this paragraph is clear that entrance to restaurant cannot come directly from the street. As I am observing the remodeling, the hotel has installed new stairs , new rails and new entrance from the street, therefore in violation to the current CUP.

Section 6 Paragraph 3 states. No Live entertainment or amplified sound shall be allowed. Paragraph 4 continues to say:" No banquets or similar receptions or parties shall be held at the restaurants". I do not know the intentions of the Hotel but I will guarantee , they will be in violations as usual and will continue to be in violation unless, the CUP is enforced by the city.

Despite the CUP clearly stating that no limousines should be parked on the south side of

3/31/2016

RE: L'Ermitage violations of their CUP

Burton, L'Ermitage continues to let the divers parking for hours. Some of them, taking the time to clean up their cars and throw all food and bottle garbage right on the street and my lawn. I have to clean often my lawn. See also my previous email, evidencing that the Hotel does use guests parking on the south side of Burton Way.

**Has the City authorized such changes in the bistro and opening from the street and if yes, I would appreciate to have a copy of the resolution. I do not remember that we have been notified.**

Section 6, Paragraph 15. The CUP must be renewed every year at the anniversary date. Did the Hotel renew every year? I would like to check these documents.

Hi Andre, I am sorry to sound like a lawyer, but these changes are clearly affecting the neighborhood with an adverse impact on the properties and their residents. I heard so many complaints when I was collecting the petitions signatures.

Thank you as always for your help

Mikael Cohen  
Cell 323-816 8674

ear Andre

Mikael Cohen  
MMS Group Corporation  
Email: [Mikaelc@mmsgroupc.com](mailto:Mikaelc@mmsgroupc.com)

—Original Message—

From: mikaelc <[mikaelc@aol.com](mailto:mikaelc@aol.com)>  
To: jgold <[jgold@beverlyhills.org](mailto:jgold@beverlyhills.org)>; maluzri <[maluzri@beverlyhills.org](mailto:maluzri@beverlyhills.org)>  
Cc: ilanblaler <[ilanblaler@gmail.com](mailto:ilanblaler@gmail.com)>; bialermatti <[bialermatti@aol.com](mailto:bialermatti@aol.com)>  
Sent: Tue, Feb 23, 2016 1:46 pm  
Subject: 105 Petitions against L'Ermitage noise expansion

Dear Mayor Gold and City Manager Aluzri

As you have suggested during one of your Sunday meeting with the residents, I have circulated a petition against the noise expansion of L'Ermitage and collected approximately 105 signatures so far.

Please find enclosed 34 pages with the names, addresses and signatures. All of the petitions were signed by residents living close to the Hotel. From the testimonies I have heard while collecting the signatures, the residents are very concerned with the noise expansion proposed by L'Ermitage. Consideration has to be given on the fact that L'Ermitage cannot be allowed to expand any use permit beyond their current one limiting events and noise after 10PM. The hotel does not even comply with their current permit and noise goes beyond the 10PM. Please check all complaints filed with the Police department by several residents.

I just hoped to bring to the attention to all Council Members during your next meeting March 1, 2016 and have them know, that L'Ermitage is operating in the middle of Residential

3/31/2016

RE: L'Ermitage violations of their CUP

area, its noise expansion , and its non-compliance to its actual CUP, make the residents very nervous.

All Petitioners and I, thank you and appreciate very much your assistance in helping to keep our peaceful environment. I am available for any comments or questions you may have.

Respectfully,

Mikael Cohen

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3/31/2016

L'Ermitage Hotel Follow Up

**From:** Ryan Gohlich <rgohlich@beverlyhills.org>

**To:** mikaelc <mikaelc@aol.com>

**Cc:** Mahdi Aluzri <maluzri@beverlyhills.org>; George Chavez <gchavez@beverlyhills.org>; Susan Healy Keene <skeene@beverlyhills.org>; Raj Patel <rpatel@beverlyhills.org>; Andre Sahakian <asahakian@beverlyhills.org>

**Subject:** L'Ermitage Hotel Follow Up

**Date:** Tue, Mar 1, 2016 2:15 pm

**Attachments:** PC Reso No. 1138.pdf (185K), PC Reso No. 1191.pdf (306K)

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Dear Mikael,

Following up on my email yesterday, I wanted to offer some additional information and responses to your questions regarding the recent changes at the L'Ermitage Hotel outdoor dining area:

With respect to the conditions from the current CUP regarding live entertainment, amplified sound, and hours of operation, these conditions all still apply to the outdoor dining area and hotel restaurant, and can continue to be enforced. Staff has reviewed all code enforcement cases for the hotel over the past two years, and although there have been complaints regarding music, noise, and hours of operation, we have not been able to obtain any police records or other evidence to support these violations. However, our Code Enforcement Officers continue to investigate these matters, and we are in the process of obtaining updated police reports to assist us in substantiating any potential violations.

The entry and exit to the new outdoor dining area will continue to be required to occur from within the restaurant. Staff is currently working with the hotel operator to ensure that the stairs from the sidewalk on Burton Way are for emergency egress/ingress only.

After reviewing the CUP, staff was unable to find the condition referenced in your email regarding prohibiting limousines from parking on Burton Way. While the CUP findings acknowledge that there could potentially be impacts to street parking on the nearby residential streets, there are no conditions that prohibit patrons of the hotel from parking on the street. Other conditions were put in place to limit the number and frequency of rooftop events and requiring free, off-street parking for employees and free valet parking for patrons in order to help reduce the impact to street parking.

The City has issued building permits for various changes to the lobby area of the hotel, including relocation of the outdoor dining area from the rotunda courtyard on the west side (which was adjacent to the condominium building next door) to the new area further east along Burton way. These changes were reviewed for conformity with the existing CUP, and to ensure that they would not result in an increase in intensity of the uses. Since the total number of tables and chairs in the outdoor dining area remains the same as before (7 tables and 20 chairs, with the prior outdoor dining area being eliminated), there is no increase in the intensity of use. Since these changes are consistent with the requirements in the original CUP, a resolution and public notice were not required.

The original resolution approving the CUP for the restaurant and outdoor dining uses was renewed annually twice after it was adopted (Resolutions 1138 and 1191). As part of Resolution 1191, the renewal procedure was amended to allow the Director of Community Development (rather than the Planning Commission) to grant subsequent renewals. Please see attached for the aforementioned Resolutions for reference.

Please note that the request for the changes to the CUP conditions regarding rooftop events, construction of the

3/31/2018

L'Ermitage Hotel Follow Up

proposed rooftop enclosure, and the proposed elevator shaft on the west side of the building are still under review and have not yet been approved. Public hearings will be scheduled for those items in the coming months, and notifications will be sent so that neighbors of the property will have the opportunity to comment on these changes. Any other changes to the hotel that go beyond the scope of the existing CUP would also require review.

We appreciate your comments on the property, and will keep you updated as we work with the hotel's management to ensure compliance. Please feel free to contact me if you have any questions.

Thank you,

Ryan

Bcc: City Council

Ryan Gohlich, AICP  
Assistant Director / City Planner  
Community Development Department  
City of Beverly Hills  
455 N. Rexford Dr.  
Beverly Hills, CA 90210  
Direct: (310) 285-1118  
Fax: (310) 858-5966  
[rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org)

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3/31/2016

Re: L'Ermitage Hotel Follow Up and its Violations.

**From:** mikaelc <mikaelc@aol.com>  
**To:** rgohlich <rgohlich@beverlyhills.org>  
**Cc:** maluzri <maluzri@beverlyhills.org>; gchavez <gchavez@beverlyhills.org>; skeene <skeene@beverlyhills.org>; rpatel <rpatel@beverlyhills.org>; asahakian <asahakian@beverlyhills.org>; mayorandcitycouncil <mayorandcitycouncil@beverlyhills.org>; blalermatti <blalermatti@aol.com>; tmay <tmay@beverlyhills.org>  
**Subject:** Re: L'Ermitage Hotel Follow Up and its Violations.  
**Date:** Tue, Mar 8, 2016 5:27 pm

---

Dear Ryan

I appreciate your response to my email and of course I was glad to meet you at the City Hall during the Council meeting of last week.

I guess today, you had the proof that the Hotel did not build an emergency exit door to the street, but rather a real entrance to the restaurant from the street. I believe you have received videos from Matti Blaler. You agree this is violation of the CUP.

I want now to direct you to Resolution 1138 adopted 8-23-00 and you did send a copy, please see Section 5 Paragraph 2 (page 4) where it states clearly, "that the Hotel shall not instruct, nor encourage directly and indirectly any driver of any taxi or Limousine to park on any residential street in the vicinity of the hotel, including but expressly not limited to, the south side of Burton Way." Please read the rest of the text resolution, where the applicant, the Hotel, shall attempt to clearly identify through the use of a special vehicle tags for those limousines.

The Hotel has always violated this resolution and from testimonies collected from the drivers, they are instructed by the personnel of L'Ermitage to park across the street, without consideration of the CUP. You should know, the garbage the drivers leave behind, it is a shame for the beautiful Burton Way. The Hotel has violated most of the resolutions of the CUP, without respect to nay rule, to the issued permit, to the residents and to the City of Beverly Hills itself.

In my last email, I have asked the City to provide me with the permit issued authorizing the Hotel to build a restaurant entrance from the street. I would very much appreciate a copy.

Also, the resolutions call for the CUP to be renewed every year. I would like to review the yearly renewals from year 2000, as per last email. Has L'ermitage complied with the renewals??

Thank you for your help, and hope you would include the above mentioned matters to L'Ermitage during your meeting on Wednesday

Regards  
Mikael Cohen

—Original Message—

**From:** Ryan Gohlich <rgohlich@beverlyhills.org>  
**To:** mikaelc <mikaelc@aol.com>  
**Cc:** Mahdi Aluzri <maluzri@beverlyhills.org>; George Chavez <gchavez@beverlyhills.org>; Susan Healy Keene <skeene@beverlyhills.org>; Raj Patel <rpatel@beverlyhills.org>; Andre Sahakian <asahakian@beverlyhills.org>  
**Sent:** Tue, Mar 1, 2016 2:15 pm  
**Subject:** L'Ermitage Hotel Follow Up

Dear Mikael,

Following up on my email yesterday, I wanted to offer some additional information and responses to your questions regarding the recent changes at the L'Ermitage Hotel outdoor dining area:

With respect to the conditions from the current CUP regarding live entertainment, amplified sound, and hours of operation, these conditions all still apply to the outdoor dining area and hotel restaurant, and can continue to be enforced. Staff has reviewed all code enforcement cases for the hotel over the past two years, and although there have been complaints regarding music, noise, and hours of operation, we have not been able to obtain any police records or other evidence to support these violations. However, our Code Enforcement Officers continue to investigate these matters, and we are in the process of obtaining updated police reports to assist us in substantiating any potential violations.

The entry and exit to the new outdoor dining area will continue to be required to occur from within the restaurant. Staff is currently working with the hotel operator to ensure that the stairs from the sidewalk on Burton Way are for emergency egress/ingress only.

After reviewing the CUP, staff was unable to find the condition referenced in your email regarding prohibiting limousines from parking on Burton Way. While the CUP findings acknowledge that there could potentially be impacts to street parking on the nearby residential streets, there are no conditions that prohibit patrons of the hotel from parking on the street. Other conditions were put in place to limit the number and frequency of rooftop events and requiring free, off-street parking for employees and free valet parking for patrons in order to help reduce the impact to street parking.

The City has issued building permits for various changes to the lobby area of the hotel, including relocation of the outdoor dining area from the rotunda courtyard on the west side (which was adjacent to the condominium building next door) to the new area further east along Burton way. These changes were reviewed for conformity with the existing CUP, and to ensure that they would not result in an increase in intensity of the uses. Since the total number of tables and chairs in the outdoor dining area remains the same as before (7 tables and 20 chairs, with the prior outdoor dining area being eliminated), there is no increase in the intensity of use. Since these changes are consistent with the requirements in the original CUP, a resolution and public notice were not required.

The original resolution approving the CUP for the restaurant and outdoor dining uses was renewed annually twice after it was adopted (Resolutions 1138 and 1191). As part of Resolution 1191, the renewal procedure was amended to allow the Director of Community Development (rather than the Planning Commission) to grant subsequent renewals. Please see attached for the aforementioned Resolutions for reference.

Please note that the request for the changes to the CUP conditions regarding rooftop events, construction of the proposed rooftop enclosure, and the proposed elevator shaft on the west side of the building are still under review and have not yet been approved. Public hearings will be scheduled for those items in the coming months, and notifications will be sent so that neighbors of the property will have the opportunity to comment on these changes. Any other changes to the hotel that go beyond the scope of the existing CUP would also require review.

We appreciate your comments on the property, and will keep you updated as we work with the hotel's management to ensure compliance. Please feel free to contact me if you have any questions.

Thank you,

Ryan

Bcc: City Council

Ryan Gohlich, AICP  
Assistant Director / City Planner  
Community Development Department  
City of Beverly Hills

3/31/2016

Re: L'Ermitage Hotel Follow Up and its Violations.

455 N. Raxford Dr.  
Beverly Hills, CA 90210  
Direct: (310) 285-1118  
Fax: (310) 858-5966  
[rochich@beverlyhills.org](mailto:rochich@beverlyhills.org)

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3/31/2016

RE: L'ermitage deliveries 7:05am

**From:** Ryan Gohllich <[rgohllich@beverlyhills.org](mailto:rgohllich@beverlyhills.org)>

**To:** Matti Bialer <[mattibialer@icloud.com](mailto:mattibialer@icloud.com)>; Mahdi Aluzri <[maluzri@beverlyhills.org](mailto:maluzri@beverlyhills.org)>; George Chavez <[gchavez@beverlyhills.org](mailto:gchavez@beverlyhills.org)>; Raj Patel <[rpatel@beverlyhills.org](mailto:rpatel@beverlyhills.org)>; Susan Healy Keene <[skeene@beverlyhills.org](mailto:skeene@beverlyhills.org)>; Nestor Otazu <[notazu@beverlyhills.org](mailto:notazu@beverlyhills.org)>; Ilan <[ilanbialer@gmail.com](mailto:ilanbialer@gmail.com)>; mikaelc <[mikaelc@aol.com](mailto:mikaelc@aol.com)>

**Subject:** RE: L'ermitage deliveries 7:05am

**Date:** Thu, Mar 10, 2016 11:57 am

---

Thank you, Matti. I met with the hotel's representatives yesterday afternoon, and we are in the process of putting in writing the ongoing CUP compliance issues, with agreement from the hotel that they will respond in writing and outline how they intend to comply. My hope is that this will be the last of the loading issues (among other things), but please continue to provide me with any violation info you capture. I'll continue to keep you updated as we work through this, and I will also notify you once we have a date set for the Planning Commission to review the CUP (likely in April).

Ryan

Ryan Gohllich, AICP  
Assistant Director / City Planner  
Community Development Department  
City of Beverly Hills  
455 N. Rexford Dr.  
Beverly Hills, CA 90210  
Direct: (310) 285-1118  
Fax: (310) 858-5966  
[rgohllich@beverlyhills.org](mailto:rgohllich@beverlyhills.org)

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**From:** Matti Bialer [<mailto:mattibialer@icloud.com>]

**Sent:** Thursday, March 10, 2016 9:30 AM

**To:** Ryan Gohllich; Mahdi Aluzri; George Chavez; Raj Patel; Susan Healy Keene; Nestor Otazu; Ilan; [mikaelc@aol.com](mailto:mikaelc@aol.com)

**Cc:** Matti Bialer

**Subject:** Re: L'ermitage deliveries 7:05am

On Mar 10, 2016, at 7:35 AM, Matti Bialer <[mattibialer@icloud.com](mailto:mattibialer@icloud.com)> wrote:

City officials,

The hotel continues to have deliveries at 7am, waking up the neighborhood and blocking the whole alley.

Matti Bialer

<IMG\_0079.MOV>

Sent from my iPhone

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3/31/2016

RE: L'ernitage deliveries 7:05am

as a Public Record per the California Public Records Act, and may be subject to disclosure pursuant to the terms, and subject to the exemptions, of that Act.

3/31/2016

Re: L'Hermitage

**From:** Victoria Talbot <vtalbot@bhcourier.com>  
**To:** Mikael Cohen <mikaelc@aol.com>  
**Subject:** Re: L'Hermitage  
**Date:** Sun, Mar 13, 2016 4:11 pm

---

I'm afraid this particular issue has slipped past me. I am aware that the hotel is planning renovations that you are opposed to because they infringe on your peaceful habitude, with the outdoor elevator and the late hours on the rooftop and etc.

I think the approvals for this project were under my radar.

When did this go through the Planning Commission? Were there residents who opposed it there at the meetings? Who was the planning commission chair? Who was the Community Development liaison? What did the process look like? Were residents treated with respect or was it pushed through without your awareness and notification? Or were you notified and did not know what it meant? How did this happen?

Victoria Talbot  
Editor/Reporter  
Beverly Hills Courier  
499 N. Canon Dr. Suite 100  
Beverly Hills, CA 90212  
[vtalbot@bhcourier.com](mailto:vtalbot@bhcourier.com)  
Off. (310) 278-1322, ext. 105  
Cell (424) 901-9942

On Mar 13, 2016, at 12:13 PM, [mikaelc@aol.com](mailto:mikaelc@aol.com) wrote:

Dear Victoria

I read your great article on L'Ermitage's new Bistro, in the last week courier. I agree it is a beautiful place, but it was remodeled in violation of the current CUP adopted by the City of Beverly Hills. In fact the adopted resolutions # 99-R 1138-1191 do not allow a restaurant entrance from the street and L'Ermitage is in non compliance. Everyone keeps forgetting that the Hotel is operating in a Residential area and I have presented the City with more than 100 signatures against the project. Furthermore, the restaurant must close at 10.30 PM and should not accept any new guests by 9 PM.

Despite my several requests to the City and its representatives, I am still not in possession of the City's authorization or approval of the new restaurant new entrance from the street. But I will continue to insist in obtaining the documents. I will be glad to answer any question or information you may inquire.

Thank you  
Regards  
Mikael Cohen

—Original Message—

**From:** Victoria Talbot <[vtalbot@bhcourier.com](mailto:vtalbot@bhcourier.com)>  
**To:** Mikael Cohen <[mikaelc@aol.com](mailto:mikaelc@aol.com)>  
**Sent:** Fri, Jan 22, 2016 4:01 pm  
**Subject:** Fwd: L'Hermitage

Here is the response from Andre. So now we know!

3/31/2016

Re: L'Hermitage

Begin forwarded message:

**From:** Andre Sahakian <[asahakian@beverlyhills.org](mailto:asahakian@beverlyhills.org)>  
**Subject:** RE: L'Hermitage  
**Date:** January 21, 2016 at 5:49:09 PM PST  
**To:** Victoria Talbot <[vtalbot@bhcourier.com](mailto:vtalbot@bhcourier.com)>  
**Cc:** Ryan Gohlich <[rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org)>, Therese Kosterman <[tkosterman@beverlyhills.org](mailto:tkosterman@beverlyhills.org)>

Hi Victoria,

We are waiting for the applicants to provide us with their proposed changes to the project in response to the feedback from the Planning Commission. Once we receive their materials, we will complete the Mitigated Negative Declaration and schedule a noticed public hearing with the Planning Commission to consider the project. It's hard to say when that will happen, since the timing depends on when we receive the applicant's proposed changes, and how extensive those changes will be.

Please let me know if you need any further information.

Best,

—

Andre Sahakian  
Associate Planner | City of Beverly Hills  
310.285.1127

---

**From:** Victoria Talbot [<mailto:vtalbot@bhcourier.com>]  
**Sent:** Thursday, January 21, 2016 1:09 PM  
**To:** Andre Sahakian; Ryan Gohlich; Therese Kosterman  
**Subject:** L'Hermitage

Could you please update me on the status of the application for the L'Hermitage, and possible timeline?  
Thank you.

Victoria Talbot, Reporter  
Beverly Hills Courier  
(310) 278-1322  
[vtalbot@bhcourier.com](mailto:vtalbot@bhcourier.com)  
499 N. Canon Dr.  
Beverly Hills, CA 90210

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3/31/2016

Re: L'Hermitage

Victoria Talbot, Reporter  
Beverly Hills Courier  
(310) 278-1322  
[vtalbot@bhcourier.com](mailto:vtalbot@bhcourier.com)  
499 N. Canon Dr.  
Beverly Hills, CA 90210

3/31/2016

Re: L'ermitage deliveries 7:05am

**From:** Ian Blaler <[ilanblaler@gmail.com](mailto:ilanblaler@gmail.com)>  
**To:** Ryan Gohlich <[rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org)>  
**Cc:** Matti Blaler <[blalermatti@aol.com](mailto:blalermatti@aol.com)>; mikaelt <[mikaelt@aol.com](mailto:mikaelt@aol.com)>  
**Subject:** Re: L'ermitage deliveries 7:05am  
**Date:** Wed, Mar 16, 2016 2:32 pm

---

Hi Ryan,

I didn't hear back on the below.

Btw, the reception desk and entrance remains active directly on Burton Way.

Thank you,

All the best, Ian

On Mar 10, 2016, at 12:37 PM, Ian Blaler <[ilanblaler@gmail.com](mailto:ilanblaler@gmail.com)> wrote:

Thank you Ryan for the update. Could you please supply us with a list of the compliance issues you are notifying them of?

Thanks again for your diligence in this matter.

All the best, Ian

On Mar 10, 2016, at 2:57 PM, Ryan Gohlich <[rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org)> wrote:

Thank you, Matti. I met with the hotel's representatives yesterday afternoon, and we are in the process of putting in writing the ongoing CUP compliance issues, with agreement from the hotel that they will respond in writing and outline how they intend to comply. My hope is that this will be the last of the loading issues (among other things), but please continue to provide me with any violation info you capture. I'll continue to keep you updated as we work through this, and I will also notify you once we have a date set for the Planning Commission to review the CUP (likely in April).

Ryan

Ryan Gohlich, AICP  
Assistant Director / City Planner  
Community Development Department  
City of Beverly Hills  
455 N. Rexford Dr.  
Beverly Hills, CA 90210  
Direct: (310) 285-1118  
Fax: (310) 858-5968  
[rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org)

---

**From:** Matti Blaler [<mailto:mattibaler@icloud.com>]  
**Sent:** Thursday, March 10, 2016 9:30 AM  
**To:** Ryan Gohlich; Mahdi Aluzri; George Chavez; Raj Patel; Susan Healy Keene; Nestor Otazu; Ian; [mikaelt@aol.com](mailto:mikaelt@aol.com)

3/31/2016

Re: L'ermitage deliveries 7:05am

**Cc:** Matti Bialer

**Subject:** Re: L'ermitage deliveries 7:05am

On Mar 10, 2016, at 7:35 AM, Matti Bialer  
<[mattibialer@icloud.com](mailto:mattibialer@icloud.com)> wrote:

City officials,

The hotel continues to have deliveries at 7am, waking up the neighborhood and blocking the whole alley.

Matti Bialer

<IMG\_0079.MOV>

Sent from my iPhone

---

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3/31/2016

RE: L'Ermitage deliveries 7:05am

**From:** Ryan Gohllich <rgohllich@beverlyhills.org>  
**To:** mikaelc <mikaelc@aol.com>; IJanbialer <IJanbialer@gmail.com>; bialermatti <bialermatti@aol.com>  
**Subject:** RE: L'Ermitage deliveries 7:05am  
**Date:** Fri, Mar 18, 2016 2:22 pm

---

Hi All,

The specific items that we are currently working with L'Ermitage to address include the following:

Abiding by the hour limitations for loading activities, ensuring that alley access is maintained, and ensuring that your parking spaces remain accessible.

Eliminating music from within the outdoor dining area per the conditions of approval.

Directing limousines and other transportation to not park/wait on Burton Way adjacent to residential areas.

In addition to the above, we are working to resolve the restaurant access issue. The language in the original CUP requiring restaurant guests to access the dining area from inside the hotel was intended to keep arriving patrons from using an access door in close proximity to the Bialer property. The new point of access in question is located approximately 120' away from the Bialer property and immediately adjacent to the hotel's main entrance. In addition, the outdoor dining has been relocated approximately 50' to the east, away from the Bialer property. While I believe that the distance of the new access point from the Bialer property is generally consistent with the intent of having patrons use the main hotel entrance rather than going into the restaurant adjacent to the Bialer property, I agree that the CUP does not specifically authorize this. As I previously stated, the CUP is up for renewal, and we will be taking it forward to the Planning Commission in either April or May for them to review. As a component of the renewal, we will be asking the Planning Commission to address the restaurant access point. In the interim, I am working with the hotel to identify solutions and ensure that guests do not congregate around the access point. I will also be out at the hotel on Monday afternoon to meet with hotel management, walk the property, and address CUP and other issues. I'm happy to meet with any of you at City Hall, your residences, or in front of the hotel to go over these issues as well, and will have additional details after my Monday meeting. If you experience any issues over the next several days (particularly with respect to truck loading or congregation around the access point) please let me know. Thank you for working with us to ensure that we are able to address neighborhood impacts.

Ryan

Ryan Gohllich, AICP  
Assistant Director / City Planner  
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455 N. Rexford Dr.  
Beverly Hills, CA 90210  
Direct: (310) 285-1118  
Fax: (310) 858-5966  
[rgohllich@beverlyhills.org](mailto:rgohllich@beverlyhills.org)

**From:** [mikaelc@aol.com](mailto:mikaelc@aol.com) [<mailto:mikaelc@aol.com>]  
**Sent:** Wednesday, March 16, 2016 3:50 PM  
**To:** [IJanbialer@gmail.com](mailto:IJanbialer@gmail.com)

<https://mail.aol.com/webmail-std/en-us/PrintMessage>

1/3

3/31/2016

RE: L'ermitage deliveries 7:05am

**Cc:** [bialermatti@aol.com](mailto:bialermatti@aol.com); Ryan Gohlich  
**Subject:** Re: L'ermitage deliveries 7:05am

Thank you Matti

I would love to hear also from Ryan ( CC herein) who promised an answer to my emails. Yes the hotel is still operating same with an alleged emergency exit with a hostess and host counter. I have never seen such an entry with top glass door and beautiful stairs to be for an emergency exit.

Thank you all for proper follow up.  
Best to all

Mikael Cohen

—Original Message—

From: Ilan Bialer <[ilanbialer@gmail.com](mailto:ilanbialer@gmail.com)>  
To: Ryan Gohlich <[rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org)>  
Cc: Matti Bialer <[bialermatti@aol.com](mailto:bialermatti@aol.com)>; mikaelc <[mikaelc@aol.com](mailto:mikaelc@aol.com)>  
Sent: Wed, Mar 16, 2016 2:32 pm  
Subject: Re: L'ermitage deliveries 7:05am

Hi Ryan,

I didn't hear back on the below.

Btw, the reception desk and entrance remains active directly on Burton Way.

Thank you,

All the best, Ilan

On Mar 10, 2016, at 12:37 PM, Ilan Bialer <[ilanbialer@gmail.com](mailto:ilanbialer@gmail.com)> wrote:

Thank you Ryan for the update. Could you please supply us with a list of the compliance issues you are notifying them of?

Thanks again for your diligence in this matter.

All the best, Ilan

On Mar 10, 2016, at 2:57 PM, Ryan Gohlich <[rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org)> wrote:

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3/31/2016

RE: L'ermitage deliveries 7:05am

April).

Ryan

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**Cc:** Matti Bialer  
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3/31/2016

Re: L'ermitage deliveries 7:05am and violations

**From:** mikaelc <mikaelc@aol.com>  
**To:** rgohlich <rgohlich@beverlyhills.org>; ilanbialer <ilanbialer@gmail.com>; bialermatti <bialermatti@aol.com>  
**Cc:** asahakian <asahakian@beverlyhills.org>; mayorandcitycouncil <mayorandcitycouncil@beverlyhills.org>; nkrasne <nkrasne@beverlyhills.org>; tmay <tmay@beverlyhills.org>; maluzri <maluzri@beverlyhills.org>  
**Subject:** Re: L'ermitage deliveries 7:05am and violations  
**Date:** Mon, Mar 21, 2016 8:55 am

---

Hi Ryan

With all due respect to you and to the City, I totally disagree with you. You let the hotel first violate the CUP and then presenting arguments to support the violations. This is not in compliance with the CUP or Beverly Hills City rules.

The Hotel is not stopping from violation to violation. Just as an example the last Saturday night they had music so loud that you can hear it from 5 miles away, even after the visit of the police department. The Canopy on the roof top, which is already there without permit, gives the hotel pretext to have loud parties without proper authorization from the department of the transportation as stated by the CUP.

Now, before I answer your email in the same language as dictated by the CUP, I have asked and asked so many times, the permit that has allowed L' Ermitage to build the front restaurant entrance. I NEED THE COPY OF THAT PERMIT. I know that Beverly Planning would not allow an remodeling without permit. I had the experience dealing with the planning for my own house work.

**Therefore, I am begging you, I beg the Planning, I beg the City Manager and I beg the council to have a copy of the permit for the restaurant entrance from the street, or let me know how can I get it.**

Thank you for your help  
Best Regards

Mikael Cohen

—Original Message—

**From:** Ryan Gohlich <rgohlich@beverlyhills.org>  
**To:** mikaelc <mikaelc@aol.com>; ilanbialer <ilanbialer@gmail.com>; bialermatti <bialermatti@aol.com>  
**Sent:** Fri, Mar 18, 2016 2:22 pm  
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3/31/2016

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**Cc:** Matti Bialer  
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3/31/2016

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**DEPARTMENT OF COMMUNITY DEVELOPMENT  
BUILDING AND SAFETY  
455 North Rexford Dr.  
Beverly Hills, Calif. 90210**

Permit No : BS1509256  
Permit Status : Issued  
Plan Check Status : PC Final  
Page 1 of 6  
03/21/2016

**Building Permit**

Job Address: 9291 BURTON WAY

PRE : ekeahshian  
Entered By : acurtis

Project No 140002233  
Activity Type Building  
Project Name "L'ERMITAGE HOTEL" - T.I.  
Parcel Number  
Project Description "L'ERMITAGE HOTEL" - T.I.

Applied : 06/24/2015  
Issued : 10/12/2015  
Completed :  
To Expire : 04/12/2016

Owner VICEROY HOTEL GROUP/DEPOSIT ACCOUNT  
Applicant CHRISTOPHER ALEX  
Applicant Address 1350 CORONADO AVE LONG BEACH CA 90804  
Applicant Phone (562)597-8760  
Applicant MICHAEL KOLLIN  
Applicant Address 1350 CORONADO AVE LONG BEACH CA 90804  
Applicant Phone (562)597-8760

Base Address 9291 BURTON WAY

Valuation \$1,500,000.00

Job Description L'ERMITAGE HOTEL- INTERIOR RESTAURANT AND BAR REMODEL AND EXTERIOR ADA RAMP. OUTDOOR PATIO REMODEL

ENGINEER BURO HAPPOLD CONSULTING ENGINEERING INC Lic. 20294 (213)281-8766  
800 WILSHIRE BLVD, 16TH FLR LOS ANGELES CA 90278

CONTRACTOR MC GUIRE BUILDERS INC Lic. 759960 (562)424-3636  
3299 WALNUT AVENUE SIGNAL HILL CA 90755  
1356407 STATE COMP INS FUND

CONTRACTOR MC GUIRE BUILDERS INC Lic. 759960 (310)505-7615  
3299 WALNUT SIGNAL HILL CA 90755  
STATE COMPENSATION INSURANCE FUND Policy Number:9106877 Effective Date: 07/01/2014 Expire Date: 07/01/2016

ARCHITECT MICHAEL KOLLIN Lic. 21173 (562)597-8760  
1350 CORONADO AVE LONG BEACH CA 90804

Fee Description	Account	Units	Fee/Units	Amount	Paid
Permit Issuance	5572			\$52.20	\$52.20
Building Permit	101			\$21,639.30	\$21,639.30
Technology Fee - Building Permit	888			\$1,190.16	\$1,190.16
Building Plan Review	20			\$17,311.44	\$17,311.44
Planning Plan Review	201			\$706.20	\$706.20
Technology Fee- Building Plan Review	888			\$952.13	\$952.13
Building Energy Plan Review	47			\$2,163.93	\$2,163.93
Building Energy Permit	48			\$4,327.86	\$4,327.86
Document Maintenance	660			\$368.70	\$368.70
Building Special Inspection (per hr)	112	2	\$87.50	\$175.00	\$175.00
General Plan/Long Range Planning	5213			\$2,265.00	\$2,265.00
Other Fees (Plan Check)	20			\$1,137.60	\$1,137.60
Expedited Plan Review	878			\$3,000.00	\$3,000.00
SB1606 PC Fee (New or >50% MFR/Comm)	691			\$692.46	\$692.46
SB1606 Permit Fee (New or >50% MFR/Comm)	691			\$649.18	\$649.18
AB717 Training & Education Fee	690			\$259.67	\$259.67

FOR INFORMATION AND SERVICES, PLEASE VISIT THE BUILDING & SAFETY DIVISION ONLINE AT [www.beverlyhills.org/bldgsafe](http://www.beverlyhills.org/bldgsafe) OR DIAL (310) 286-1141.

**IMPORTANT CONDITIONS**

- Application is hereby made to the City Building Official for a permit subject to the conditions and restrictions set forth in the Beverly Hills Municipal Code and other applicable codes.
- Each person upon whose behalf this application is made and each person at whose request and for whose benefit work is performed under or pursuant to any permit issued as a result of this application agrees to, and shall, indemnify and hold harmless the City of Beverly Hills, its officers, agents and employees in accordance with the provisions of Section 9-3.1201 of Beverly Hills Municipal Code.
  - Any permit issued as a result of this application becomes null and void if work is not commenced within ONE HUNDRED EIGHTY (180) DAYS from date of issuance of such permit.



**DEPARTMENT OF COMMUNITY DEVELOPMENT  
BUILDING AND SAFETY  
455 North Rexford Dr.  
Beverly Hills, Calif. 90210**

Permit No : BS1509256  
Permit Status : Issued  
Plan Check Status : PC Final  
Page 2 of 6  
03/21/2016

**Building Permit**

Job Address: 9291 BURTON WAY

PRE : ekesiahian  
Entered By : acurtis

Fine Arts Tax In-Lieu Payment (90%)	520	\$15,750.00	\$15,750.00
CBSA State Fee	889	\$60.00	\$60.00
Seismic Fee (Commercial)	875	\$420.22	\$420.22
Heavy Hauling Fee (Multi-trip/annual)	5541	\$90.00	\$90.00

<b>Fees:</b>	\$25,963.76	<b>Fees:</b>	\$47,247.29	<b>Fees:</b>	\$73,211.05
<b>Payments:</b>	\$25,963.76	<b>Payments:</b>	\$47,247.29	<b>Adjustments:</b>	\$0.00
<b>Balance Due:</b>	\$0.00	<b>Balance Due:</b>	\$0.00	<b>Payments:</b>	\$73,211.05
				<b>Extend Credit:</b>	\$0.00
				<b>Balance Due:</b>	\$0.00

Date	Transaction Type	Method	Amount
08/25/2015	Payment of Balance Due	check	\$24,826.16
10/12/2015	Payment of Balance Due	check	\$60,269.79
11/18/2015	Payment of Balance Due	creditcard	\$768.40
11/30/2015	Payment of Balance Due	creditcard	\$379.20
12/21/2015	Payment of Balance Due	creditcard	\$175.00

License No	Name	Primary	Valuation	Tax	Paid	Balance Due
759960	MC GUIRE BUILDERS INC	✓	\$1,500,000.00	\$3,187.50	\$3,187.50	0.00

**Condition**

THE CITY OF BEVERLY HILLS IS UNDER EXCLUSIVE CONTRACTUAL AGREEMENT WITH CROWN DISPOSAL SERVICES FOR THE HAULING OF ALL CONSTRUCTION RELATED MATERIALS. THIS INCLUDES, BUT IS NOT LIMITED TO, EXPORTING CONSTRUCTION DEBRIS FROM JOB SITES WITHIN THE CITY BOUNDARIES. FOR INFORMATION AND OR TO REQUEST HAULING SERVICES, PLEASE CALL (310) 288-2808.

Health and Safety Code Section 17951 is amended to provide that a permittee is entitled to reimbursement of permit fees if the local enforcement agency fails to conduct an inspection of the permitted work within 60 days of receiving notice that the work is completed.

TO REQUEST A BUILDING & SAFETY INSPECTION:

**ONLINE**

Logon to [www.beverlyhills.org/obc](http://www.beverlyhills.org/obc)

**TELEPHONE**

- A.) Dial (310) 285-2534
- B.) Enter your permit number. (Remember, each permit has a different number.)
- C.) Enter your phone number to receive the inspectors estimated time of arrival.

FOR INFORMATION AND SERVICES, PLEASE VISIT THE BUILDING & SAFETY DIVISION ONLINE AT [www.beverlyhills.org/bldgovline](http://www.beverlyhills.org/bldgovline) OR DIAL (310) 285-1141.

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Permit No : BS1509256  
Permit Status : Issued  
Plan Check Status : PC Final  
Page 3 of 6  
03/21/2016

**Building Permit**

Job Address: 9291 BURTON WAY

PRE : ekeshshian  
Entered By : acurtis

**SPECIAL INSPECTION/INVESTIGATION FEE:** A special inspection fee may be assessed by the building official or his technical officers, inspectors, and other employees as determined necessary to achieve compliance of the permitted work and/or related activity. Such enforcement shall result from those actions and/or a violation(s) of Beverly Hills Municipal code associated with the permitted work and/or related activity caused by property owner, contractor, its employees, and/or persons working under the control and direction of contractor. A two hour minimum special inspection/investigation fee shall apply, with additional time charged at the current hourly rate. Such related building and/or technical permits shall be suspended until the assessed special investigation fee has been paid and the subject actions and/or violations(s) of Beverly Hills Municipal code have been resolved to the satisfaction of the building official.

**RESTRICTIONS ON CONSTRUCTION ACTIVITY:** No person shall engage in construction, maintenance or repair work which requires a City permit between the hours of 6:00 p.m. and 8:00 a.m. of any day, or at any time on a Sunday or public holiday unless such person has been issued an after hours construction permit. In addition, no person shall engage in such work within a residential zone, or within five hundred (500) feet of a residential zone, at any time on a Saturday unless such person has been issued an after hours construction permit. For the purpose of this Section, "Public Holiday" shall mean: (1) New Year's Day (2) Memorial Day (3) Independence Day (4) Labor Day (5) Thanksgiving Day (6) Christmas Day. No person employed for the purposes of construction, maintenance, or repair work which requires a city permit shall enter a site on which such work will be done prior to 8:00 a.m. Any violation of this condition shall be deemed to be an infraction.

When Fire Life Safety Fee have been applied to this permit OR modifications to the Fire Life Safety System have occurred, then prior to operation and/or use of any system or equipment, or occupancy of any temporary and/or permanent facilities, the owner/contractor must call the Fire Department to schedule inspection at (310) 281-2703.

Seismic retrofit inspection and verification requirements of residential structures shall be performed by qualified persons specializing in seismic retrofit installations. Contractor shall be responsible to obtain the services of a qualified and certified Deputy Inspector, registered with the City of Beverly Hills, or State licensed Architect or Engineer, who shall verify and certify the seismic retrofit installation, was installed per the approved plan and specifications as required by a listed materials manufacturer. Contractor shall be responsible for having the work inspected and verified by such qualified, certified and/or licensed persons having specific knowledge and experience in seismic retrofit construction activity and provide a written report on appropriate letterhead stating that the work was inspected and verified to have been installed per the approved plans and all material manufacturer installation specifications. Contractor shall be responsible to schedule an inspection for the work performed and shall provide the City Building Inspector with a written report, with no unverified deficient conditions. The City Building Inspector upon his discretion may verify any statement(s) contained in the report, and/or may perform further verification and inspections as deemed necessary.

Storm water/urban runoff discharges to the public storm drainage system shall be prohibited for all discharges not wholly comprised of storm water, or permitted by a valid National Pollution Discharge Elimination System (NPDES) permit issued by the California Regional Water Quality Control Board. "Storm drain system" includes all roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains. The contractor shall prevent all non-storm water discharges from the construction site (i.e. mixing and cleaning construction materials, concrete washout, disposal of paints, adhesives, solvents, and landscape products).

Pursuant to NPDES Section G, the City of Beverly Hills possesses the necessary legal authority to prohibit non-storm water discharges to the storm drain system, including, but not limited to, the discharge of chlorinated/brominated swimming pool water and filter backwash to the storm drain conveyance system (MS4 system). As such, before any water discharge occurs, an inspection appointment must be made with City Environmental Program Inspectors to verify acceptable chlorine/bromine concentration. Please call the City of Beverly Hills Environmental Inspectors Duane Washington at (310) 721-9728 or Michael A. Jones at (310) 779-0574 to arrange an inspection.

FOR INFORMATION AND SERVICES, PLEASE VISIT THE BUILDING & SAFETY DIVISION ONLINE AT [www.beverlyhills.org/bldgline](http://www.beverlyhills.org/bldgline) OR DIAL (310) 206-1141.

**IMPORTANT CONDITIONS**

- Application is hereby made to the City Building Official for a permit subject to the conditions and restrictions set forth in the Beverly Hills Municipal Code and other applicable codes.
1. Each person upon whose behalf this application is made and each person at whose request and for whose benefit work is performed under or pursuant to any permit issued as a result of this application agrees to and shall, indemnify and hold harmless the City of Beverly Hills, its officers, agents and employees in accordance with the provisions of Section 5-3.1291 of Beverly Hills Municipal Code.
  2. Any permit issued as a result of this application becomes null and void if work is not commenced within ONE HUNDRED EIGHTY (180) DAYS from date of issuance of such permit.



**DEPARTMENT OF COMMUNITY DEVELOPMENT  
BUILDING AND SAFETY  
455 North Rexford Dr.  
Beverly Hills, Calif. 90210**

Permit No : BS1509256  
Permit Status : Issued  
Plan Check Status : PC Final  
Page 4 of 6  
03/21/2016

**Building Permit**

Job Address: 9291 BURTON WAY

PRE : ekashishan  
Entered By : acurtis

**City Inspector Requirements and Conditions for Inspection:**

1. Provide access to work area, gates and doors to be unlocked, and pets to be out of areas of inspection.
2. OSHA approved ladder in good condition properly secured in place to allow roof access.
3. Approved plans to be on site and available for use by City Inspector.
4. OSHA safety practice does not allow City Inspectors on roofs in rainy conditions. Inspections scheduled during poor weather are subject to cancellation. Contractors are responsible for rescheduling the inspection.

**HEAVY VEHICLE RESTRICTIONS - BHMC 7-2-201: HEAVY VEHICLES RESTRICTED TO CERTAIN STREETS:**

A. No person shall operate any vehicle having a gross weight, including the vehicle and its load, of three (3) tons or more on any street in the city except on those streets designated in section 7-2-203 of the Beverly Hills Municipal Code. IT IS THE RESPONSIBILITY OF THE PERMITTEE TO DISTRIBUTE A COPY OF THIS PERMIT TO ALL OPERATORS OF HEAVY VEHICLES PURSUANT TO THIS CODE.

B. The provisions of subsection A of this section shall not apply to the following:

1. Any passenger stage vehicle regulated by sections 1031 through 1038 of the state Public Utilities Code and operating under a certificate from the public utilities commission of the state declaring that the public necessity and convenience require the operation of such vehicle; and further provided that the certificate specifically authorizes such vehicle to be operated in the city, and the vehicle is being operated while in the city for the purpose authorized in such certificate; provided further, this exemption shall not apply to vehicles operated as a round trip sightseeing service;
2. Any vehicle owned by a public utility while necessarily in use in the construction, installation, or repair of any public utility;
3. Any vehicle operated by the city, or any employee thereof, in the course of regular or official city business;
4. Any vehicle of the military or naval forces of the United States or the duly authorized militia of the state in the proper performance of their duties. (1962 Code § 3-6.1306; amd. Ord. 90-O-2088, eff. 2-8-1990)

**HEAVY HAUL ROUTES - BHMC 7-2-202: EMERGENCY OR NECESSARY USE OF RESTRICTED STREETS:**

The following vehicles may use a street other than designated in section 7-2-203 of this article under the circumstances herein below:

- A. Any passenger vehicle while operated, engaged, and used for the sole and exclusive purpose of picking up or discharging a passenger or passengers at an origin or destination on any street in which the vehicle is prohibited;
- B. Any vehicle when necessary, for the purpose of making pick ups and deliveries of goods, wares, or merchandise from or to any premises located on any prohibited street, or for the purpose of delivering materials on a prohibited street to be used in the repair, alteration, remodeling, or construction of any building or structure for which a building permit has previously been obtained;
- C. Whenever it is necessary for a vehicle to deviate from the streets designated in section 7-2-203 of this article for the purposes specified in subsection A or B of this section, the vehicle shall travel from a street authorized by section 7-2-203 of this article to the destination by a route so that the point of travel is the shortest possible distance over prohibited streets; provided however, if the additional distance of travel to reach the shortest route would exceed two (2) miles, the vehicle may take the most direct route to its destination. (1962 Code §§ 3-6.1306, 3-6.1306.1)

**BHMC §7-2-203: STREETS DESIGNATED FOR HEAVY VEHICLE USAGE:**

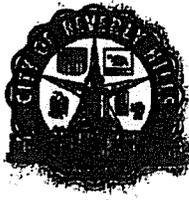
Pursuant to Beverly Hills Municipal Code § 7-2-203, the following streets are designated for use by vehicles exceeding a maximum gross weight, including the vehicle and its load, of three (3) tons:

Alden Drive;

FOR INFORMATION AND SERVICES, PLEASE VISIT THE BUILDING & SAFETY DIVISION ONLINE AT [www.beverlyhills.org/bldgordiv](http://www.beverlyhills.org/bldgordiv) OR DIAL (310) 286-1141.

**\*\*\*IMPORTANT CONDITIONS\*\*\***

- Application is hereby made to the City Building Official for a permit subject to the conditions and restrictions set forth in the Beverly Hills Municipal Code and other applicable codes.
1. Each permit upon whose behalf this application is made and each person at whose request and for whose benefit work is performed under or pursuant to any permit issued as a result of this application agrees to, and shall, indemnify and hold harmless the City of Beverly Hills, its officers, agents and employees in accordance with the provisions of Section 9-3.1281 of Beverly Hills Municipal Code.
  2. Any permit issued as a result of this application becomes null and void if work is not commenced within ONE HUNDRED EIGHTY (180) DAYS from date of issuance of such permit.



**DEPARTMENT OF COMMUNITY DEVELOPMENT  
BUILDING AND SAFETY  
455 North Rexford Dr.  
Beverly Hills, Calif. 90210**

Permit No : BS1509258  
Permit Status : Issued  
Plan Check Status : PC Final  
Page 5 of 6  
03/21/2016

**Building Permit**

Job Address: 9291 BURTON WAY

PRE : ekeeshian  
Entered By : acurtis

Bedford Drive from Wilshire Boulevard to Santa Monica Boulevard (north);  
Beverly Boulevard;  
Beverly Drive from the south city limits to Santa Monica Boulevard (north);  
Brighton Way from Canon Drive to Wilshire Boulevard;  
Burton Way;  
Camden Drive from Wilshire Boulevard to Santa Monica Boulevard (north);  
Canon Drive from Wilshire Boulevard to Santa Monica Boulevard (north);  
Chic Center Drive from Burton Way to Santa Monica Boulevard (south);  
Crescent Drive between the north and south roadways of Santa Monica Boulevard;  
Dayton Way from Canon Drive to Wilshire Boulevard;  
Doheny Drive;  
Foothill Road from Burton Way to Santa Monica Boulevard (south);  
La Cienega Boulevard;  
Linden Drive from Wilshire Boulevard to Santa Monica Boulevard (south);  
Maple Drive from Burton Way to Santa Monica Boulevard (south);  
Olympic Boulevard;  
Rexford Drive from Santa Monica Boulevard (north) to Burton Way;  
Robertson Boulevard;  
Rodeo Drive from Wilshire Boulevard to Santa Monica Boulevard (north);  
Roxbury Drive from Wilshire Boulevard to Santa Monica Boulevard (north);  
San Vicente Boulevard;  
Santa Monica Boulevard (north and south roadways);  
Third Street;  
Wilshire Boulevard

\*\*\*FOR OPERATORS USING LOMA VISTA DRIVE AS THE SHORTEST PATH FROM AN APPROVED HEAVY HAUL ROUTE TO THE CONSTRUCTION SITE, PLEASE NOTE THAT THERE IS A TRUCK RUN OFF RAMP AT LOMA VISTA DRIVE LOCATED NORTH OF DOHENY ROAD.

**OVERSIZE HAULING:**

Hauling that meets the following criteria may require engineering investigations, routing definition, coordination, police escort, and control of permit movement:

- (1) Loads in excess of 14 feet wide.
- (2) Loads in excess of 135 feet in overall length.
- (3) Loads that are of a weight that require:
  - A) More than a 13-axle, single-vehicle width hauling combination, or
  - B) A 13-axle, single-vehicle width hauling combination with a load deck where the inner axles in the groups bordering the load deck are 40 feet or more apart, or
  - C) Two or more side-by-side vehicles with a combined width of 14 feet or more supporting the load.

**BHMC 7-2-205: COMMERCIAL VEHICLES PROHIBITED FROM USING PRIVATE DRIVEWAYS WITHOUT PERMISSION:**

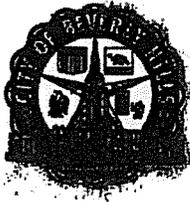
No person shall operate or drive a commercial vehicle in, on, or across any private driveway approach or sidewalk area without the consent of the owner or occupant of such property if a sign or markings are in place indicating that the use of such driveway is prohibited. For the purposes of this section, a commercial vehicle shall mean a vehicle having a rated capacity in excess of one-half (1/2) ton. (1962 Code § 3-6.803)

TYPE IA CONSTRUCTION. A2 OCCUPANCY.  
LOUNGE DINING 830 SF 32 SEATS

FOR INFORMATION AND SERVICES, PLEASE VISIT THE BUILDING & SAFETY DIVISION ONLINE AT [www.beverlyhills.org/bldgonline](http://www.beverlyhills.org/bldgonline) OR DIAL (310) 286-1141.

**\*\*\*\*IMPORTANT CONDITIONS\*\*\*\***

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1. Each person upon whose behalf this application is made and each person at whose request and for whose benefit work is performed under or pursuant to any permit issued as a result of this application agrees to and shall, indemnify and hold harmless the City of Beverly Hills, its officers, agents and employees in accordance with the provisions of Section 9-3.1221 of Beverly Hills Municipal Code.
  2. Any permit issued as a result of this application becomes null and void if work is not commenced within ONE HUNDRED EIGHTY (180) DAYS from date of issuance of such permit.



**DEPARTMENT OF COMMUNITY DEVELOPMENT  
BUILDING AND SAFETY  
455 North Rexford Dr.  
Beverly Hills, Calif. 90210**

Permit No : BS1509256  
Permit Status : Issued  
Plan Check Status : PC Final  
Page 6 of 8  
03/21/2016

**Building Permit**

Job Address: 8291 BURTON WAY

PRE : ekeshahian  
Entered By : acurtis

RESTAURANT DINING 818 SF 38 SEATS  
BAR 100 SF 10 SEATS  
WINE TASTING 115 SF NO SEATING  
TOTAL INDOOR SEATS 78, REDUCED FROM EXISTING 83. NO SEWER FEE. HEALTH DEPT APPROVAL FILED WITH PLANS.



Building Name - HOTEL  
Building Use - Commercial  
Const. Type - I-A  
Height ft - 75  
sprinklered - 1  
Lot Area - 26000  
Addition - 0

OCC Group - R1 / S2  
# of Stories - 8  
# of Basement Levels - 2

Location - C

Exist Bldg Area - 126972

Number of Units - 119

Required Parking - 134  
Provided Parking - 129  
Applicable Building Code - 2013 CBC

Comments - THERE ARE 117 EXISTING ROOM ON FLOORS 2-8 REMODELED TO 118 ROOMS. (REDUCED ONE SUITE ON 7TH FLOOR). THERE ARE 3 SUITES ON THE FIRST FLOOR(NOT PART OF SCOPE). TOTAL NUMBER OF SUITES AFTER THIS T.I. IS 119. THE MAXIMUM ALLOWED NUMBER OF SUITES IS 124 BASED ON RESO 1084. THE EXISTING PARKING WERE SPACES REDUCED TO PROVIDE 5-ADA SPACES. 134 PARKING SPACES WERE REQUIRED PER RESOLUTION 890, NOW THERE ARE 129 PARKING SPACES.

FOR INFORMATION AND SERVICES, PLEASE VISIT THE BUILDING & SAFETY DIVISION ONLINE AT [www.beverlyhills.org/hdgonline](http://www.beverlyhills.org/hdgonline) OR DIAL (310) 286-1141.

**\*\*\*\*IMPORTANT CONDITIONS\*\*\*\***

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1. Each person upon whose behalf this application is made and each person at whose request and for whose benefit work is performed under or pursuant to any permit issued as a result of this application agrees to, and shall, indemnify and hold harmless the City of Beverly Hills, its officers, agents and employees in accordance with the provisions of Section 9-3.12(b) of Beverly Hills Municipal Code.
  2. Any permit issued as a result of this application becomes null and void if work is not commenced within ONE HUNDRED EIGHTY (180) DAYS from date of issuance of such permit.

3/31/2016

RE: L'ermitage deliveries 7:05am and viloations

**From:** Ryan Gohlich <rgohlich@beverlyhills.org>  
**To:** mikaelc <mikaelc@aol.com>; llanbialer <llanbialer@gmail.com>; bialermatti <bialermatti@aol.com>  
**Cc:** Mahdi Aluzri <maluzri@beverlyhills.org>; George Chavez <gchavez@beverlyhills.org>; Susan Healy Keene <skeene@beverlyhills.org>  
**Subject:** RE: L'ermitage deliveries 7:05am and viloations  
**Date:** Tue, Mar 22, 2016 9:22 am

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Hi Mikael,

I wanted to let you know that after my meeting yesterday with the hotel's management they closed off use of the new stairs with a rope and stanchions so that all patrons must access the restaurant from within the hotel as outlined in the CUP. The stair access will remain closed unless and until the Planning Commission modifies the CUP to allow its use after studying any potential impacts. At this time, the outdoor dining area is now in compliance with the CUP. In addition to addressing the stair access, the hotel again committed to abiding by the conditions in the CUP, and we will continue to monitor their compliance so that we can report out on it when the Planning Commission reviews the matter on April 14<sup>th</sup>. Please let me know if you have any questions.

Thank you,

Ryan

Bcc: City Council

Ryan Gohlich, AICP  
Assistant Director / City Planner  
Community Development Department  
City of Beverly Hills  
455 N. Rexford Dr.  
Beverly Hills, CA 90210  
Direct: (310) 285-1118  
Fax: (310) 858-5966  
[rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org)

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**From:** Ryan Gohlich  
**Sent:** Monday, March 21, 2016 10:12 AM  
**To:** 'mikaelc@aol.com'; llanbialer@gmail.com; bialermatti@aol.com  
**Cc:** Mahdi Aluzri; George Chavez; Susan Healy Keene  
**Subject:** RE: L'ermitage deliveries 7:05am and viloations

Hi Mikael,

Thank you for the information regarding this weekend. I will be out at the hotel this afternoon to discuss all of these issues with the hotel, including how they are using the new stairs and the need to comply with the CUP. In addition, we will be scheduling a review of the hotel's CUP for the April 14<sup>th</sup> Planning Commission meeting. I have attached a copy of the permit for the hotel's renovations, which included the new stairs in place of the former valet/luggage area. We also have the plans that accompany the permit here at City Hall if you'd like to review them. I'll continue to provide you with updates as I have them.

Thank you,

3/31/2016

Fwd: L'ermitage deliveries 7:05am and restaurant and parties violations

**From:** mikaelc <mikaelc@aol.com>  
**To:** blalermatti <blalermatti@aol.com>  
**Subject:** Fwd: L'ermitage deliveries 7:05am and restaurant and parties violations  
**Date:** Tue, Mar 22, 2016 7:07 pm

---

Mikael Cohen  
MMS Group Corporation  
Email: [Mikaelc@mmsgroupc.com](mailto:Mikaelc@mmsgroupc.com)

—Original Message—

**From:** mikaelc <mikaelc@aol.com>  
**To:** rgohllich <rgohllich@beverlyhills.org>; ilanblaler <ilanblaler@gmail.com>; blalermatti <blalermatti@aol.com>  
**Cc:** maluzri <maluzri@beverlyhills.org>; gchavez <gchavez@beverlyhills.org>; skeene <skeene@beverlyhills.org>; mayorandcitycouncil <mayorandcitycouncil@beverlyhills.org>; lilibosse <lilibosse@icloud.com>; nkrasne <nkrasne@beverlyhills.org>  
**Sent:** Tue, Mar 22, 2016 6:35 pm  
**Subject:** Re: L'ermitage deliveries 7:05am and restaurant and parties bijanviolations

Hi Ryan

Thank you for your email. At least we all agree now, that the entrance of the restaurant was done against the permit and in non-compliance to the current CUP.

However, closing the stairs with a rope until the Planning approved the changes, seems to be another encouragement for the Hotel to be more arrogant and not respectful to the rules of law, Again, adding a nice red rope does not resolve the compliance and you, Planning Commission is helping the process of the violation until next approval, that your email is suggesting already, will be resolved. And then what, remove the nice red rope?

The rules as I have understood and known them through other projects, is to cite the hotel and make them rebuild the site to its original condition, until such an adequate permit has been approved by the Planning Commission and the City Council. This seems to be inclined in favor of the Hotel, no consideration of their past and actual wrong behaviors.

With the mass mailing invitations cards being sent for the Bistro's promotion, suggest that that l'Ermitage wants to advertise for big crowd. Please remember that we are in residential area.

When the Roof top canopy is to be removed? There is no permit the last time I have inquired.

Please advise if the April 14's planning commission will be open to hearings and if so, I insist to be present for any input. Other concerned residents may be also attending. Any change to the CUP must be approved by the Planning Commission and the City Council.

Please advise the time of the meeting April 14<sup>TH</sup>.

Thank you  
Sincerely

Mikael Cohen

3/31/2016

Re: Deliveries Foothill Rd. NO PARKING ZONES

**From:** mikaelc <mikaelc@aol.com>  
**To:** rgohlich <rgohlich@beverlyhills.org>; bialermatti <bialermatti@aol.com>; maluzri <maluzri@beverlyhills.org>; gchavez <gchavez@beverlyhills.org>  
**Cc:** ilanbialer <ilanbialer@gmail.com>; lilibosse <lilibosse@icloud.com>; nancy <nancy@krasne.com>  
**Subject:** Re: Deliveries Foothill Rd. NO PARKING ZONES  
**Date:** Mon, Mar 28, 2016 2:51 pm

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Thank you Ryan

I would object to any noise on Burton way. You are still trying to accommodate the hotel on the expense of the residents. Have the Hotel to comply to the RULES and the current CUP. That the way to do it. I am very upset of the way the planning is handling these problems. The CUP cannot be changed and nothing should make the CUP changed or modified. The Hotel is Operating in RESIDENTIAL AREA and needs to be modified back to Residential Apartment as it used to be.  
Thank you

Mikael Cohen

-----Original Message-----

**From:** Ryan Gohlich <rgohlich@beverlyhills.org>  
**To:** Matti Bialer <bialermatti@aol.com>; Mahdi Aluzri <maluzri@beverlyhills.org>; George Chavez <gchavez@beverlyhills.org>  
**Cc:** ilanbialer <ilanbialer@gmail.com>; mikaelc <mikaelc@aol.com>; lilibosse <lilibosse@icloud.com>; 4-Nancy Krasne <nancy@krasne.com>  
**Sent:** Mon, Mar 28, 2016 2:42 pm  
**Subject:** RE: Deliveries Foothill Rd. NO PARKING ZONES

Hi Matti,

Thank you for the images. These will all be provided to the Planning Commission for their April 14<sup>th</sup> review of the hotel's CUP. Following up on our phone conversation this morning, I also want to let you know that we are exploring the feasibility of moving loading operations to Burton Way, away from your property, with the goal of preventing the impacts you're now experiencing, particularly the backup alarms. I'll keep you posted on our progress.

Thanks,

Ryan

Ryan Gohlich, AICP  
Assistant Director / City Planner  
Community Development Department  
City of Beverly Hills  
455 N. Rexford Dr.  
Beverly Hills, CA 90210  
Direct: (310) 285-1118  
Fax: (310) 858-5866  
[rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org)

**From:** Matti Bialer [<mailto:bialermatti@aol.com>]

<https://mail.aol.com/webmail-std/en-us/PrintMessage>

1/6

3/31/2016

Re: Deliveries Foothill Rd. NO PARKING ZONES

**Sent:** Monday, March 28, 2016 2:37 PM

**To:** Mahdi Aluzri; George Chavez; Ryan Gohlich

**Cc:** [lanblaler@gmail.com](mailto:lanblaler@gmail.com); [mikaelc@aol.com](mailto:mikaelc@aol.com); [lilbosse@icloud.com](mailto:lilbosse@icloud.com); 4-Nancy Krasne

**Subject:** Deliveries Foothill Rd. NO PARKING ZONES

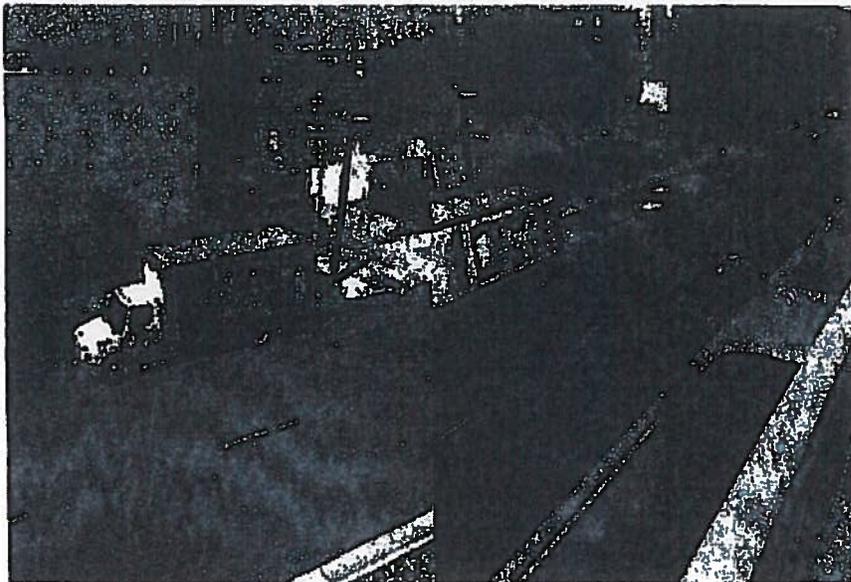
**CITY OFFICIALS,**

Documentation of L'ermitage delivery trucks parking on Foothill Rd in NO PARKING ZONES. When the alley in the rear is full of delivery trucks, they park illegally on Foothill Rd.

They also just installed a large storage shed in place of the temporary construction elevator in the rear alley.

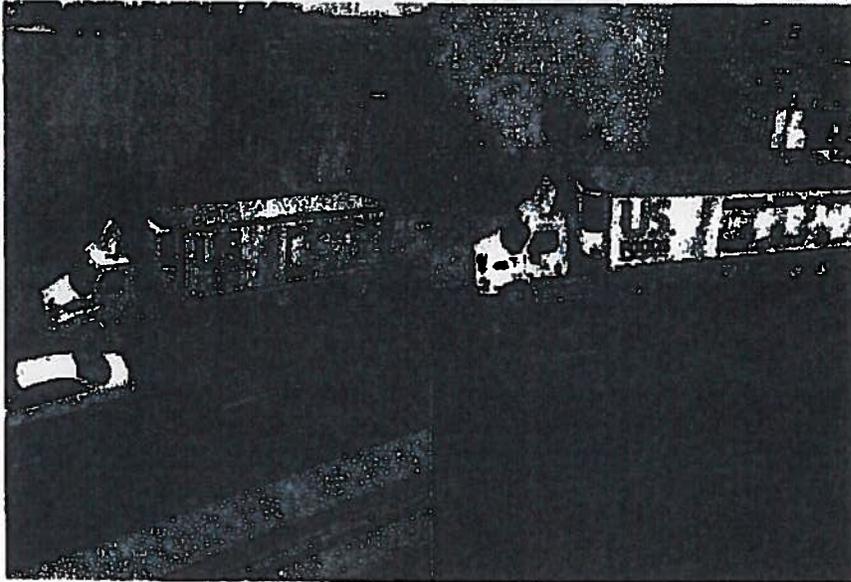
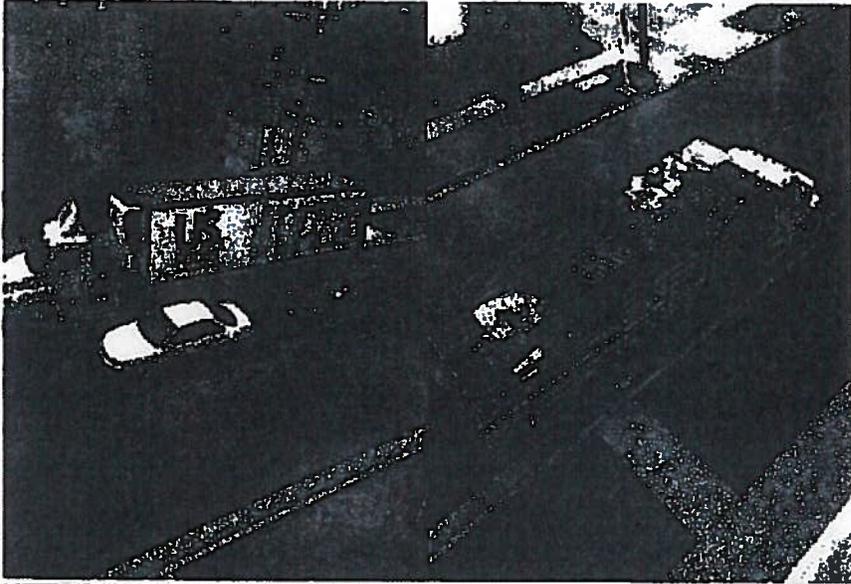
Thank you for your attention to these violations,

Matti Blaler



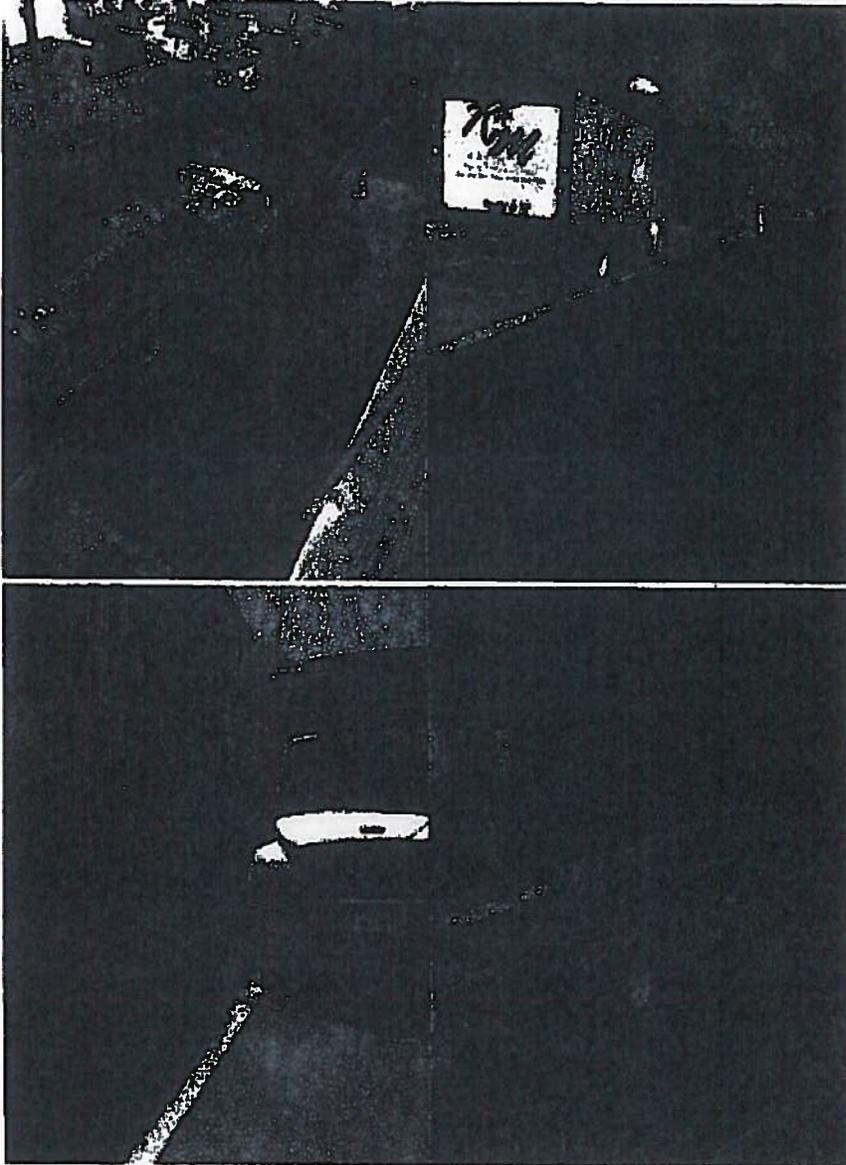
9/31/2016

Re: Deliveries Foothill Rd. NO PARKING ZONES



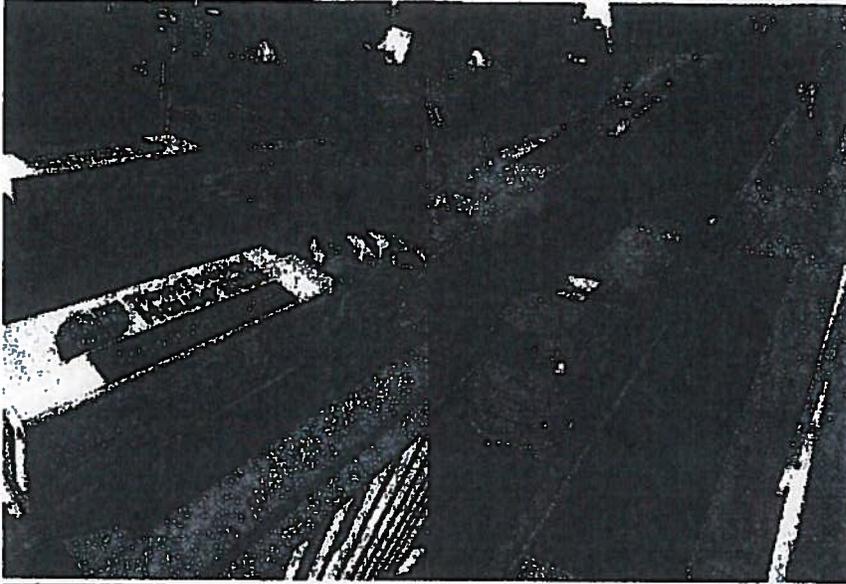
3/31/2016

Re: Deliveries Foothill Rd. NO PARKING ZONES



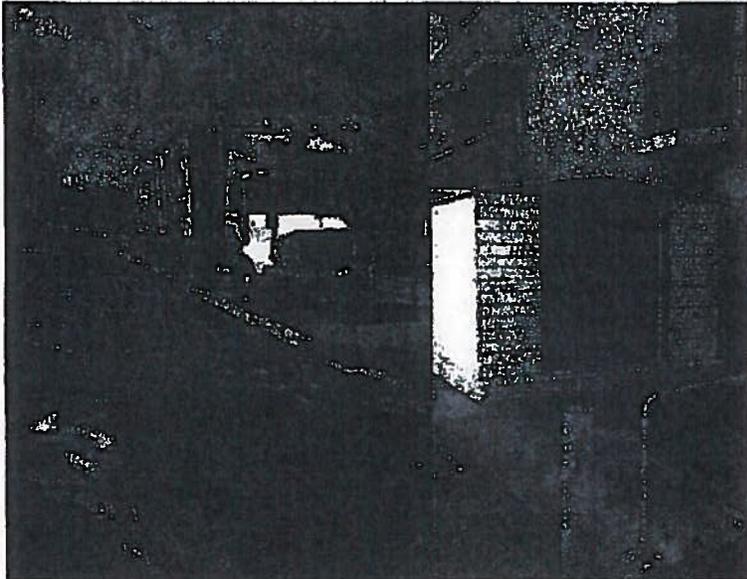
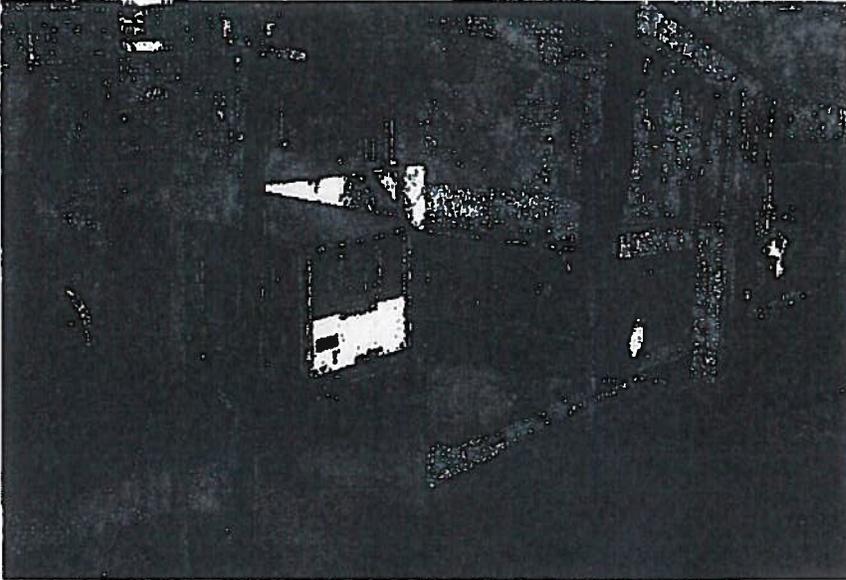
3/31/2016

Re: Deliveries Foothill Rd. NO PARKING ZONES



3/31/2016

Re: Deliveries Foothill Rd. NO PARKING ZONES



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The City keeps a copy of all E-mails sent and received for a minimum of 2 years. All retained E-mails will be treated as a Public Record per the California Public Records Act, and may be subject to disclosure pursuant to the terms, and subject to the exemptions, of that Act.

3/31/2016

RE: Deliveries Foothill Rd. NO PARKING ZONES

**From:** Ryan Gohlich <rgohlich@beverlyhills.org>  
**To:** mikaelc <mikaelc@aol.com>; bialermatti <bialermatti@aol.com>; Mahdi Aluzri <maluzri@beverlyhills.org>; George Chavez <gchavez@beverlyhills.org>  
**Cc:** Ianbialer <ianbialer@gmail.com>; lllbosse <lllbosse@icloud.com>; 4-Nancy Krasne <nancy@krasne.com>  
**Subject:** RE: Deliveries Foothill Rd. NO PARKING ZONES  
**Date:** Mon, Mar 28, 2016 3:56 pm

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Hi Mikael,

Unfortunately, the hotel is a use that is allowed at the property based on prior zoning codes, and the City cannot require that it be reverted back to apartment uses. Accordingly, our goal is to find solutions and impose conditions that protect the residents while still allowing the hotel to operate in a feasible manner. In discussing the ongoing issues with Matti, it became apparent that the backup alarms on trucks are a persistent problem, even when the trucks are operating legally during the allowed hours and not blocking the alley. The CUP stipulates loading hours, but does not state where loading must occur. In an effort to resolve some of the noise issues, we are looking at whether it would be feasible to conduct loading on Burton Way so that trucks can pull straight in without having to backup (no decision has been made on this matter). I want to be clear that no changes to the CUP have been approved by City staff, as that authority is reserved for the Planning Commission. Our focus right now is to ensure CUP compliance, but also to look at alternative solutions in the event that CUP compliance still does not resolve all of the neighborhood compatibility issues. All of this information will be compiled and presented to the Planning Commission for their consideration. Please let me know if you have any questions.

Thank you,

Ryan

Ryan Gohlich, AICP  
Assistant Director / City Planner  
Community Development Department  
City of Beverly Hills  
455 N. Rexford Dr.  
Beverly Hills, CA 90210  
Direct: (310) 285-1118  
Fax: (310) 858-5966  
[rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org)

**From:** [mikaelc@aol.com](mailto:mikaelc@aol.com) [<mailto:mikaelc@aol.com>]  
**Sent:** Monday, March 28, 2016 2:51 PM  
**To:** Ryan Gohlich; [bialermatti@aol.com](mailto:bialermatti@aol.com); Mahdi Aluzri; George Chavez  
**Cc:** [ianbialer@gmail.com](mailto:ianbialer@gmail.com); [lllbosse@icloud.com](mailto:lllbosse@icloud.com); 4-Nancy Krasne  
**Subject:** Re: Deliveries Foothill Rd. NO PARKING ZONES

Thank you Ryan

I would object to any noise on Burton way. You are still trying to accommodate the hotel on the expense of the residents. Have the Hotel to comply to the RULES and the current CUP. That the way to do it. I am very upset of the way the planning is handling these problems. The CUP cannot be changed and nothing should make the CUP changed or modified. The Hotel is Operating in RESIDENTIAL AREA and needs to be modified back to Residential Apartment as it used to be.

3/31/2016

FW: Lots of Delivery trucks prior to 9am

**From:** Ryan Gohlich <[rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org)>  
**To:** [mikaelc <mikaelc@aol.com>](mailto:mikaelc@aol.com)  
**Subject:** FW: Lots of Delivery trucks prior to 9am  
**Date:** Tue, Mar 29, 2016 9:18 am  
**Attachments:** CC Reso No. 99-R-10211 - L'Ermitage.pdf (500K)

---

Please see the below email. You were accidentally not copied.

Ryan

Ryan Gohlich, AICP  
Assistant Director / City Planner  
Community Development Department  
City of Beverly Hills  
455 N. Rexford Dr.  
Beverly Hills, CA 90210  
Direct: (310) 285-1118  
Fax: (310) 858-5866  
[rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org)

---

**From:** Ryan Gohlich  
**Sent:** Tuesday, March 29, 2016 9:17 AM  
**To:** 'Matti Bialer'  
**Cc:** [lilibosse@icloud.com](mailto:lilibosse@icloud.com); [lanbialer@gmail.com](mailto:lanbialer@gmail.com); 4-Nancy Krasne; Susan Healy Keene; Mahdi Aluzri; George Chavez  
**Subject:** RE: Lots of Delivery trucks prior to 9am

Hi Matti,

Thank you for the images. Please be advised that the CUP allows loading after 8:00 AM on weekdays, whereas the 9:00 AM restriction only applies on weekends (see condition 13 of the attached resolution). While I understand from our conversations that the backup alarms are problematic at all times of the day (and we're looking for solutions to this), today's loading activities do not appear to be a violation of the CUP. Let me know if you have any questions.

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Direct: (310) 285-1118  
Fax: (310) 858-5866  
[rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org)

**From:** Matti Bialer [<mailto:mattibialermatti@aol.com>]  
**Sent:** Tuesday, March 29, 2016 8:58 AM

<https://mail.aol.com/webmail-std/en-us/PrintMessage>

1/2

3/31/2016

FW: Lots of Delivery trucks prior to 9am

**To:** Mahdi Aluzri; George Chavez; Ryan Gohlich  
**Cc:** [lillbosse@icloud.com](mailto:lillbosse@icloud.com); [ilanblaler@gmail.com](mailto:ilanblaler@gmail.com); 4-Nancy Krasne  
**Subject:** Lots of Delivery trucks prior to 9am

More deliveries prior to 9am. I will also send video of the back beeping all day long.  
It takes me a good 5 minutes to run downstairs to take photo's.

Thank You,

Matti Blaler

Sent from my iPhone

---

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3/31/2016

Re: Lots of Delivery trucks prior to 9am

**From:** mikaelc <mikaelc@aol.com>  
**To:** rgohlich <rgohlich@beverlyhills.org>  
**Cc:** bialermatti <bialermatti@aol.com>  
**Subject:** Re: Lots of Delivery trucks prior to 9am  
**Date:** Wed, Mar 30, 2016 11:24 am

---

Hi Ryan

Just to add a comment, their activities are still in non-compliance. Those trucks are most of the time parked in front of residential garages disturbing the tenants while adding their beeps and running engines. Discipline must be taught to the hotel and not protecting them every time we report a problem. As residents paying taxes we do have our rights too.  
Thank you for clarifying

Mikael Cohen

—Original Message—

**From:** Ryan Gohlich <rgohlich@beverlyhills.org>  
**To:** mikaelc <mikaelc@aol.com>  
**Sent:** Tue, Mar 29, 2016 9:18 am  
**Subject:** FW: Lots of Delivery trucks prior to 9am

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Ryan

Ryan Gohlich, AICP  
Assistant Director / City Planner  
Community Development Department  
City of Beverly Hills  
455 N. Rexford Dr.  
Beverly Hills, CA 90210  
Direct: (310) 285-1118  
Fax: (310) 858-5966  
[rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org)

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**From:** Ryan Gohlich  
**Sent:** Tuesday, March 29, 2016 9:17 AM  
**To:** 'Matti Bialer'  
**Cc:** [lilibosse@icloud.com](mailto:lilibosse@icloud.com); [llanbialer@gmail.com](mailto:llanbialer@gmail.com); 4-Nancy Krasne; Susan Healy Keene; Mahdi Aluzri; George Chavez  
**Subject:** RE: Lots of Delivery trucks prior to 9am

Hi Matti,

Thank you for the images. Please be advised that the CUP allows loading after 8:00 AM on weekdays, whereas the 9:00 AM restriction only applies on weekends (see condition 13 of the attached resolution). While I understand from our conversations that the backup alarms are problematic at all times of the day (and we're looking for solutions to this), today's loading activities do not appear to be a violation of the CUP. Let me know if you have any questions.

## Ryan Gohlich

---

**From:** mikaelc@aol.com  
**Sent:** Monday, April 04, 2016 5:51 PM  
**To:** Ryan Gohlich; bialermatti@aol.com; Mahdi Aluzri; George Chavez  
**Cc:** lilibosse@icloud.com; 4-Nancy Krasne; ilanbialer@gmail.com; Andre Sahakian  
**Subject:** Re: L'Ermitages violations going on.....and on.....

Hi Ryan

Thank you for the Hotel agenda. I will be present at the meeting.

You have now confirmed what I have assumed and predicted. The Hotel violates the CUP and the building permit. Then the Planning department and its inspection ignore the violations, and do not enforce the codes. Ironically, now the Hotel is coming back to correct with the blessing of the planning. Wow! everything works backward and no fear of consequences for the non-compliance. I would love to tell you my story of how difficult the inspection I had for just re-roofing my house. The inspector was at my place twice to three times a week to check every progress and in compliance with the permit I had.

I will talk about your planning procedures in my memo/letter to the Planning commission.

This entrance that was built in violation to all rules, must be closed permanently and the stairs be removed.

By the way, do not forget to ask the hotel to remove the canopy from the roof top. It is there without a valid permit and give the hotel ploys to run loud events with no approval from the Director of transportation. (always as per CUP).

Thank you  
Regards

Mikael Cohen

-----Original Message-----

**From:** Ryan Gohlich <rgohlich@beverlyhills.org>  
**To:** mikaelc <mikaelc@aol.com>; bialermatti <bialermatti@aol.com>; Mahdi Aluzri <maluzri@beverlyhills.org>; George Chavez <gchavez@beverlyhills.org>  
**Cc:** lilibosse <lilibosse@icloud.com>; 4-Nancy Krasne <nancy@krasne.com>; ilanbialer <ilanbialer@gmail.com>; Andre Sahakian <asahakian@beverlyhills.org>  
**Sent:** Sun, Apr 3, 2016 11:26 pm  
**Subject:** RE: L'ermitage delivery truck blocking our garages 4/1/2016

Hi Mikael,

At present, the hotel is asking to renew their CUP under the same conditions, but with the allowance to utilize the new stairs adjacent to the main entrance. The meeting will start at 1:30 PM on the 14<sup>th</sup>. I'll have Andre Sahakian from my office follow up with you later this week to make sure you get a copy of the staff report. Also, if you have any materials you'd like us to attach to the staff report we would need to receive them from you by Wednesday at noon. Let me know if you have any questions.

Thank you,

Ryan

Ryan Gohlich, AICP  
Assistant Director / City Planner  
Community Development Department  
City of Beverly Hills  
455 N. Rexford Dr.  
Beverly Hills, CA 90210  
Direct: (310) 285-1118  
Fax: (310) 858-5966  
[rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org)

**From:** [mikaelc@aol.com](mailto:mikaelc@aol.com) [<mailto:mikaelc@aol.com>]  
**Sent:** Friday, April 01, 2016 6:03 PM  
**To:** Ryan Gohlich; [bialermatti@aol.com](mailto:bialermatti@aol.com); Mahdi Aluzri; George Chavez  
**Cc:** [lilibosse@icloud.com](mailto:lilibosse@icloud.com); 4-Nancy Krasne; [ilanbialer@gmail.com](mailto:ilanbialer@gmail.com)  
**Subject:** Re: L'ermitage delivery truck blocking our garages 4/1/2016

Hi Ryan

Thank you for advising the Commission about all problems.  
Also, I am preparing my letter to the Commission along with all violations by the Hotel.  
I would like to know ASAP, the requests submitted by L'Ermitage for discussion with the Commission and any changes that may be proposed by the hotel and challenged by residents. I need also to inform other concerned residents and prepare our arguments for the continued violations.  
Please confirm also, the time of the planning Commission meeting April 14th.  
Thank you for your help.  
Regards

Mikael Cohen

-----Original Message-----

From: Ryan Gohlich <[rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org)>  
To: Matti Bialer <[bialermatti@aol.com](mailto:bialermatti@aol.com)>; Mahdi Aluzri <[maluzri@beverlyhills.org](mailto:maluzri@beverlyhills.org)>; George Chavez <[gchavez@beverlyhills.org](mailto:gchavez@beverlyhills.org)>  
Cc: lili Bosse <[lilibosse@icloud.com](mailto:lilibosse@icloud.com)>; 4-Nancy Krasne <[nancy@krasne.com](mailto:nancy@krasne.com)>; Ilan Bialer <[ilanbialer@gmail.com](mailto:ilanbialer@gmail.com)>; mikaelc <[mikaelc@aol.com](mailto:mikaelc@aol.com)>  
Sent: Fri, Apr 1, 2016 4:26 pm  
Subject: RE: L'ermitage delivery truck blocking our garages 4/1/2016

Hi Matti,

We will include this in the information we provide to the Commission as well.

Thanks,

Ryan

Ryan Gohlich, AICP  
Assistant Director / City Planner  
Community Development Department  
City of Beverly Hills  
455 N. Rexford Dr.  
Beverly Hills, CA 90210  
Direct: (310) 285-1118  
Fax: (310) 858-5966

[rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org)

**From:** Matti Bialer [<mailto:bialermatti@aol.com>]

**Sent:** Friday, April 01, 2016 4:03 PM

**To:** Mahdi Aluzri; George Chavez; Ryan Gohlich

**Cc:** Matti Bialer; lili Bosse; 4-Nancy Krasne; Ilan Bialer; [mikaelc@aol.com](mailto:mikaelc@aol.com)

**Subject:** L'ermitage delivery truck blocking our garages 4/1/2016

City Staff,

The l'ermitage deliveries are continuing to block our garages. This was today 4/1/16 at 12:30 pm. Traffic police were called and cited the vehicle.

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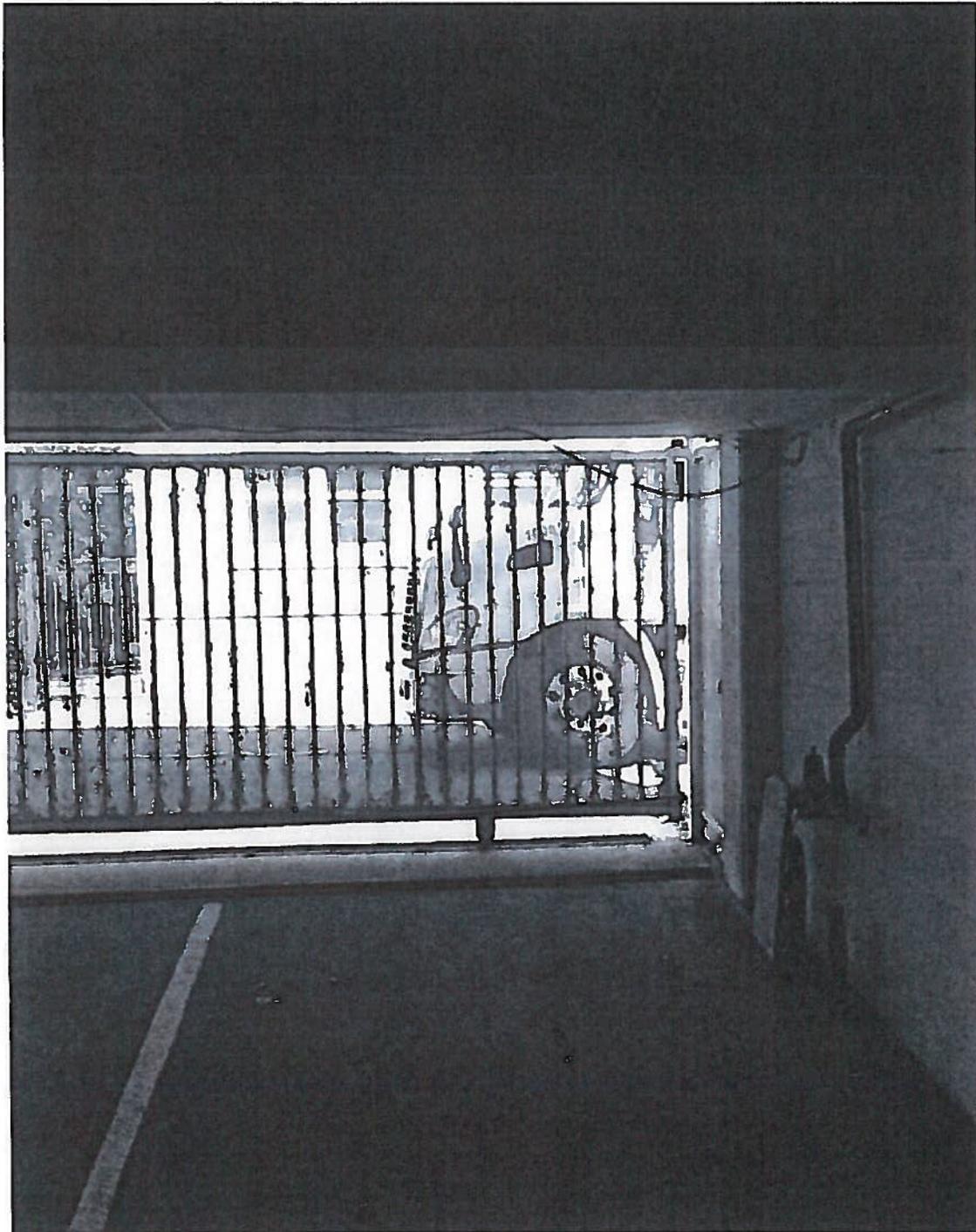
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## Ryan Gohlich

---

**From:** mikaelc@aol.com  
**Sent:** Friday, April 01, 2016 6:03 PM  
**To:** Ryan Gohlich; bialermatti@aol.com; Mahdi Aluzri; George Chavez  
**Cc:** lilibosse@icloud.com; 4-Nancy Krasne; ilanbialer@gmail.com  
**Subject:** Re: L'ermitage delivery truck blocking our garages 4/1/2016

Hi Ryan

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Also, I am preparing my letter to the Commission along with all violations by the Hotel.

I would like to know ASAP, the requests submitted by L'Ermitage for discussion with the Commission and any changes that may be proposed by the hotel and challenged by residents. I need also to inform other concerned residents and prepare our arguments for the continued violations.

Please confirm also, the time of the planning Commission meeting April 14th.

Thank you for your help.

Regards

Mikael Cohen

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**From:** Ryan Gohlich <rgohlich@beverlyhills.org>  
**To:** Matti Bialer <bialermatti@aol.com>; Mahdi Aluzri <maluzri@beverlyhills.org>; George Chavez <gchavez@beverlyhills.org>  
**Cc:** lili Bosse <lilibosse@icloud.com>; 4-Nancy Krasne <nancy@krasne.com>; Ilan Bialer <ilanbialer@gmail.com>; mikaelc <mikaelc@aol.com>  
**Sent:** Fri, Apr 1, 2016 4:26 pm  
**Subject:** RE: L'ermitage delivery truck blocking our garages 4/1/2016

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Ryan Gohlich, AICP  
Assistant Director / City Planner  
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City of Beverly Hills  
455 N. Rexford Dr.  
Beverly Hills, CA 90210  
Direct: (310) 285-1118  
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[rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org)

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**Sent:** Friday, April 01, 2016 4:03 PM  
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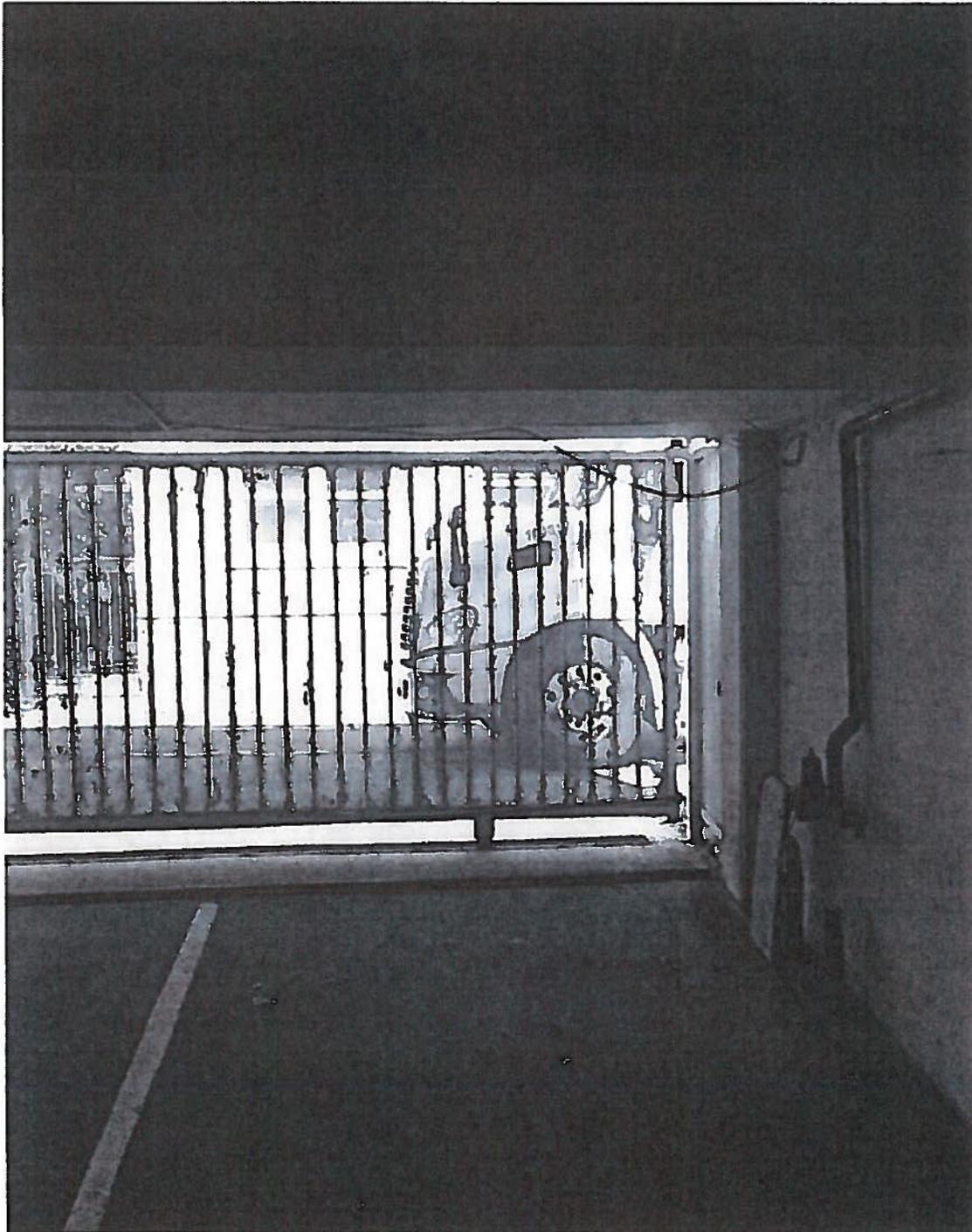
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## Ryan Gohlich

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**From:** mikaelc@aol.com  
**Sent:** Wednesday, March 30, 2016 11:25 AM  
**To:** Ryan Gohlich  
**Cc:** bialermatti@aol.com  
**Subject:** Re: Lots of Delivery trucks prior to 9am

Hi Ryan

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Thank you for clarifying

Mikael Cohen

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**To:** mikaelc <mikaelc@aol.com>  
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**Subject:** Lots of Delivery trucks prior to 9am

More deliveries prior to 9am. I will also send video of the back beeping all day long.  
It takes me a good 5 minutes to run downstairs to take photo's.

Thank You,

Matti Bialer

Sent from my iPhone

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## Ryan Gohlich

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**Sent:** Monday, March 28, 2016 2:51 PM  
**To:** Ryan Gohlich; bialermatti@aol.com; Mahdi Aluzri; George Chavez  
**Cc:** ilanbialer@gmail.com; lilibosse@icloud.com; 4-Nancy Krasne  
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**Cc:** ilanbialer <[ilanbialer@gmail.com](mailto:ilanbialer@gmail.com)>; mikaelc <[mikaelc@aol.com](mailto:mikaelc@aol.com)>; lilibosse <[lilibosse@icloud.com](mailto:lilibosse@icloud.com)>; 4-Nancy Krasne <[nancy@krasne.com](mailto:nancy@krasne.com)>  
**Sent:** Mon, Mar 28, 2016 2:42 pm  
**Subject:** RE: Deliveries Foothill Rd. NO PARKING ZONES

Hi Matti,

Thank you for the images. These will all be provided to the Planning Commission for their April 14<sup>th</sup> review of the hotel's CUP. Following up on our phone conversation this morning, I also want to let you know that we are exploring the feasibility of moving loading operations to Burton Way, away from your property, with the goal of preventing the impacts you're now experiencing, particularly the backup alarms. I'll keep you posted on our progress.

Thanks,

Ryan

Ryan Gohlich, AICP  
Assistant Director / City Planner  
Community Development Department  
City of Beverly Hills  
455 N. Rexford Dr.  
Beverly Hills, CA 90210  
Direct: (310) 285-1118  
Fax: (310) 858-5966  
[rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org)

**From:** Matti Bialer [<mailto:bialermatti@aol.com>]  
**Sent:** Monday, March 28, 2016 2:37 PM  
**To:** Mahdi Aluzri; George Chavez; Ryan Gohlich

Cc: [lanbialer@gmail.com](mailto:lanbialer@gmail.com); [mikaelc@aol.com](mailto:mikaelc@aol.com); [lillbosse@icloud.com](mailto:lillbosse@icloud.com); 4-Nancy Krasne  
Subject: Deliveries Foothill Rd. NO PARKING ZONES

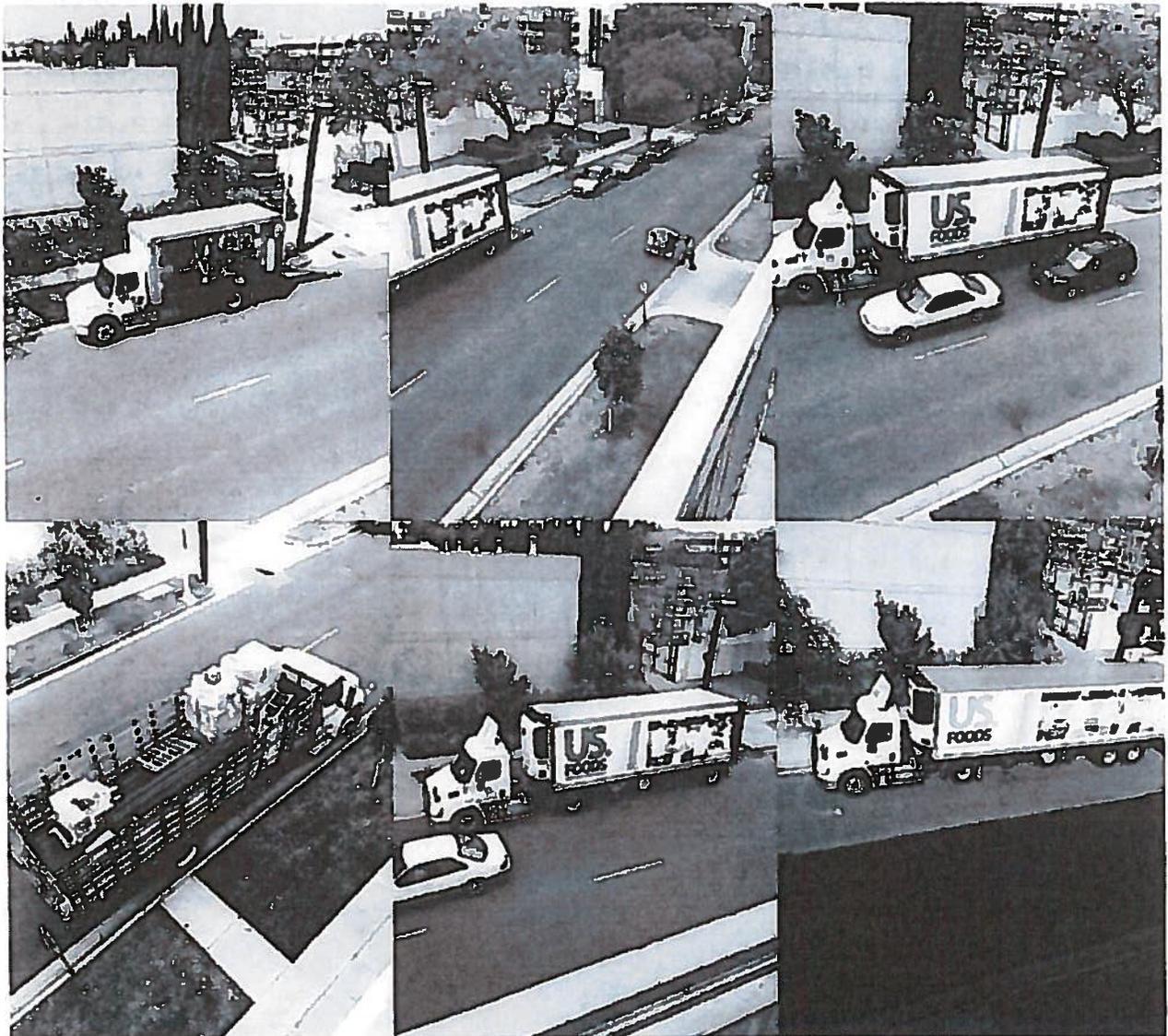
CITY OFFICIALS,

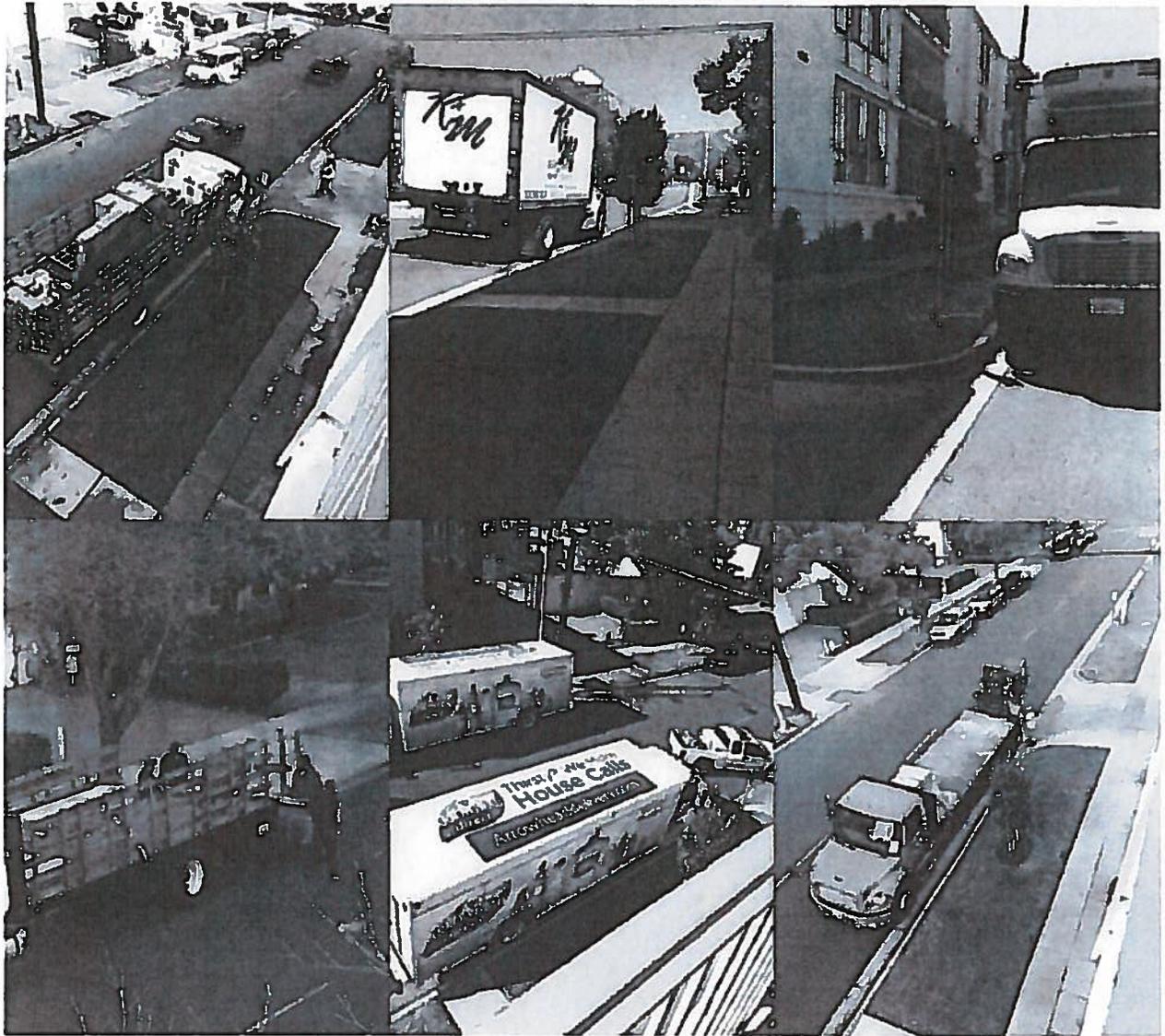
Documentation of L'ermitage delivery trucks parking on Foothill Rd in NO PARKING ZONES. When the alley in the rear is full of delivery trucks, they park illegally on Foothill Rd.

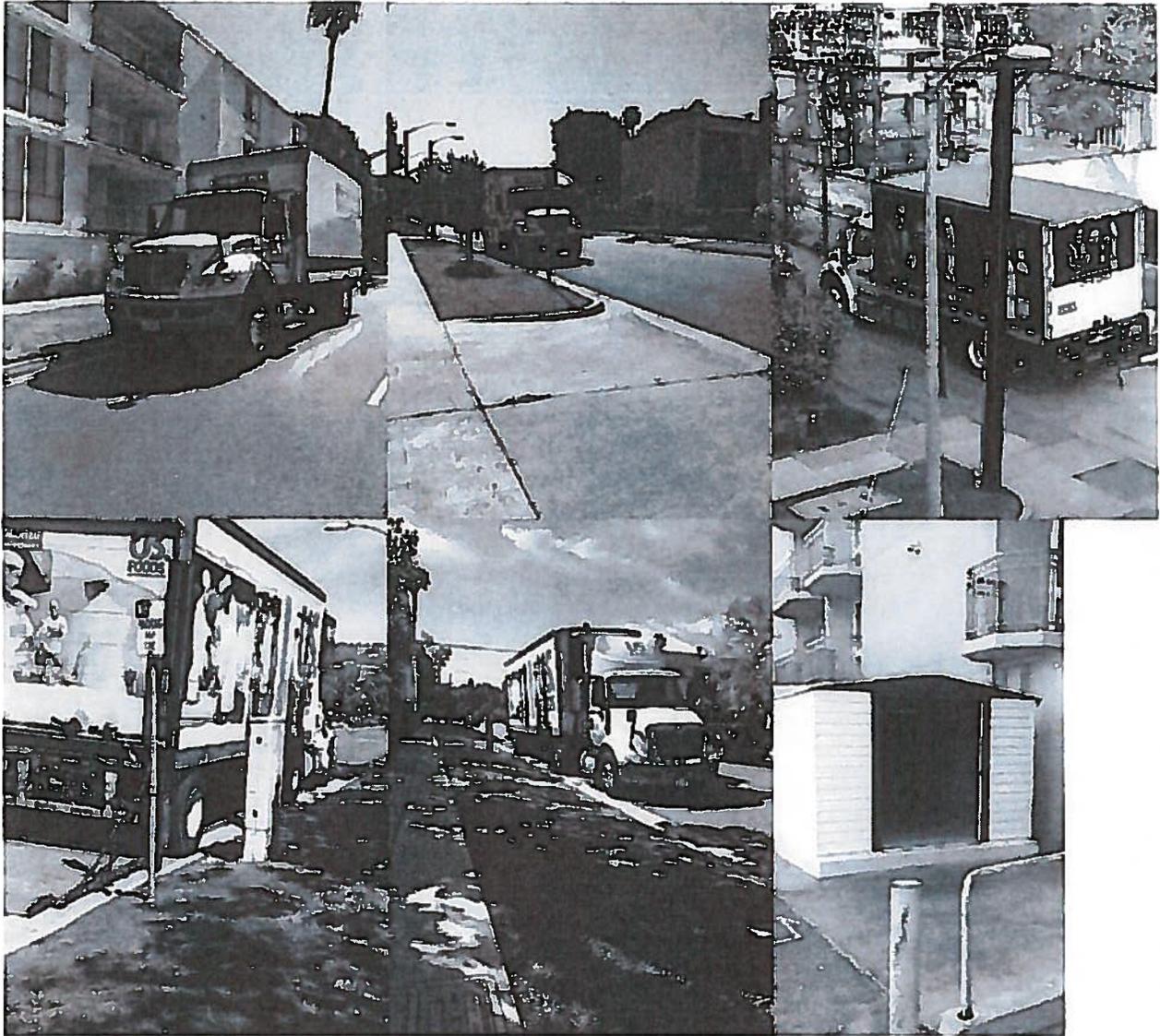
They also just installed a large storage shed in place of the temporary construction elevator in the rear alley.

Thank you for your attention to these violations,

Matti Bialer







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## Ryan Gohlich

---

**From:** mikaelc@aol.com  
**Sent:** Friday, March 25, 2016 12:51 PM  
**To:** bialermatti@aol.com; Ryan Gohlich; Mahdi Aluzri; George Chavez; Susan Healy Keene; Nestor Otazu; WebCBH MAYORANDCITYCOUNCIL  
**Cc:** ilanbialer@gmail.com  
**Subject:** Re: L'ermitage delivery trucks

Hi Matti

I got your email, we have a real problems with this hotel operating in the middle of residential area. The city must take proper action to protect its residents.

Thank you

Mikael Cohen

-----Original Message-----

**From:** Matti Bialer <[bialermatti@aol.com](mailto:bialermatti@aol.com)>  
**To:** rgohlich <[rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org)>; maluzri <[maluzri@beverlyhills.org](mailto:maluzri@beverlyhills.org)>; gchavez <[gchavez@beverlyhills.org](mailto:gchavez@beverlyhills.org)>; skeene <[skeene@beverlyhills.org](mailto:skeene@beverlyhills.org)>; notazu <[notazu@beverlyhills.org](mailto:notazu@beverlyhills.org)>; mayorandcitycouncil <[mayorandcitycouncil@beverlyhills.org](mailto:mayorandcitycouncil@beverlyhills.org)>  
**Cc:** ilanbialer <[ilanbialer@gmail.com](mailto:ilanbialer@gmail.com)>; mikaelc <[mikaelc@aol.com](mailto:mikaelc@aol.com)>  
**Sent:** Fri, Mar 25, 2016 12:33 pm  
**Subject:** L'ermitage delivery trucks

City officials,

If the giant l'ermitage delivery trucks are not blocking our driveways and entrance to our garages, they park on Foothill with engines on, in a NO PARKING ZONE on Foothill and the alley. Disturbing the neighborhood and the flow of traffic.

Sincerely,

Matti Bialer

## Ryan Gohlich

---

**From:** mikaelc@aol.com  
**Sent:** Tuesday, March 22, 2016 6:36 PM  
**To:** Ryan Gohlich; ilanbialer@gmail.com; bialermatti@aol.com  
**Cc:** Mahdi Aluzri; George Chavez; Susan Healy Keene; WebCBH MAYORANDCITYCOUNCIL; lilibosse@icloud.com; Nancy Krasne  
**Subject:** Re: L'ermitage deliveries 7:05am and restaurant and parties bijanviolations

Hi Ryan

Thank you for your email. At least we all agree now, that the entrance of the restaurant was done against the permit and in non-compliance to the current CUP.

However, closing the stairs with a rope until the Planning approved the changes, seems to be another encouragement for the Hotel to be more arrogant and not respectful to the rules of law, Again, adding a nice red rope does not resolve the compliance and you, Planning Commission is helping the process of the violation until next approval, that your email is suggesting already, will be resolved. And then what, remove the nice red rope?

The rules as I have understood and known them through other projects, is to cite the hotel and make them rebuild the site to its original condition, until such an adequate permit has been approved by the Planning Commission and the City Council. This seems to be inclined in favor of the Hotel, no consideration of their past and actual wrong behaviors.

With the mass mailing invitations cards being sent for the Bistro's promotion, suggest that that l'Ermitage wants to advertise for big crowd. Please remember that we are in residential area.

When the Roof top canopy is to be removed? There is no permit the last time I have inquired.

Please advise if the April 14's planning commission will be open to hearings and if so, I insist to be present for any input. Other concerned residents may be also attending. Any change to the CUP must be approved by the Planning Commission and the City Council.

Please advise the time of the meeting April 14<sup>TH</sup>.

Thank you  
Sincerely

Mikael Cohen

—Original Message—

**From:** Ryan Gohlich <rgohlich@beverlyhills.org>  
**To:** mikaelc <mikaelc@aol.com>; ilanbialer <ilanbialer@gmail.com>; bialermatti <bialermatti@aol.com>  
**Cc:** Mahdi Aluzri <maluzri@beverlyhills.org>; George Chavez <gchavez@beverlyhills.org>; Susan Healy Keene <skeene@beverlyhills.org>  
**Sent:** Tue, Mar 22, 2016 9:22 am  
**Subject:** RE: L'ermitage deliveries 7:05am and vilocations

Hi Mikael,

I wanted to let you know that after my meeting yesterday with the hotel's management they closed off use of the new stairs with a rope and stanchions so that all patrons must access the restaurant from within the hotel as outlined in the

CUP. The stair access will remain closed unless and until the Planning Commission modifies the CUP to allow its use after studying any potential impacts. At this time, the outdoor dining area is now in compliance with the CUP. In addition to addressing the stair access, the hotel again committed to abiding by the conditions in the CUP, and we will continue to monitor their compliance so that we can report out on it when the Planning Commission reviews the matter on April 14<sup>th</sup>. Please let me know if you have any questions.

Thank you,

Ryan

Bcc: City Council

Ryan Gohlich, AICP  
Assistant Director / City Planner  
Community Development Department  
City of Beverly Hills  
455 N. Rexford Dr.  
Beverly Hills, CA 90210  
Direct: (310) 285-1118  
Fax: (310) 858-5966  
[rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org)

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**From:** Ryan Gohlich  
**Sent:** Monday, March 21, 2016 10:12 AM  
**To:** '[mikaelc@aol.com](mailto:mikaelc@aol.com)'; [ilanbialer@gmail.com](mailto:ilanbialer@gmail.com); [bialermatti@aol.com](mailto:bialermatti@aol.com)  
**Cc:** Mahdi Aluzri; George Chavez; Susan Healy Keene  
**Subject:** RE: L'ermitage deliveries 7:05am and viloations

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**From:** [mikaelc@aol.com](mailto:mikaelc@aol.com) [<mailto:mikaelc@aol.com>]  
**Sent:** Monday, March 21, 2016 8:56 AM  
**To:** Ryan Gohlich; [ilanbialer@gmail.com](mailto:ilanbialer@gmail.com); [bialermatti@aol.com](mailto:bialermatti@aol.com)

**Cc:** Andre Sahakian; WebCBH MAYORANDCITYCOUNCIL; Nancy Krasne; Terence May; Mahdi Aluzri  
**Subject:** Re: L'ermitage deliveries 7:05am and viloations

Hi Ryan

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Now, before I answer your email in the same language as dictated by the CUP, I have asked and asked so many times, the permit that has allowed L' Ermitage to build the front restaurant entrance. I NEED THE COPY OF THAT PERMIT. I know that Beverly Planning would not allow an remodeling without permit. I had the experience dealing with the planning for my own house work.

**Therefore, I am begging you, I beg the Planning, I beg the City Manager and I beg the council to have a copy of the permit for the restaurant entrance from the street, or let me know how can I get it.**

Thank you for your help  
Best Regards

Mikael Cohen

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From: Ryan Gohlich <[rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org)>

To: mikaelc <[mikaelc@aol.com](mailto:mikaelc@aol.com)>; ilanbialer <[ilanbialer@gmail.com](mailto:ilanbialer@gmail.com)>; bialermatti <[bialermatti@aol.com](mailto:bialermatti@aol.com)>

Sent: Fri, Mar 18, 2016 2:22 pm

Subject: RE: L'ermitage deliveries 7:05am

Hi All,

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- Abiding by the hour limitations for loading activities, ensuring that alley access is maintained, and ensuring that your parking spaces remain accessible.
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In addition to the above, we are working to resolve the restaurant access issue. The language in the original CUP requiring restaurant guests to access the dining area from inside the hotel was intended to keep arriving patrons from using an access door in close proximity to the Bialer property. The new point of access in question is located approximately 120' away from the Bialer property and immediately adjacent to the hotel's main entrance. In addition, the outdoor dining has been relocated approximately 50' to the east, away from the Bialer property. While I believe that the distance of the new access point from the Bialer property is generally consistent with the intent of having patrons use the main hotel entrance rather than going into the restaurant adjacent to the Bialer property, I agree that the CUP does not specifically authorize this. As I previously stated, the CUP is up for renewal, and we will be taking it forward to the Planning Commission in either April or May for them to review. As a component of the renewal, we will be asking the Planning Commission to address the restaurant access point. In the interim, I am working with the hotel to identify solutions and ensure that guests do not congregate around the access point. I will also be out at the hotel on Monday afternoon to meet with hotel management, walk the property, and address CUP and other issues. I'm happy to

meet with any of you at City Hall, your residences, or in front of the hotel to go over these issues as well, and will have additional details after my Monday meeting. If you experience any issues over the next several days (particularly with respect to truck loading or congregation around the access point) please let me know. Thank you for working with us to ensure that we are able to address neighborhood impacts.

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Assistant Director / City Planner  
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Direct: (310) 285-1118  
Fax: (310) 858-5966  
[rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org)

**From:** [mikaelc@aol.com](mailto:mikaelc@aol.com) [<mailto:mikaelc@aol.com>]  
**Sent:** Wednesday, March 16, 2016 3:50 PM  
**To:** [ilanbialer@gmail.com](mailto:ilanbialer@gmail.com)  
**Cc:** [bialermatti@aol.com](mailto:bialermatti@aol.com); Ryan Gohlich  
**Subject:** Re: L'ermitage deliveries 7:05am

Thank you Matti

I would love to hear also from Ryan ( CC herein) who promised an answer to my emails. Yes the hotel is still operating same with an alleged emergency exit with a hostess and host counter. I have never seen such an entry with top glass door and beautiful stairs to be for an emergency exit.

Thank you all for proper follow up.  
Best to all

Mikael Cohen

-----Original Message-----

**From:** Ilan Bialer <[ilanbialer@gmail.com](mailto:ilanbialer@gmail.com)>  
**To:** Ryan Gohlich <[rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org)>  
**Cc:** Matti Bialer <[bialermatti@aol.com](mailto:bialermatti@aol.com)>; mikaelc <[mikaelc@aol.com](mailto:mikaelc@aol.com)>  
**Sent:** Wed, Mar 16, 2016 2:32 pm  
**Subject:** Re: L'ermitage deliveries 7:05am

Hi Ryan,

I didn't hear back on the below.

Btw, the reception desk and entrance remains active directly on Burton Way.

Thank you,

All the best, Ilan

On Mar 10, 2016, at 12:37 PM, Ilan Bialer <[ilanbialer@gmail.com](mailto:ilanbialer@gmail.com)> wrote:

Thank you Ryan for the update. Could you please supply us with a list of the compliance issues you are notifying them of?

Thanks again for your diligence in this matter.

All the best, Ilan

On Mar 10, 2016, at 2:57 PM, Ryan Gohlich <[rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org)> wrote:

Thank you, Matti. I met with the hotel's representatives yesterday afternoon, and we are in the process of putting in writing the ongoing CUP compliance issues, with agreement from the hotel that they will respond in writing and outline how they intend to comply. My hope is that this will be the last of the loading issues (among other things), but please continue to provide me with any violation info you capture. I'll continue to keep you updated as we work through this, and I will also notify you once we have a date set for the Planning Commission to review the CUP (likely in April).

Ryan

Ryan Gohlich, AICP  
Assistant Director / City Planner  
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Direct: (310) 285-1118  
Fax: (310) 858-5966  
[rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org)

**From:** Matti Bialer [<mailto:mattbialer@icloud.com>]  
**Sent:** Thursday, March 10, 2016 9:30 AM  
**To:** Ryan Gohlich; Mahdi Aluzri; George Chavez; Raj Patel; Susan Healy Keene; Nestor Otazu; Ilan; [mikaelc@aol.com](mailto:mikaelc@aol.com)  
**Cc:** Matti Bialer  
**Subject:** Re: L'ermitage deliveries 7:05am

On Mar 10, 2016, at 7:35 AM, Matti Bialer <[mattbialer@icloud.com](mailto:mattbialer@icloud.com)> wrote:

City officials,  
The hotel continues to have deliveries at 7am, waking up the neighborhood and blocking the whole alley.

Matti Bialer

<IMG\_0079.MOV>

Sent from my iPhone

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## Ryan Gohlich

---

**From:** mikaelc@aol.com  
**Sent:** Monday, March 21, 2016 5:57 PM  
**To:** lilibosse@icloud.com; Ryan Gohlich  
**Cc:** ilanbialer@gmail.com; bialermatti@aol.com; Mahdi Aluzri; George Chavez; Susan Healy Keene  
**Subject:** Re: L'ermitage deliveries 7:05am and vilocations

Dear Council Boss

I am so grateful to have your support and thank you for your comforting message. I will forward your message to all concerned residents in the vicinity of the Hotel and those ones who signed the petition and let everyone know your support...

Thank you so much

Sincerely

Mikael Cohen

-----Original Message-----

**From:** lili Bosse <lilibosse@icloud.com>  
**To:** Ryan Gohlich <rgohlich@beverlyhills.org>  
**Cc:** mikaelc <mikaelc@aol.com>; ilanbialer <ilanbialer@gmail.com>; bialermatti <bialermatti@aol.com>; Mahdi Aluzri <maluzri@beverlyhills.org>; george chavez <gchavez@beverlyhills.org>; susan healy keene <skeene@beverlyhills.org>  
**Sent:** Mon, Mar 21, 2016 12:11 pm  
**Subject:** Re: L'ermitage deliveries 7:05am and vilocations

Dear Mikael,

You have my full support on this issue.. You can rest assured that the Planning Commission and the city council will make sure that all impacts and CUP issues will be addressed fully.

As a former Planning Commissioner myself, you can count on me thoroughly reviewing this issue too!

Warmly,  
Lili

On Mar 21, 2016, at 10:12 AM, Ryan Gohlich <[rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org)> wrote:

Hi Mikael,

Thank you for the information regarding this weekend. I will be out at the hotel this afternoon to discuss all of these issues with the hotel, including how they are using the new stairs and the need to comply with the CUP. In addition, we will be scheduling a review of the hotel's CUP for the April 14<sup>th</sup> Planning Commission meeting. I have attached a copy of the permit for the hotel's renovations, which included the new stairs in place of the former valet/luggage area. We also have the plans that accompany the permit here at City Hall if you'd like to review them. I'll continue to provide you with updates as I have them.

Thank you,

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Bcc: City Council

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**Cc:** Andre Sahakian; WebCBH MAYORANDCITYCOUNCIL; Nancy Krasne; Terence May; Mahdi Aluzri

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Hi Ryan

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The Hotel is not stopping from violation to violation. Just as an example the last Saturday night they had music so loud that you can hear it from 5 miles away, even after the visit of the police department. The Canopy on the roof top, which is already there without permit, gives the hotel pretext to have loud parties without proper authorization from the department of the transportation as stated by the CUP.

Now, before I answer your email in the same language as dictated by the CUP, I have asked and asked so many times, the permit that has allowed L' Ermitage to build the front restaurant entrance. I NEED THE COPY OF THAT PERMIT. I know that Beverly Planning would not allow an remodeling without permit. I had the experience dealing with the planning for my own house work.

**Therefore, I am begging you, I beg the Planning, I beg the City Manager and I beg the council to have a copy of the permit for the restaurant entrance from the street, or let me know how can I get it.**

Thank you for your help  
Best Regards

Mikael Cohen

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Sent: Fri, Mar 18, 2016 2:22 pm

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Hi All,

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Thank you all for proper follow up.  
Best to all

Mikael Cohen

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Cc: Matti Bialer <[bialermatti@aol.com](mailto:bialermatti@aol.com)>; mikaelc <[mikaelc@aol.com](mailto:mikaelc@aol.com)>  
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<L'Ermitage Building Permit.pdf>

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- Directing limousines and other transportation to not park/wait on Burton Way adjacent to residential areas.

In addition to the above, we are working to resolve the restaurant access issue. The language in the original CUP requiring restaurant guests to access the dining area from inside the hotel was intended to keep arriving patrons from using an access door in close proximity to the Bialer property. The new point of access in question is located

approximately 120' away from the Bialer property and immediately adjacent to the hotel's main entrance. In addition, the outdoor dining has been relocated approximately 50' to the east, away from the Bialer property. While I believe that the distance of the new access point from the Bialer property is generally consistent with the intent of having patrons use the main hotel entrance rather than going into the restaurant adjacent to the Bialer property, I agree that the CUP does not specifically authorize this. As I previously stated, the CUP is up for renewal, and we will be taking it forward to the Planning Commission in either April or May for them to review. As a component of the renewal, we will be asking the Planning Commission to address the restaurant access point. In the interim, I am working with the hotel to identify solutions and ensure that guests do not congregate around the access point. I will also be out at the hotel on Monday afternoon to meet with hotel management, walk the property, and address CUP and other issues. I'm happy to meet with any of you at City Hall, your residences, or in front of the hotel to go over these issues as well, and will have additional details after my Monday meeting. If you experience any issues over the next several days (particularly with respect to truck loading or congregation around the access point) please let me know. Thank you for working with us to ensure that we are able to address neighborhood impacts.

Ryan

Ryan Gohlich, AICP  
Assistant Director / City Planner  
Community Development Department  
City of Beverly Hills  
455 N. Rexford Dr.  
Beverly Hills, CA 90210  
Direct: (310) 285-1118  
Fax: (310) 858-5966  
[rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org)

**From:** [mikaelc@aol.com](mailto:mikaelc@aol.com) [<mailto:mikaelc@aol.com>]  
**Sent:** Wednesday, March 16, 2016 3:50 PM  
**To:** [ilanbialer@gmail.com](mailto:ilanbialer@gmail.com)  
**Cc:** [bialermatti@aol.com](mailto:bialermatti@aol.com); Ryan Gohlich  
**Subject:** Re: L'ermitage deliveries 7:05am

Thank you Matti

I would love to hear also from Ryan ( CC herein) who promised an answer to my emails.  
Yes the hotel is still operating same with an alleged emergency exit with a hostess and host counter. I have never seen such an entry with top glass door and beautiful stairs to be for an emergency exit.

Thank you all for proper follow up.  
Best to all

Mikael Cohen

—Original Message—

From: Ilan Bialer <[ilanbialer@gmail.com](mailto:ilanbialer@gmail.com)>  
To: Ryan Gohlich <[rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org)>  
Cc: Matti Bialer <[bialermatti@aol.com](mailto:bialermatti@aol.com)>; mikaelc <[mikaelc@aol.com](mailto:mikaelc@aol.com)>  
Sent: Wed, Mar 16, 2016 2:32 pm  
Subject: Re: L'ermitage deliveries 7:05am

Hi Ryan,

I didn't hear back on the below.

Btw, the reception desk and entrance remains active directly on Burton Way.

Thank you,

All the best, Ilan

On Mar 10, 2016, at 12:37 PM, Ilan Bialer <[ilanbialer@gmail.com](mailto:ilanbialer@gmail.com)> wrote:

Thank you Ryan for the update. Could you please supply us with a list of the compliance issues you are notifying them of?

Thanks again for your diligence in this matter.

All the best, Ilan

On Mar 10, 2016, at 2:57 PM, Ryan Gohlich <[rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org)> wrote:

Thank you, Matti. I met with the hotel's representatives yesterday afternoon, and we are in the process of putting in writing the ongoing CUP compliance issues, with agreement from the hotel that they will respond in writing and outline how they intend to comply. My hope is that this will be the last of the loading issues (among other things), but please continue to provide me with any violation info you capture. I'll continue to keep you updated as we work through this, and I will also notify you once we have a date set for the Planning Commission to review the CUP (likely in April).

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Assistant Director / City Planner  
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Direct: (310) 285-1118  
Fax: (310) 858-5966  
[rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org)

**From:** Matti Bialer [<mailto:mattibialer@icloud.com>]

**Sent:** Thursday, March 10, 2016 9:30 AM

**To:** Ryan Gohlich; Mahdi Aluzri; George Chavez; Raj Patel; Susan Healy Keene; Nestor Otazu; Ilan; [mikaelc@aol.com](mailto:mikaelc@aol.com)

**Cc:** Matti Bialer

**Subject:** Re: L'ermitage deliveries 7:05am

On Mar 10, 2016, at 7:35 AM, Matti Bialer <[mattibialer@icloud.com](mailto:mattibialer@icloud.com)> wrote:

City officials,  
The hotel continues to have deliveries at 7am, waking up the neighborhood and blocking the whole alley.

Matti Bialer

<IMG\_0079.MOV>

Sent from my iPhone

---

—  
The City keeps a copy of all E-mails sent and received for a minimum of 2 years. All retained E-mails will be treated as a Public Record per the California Public Records Act, and may be subject to disclosure pursuant to the terms, and subject to the exemptions, of that Act.

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## Ryan Gohlich

---

**From:** mikaelc@aol.com  
**Sent:** Wednesday, March 16, 2016 3:50 PM  
**To:** ilanbialer@gmail.com  
**Cc:** bialermatti@aol.com; Ryan Gohlich  
**Subject:** Re: L'ermitage deliveries 7:05am

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Mikael Cohen

-----Original Message-----

**From:** Ilan Bialer <ilanbialer@gmail.com>  
**To:** Ryan Gohlich <rgohlich@beverlyhills.org>  
**Cc:** Matti Bialer <bialermatti@aol.com>; mikaelc <mikaelc@aol.com>  
**Sent:** Wed, Mar 16, 2016 2:32 pm  
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Ryan

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[rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org)

**From:** Matti Bialer [<mailto:mattbialer@icloud.com>]

**Sent:** Thursday, March 10, 2016 9:30 AM

**To:** Ryan Gohlich; Mahdi Aluzri; George Chavez; Raj Patel; Susan Healy Keene; Nestor Otazu; Ilan; [mikaelc@aol.com](mailto:mikaelc@aol.com)

**Cc:** Matti Bialer

**Subject:** Re: L'ermitage deliveries 7:05am

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## Ryan Gohlich

---

**From:** mikaelc@aol.com  
**Sent:** Thursday, March 10, 2016 1:37 PM  
**To:** Ryan Gohlich; mattibialer@icloud.com; Mahdi Aluzri; George Chavez; Raj Patel; Susan Healy Keene; Nestor Otazu; ilanbialer@gmail.com; tmay@beverlyhill.org; WebCBH  
MAYORANDCITYCOUNCIL  
**Subject:** Re: L'ermitage deliveries 7:05am

Thank you Ryan for your help.

I sent you an email on Tuesday and I hope you have included the Limousine concern too to the hotel and have them stop the parking violation in addition to all other violations.

See email below that I sent and appreciate if you could respond.

Thank you for your help.

Best Regards

Mikael Cohen

Email from Tuesday 3-8-2016

Dear Ryan

I appreciate your response to my email and of course I was glad to meet you at the City Hall during the Council meeting of last week.

I guess today, you had the proof that the Hotel did not build an emergency exit door to the street, but rather a real entrance to the restaurant from the street. I believe you have received videos from Matti Bialer. You agree this is violation of the CUP.

I want now to direct you to Resolution 1138 adopted 8-23-00 and you did send a copy, please see Section 5 Paragraph 2 (page 4) where it states clearly, "that the Hotel shall not instruct, nor encourage directly and indirectly any driver of any taxi or Limousine to park on any residential street in the vicinity of the hotel, **including but expressly not limited to, the south side of Burton Way.**" Please read the rest of the text resolution, where the applicant, the Hotel, shall attempt to clearly identify through the use of a special vehicle tags for those limousines.

The Hotel has always violated this resolution and from testimonies collected from the drivers, they are instructed by the personnel of L'Ermitage to park across the street, without consideration of the CUP.

You should know, the garbage the drivers leave behind, it is a shame for the beautiful Burton Way.

The Hotel has violated most of the resolutions of the CUP, without respect to nay rule, to the issued permit, to the residents and to the City of Beverly Hills itself.

In my last email, I have asked the City to provide me with the permit issued authorizing the Hotel to build a restaurant entrance from the street. I would very much appreciate a copy.

Also, the resolutions call for the CUP to be renewed every year. I would like to review the yearly renewals from year 2000, as per last email. Has L'ermitage complied with the renewals??

Thank you for your help, and hope you would include the above mentioned matters to L'Ermitage during your meeting on Wednesday

Regards  
Mikael Cohen

-----Original Message-----

From: Ryan Gohlich <rgohlich@beverlyhills.org>  
To: mikaelc <mikaelc@aol.com>  
Cc: Mahdi Aluzri <maluzri@beverlyhills.org>; George Chavez <gchavez@beverlyhills.org>; Susan Healy Keene <skeene@beverlyhills.org>; Raj Patel <rpatel@beverlyhills.org>; Andre Sahakian <asahakian@beverlyhills.org>  
Sent: Tue, Mar 1, 2016 2:15 pm  
Subject: L'Ermitage Hotel Follow Up

Dear Mikael,

Following up on my email yesterday, I wanted to offer some additional information and responses to your questions regarding the recent changes at the L'Ermitage Hotel outdoor dining area:

- With respect to the conditions from the current CUP regarding live entertainment, amplified sound, and hours of operation, these conditions all still apply to the outdoor dining area and hotel restaurant, and can continue to be enforced. Staff has reviewed all code enforcement cases for the hotel over the past two years, and although there have been complaints regarding music, noise, and hours of operation, we have not been able to obtain any police records or other evidence to support these violations. However, our Code Enforcement Officers continue to investigate these matters, and we are in the process of obtaining updated police reports to assist us in substantiating any potential violations.
- The entry and exit to the new outdoor dining area will continue to be required to occur from within the restaurant. Staff is currently working with the hotel operator to ensure that the stairs from the sidewalk on Burton Way are for emergency egress/ingress only.
- After reviewing the CUP, staff was unable to find the condition referenced in your email regarding prohibiting limousines from parking on Burton Way. While the CUP findings acknowledge that there could potentially be impacts to street parking on the nearby residential streets, there are no conditions that prohibit patrons of the hotel from parking on the street. Other conditions were put in place to limit the number and frequency of rooftop events and requiring free, off-street parking for employees and free valet parking for patrons in order to help reduce the impact to street parking.
- The City has issued building permits for various changes to the lobby area of the hotel, including relocation of the outdoor dining area from the rotunda courtyard on the west side (which was adjacent to the condominium building next door) to the new area further east along Burton way. These changes were reviewed for conformity with the existing CUP, and to ensure that they would not result in an increase in intensity of the uses. Since the total number of tables and chairs in the outdoor dining area remains the same as before (7 tables and 20 chairs, with the prior outdoor dining area being eliminated), there is no increase in the intensity of use. Since these changes are consistent with the requirements in the original CUP, a resolution and public notice were not required.
- The original resolution approving the CUP for the restaurant and outdoor dining uses was renewed annually twice after it was adopted (Resolutions 1138 and 1191). As part of Resolution 1191, the renewal procedure was amended to allow the Director of Community Development (rather than the Planning Commission) to grant subsequent renewals. Please see attached for the aforementioned Resolutions for reference.

Please note that the request for the changes to the CUP conditions regarding rooftop events, construction of the proposed rooftop enclosure, and the proposed elevator shaft on the west side of the building are still under review and have not yet been approved. Public hearings will be scheduled for those items in the coming months, and notifications will be sent so that neighbors of the property will have the opportunity to comment on these changes. Any other changes to the hotel that go beyond the scope of the existing CUP would also require review.

We appreciate your comments on the property, and will keep you updated as we work with the hotel's management to ensure compliance. Please feel free to contact me if you have any questions.

Thank you,

Ryan

Bcc: City Council

Ryan Gohlich, AICP  
Assistant Director / City Planner  
Community Development Department  
City of Beverly Hills  
455 N. Rexford Dr.  
Beverly Hills, CA 90210  
Direct: (310) 285-1118  
Fax: (310) 858-5966  
[rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org)

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**To:** Matti Bialer <[mattbialer@icloud.com](mailto:mattbialer@icloud.com)>; Mahdi Aluzri <[maluzri@beverlyhills.org](mailto:maluzri@beverlyhills.org)>; George Chavez <[gchavez@beverlyhills.org](mailto:gchavez@beverlyhills.org)>; Raj Patel <[rpatel@beverlyhills.org](mailto:rpatel@beverlyhills.org)>; Susan Healy Keene <[skeene@beverlyhills.org](mailto:skeene@beverlyhills.org)>; Nestor Otazu <[notazu@beverlyhills.org](mailto:notazu@beverlyhills.org)>; Ilan <[ilanbialer@gmail.com](mailto:ilanbialer@gmail.com)>; mikaelc <[mikaelc@aol.com](mailto:mikaelc@aol.com)>  
**Sent:** Thu, Mar 10, 2016 11:57 am  
**Subject:** RE: L'ermitage deliveries 7:05am

Thank you, Matti. I met with the hotel's representatives yesterday afternoon, and we are in the process of putting in writing the ongoing CUP compliance issues, with agreement from the hotel that they will respond in writing and outline how they intend to comply. My hope is that this will be the last of the loading issues (among other things), but please continue to provide me with any violation info you capture. I'll continue to keep you updated as we work through this, and I will also notify you once we have a date set for the Planning Commission to review the CUP (likely in April).

Ryan

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Assistant Director / City Planner  
Community Development Department  
City of Beverly Hills  
455 N. Rexford Dr.  
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Direct: (310) 285-1118  
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City officials,  
The hotel continues to have deliveries at 7am, waking up the neighborhood and blocking the whole alley.

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<IMG\_0079.MOV>

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**PUBLIC CORRESPONDENCE**

**MARK EGERMAN**

# EGERMAN LAW GROUP, LLP

MARK EGERMAN  
[mark@egermanlaw.com](mailto:mark@egermanlaw.com)

LEE EGERMAN  
[lee@egermanlaw.com](mailto:lee@egermanlaw.com)

280 South Beverly Drive  
Suite 304  
Beverly Hills, California 90212

TELEPHONE  
(310) 248-6299

FACSIMILE  
(310) 248-6288

April 12, 2016

***Via Messenger and E-Mail***

Ryan Gohlich <[rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org)>

City of Beverly Hills  
Beverly Hills Planning Commission  
Attn: Chair Alan Robert Block  
Vice Chair Farshid Joe Shooshani  
Commissioner Craig Corman  
Commissioner Howard S. Fisher  
Commissioner Lori Greene Gordon  
455 North Rexford Drive  
Beverly Hills, CA 90210

*Re: L'Ermitage Hotel - Development Plan and CUP*

Dear Chairman Block and Members of the Planning Commission:

I am writing you to strongly support the application of the L'Ermitage Hotel to renew its previous approved Development Plan and Conditional Use Permit to allow the continued operation of the L'Ermitage Hotel and its restaurant, rooftop event space, and open air dining area. The City of Beverly Hills has long recognized the importance of high end hotels, in this case a five-star hotel, to maintain the viability, image, brand, and style of the City of Beverly Hills. The L'Ermitage Hotel is one of the key business assets of our City, providing substantial revenues and securing Beverly Hills as a destination location for high end travelers.

Its operation conforms to several of the General Plan's policies, including but not limited to the Policy LU 9.1, which sets a City goal to accommodate hotels that support the need of local residents, attract customers from the region, and provide a quality experience for national and international tourists. General Plan Policy LU 15.2 specifies that the City is to retain and build upon the key business sectors contributing to the City's identity, including but not limited to restaurant and hotel operations. Finally, Policy ES 1.4 states that the City is to encourage existing industries such as luxury retail, tourism, hotels, and finance.

We are fortunate to be a City that is known world wide as a special place to live

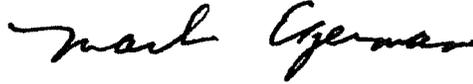
City of Beverly Hills  
Beverly Hills Planning Commission  
April 12, 2016  
Page 2

or visit. This reputation comes in no small part from the fact that we have more five-star hotels given the size of our City than any other place in the world. The L'Ermitage Hotel is an important piece of the mosaic that makes Beverly Hills so special.

I urge you to give every consideration and support to the L'Ermitage Hotel as one of our great business institutions with an international reputation.

Thank you for your consideration in this matter.

Very truly yours,

A handwritten signature in black ink, appearing to read "Mark Egerman". The signature is fluid and cursive, with the first name "Mark" and last name "Egerman" clearly distinguishable.

MARK EGERMAN

ME/jl

S:\Clients\WME\Beverly Hills Planning Commission-2.4-12-16.wpd

**PUBLIC CORRESPONDENCE**

**MITCH DAWSON**

April 25, 2016

**Dawson Tilem & Gole**  
9545 Wilshire Blvd., Penthouse  
Beverly Hills, CA 90212

Attention: Mr. Mitchel Dawson

**Subject: Viceroy Lermitage Hotel, Beverly Hills, CA**  
**Outdoor Patio Restaurant**  
**Acoustical Review**  
**V.A. Project No. 4580-002**

Dear Mr. Dawson:

We have reviewed the plans for the proposed new outdoor dining area at Viceroy Lermitage Hotel in Beverly Hills. The purpose of this review was to assess the possible impact of any produced sounds in this area, at the noise sensitive locations in the near vicinity of the hotel.

The closest noise sensitive structure is a residential building to the west property line of the hotel. Another residential structure is located to the east property line of the hotel however due to its farther distance than the structure on the west side, any possible impact will be less severe at this location. A number of residential units are located directly across the Burton Way which may be considered as sensitive noise receptors.

As you are aware we had documented the ambient noise levels at this location in a previous study. Noise levels were measured at a location directly in front of the hotel and also near a residential unit across the Burton Way.

We estimated the produced noise levels at these sensitive locations due to expected activities in a typical restaurant. These levels were substantially lower than the ambient noise levels which we measured in our previous survey.

Based on our noise estimates and comparison with the results of our past ambient noise survey we have concluded that any noise produced in the outdoor dining area will have minimal or no impact at the nearest noise sensitive locations. Therefore, no noise impact may be expected at any other

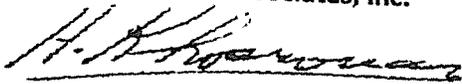
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location, near or far from the hotel. This conclusion had also been reached by the City's technical staff and included in their report to the Planning Commission.

If you have any questions concerning information contained in this report please do not hesitate to contact me.

Sincerely,

**Veneklasen Associates, Inc.**

A handwritten signature in black ink, appearing to read "H. Khosrovani", written over a horizontal line.

Hooshang Khosrovani, Ph.D., P.E.

Principal

G:\DawsonTilem&Gole\ViceroyLermitage\16HK001

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Law Offices of  
**DAWSON TILEM & GOLE**

MITCHELL J. DAWSON  
JOSEPH N. TILEM  
GARY M. GOLE

9454 Wilshire Boulevard, Penthouse  
Beverly Hills, California 90212  
Telephone: (310) 285-0880  
Facsimile: (310) 285-0807

November 10, 2015

Chairman Alan Block  
Members of the Planning Commission

Re: Viceroy L'Ermitage Hotel Application for Overlay Zone

Dear Commissioners:

I write on behalf of the Viceroy L'Ermitage Hotel, which includes direct comments from General Manager Sal Abaunza, Hotel Manager Nicholas Rimedio, project management and others involved.

The L'Ermitage Hotel, and individuals directly related with the ongoing property management, have put forth a multitude of opportunities to address potential concerns of neighbors and to promote positive relations with the community and especially nearby residents.

First is attached a letter to Neighbors of February 23, 2015, from the Hotel Manager, Nicholas Rimedio. It explains the remodeling program and its goals. The letter discusses hours of operation for the remodeling, which commenced in March of 2015.

The letter includes "an expression of our appreciation" offering a lunch or other items to drink or eat for the entire year of 2015. Moreover, the letter leaves a dedicated telephone hotline number "... should you have any questions or concerns about this remodeling phase...."

The staff of the L'Ermitage Hotel, including the undersigned, have had numerous meetings at the hotel with neighbors to discuss preventative measures.

Specific neighbors have been given not only the personal telephone number of the Hotel Manager, but as well, members of the construction staff, project management staff and myself. In each instance, our cell numbers were given for direct contact.

Re: L'Ermitage Hotel Application  
November 10, 2015  
Page 2

The Hotel has positioned a "parking guard" at the Foothill entry to the alley behind the hotel. The parking guard is there to avert parking issues, alley congestion and potential blockage of garages of the apartment building on the western end of the alley.

The Hotel has offered to provide double glazing to two sides of windows on one property and to provide the necessary funds for the owners to control at their will.

An additional factor is the request of the Hotel within the overlay zone is to eliminate outdoor seating in the western-most terrace area. The request is to move that seating much further east (same number of seats as has been approved - 20) so that it is then a greater distance from the residential apartment building to the west.

Both the General Manager Sal Abaunza and Hotel Manager Nick Rimedio reside in Beverly Hills and are in close walking proximity to the Hotel. They have been and remain welcoming to the opportunity to be immediately onsite in an attempt to remedy any concerns that arise. Both Mr. Abaunza and Mr. Rimedio advise that they have not been contacted by cell as offered. Neither have I.

Since construction for the remodeling has begun in March there have been very few events at all on the rooftop due to remodeling in the lobby area. The few that were allowed on the rooftop ended promptly at 10:00 p.m. None will be scheduled for the remainder of the year and presently none are yet scheduled for 2016 – still limited in number by the existing CUP.

#### AN IMPORTANT POINT OF CLARIFICATION.

There will be NO BAR or NIGHT CLUB on the roof. The request for 2am hours is meant for a limited number of special events such as a major awards reception.

One of the significant points of the Application now pending is covered very carefully in the mitigated negative declaration document which reflects the study of the "... installation of a glass 15-foot "acoustic shield" that would extend around the perimeter of the rooftop and would slope inward and is designed to reduce noise from rooftop uses." This is a quote from the project description published in the local newspapers and part of the MND project description. The shield will significantly mitigate noise from the rooftop. See attached memo.

Re: L'Ermitage Hotel Application  
November 10, 2015  
Page 3

An additional undertaking as to noise reduction is a system for staff to call from the rooftop to the valet personnel on ground level/garage to bring up the car needed. This will limit the waiting time for vehicles and minimize noise. Further, for events on rooftop that require the need, the Hotel will continue to have its employees park off site in paid for BH parking lots.

The L'Ermitage Hotel will continue to do its very best in dealing with all issues of noise, parking, deliveries and things of that nature. Special conditions will be imposed for event set up and breakdown. The L'Ermitage Hotel believes it has taken great strides to meet the requests of the community and local neighbors and will continue to do whatever it takes to make it even better.

The Viceroy L'Ermitage Hotel is one of the very few 5-star hotels in Beverly Hills and would only have the desire to maintain that status -- as reflected in recently being honored by the Beverly Hills Chamber of Commerce as the best of Beverly Hills Golden Palm Awards in the category of ABOVE AND BEYOND. Reaching out to neighbors is essential to "going above and beyond." The Viceroy L'Ermitage Hotel respects the rights of neighbors and the right of quiet enjoyment.

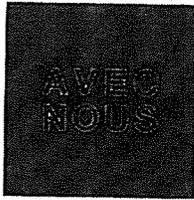
Respectfully submitted,



MITCHELL J. DAWSON  
On Behalf of Viceroy/L'Ermitage Hotel

MJD:js  
Attachments





## Front Door Policy- Seating & Phone Calls

Effective:

**April 1, 2016**

### **TO: ALL AVEC NOUS COLLEAGUES**

#### **PURPOSE**

To ensure that all guest reservations are properly taken in addition to communicating complimentary valet and our waiting policy in advance of their arrival.

#### **Steps of Service:**

##### Reservations:

- All incoming calls to be answered by either host/hostess or hotel reservationist.
  - Please warmly answer the phone with time of day and "Good morning, thank you for calling Avec Nous! This is John, how may I be of service?".
  - Inquire on date and time of reservation, and be sure to check availability on reservation system, Open Table.
    - Open Table is calibrated specifically for our 75 seats, so follow the seating parameters as established.
    - No overbookings in excess of capacity are permitted.
- Ask for guest email address so that reservation confirmation may be sent.
- Please be sure to inform all guests of the following key pieces of information:
  - All valet charges for restaurant guests are complimentary
  - All guests will be directed to the bar or lounge in the event of a delay for their seating time. No guests may be permitted to wait on the sidewalk.

Please reach out to Manager for any questions or concerns. Thank you.



## Front Door Policy- Guests waiting for Reservation

Effective:

**March 15, 2016**

### **TO: ALL AVEC NOUS COLLEAGUES**

#### **PURPOSE**

To ensure that all guests are directed to wait for reservations inside the restaurant. No guests are permitted to wait on the street or steps of the restaurant.

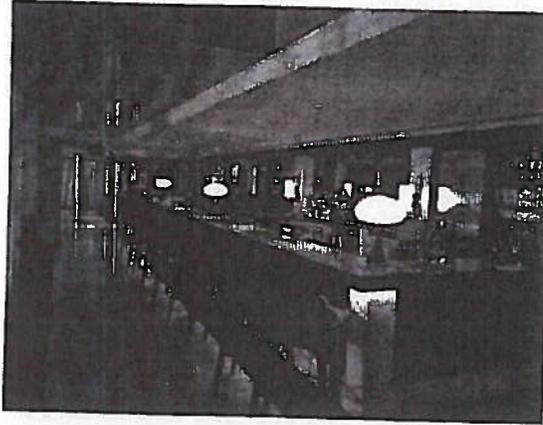
#### **Steps of Service:**

##### Greeting:

- All guests will be greeted by Valet or Bellmen at moment of arrival.
  - Valet and/or Bellmen will direct guests to entrance and inform that they may not wait on the sidewalk.
- There should be a host stationed at the front door at all times.
- Guests should be politely acknowledged and information such as their name and reservation time should be inquired immediately.
  - Team Member will find the provided name with the matching reservation and time.
  - In the event where there is no matching name or time, please inquire with the guest if there may be another name used.
- Upon finding the reservation, team member should confirm that the table is ready and preset to the specific number of guests.
  - In the event that the scheduled table is not ready, an alternative table may be used if it is not specifically reserved for another reservation and if the original table was not specifically reserved.
  - In the event that the scheduled table is not ready or an alternative table is not available, guests are to be politely informed that their table is not yet ready, but we expect for it to be available in XX minutes.
- Upon notification of a delay, all guests must be directed to an approved area. No guests may wait on the sidewalk or steps of the restaurant.
  - In the event that a guest insists on waiting on the sidewalk or steps, please advise a manager immediately to address with security.
- It is the responsibility of the team member to provide an accurate estimation of time, and to update the guest directly if circumstances change.

Approved locations where guests may wait for their reservation:

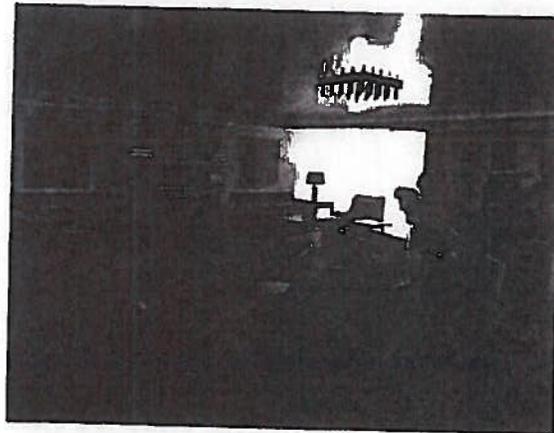
- Bar



- Center Lounge



- Library Lounge



Please reach out to Manager for any questions or concerns. Thank you.

**VICEROY**  
L'ERMITAGE • BEVERLY HILLS

**Hotel Response Process to  
Community Complaints**

**Effective:**

**April 10, 2016**

**TO: HOTEL EXECUTIVE OFFICE**

**PURPOSE**

To ensure that all community complaints receive timely responses from the hotel in a professional manner to which solutions are offered when appropriate in all expediency and transparency.

**Guidelines:**

**Point of Contact:**

- All community complaints will be directed to either the General Manager or the Hotel Manager by any neighbors, city officials, or by any hotel colleagues who received complaints by any of the above.

**Response Time:**

- All community complaints will be responded by the General Manager or the Hotel Manager at the soonest of one (1) business day and no later than three (3) business days.

**Response Format:**

- All responses will include a summary of an investigation into the complaint in addition to proposed solution(s) to resolve if needed. The proposed solutions will include a step by step SOP (Standard Operating Procedure) to address the concerns in addition of photographs, when appropriate, to demonstrate the changes.

Please reach out to the General Manager or Hotel Manager for any questions or concerns. Thank you.

<b>VICEROY</b> <small>L'ERMITAGE • BEVERLY HILLS</small>	<b>Deliveries</b>
	<b>Effective:</b> <b>April 10, 2016</b>

**TO: ALL HOTEL COLLEAGUES**

**PURPOSE**

To ensure that all deliveries are received in accordance to City Conditional Use Permit.

**Guidelines:**

**Hours:**

- Monday- Friday: 8:00 AM-9:00 PM
- Saturday: 9:00 AM-9:00 PM
- Sunday: 9:00 AM-8:00 PM

**No deliveries to be scheduled nor accepted outside of these times.**

**Location:**

- All deliveries are to occur at the loading dock of the hotel at the back alley.
  - *We have petitioned the city to move our loading location to the front loading zone of the hotel given the intensification of use in the alley with the construction next door.*

**Staffing:**

- The alley is under 24 hour surveillance and to be staffed by receiving team during hours of delivery. In the event where receiving team cannot be present, security team will be located in alley to oversee arrivals

**Enforcement:**

- All vendors will be required to sign a formal acknowledgement of our receiving policy in which hours, location, and regulations (including the prohibition of blocking the alley and any neighbor property) and subsequent penalties will be defined.
- Violations by vendors will be documented the same day and sent with penalties to discourage further violations. A first time violation will result in a final notice by the hotel where we will inform the vendor that they are at risk of termination. A second violation will result in formal termination by the hotel.
- A Weekly Vendor Delivery calendar will be prepared by receiving team and submitted to security and executive management on each Saturday for the week following. Any changes made to calendar will be submitted as an addendum on each day prior to delivery.

Please reach out to the General Manager or Hotel Manager  
for any questions or concerns. Thank you.

**VICEROY**  
L'HERMITAGE • BEVERLY HILLS

## Evening Rooftop Events

Effective:

**Revised April 10, 2016**

### **TO: Catering Department**

#### **PURPOSE**

To ensure that all evening rooftop events are in accordance to City Conditional Use Permit.

#### **Guidelines:**

##### **Minimum guest count and hours:**

- This is applicable for all rooftop events with more than 25 people with an event time that exceeds 6:00 PM.
  - No more than 2 events per week may occur not exceed 52 events per year.

##### **Traffic & Parking Plan:**

- For events that meet the minimum criteria, a Traffic and Parking Plan must be submitted to the city.
- The Plan must include the following:
  - Specify hours of arrival and departure for event
  - Specify the route of valets from point of guest arrival to parking in hotel garage
  - Identify the number of parking spaces allocated in hotel garage for the event
  - Specify plans for limousine parking and free offsite parking for hotel employees
  - Specify our valet attendant plan of 1 attendant per every 7 cars
  - Specify stationed security guard plans for guest departure

##### **Submission Process:**

- Catering Department will submit all Traffic & Parking Plans to Beverly Hills Director of Transportation when catering contracts finalize.
- Catering Department will submit written Summary schedule of dates and times for all rooftop evening events on the last day of each month for the following month.
- Catering Department will submit both the Traffic & Parking Plans and amended summary schedule for events scheduled within the month with a deadline of 48 hours prior to event date.

Please reach out to the General Manager or Hotel Manager for any questions or concerns. Thank you.

**VICEROY**  
L'ERMITAGE • BEVERLY HILLS

## Smoking Policy & Personal Phone Calls

Effective:

**April 1, 2016**

**TO: All colleagues**

### **PURPOSE**

To ensure that all colleagues take personal time in the directed and approved areas of the hotel. All colleagues must comply with the restriction where the back dock and alley behind the hotel is not to be used for any personal purposes.

### **Guidelines:**

#### **Smoke Breaks:**

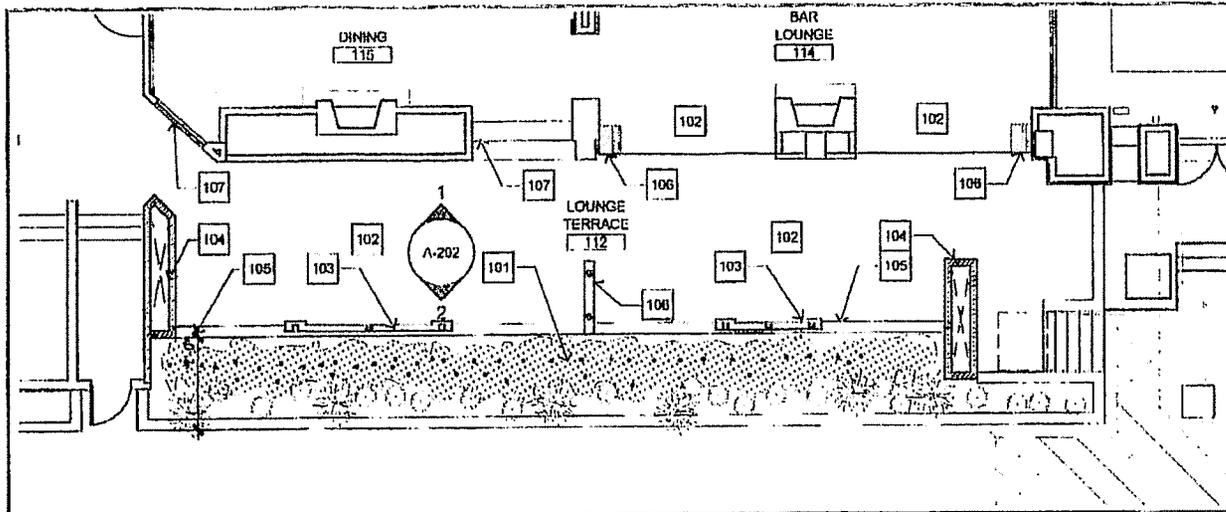
- All colleagues who wish to take a smoke break must go the far end of the building near the emergency stairwell where a bench and ashtrays are provided.
  - No colleagues are permitted to smoke on the loading dock or in the alley behind the hotel. It is expressly prohibited for any colleague to be on private property at any time.

#### **Personal Time:**

- All colleagues who wish to take personal time must go to the far end of the building near the emergency stairwell.
  - No colleagues are permitted to take personal time on the loading dock or in the alley behind the hotel.
  - Colleagues who require privacy for personal phone calls who wish for a separate space must see their manager to direct them elsewhere in the hotel.
    - Under no circumstance may a colleague be directed to the alley or loading dock for a personal phone call.

*Colleagues who do not follow these directions or are found to be engaging in personal time and/or smoke breaks in unapproved areas may subject to disciplinary action up and to including termination.*

Please reach out to Manager for any questions or concerns. Thank you.

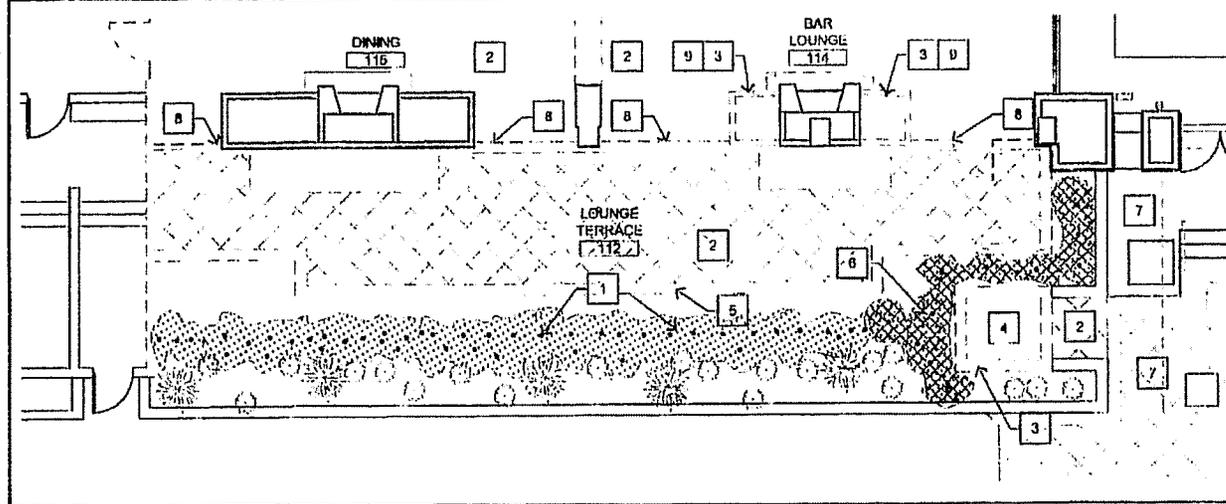


**KEYNOTES**

101	EXISTING LANDSCAPE TO REMAIN - PROTECT IN PLACE
102	NEW FLOOR FINISH
103	NEW 5'-11" HIGH DECORATIVE WALL WITH MARBLE STONE SLAB FINISH
104	NEW 7'-0" WALL STONE FINISH
105	NEW EDGE PAVER AT PLANTER
106	NEW 7'-0" HIGH BI-FOLD WALL
107	NEW FIXED GLASS WINDOW
108	NEW LOW WALL PARTITION WITH GRILLE WORK

PROPOSED PLAN

1/8" = 1'-0" 2



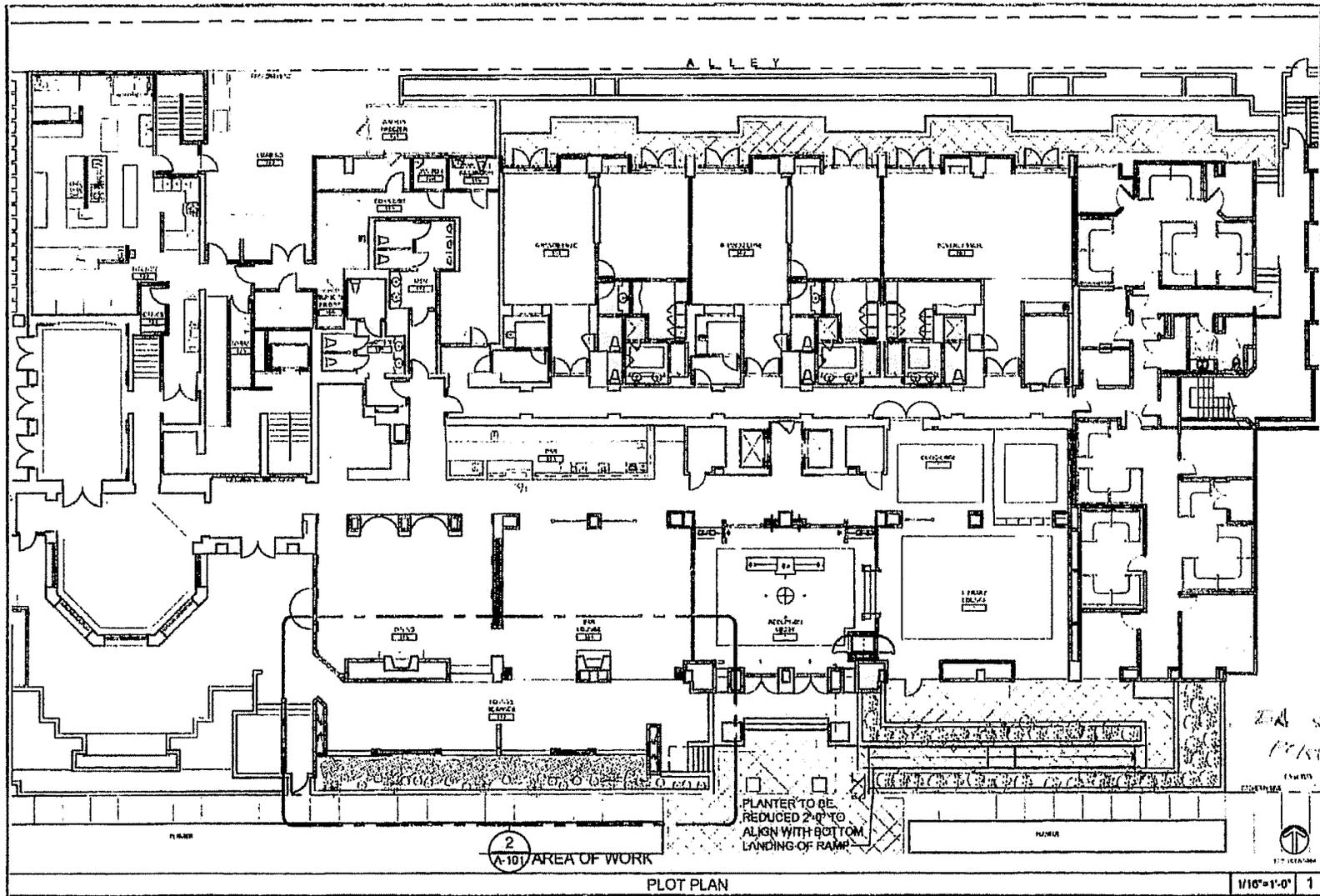
**DEMOLITION KEYNOTES**

1	EXISTING LANDSCAPE TO REMAIN - PROTECT IN PLACE
2	REMOVE FLOOR FINISH - PREPARE TO RECEIVE NEW FLOOR FINISH
3	DEMO EXISTING WALL
4	EXISTING LUGGAGE LIFT - PREPARE FOR NEW CONCRETE SLAB AND STAIR INFILL
5	REMOVE EXISTING PAVER EDGE OF PLANTER
6	PORTION OF HEDGE TO BE REMOVED FOR NEW STAIR ENTRY
7	EXISTING TO REMAIN - PROTECT IN PLACE
8	REMOVE EXISTING GLASS WALL, DOOR, WINDOW
9	EXISTING FLOOR OPENING, PREPARE FOR NEW CONCRETE SLAB INFILL

DEMOLITION PLAN

1/8" = 1'-0" 1

HERMITAGE LEVIN RESTAURANT  
 5201 BURNING WOOD  
 BEVERLY HILLS, CA 90210  
 FACADE RENOVATION FOR  
 HERMITAGE LEVIN RESTAURANT  
 5201 BURNING WOOD  
 BEVERLY HILLS, CA 90210  
 ARCHITECT  
 1000 BROADWAY  
 SUITE 1000  
 LOS ANGELES, CA 90015  
 (213) 621-1111  
 WWW.HERMITAGEARCHITECTS.COM



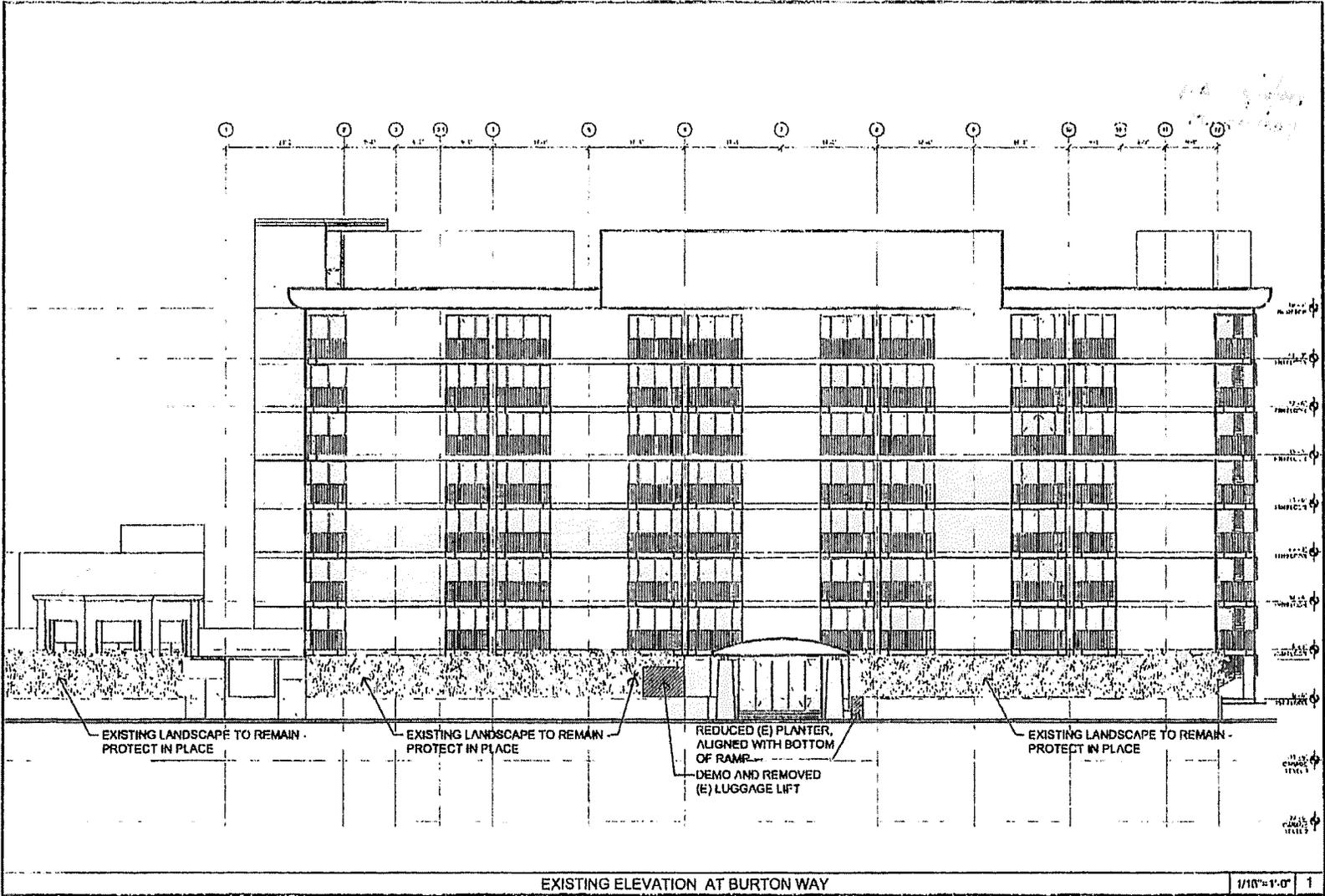
PLOT PLAN

1/16"=1'-0" 1

L'HERMITAGE  
 LEVEL 1 RESTAURANT  
 8901 BURTON WAY  
 BEVERLY HILLS, CA 90210

FACADE RENOVATION FOR

A-001



11/20/11  
 11/20/11  
 11/20/11  
 11/20/11

AG ARCHITECTURE  
 1122 Delaware Avenue  
 Los Angeles, CA 90012  
 (310) 467-8888  
 www.agarchitect.com

HERMITAGE  
 1122 Delaware Avenue  
 Los Angeles, CA 90012  
 (310) 467-8888  
 www.hermitage.com

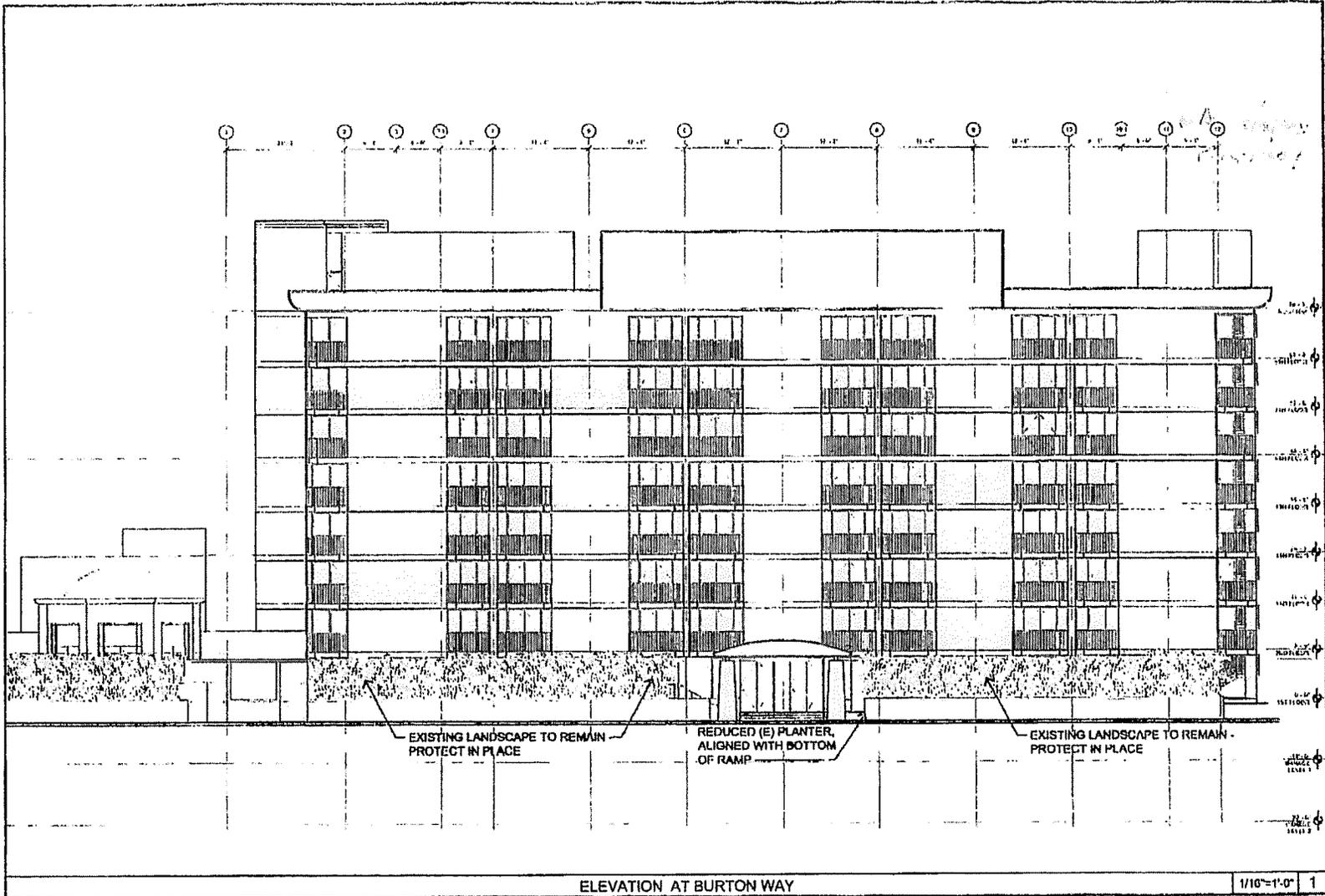
FACADE RENOVATION FOR  
 HERMITAGE  
 1122 Delaware Avenue  
 Los Angeles, CA 90012  
 (310) 467-8888  
 www.hermitage.com

11/20/11  
 11/20/11  
 11/20/11

EXISTING ELEVATION AT BURTON WAY

1/16" = 1'-0" 1

A-200



ELEVATION AT BURTON WAY

1/16"=1'-0" 1

HERMITAGE  
 1330 Diamond Avenue  
 Berkeley, CA 94710

FACADE RENOVATION FOR  
**HERMITAGE**  
 1330 DIAMOND AVENUE  
 BERKELEY, CA 94710

ARCHITECT  
 DATE  
 DRAWN BY  
 CHECKED BY  
 PROJECT NO.

**A-201**

## **Andre Sahakian**

---

**From:** Mitchell Dawson <dawsonmlaw@gmail.com>  
**Sent:** Monday, April 11, 2016 4:00 PM  
**To:** Ryan Gohlich; Mitchell Dawson; Andre Sahakian  
**Subject:** viceroy neighborhood support  
**Attachments:** VICEROY SUPPORT DOCUMENTS.pdf

Ryan and Andre

The attached represents approximately 225 supporters of Viceroy L' Ermitage, of close proximity, including Doheny Dr, Alpine, Elm, N. Oakhurst, N. Rexford, Foothill, N. Rexford, N. Palm, N. Maple, Burton Way, etc

The support includes "...a premier hotel by investing in its future...to build upon their investment in the city and achieve parity with other Five Star Hotels in Beverly Hills...". This applies irrespective of rooftop or ground level improvements and 5 star parity.

A sampling is included altho previously submitted.

Respectfully submitted

Mitchell Dawson

on behalf of Viceroy L'Ermitage

[Click here to enable desktop notifications for G](#)

rgohlch@beverlyhills.org, Mitchell Dawson

viceroyn@beverlyhills.org, Mitchell Dawson

viceroyn@beverlyhills.org, Mitchell Dawson

Ryan

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The support includes "...a premier hotel by investing in its future...to build upon their investment in the city and achieve parity with other Five Star Hotels in Beverly improvements and 5 star parity.

A sampling is included altho previously submitted.

Respectfully submitted

Mitchell Dawson

on behalf of Viceroy L'Ermitage

Sans Serif



**L'Ermitage Supporters**

36	D Miller	124	N ELM DR.	Beverly Hills
37	F Schloss	124	N. Maple Dr	Beverly Hills
38	S Gull	124	N. Maple Dr	Beverly Hills
39	Sepdeth Neiman	124	N. Oakhurst Dr	Beverly Hills
40	Speiden Newman	124	N. Oakhurst Dr	Beverly Hills
41	Would not provide name	124	N Doheny Dr	Beverly Hills
42	Donna Flade	125	N Doheny Dr	Beverly Hills
43	Macarenu Gardarills	125	N. Maple Dr	Beverly Hills
44	Ray Flade	125	N Doheny Dr	Beverly Hills
45	Soham Wattan	125	N. Oakhurst Dr	Beverly Hills
46	E Greer	126	N. Maple Dr	Beverly Hills
47	Lauren Winter	126	N. Oakhurst Dr	Beverly Hills
48	Angelica Kulch	127	Palm Dr.	Beverly Hills
49	Cadvan Griffiths	127	N. Doheny Dr.	Beverly Hills
50	Ellen Milton	127	N. Maple Dr	Beverly Hills
51	Mehri Feizbakhsh	127	N. Oakhurst Dr	Beverly Hills
52	Nasser Feizbakhsh	127	N. Oakhurst Dr	Beverly Hills
53	B Tanz	132	N. Doheny Dr.	Beverly Hills
54	Eva Tanz	132	N. Doheny Dr.	Beverly Hills
55	Brian Katz	133	N. Rexford Dr	Beverly Hills
56	Limor Dawoody	133	N. Rexford Dr	Beverly Hills
57	Seth	133	N. Rexford Dr	Beverly Hills
58	Laura Kasper	144	N. Doheny Dr.	Beverly Hills
59	Nassir Afshin	149	N. Rexford Dr	Beverly Hills
60	Would not provide name	156	N. Doheny Dr.	Beverly Hills
61	Mytill Prakash	167	N. Rexford Dr	Beverly Hills
62	V Prakash	167	N. Rexford Dr	Beverly Hills
63	Ebby Tabariai	173	N. Rexford Dr	Beverly Hills
64	Lily Tabariai	173	N. Rexford Dr	Beverly Hills
65	Sofia Shay	179	N. Rexford Dr	Beverly Hills
66	Lillian Ghodsian	180	N. Rexford Dr	Beverly Hills
67	Cameron Sikavi	185	N. Rexford Dr	Beverly Hills
68	Eliza Sikavi	185	N. Rexford Dr	Beverly Hills
69	E Savis	197	N. Rexford Dr	Beverly Hills
70	S Savis	197	N. Rexford Dr	Beverly Hills
71	Andrew Crow	201	N Doheny Dr	Beverly Hills

L'Ermitage Supporters

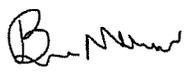
72	Donald Ostrove	201	N ELM DR.	Beverly Hills
73	Joseph Dabby	202	N. Maple Dr	Beverly Hills
74	Nadine Dabby	202	N. Maple Dr	Beverly Hills
75	Y Dabby	202	N. Maple Dr	Beverly Hills
76	Lois Hirt	203	N. Rexford Dr	Beverly Hills
77	Lisa Zieve	204	N. Maple Dr	Beverly Hills
78	Mitra Yaghoubieh	204	N. Oakhurst Dr	Beverly Hills
79	Sherman Zieve	204	N. Maple Dr	Beverly Hills
80	Beno Dymant	205	N Doheny Dr	Beverly Hills
81	Lucia Dymant	205	N Doheny Dr	Beverly Hills
82	M Moghtader	205	N. Oakhurst Dr	Beverly Hills
83	Marjan Moradian	206	N. Oakhurst Dr	Beverly Hills
84	Marleen K.	206	Palm Dr.	Beverly Hills
85	George Klabin	207	N. Oakhurst Dr	Beverly Hills
86	Maurice Douek	207	N. Maple Dr	Beverly Hills
87	D Einhorn	208	N. Maple Dr	Beverly Hills
88	David Poursalimi	208	N. Oakhurst Dr	Beverly Hills
89	Hank Rabbani	208	Foothill Rd	Beverly Hills
90	Rosie Einhorn	208	N. Maple Dr	Beverly Hills
91	M Gomez	209	N Doheny Dr	Beverly Hills
92	Shirley Frankel	210	Palm Dr.	Beverly Hills
93	Touran Emmanuel	210	Foothill Rd	Beverly Hills
94	Ann Pack	211	N. Maple Dr	Beverly Hills
95	D Nissani	211	N. Doheny Dr.	Beverly Hills
96	David Ngathaim	211	N. Oakhurst Dr	Beverly Hills
97	Hastee Movafagh	211	N. Doheny Dr.	Beverly Hills
98	Michael Hershkovich	211	N ELM DR.	Beverly Hills
99	Richard Pack	211	N. Maple Dr	Beverly Hills
100	Meera Dhawan	212	N. Oakhurst Dr	Beverly Hills
101	Nejatollah Javidzad	212	N. Maple Dr	Beverly Hills
102	Rahul Dhawan	212	N. Oakhurst Dr	Beverly Hills
103	David Kroh	213	N. Maple Dr	Beverly Hills
104	Eva Kroh	213	N. Maple Dr	Beverly Hills
105	Maria Bennett	213	Palm Dr.	Beverly Hills
106	Megan Zucaro	213	N Doheny Dr	Beverly Hills
107	Richard Zucaro	213	N Doheny Dr	Beverly Hills

**L'Ermitage Supporters**

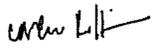
216	Roxanne Lapenta	346	N. Maple Dr	Beverly Hills
217	A Kwon	348	N. Maple Dr	Beverly Hills
218	C Lynn	348	N. Maple Dr	Beverly Hills
219	E Kahn	348	REXFORD	Beverly Hills
220	Joe Griffin	348	N. Maple Dr	Beverly Hills
221	Paula Rounds	348	N. Maple Dr	Beverly Hills
222	Fredidoun Sefaradi	349	N. Oakhurst Dr	Beverly Hills
223	Steve Cook	350	N. Maple Dr	Beverly Hills
224	Adam Louis	9153	Burton Way	Beverly Hills
225	T Zarnegin	9153	Burton Way	Beverly Hills

**L'Ermitage Signatures**

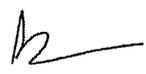
Afee Sadik 

Ben Neman 

Cameron Sikavi 

Caroline Rashitan 

Danielle Kemp 

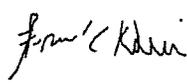
David Kohan 

Desiree Jan 

Edward Ipp 

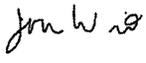
Eliza Sikavi 

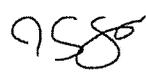
Farzad Salmenia 

Frank Kalili 

Jasmine Banayan 

Joe Griffin 

Jon Wine 

Justin Smith 

Leo Steinberg 

Lillian Ghodsian 

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Count me in!

The Viceroy L'Ermitage plan embraces the hotel's pride in providing the City of Beverly Hills the premier hotel by investing in its future. When completed, the hotel will meet ADA requirements and CALGREEN standards. I support the hotel having an enclosure that continues to build upon their investment in the city and takes the surrounding neighbors into consideration by continuing to minimize any potential noise impacts. I support the hotels efforts to amend the current CUP so that it can provide more energy-efficient operations and achieve parity with other Five Star Hotels in Beverly Hills. You may use my name as a supporter.

FIRST	LAST	ADDRESS	EMAIL	PHONE	SIGNATURE
GEORGE	KLABIN KLING	207 N. OAKHURST			
AMIR	SHIRIAN	172 N. OAKHURST			
HOOHAN	SHIRIAN	118 N. OAKHURST			
Behzad	Neman	124 N. OAKHURST			
Sepideh	Neman	124 N. OAKHURST			

---

**PUBLIC CORRESPONDENCE**

**JOE TILEM**

Law Offices of  
**DAWSON TILEM & GOLE**

*MITCHELL J. DAWSON  
JOSEPH N. TILEM  
GARY M. GOLE*

*9454 Wilshire Boulevard, Penthouse  
Beverly Hills, California 90212  
Telephone: (310) 273-3313  
Facsimile: (310) 285-0807*

April 12, 2016

Mr. Ryan Golich:  
City of Beverly Hills  
455 N. Rexford Drive  
Beverly Hills, CA. 90210

Re: L'Ermitage Hotel modernization application

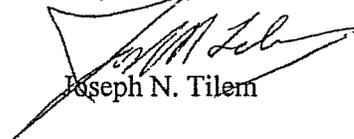
Dear Ryan:

My partner, Mitch Dawson, represents the applicant in the above Planning Commission proceeding. I want to add my support of the application.

The General Plan policy makes clear that hotels, particularly luxury hotels that attract tourists and visitors, are an essential part of the city's identity and revenue which enables the city to function as a first class community. The Transit Occupancy Tax is a particularly important source of revenue to the city's budget. All major hotels must upgrade their properties periodically to enable them to compete in the competitive market of luxury hotels. The L'Ermitage is on Burton Way, an important thoroughfare in the city, has always been a good neighbor and has accommodated all reasonable neighbors concerns.

I urge the approval of the current requests for the improvements and enhancements of the hotel.

Very truly yours,

  
Joseph N. Tilem

**PUBLIC CORRESPONDENCE**  
**ERVIN COHEN & JESSUP**

# ERVIN COHEN & JESSUP LLP

---

9401 Wilshire Blvd., 9<sup>th</sup> Floor  
Beverly Hills, CA 90212-2974  
pyashar@ecjlaw.com  
PH: 310.281.6318  
FX: 310.859.2325  
File 91000.188

April 27, 2016

## VIA HAND DELIVERY & EMAIL

Ryan Gohlich  
rgohlich@beverlyhills.org  
Assistant Director/City Planner  
Community Development Department  
455 N. Rexford Drive  
Beverly Hills, California 90210

Re: **Viceroy L'Ermitage Hotel, 9291 Burton Way, Beverly Hills, California  
CUP and DPR**

Dear Mr. Gohlich:

This firm represents the Viceroy L'Ermitage Hotel at 9291 Burton Way in Beverly Hills (hereafter the "L'Ermitage"). This letter is being provided in connection with the May 2, 2016 Beverly Hills' Planning Commission Special Meeting, at which time L'Ermitage's application requesting a new Conditional Use Permit ("CUP") and a Development Plan Review Permit ("DPR") will be considered.

L'Ermitage has undergone a \$38,000,000 remodel which includes each and every one of its suites, and \$4,000,000 alone towards its new dining facility called Avec Nous. On April 14, 2016, the Planning Commission was scheduled to consider a request by the L'Ermitage to renew its CUP and DPR for Avec Nous. The CUP would allow Avec Nous to be open to the public (as L'Ermitage's prior restaurants had always been in previous years, rather than be restricted to use only by hotel guests and guests of hotel guests) and the DPR would allow for Avec Nous to offer open air dining. Just prior to the hearing taking place, however, it was determined by City Attorney Larry Wiener that the CUP and DPR had expired, and were no longer eligible for renewal. This determination caused the CUP and DPR to immediately become invalid, meaning that L'Ermitage's right to operate outdoor dining and allow the restaurant to be open to the public was lost. In addition, because the hearing was noticed for a renewal, rather than a brand new CUP and DPR, the Planning Commission refused to take any further action on the matter. Instead, they scheduled a Special Meeting for May 2, 2016 to take up the issue.

Ryan Gohlich  
April 27, 2016  
Page 2

Avec Nous has now been severely impacted by the loss of tens of thousands of dollars in revenue through the inability to serve outside guests since April 14, 2016, pending the decision by the Planning Commission. L'Ermitage wants to ensure that the Staff and Planning Commission have all the information that they need or want in order to make an informed decision at that May 2<sup>nd</sup> hearing, so that Avec Nous can be open to the public again. In this regard, this letter is intended to address some of the issues, uncertainties, and questions that have been raised with L'Ermitage to date.

First, there has been some discussion about a significant number of neighborhood complaints in connection with the L'Ermitage. There have been 143 complaints made from mid-2014 to earlier this year.<sup>1</sup> However, the vast majority of these complaints came from a single neighbor residing next to the hotel—Matti Bialer. And 110 of those 143 total complaints were complaints of public works; in other words, only 33 of the 143 neighborhood complaints lodged had anything to do with L'Ermitage. A sampling of those complaints is listed here, along with L'Ermitage's response:

- **COMPLAINT:** "On the evening of Friday, February 12, 2016 there was a rooftop Grammy-related party at the hotel. This party attracted many hundreds of guests. The party created a difficult and disturbing atmosphere for all of the residents on all of the surrounding streets. Loud amplified music late into the night, illegal parking, littering, loud drunk and inebriated party guests loudly wandering the streets until as late as 4AM Saturday. Disturbing the peace, and our right to quiet enjoyment of our residences, in our residential neighborhood."
- **L'ERMITAGE'S RESPONSE:** The rooftop event at L'Ermitage on Friday, February 12, 2016 was a reception and dinner from 6:00 p.m. – 10:00 p.m. with no DJ or amplified music. The guest count was 104 individuals. There was also a restaurant reception for 150-guests within the hotel from 6:00 p.m. – 11:00 p.m., but there was no amplified outdoor music or outdoor dining. In order to ensure orderly departure, mitigate noise, and preclude loitering on the streets, L'Ermitage scheduled additional valet attendants, and all guests left the property by 11:30 p.m. that night. Security was present at all times, and there were no disturbances observed. The police were called to the property once at 7:41 p.m. as a result of a "neighbor complaint", but having verified that there were no violations, they left. No citations were issued.
- **COMPLAINT:** "There was use of the patio area outside the restaurant structure after the permitted 10:00 p.m. curfew. People were loud and boisterous in this area until late into the night."

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<sup>1</sup> Note the L'Ermitage hotel was closed for renovation for most of 2015.

Ryan Gohlich  
April 27, 2016  
Page 3

- **L'ERMITAGE'S RESPONSE:** The use of the pavilion patio was related to the February 12, 2016 restaurant event as a smoking area. There was no seating or amplified music. All guests were cleared from the area at 10:00 p.m.
- **COMPLAINT:** "On February 15, 2016, President's Day a federal holiday, the day was interrupted by the breakdown of the party all day long. Noise and trucks blocking the alley and garage access for the residents."
  - **L'ERMITAGE'S RESPONSE:** The rental equipment from the rooftop event on February 12, 2016 was actually removed by a vendor on Saturday, February 13, 2016 from 9:00 a.m.-12:00 p.m. Another client loaded equipment for a ground floor meeting space on Monday, February 15, 2016. They began at 8:05 a.m. and concluded by 2:48 p.m., escorted by security and logged into L'Ermitage's daily security notes.
- **COMPLAINT:** "Additionally, the hotel continuously violates the construction hours rules in place in the city. On Sunday, January 10, 2016, the hotel was found to be in violation of work rules and did not have property permits for the after hours work it was conducting. This has been an ongoing issue and continues."
  - **L'ERMITAGE'S RESPONSE:** L'Ermitage was permitted for weekend work, and provided approved permit numbers upon request. L'Ermitage was not cited for any violations.

Nevertheless, L'Ermitage takes every issue, violation, and concern raised seriously. In spite of L'Ermitage's best efforts, there have admittedly been times when its operations have not been perfect. Consequently, L'Ermitage has worked—and will continue to work—to address and mitigate those instances when raised by the City, private citizens, or anyone else. There are numerous examples of L'Ermitage's remediation efforts in just the last year or so.

For instance, it was recently brought to L'Ermitage's attention that its guests were drinking in the outside patio area. L'Ermitage ceased serving drinks or food in its outside patio area since April 14, 2016. The floral arrangements that are placed on the tables in the outside patio area are part of L'Ermitage's décor throughout its hotel; indeed the same floral arrangements are on tables in the lobby, gym and surrounding areas. The individuals that were seen drinking in the outside patio area, were guests that unilaterally took the drinks they purchased from the inside bar and walked out. Immediately after the issue was brought to L'Ermitage's attention, however, L'Ermitage created and placed clear signs on all the doors that lead to the outside patio area instructing guests that the patio was closed. Since these signs have been posted, L'Ermitage has not observed any further violations.

Ryan Gohlich  
April 27, 2016  
Page 4

L'Ermitage was also informed of speakers that were placed in the outside area of its facilities. Even though the speakers were old and not operational, it was told by the City that it cannot have such speakers in sight. Thus, those speakers were entirely removed and are no longer present.

While L'Ermitage was engaged in remodeling, a neighbor complained of dust having carried over to his building. Regardless of fault or severity, L'Ermitage quickly took it upon itself to remedy the situation by paying for cleaners to wash this neighbor's entire apartment building.

L'Ermitage also hired Veneklasen Associates Inc. to review the possible impact of any produced sounds in the area, and found that L'Ermitage was in good stead. (Attached hereto as **Exhibit "A"** is a true and correct copy of Veneklasen Associates Inc.'s April 25, 2016 findings.) Indeed the hotel went to great lengths to ensure noise was kept at a minimum during construction, and is kept at a minimum now that it is open for operation. These measures have included, but are not limited to, L'Ermitage positioning a "parking guard" at the foothill entry to the alley behind the property to avert parking issues, and avoid congestion and potential blockage of garages of the apartment buildings on the western end of the alley. Further, it has included L'Ermitage offering to provide double-glazing to two sides of windows on one property and to provide the necessary funds for the owners to control at their will. L'Ermitage is also willing to forego having a bar or night club on its rooftop, even though it is free to seek such use.

The staff at L'Ermitage and its counsel have involved the community in numerous meetings at the hotel to discuss preventative measures moving forward as well. Specific neighbors have been given not only the personal telephone numbers of the Hotel Manager, Nicholas Rimedio, but members of the construction staff (when they were present), project management staff, and counsel as well. In each instance, cell numbers were given for direct contact to ensure a timely response. (A true and correct copy of co-counsel Mitchell Dawson's November 10, 2015 letter detailing L'Ermitage's efforts is attached hereto as **Exhibit "B."**)

L'Ermitage is simply asking for the Planning Commission to allow what has successfully operated for years now, and generates significant revenue for the City. The operation of the restaurant and outdoor dining area has not had an adverse impact on the surrounding neighborhood in prior years, or during the time Avec Nous was open earlier this year. L'Ermitage intends to continue to work with the City and its neighbors in ensuring compliance with applicable regulations, and minimizing disturbances.

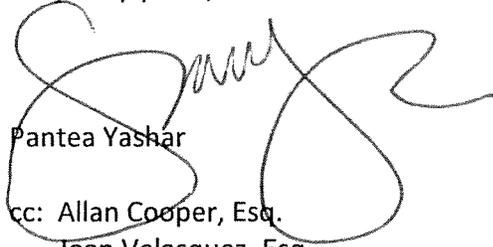
Please let us know if you need any additional information or concerns addressed. L'Ermitage has unfortunately lost fourteen months of business, and therefore, time is truly of the essence to them right now in getting their CUP/DPR approved. We are able and willing to do whatever

---

Ryan Gohlich  
April 27, 2016  
Page 5

it takes to be in a position to get a final determination by the Planning Commission on May 2<sup>nd</sup>, 2016.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Pantea Yashar', written in a cursive style with a large loop at the end.

Pantea Yashar

cc: Allan Cooper, Esq.  
Joan Velasquez, Esq.  
Lee Silver, Esq.

# Exhibit A

April 25, 2016

**Dawson Tilem & Gole**  
9545 Wilshire Blvd., Penthouse  
Beverly Hills, CA 90212

Attention: Mr. Mitchel Dawson

Subject: **Viceroy Lermitage Hotel, Beverly Hills, CA**  
**Outdoor Patio Restaurant**  
**Acoustical Review**  
**V.A. Project No. 4580-002**

Dear Mr. Dawson:

We have reviewed the plans for the proposed new outdoor dining area at Viceroy Lermitage Hotel in Beverly Hills. The purpose of this review was to assess the possible impact of any produced sounds in this area, at the noise sensitive locations in the near vicinity of the hotel.

The closest noise sensitive structure is a residential building to the west property line of the hotel. Another residential structure is located to the east property line of the hotel however due to its farther distance than the structure on the west side, any possible impact will be less severe at this location. A number of residential units are located directly across the Burton Way which may be considered as sensitive noise receptors.

As you are aware we had documented the ambient noise levels at this location in a previous study. Noise levels were measured at a location directly in from of the hotel and also near a residential unit across the Burton Way.

We estimated the produced noise levels at these sensitive locations due to expected activities in a typical restaurant. These levels were substantially lower than the ambient noise levels which we measured in our previous survey.

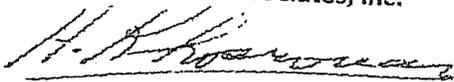
Based on our noise estimates and comparison with the results of our past ambient noise survey we have concluded that any noise produced in the outdoor dining area will have minimal or no impact at the nearest noise sensitive locations. Therefore, no noise impact may be expected at any other

location, near or far from the hotel. This conclusion had also been reached by the City's technical staff and included in their report to the Planning Commission.

If you have any questions concerning information contained in this report please do not hesitate to contact me.

Sincerely,

Veneklasen Associates, Inc.

A handwritten signature in black ink, appearing to read 'H. Khosrovani', written over a horizontal line.

Hooshang Khosrovani, Ph.D., P.E.

Principal

G:\DawsonTilem&Gole\ViceroyLermitage\16HK001

# Exhibit B

Law Offices of  
**DAWSON TILEM & GOLE**

MITCHELL J. DAWSON  
JOSEPH N. TILEM  
GARY M. GOLE

9454 Wilshire Boulevard, Penthouse  
Beverly Hills, California 90212  
Telephone: (310) 285-0880  
Facsimile: (310) 285-0807

November 10, 2015

Chairman Alan Block  
Members of the Planning Commission

Re: Viceroy L'Ermitage Hotel Application for Overlay Zone

Dear Commissioners:

I write on behalf of the Viceroy L'Ermitage Hotel, which includes direct comments from General Manager Sal Abaunza, Hotel Manager Nicholas Rimedio, project management and others involved.

The L'Ermitage Hotel, and individuals directly related with the ongoing property management, have put forth a multitude of opportunities to address potential concerns of neighbors and to promote positive relations with the community and especially nearby residents.

First is attached a letter to Neighbors of February 23, 2015, from the Hotel Manager, Nicholas Rimedio. It explains the remodeling program and its goals. The letter discusses hours of operation for the remodeling, which commenced in March of 2015.

The letter includes "an expression of our appreciation" offering a lunch or other items to drink or eat for the entire year of 2015. Moreover, the letter leaves a dedicated telephone hotline number "... should you have any questions or concerns about this remodeling phase...."

The staff of the L'Ermitage Hotel, including the undersigned, have had numerous meetings at the hotel with neighbors to discuss preventative measures.

Specific neighbors have been given not only the personal telephone number of the Hotel Manager, but as well, members of the construction staff, project management staff and myself. In each instance, our cell numbers were given for direct contact.

Re: L'Ermitage Hotel Application

November 10, 2015

Page 2

The Hotel has positioned a "parking guard" at the Foothill entry to the alley behind the hotel. The parking guard is there to avert parking issues, alley congestion and potential blockage of garages of the apartment building on the western end of the alley.

The Hotel has offered to provide double glazing to two sides of windows on one property and to provide the necessary funds for the owners to control at their will.

An additional factor is the request of the Hotel within the overlay zone is to eliminate outdoor seating in the western-most terrace area. The request is to move that seating much further east (same number of seats, as has been approved - 20) so that it is then a greater distance from the residential apartment building to the west.

Both the General Manager Sal Abaunza and Hotel Manager Nick Rimedio reside in Beverly Hills and are in close walking proximity to the Hotel. They have been and remain welcoming to the opportunity to be immediately onsite in an attempt to remedy any concerns that arise. Both Mr. Abaunza and Mr. Rimedio advise that they have not been contacted by cell as offered. Neither have I.

Since construction for the remodeling has begun in March there have been very few events at all on the rooftop due to remodeling in the lobby area. The few that were allowed on the rooftop ended promptly at 10:00 p.m. None will be scheduled for the remainder of the year and presently none are yet scheduled for 2016 - still limited in number by the existing CUP.

#### AN IMPORTANT POINT OF CLARIFICATION.

There will be NO BAR or NIGHT CLUB on the roof. The request for 2am hours is meant for a limited number of special events such as a major awards reception.

One of the significant points of the Application now pending is covered very carefully in the mitigated negative declaration document which reflects the study of the "... installation of a glass 15-foot "acoustic shield" that would extend around the perimeter of the rooftop and would slope inward and is designed to reduce noise from rooftop uses." This is a quote from the project description published in the local newspapers and part of the MND project description. The shield will significantly mitigate noise from the rooftop. See attached memo.

Re: L'Ermitage Hotel Application  
November 10, 2015  
Page 3

An additional undertaking as to noise reduction is a system for staff to call from the rooftop to the valet personnel on ground level/garage to bring up the car needed. This will limit the waiting time for vehicles and minimize noise. Further, for events on rooftop that require the need, the Hotel will continue to have its employees park off site in paid for BH parking lots.

The L'Ermitage Hotel will continue to do its very best in dealing with all issues of noise, parking, deliveries and things of that nature. Special conditions will be imposed for event set up and breakdown. The L'Ermitage Hotel believes it has taken great strides to meet the requests of the community and local neighbors and will continue to do whatever it takes to make it even better.

The Viceroy L'Ermitage Hotel is one of the very few 5-star hotels in Beverly Hills and would only have the desire to maintain that status -- as reflected in recently being honored by the Beverly Hills Chamber of Commerce as the best of Beverly Hills Golden Palm Awards in the category of ABOVE AND BEYOND. Reaching out to neighbors is essential to "going above and beyond." The Viceroy L'Ermitage Hotel respects the rights of neighbors and the right of quiet enjoyment.

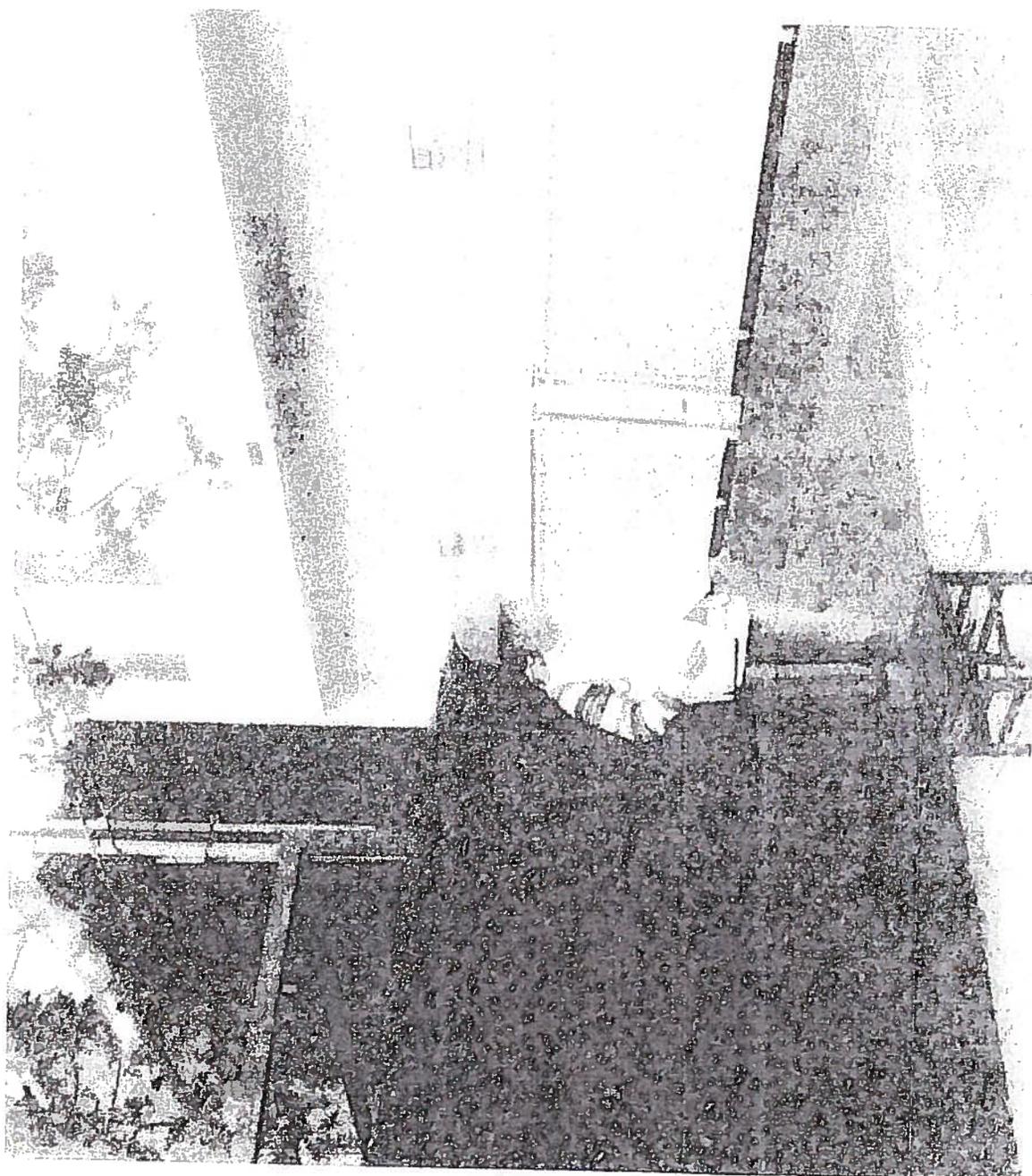
Respectfully submitted,



MITCHELL J. DAWSON

On Behalf of Viceroy/L'Ermitage Hotel

MJD:js  
Attachments



**PUBLIC CORRESPONDENCE**

**JAY WESTON**

**JAY WESTON'S RESTAURANT NEWSLETTER**

132 S. Spalding Drive #102  
Beverly Hills, Ca. 90212  
(310)278-2900  
e-mail: jayweston@sbcglobal.net

Andre Sahakian  
Planning Commission  
Beverly Hills City Hall  
455 N. Rexford Drive  
Beverly Hills, Ca. 90210

Dear Sirs:

I am writing with regard to your hearing about the Conditional Use Permit for the *Avec Nous Restaurant* in L'Ermitage Hotel on Burton Way.

As the publisher of a restaurant newsletter for over 30 years, I am fully aware of the difficulty **anyone** has in opening a fine-dining restaurant not only here in our city but anywhere. It is a hugely difficult task and should be encouraged, not hindered.

**Thus I am urging you to cooperate with them and grant them a CUP as soon as possible, so**

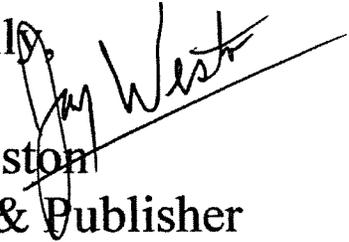
that we don't lose the services of a rather extraordinary eating venue. It just so happens that I celebrated my 87<sup>th</sup> birthday there recently and was so struck by the excellence of the food, service and setting that I wrote a laudatory review of it on my Internet site, *Jaywalking in L.A.*, and then followed up with a cover story in my long-running *JAY WESTON'S RESTAURANT NEWSLETTER*, copies of which I have enclosed. I have no affiliation with them beyond a fierce desire to see them succeed, as our city needs many, many more such fine-dining establishments to keep us competitive with other locations.

Gentlemen, it is beyond my comprehension that all of you are not fighting to help a smooth-running and successful, elegant, sophisticated hotel and restaurant rise to the next level of service to our community. **It is so easy to fail..and so hard to succeed.** I hold no brief for those few discontented neighbors who have complained...as from long experience I know that *every* such situation brings them out of the

woodwork. I know this neighborhood well and there is *no possibility* that noise levels and parking are causing any difficulty for them. None whatsoever.

**So, in conclusion, I urge you to get this restaurant open immediately, before we all regret a misadventure which will be shameful.**

Cordially,

  
Jay Weston  
Editor & Publisher



# Jaywalking in L.A.

WITH JAY WESTON

News and Gossip of The Restaurant World!



Erika Tucker

There is a terrific woman chef at the Montage Hotel ROOFTOP GRILL. Her name is Erika Tucker and she has made this open-air luncheon spot one of my favorite midday eateries. A recent meal there with the hotel ambassador, Frank Bowling saw me starting with the *Guacamole* (\$16) with its cilantro-lime sauce served with

(continued on page 10)

APRIL 2016 No. 302



JAY WESTON

# Jay Weston's Restaurant Newsletter

The insider's guide to the dining scene of Los Angeles . . . and the world!

## AVEC UNOUS!



EXEC CHEF OLIVIER

### at L'Ermitage Hotel Exciting New Bistro!



Cote de Boeuf

There is an old French saying, "The more things change, the more they stay the same." Then there is a new precept (from the Harvard Business School): "When things are running successfully, that is the time to innovate and change." Sal Abauza, the wise Regional General Manager of the

Viceroy Hotel Chain, obviously followed the latter when he closed the very smooth-running *Livello Restaurant* at *L'Ermitage Hotel* (9291 Burton Way, Beverly Hills (310-860-8660) and decided to replace it with an exciting new French bistro. After a year-and-a-half \$40 million renovation of the hotel, Sal told me last week that the

Secret Menus . . . and SHAKE SHACK is Here! • PAGE 8

(continued on page 2)

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JAYWALKING IN L.A. News and Gossip of the Restaurant World . . . PAGE 12

## AVEC NOUS

(continued from page 1)

modern new French bistro was ready to review. "We wanted to give the feeling of the Mediterranean coast of France and Italy, with lots of unique touches," Sal said. Coincidentally, when I was asked by family and friends where I would like to have my birthday dinner, I immediately suggested that we should try the new place. After all, the greatest thrill for a veteran restaurant critic is the moment when he walks into a new, unknown venue, not knowing what to expect, and seeking in his heart the perfect meal (never to be found, of course.)

This is the first, highly-anticipated foray by the luxury hospitality brand, *l'Hermitage*, into French cuisine. It had been open only five nights when my party of five arrived last evening. An added incentive to visiting *Avec Nous* was the new executive chef, there, the legendary Olivier Quignon, from *Bar Boulud* in Manhattan. Helming the ambitious brasserie/bistro, he is seeking to bring a St. Tropez vibe and fresh culinary experience to Beverly Hills. We had casually met years ago when he worked in several landmark kitchens and illustrious Michelin-starred restaurants.



From the moment you drive up to *L'Ermitage Hotel* and see *AVEC NOUS* outdoor entrance, with its bright sign welcoming you inward, you know you are in for an exciting experience. With interiors by SFA Design, the 75-seat venue instantly sought to transport us to the vibrant French Riviera. Inside we found an outer lounge and then an intimate room which offered plush seating and a glamorous pewter bar complete with leather paneling. Parquet wooden floors and stunning modern fireplaces complement the ivory, black and brass palette which evoked (to me) classic Chanel, while the circular vintage lighting fixtures and antique mirrors added glamour and sparkle to the surroundings. Wine offerings are housed in a private glass cellar complete with a chefs table designed for exclusive tastings and close group gatherings. My ex, always conscious of lighting, expressed approval of the warm tones which were in the dining room. I peeked into the peaceful enclosed patio which allows guests to savor the California year-round comfortable climate, while its warm ambiance offers a respite for hushed conversation and romantic moments-au-deux. Yes, this patio is one of the most romantic places in a city sadly devoid of them.

But as always, it comes down to the food....and it was excellent and interesting. I later spoke to Olivier and he told me, "The menu is true to its French roots but is lighter in style. Neighbors

(continued on page 4)

JAY WESTON'S Restaurant Newsletter is published monthly. Subscriptions are 12 issues for \$70, or 24 issues for \$134. Foreign subscriptions please add \$12 per subscription to cover the cost of air mail. Back issues are \$7 each.

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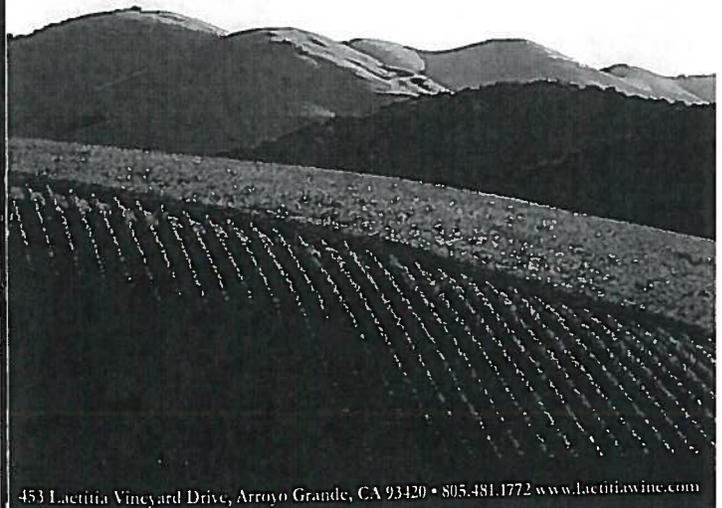


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## AVEC NOUS

(continued from page 2)

now have a new place to grab a glass of wine and indulge in good cuisine. For my birthday dinner I ordered lots of dishes from the menu which were illustrative of what the kitchen can turn out. The menu features bold European spices and locally-sourced ingredients which will change with the seasons. First up was a *charcuterie* selection (\$29) all made in-house, including



Wild Burgundy Escargot

pork shank rillettes, brussels, lardo (so good!), and duck prosciutto, paired with excellent grainy brown mustard and pickles. My friend spotted the *Escargot* with persillade butter and ordered them, served in a cast iron pan (\$17). These are tiny wild Burgundy snails rich with garlicky juices. There is an authentic *Nicoise Salad* (\$16), but I opted for *Foie gras a l'orange* (\$20), a nice portion atop a rich orange sauce.

The butter, served in small covered domes, was a nice spreadable consistency. Our charming and alert French waiter told me of something which may gain an instant reputation, the *Neus Burger* (\$25), which is served on a brioche bun and made with certified Angus beef, grilled eggplant, wild arugula and basil aioli. When I return for my romantic lunch with a lovely friend on the patio, I will certainly try it.



Champagne Cart

I had been alerted by *Eater* *LLA* that there were table-side food-and-drink carts and yes, they made an appearance. A *Champagne cart* of bubbly to start, brought to my table by the suave, experienced new Food and Beverage Director, Conrad Reddick, and we discussed his recent adventures in Chicago at the celebrated *Alinea* and *Next*. My birthday girl-reviewing partner of many years, Penny McTaggart, she of the discerning wine palate, said the *Roederer* domestic sparkly was more interesting than the two French bottles on the cart.

The meal really got its rhythm going with two food carts unlike anything you have yet seen. A cart containing a *Cote de Boeuf* (\$130), 32-ounces of prime grilled beef, with Bibb lettuce, roasted shallots, and a *Vierge* sauce, available for two hungry diners or more folk if desired. (I reserved the beef bone for myself.) It was presented to the table in its pan and then set down for carving. Now hear this: a food cart contain-



Charcuterie



Foie Gras a l'Orange



Open-Roasted Cauliflower

(continued on page 6)



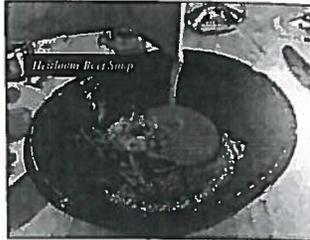
AN  
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9291 Burton Way | Beverly Hills, California 90210  
t 310 278 3344 | avecnous.com | @avecnousbh

## AVEC NOUS

(continued from page 4)

ing a whole head of *Oven-Roasted Cauliflower* (\$36), Vadovan curry, Marona almonds, Golden raisin puree, and parsley. Do not laugh until you see it.... you will order it for your table immediately. The cauliflower was also carved, to be served as florets on the plate with the beef. Everyone at the table (except me, not a fan of that vegetable) praised the nutty roasted quality of the head. There is also a candy cart but it never came to the table.



One surprise hit of the evening was a menu item sent out by the chef: *Heirloom Beet Soup* (\$14), deeply flavored beet broth with goat cheese foam, saffron and baby basil. A unanimous favorite. Some other dishes which we tried: *Beef Tartare Crostini* (\$14), quite good, spiced nicely, and small chunks of *Tuna Crudo* (\$19). Yet to be tried: *Roasted Organic JIDORI Chicken Breast* (\$29), that succulent fowl raised by old friend Dennis Mao and delivered daily to the hotel. Also *Grilled Salmon* (\$32), a beautiful presentation of a fresh fish. Of course we ordered that standard French bistro dish, *Steak Frites* (\$29), a marinated grilled flank steak served with French fries and a Vierge sauce. I did take the left-overs home for lunch on Friday.

### AN EXTRAORDINARY BOUTIQUE WINE LIST AND ALL COCKTAILS ARE \$15

the Pinot. Loved their take on classic cocktails, and I sipped a *French 75* made with gin, absinthe, and Meyer lemon. My friend had a *Cocktail Avec Nous*, a modern Old Fashioned with European spices, made with bourbon, monk pepper, and black aloe. Desserts ranged from an *Anaretto Floating Island* (\$17) and a delicious *Chocolate & Caramella Mille Feuille* (\$12), though I preferred the *Trio of Sorbet* (\$12). There is also a Cheese Cart, three for \$12 and five for \$15. Incidentally, the excellent serving staff was outfitted by the progressive French designer, The Kooples. I was also impressed by the menu and wall illustrations by Jean Andre, a modern French artist.



*Avec Nous* is open for brunch and dinner daily, from 6:30 am to 2:30 pm and then again from 5 pm to 10 pm. The bar closes at 12 am. The very capable hotel manager Nicholas Rimedio told me there is a private room for special events. This hotel is a favorite of top musicians, movie stars and even the Saudi royal family.

*Avec Nous* is a welcome addition to the Beverly Hills dining and social scene, and I suspect the lounge and bistro/eaterie will become a center of much exciting activity in the months to come. In this case, change was all for the good. Enjoy! ■



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## Secret Burger Menus... And SHAKE SHACK is Here!

The most popular food article I have ever written was a story detailing *The Secret Menu of In-n-Out Burger*. Year in and year out, whenever I publish an updated version of this article, it elicits fervent responses from fans all over the world. I always end this article by telling of my personal, passionate selection shouted into the mike or to the order-taker in the car line at



Taking orders in the car line

Gayley in Westwood: "A 3 by 3 medium rare, well-toasted bun, animal style, cut in half, with a side order of peppers. And well-done fries. Also two Flying Dutchman animal style to go." The Flying Dutchman, named for the ranch they once owned, are two beef patties enclosing two slices of cheese grid-dled animal-style and put in a (greasy) paper bag. They go into my freezer for a late night snack. Occasionally, if I am really hungry, I will change my order to a 4 by 4, four meat patties and four slices of cheese, but it is a little bulky to eat in my car as I am driving home from Westwood. (4 by 4 is now the size limit, after some college kids in Las Vegas once ordered a 100 by 100 and actually got it. I have the picture.) I stopped ordering my well-done fries animal style to go (topped with cheese, secret spread and pickles), too messy to eat in the car.



Jay with his hat

*Animal style*, if you already did not know, is the not-so-secret version of their burgers with the meat cooked and fried with mustard and then pickles, with extra spread and grilled onions added. Most frequent customers also know about the *protein-style*, your selection wrapped in lettuce instead of a bun. No one seems to know that you can even order a whole grilled sliced onion on any burger. There are another dozen or so secret selections...just Google them. Of course, every diner can also ask for an In-n-Out Burger paper hat, like that worn here.



Flying Dutchman

Now it seems that I have a fan at the Oak Brook, Ill. headquarters of the world's largest fast food chain. I received a message from them last week telling me that McDonald's also has a secret menu! Who would have known? I have been somewhat critical of them in recent years for the quality of their burgers and service, and have followed with great interest the latest developments shepherded by the new company CEO, Steve Easterbrook. The world's largest burger chain has about 36,000 restaurants around the world, including 2,800 in China

and South Korea. Lately they have been upgrading the quality of their beef, adding breakfast items, and working on their service. I have always heralded their superb famous fries cooked in 100% vegetable oil. My unknown friend informed me that their secret menu is not as well known as others, so he wanted me to get out the word. He told me that the 'secret menu' had actually been scrawled on the back of a place mat by Mac founder Ray Kroc (to be played by Tom Hanks in an upcoming movie) in the late '50s and it has remained buried under a missile silo in Southern Illinois...until now. (This is absolutely true, or so he claims.) Here are just a few of the possible off-menu selections they offer:



Sausage Egg Big Mac Muffin

Sausage Egg Big Mac Muffin...they take two of their savory sausage patties, two slices of American cheese, two freshly-cooked eggs, and serve them up in a toasted English muffin with an extra muffin slice in the center. Like a Big Mac. He said they had a thing called *Mash Browns*, where you can order your hash brown potatoes 'mashed' by hand before serving.



Blanks in a Blanket

Skip it. Go to their *Blanks in a Blanket*. It is what they exclusively serve their employees during training. An order of hot cakes are placed between a 'bun' of two of their fluffy McGriddles. Sounds delish if you like pancakes (I do.) There were other offerings but frankly they were so weird I will not even pass them along.



Instead, I suggest that you go post-haste to my friend Danny Meyer's new *SHAKE SHACK* (8529 Santa Monica Blvd, West Hollywood, on the southwest corner of Santa Monica Blvd. and La Cienega. They have their own parking lot.) I am going to be writing a full-scale review of this wonderful new eatery when things calm down a bit and lines are shorter. (Some people wait up to two hours in prime time.) This New York institution started as a hot dog stand in Madison Square Park in 2001, became a full-scale burger stand in 2004, and now is listed on the N.Y. Stock Exchange. I will just mention the burger they devised exclusively for their West Coast introduction, the *Roadside Double*, a play on the French dip which originated here downtown. It is two patties topped with Swiss cheese, Dijon mustard,



Line at Opening Night



Roadside Double

and slathered with beer-and-bacon simmered onions in their potato bun. Danny told me that they are planning to open others in Glendale, downtown, Century City and Hollywood, as well as Las Vegas.

He said they also has a Secret Menu here, and mentioned it included a *Peanut Butter & Bacon Shackburger*, a *Quad Burger* (think of the In-n-Out 4 by 4), and a *Grilled Cheese* thing with buns tipped inside-out pre-grilling.

The Shake Shack burgers are made with 100% all-natural Angus beef and come cooked medium rare (though you can request another degree) on a Marin potato roll. They also have split flat-top grilled hot dogs, and I recommend you try the Chicago-style *Shake-Cage Dog*. And their crispy, salty crinkle-cut fries beat the In-n-Out ones by a mile. On Saturday I got there just as they were preparing to open at 11 am and saw all of the employees doing their Shake Shack chant. They put their hands up in the air and wiggled their fingers, then clapped their hands and screamed "Shack, shack, shack, shuck, shack everybody." Then they went to work. (Note to Danny: the managers forced me to go to the end of the line despite being press and my dropping your name. For shame.)



Bacon Burger

No, I am not forsaking my beloved gourmet burger purveyor, *In-n-Out Burger*, for the new entries. Actually, it makes them even more appreciated...for quality of their burgers and low price point. To be truthful, I have never met a burger I did not like. I just like some more than others. Happy eating. ■

# JayWalking In L.A.

(continued from page 12)

house-made tortilla chips; it was followed with a *Lobster & Prawn Roll* (\$32) on a brioche bun, while my companion had *Seabass Tacos* (\$29), and we ended with a *Molten Chocolate Lava Cake* (\$12). Great burgers, fresh salads, cool drinks – and the setting overlooking the pool and cabanas is what



LA is all about...**Birthdays** Wishes: We will be celebrating the William Shakespeare 400<sup>th</sup> birthday on April 23<sup>rd</sup>



*W.D. the Foodie*

**Recommended Reading:** Go online to the Sunday New York Times of Feb.

21<sup>st</sup> to read the long, fascinating article, "*The Boy From Brooklyn*," subhead – 'Five decades after leaving for Los Angeles, David Geffen returns to New York, bringing with him all the clout \$100 million can buy.' The article opens with a scene from the '50s at Brooklyn's *Coskies*, a hangout for all, including Geffen and me. He went on to manage great musical talent and accumulate a fortune measured in the billions. Incredible saga worth reading, as was the *Hollywood Reporter* story on him the same week.....Mark your calendar: Sunday May 1<sup>st</sup>, from 10 am to



4 pm at *Greystone Mansion, the Concours d'Elegance*, the rare automobile show of over 150 exceptional pre-1974 concours automobiles and motorcycles rarely seen by the public. Call 310-285-6830 for more info...Go to [facebook.com/MarciaNasatirAClassyBroad](http://facebook.com/MarciaNasatirAClassyBroad) to see where you can view the wonderful documentary film, *A Classy Broad*, directed by Anne Goursaud. It is the story of a woman named Marcia Nasatir, the first powerful woman vice

(continued on page 11)

## RECOMMENDED READING: "THE BOY FROM BROOKLYN"

# JayWalking In L.A.

(continued from page 10)

Left out of my recent article about *La Dolce Vita* and Frank Sinatra favorites was that Frank loved the

Dunhill mens cologne, Edelweiss' chocolate maple pecan creams, and the Benson Fong long-defunct *Ah Fong* next to Nate 'n Al. It was also one of my favorite Chinese eateries.....We celebrated the **PLANNED PARENTHOOD 50<sup>th</sup> Anniversary** with **FOOD FARE 2016** at the Santa Monica Barker Hanger, and it was a sensationally

## WE CELEBRATED THE PLANNED PARENTHOOD 50TH ANNIVERSARY

successful event. PR Ann Flower just told me they earned over \$950,000 that evening. The lasagna served up

by Elizabeth from *Angelina Osteria* was delicious (I had the crusty corner portion) and I made plans to review the *Bel Air* with its owner, Susan Disney. Took home a succulent hot dog from *Pink's* for a midnight snack...My film remake of Miramax's *BELL, BOOK & CANDLE* has



Beverly and Gloria Pink

been put on hold by that company acquisition by beIN Media of Qatar. The new owners note that two-thirds of the Arab world population of 370 million is under the age of 30, and they are moving into general entertainment to supply that market...Wonder how the renovation of the *Westside Pavilion* will affect my favorite buffet restaurant next door, the amazing **HOKKAIDO SEAFOD BUFFET**. I hear they will be opening up the shopping mall with street-side windows.....the Debbie Allen' concert, **FREEZE FRAME**, at the Wallis, was one of the greatest

dance exhibitions I have ever seen. An astonishing combination of dance and photography, the company of 30+ dancers had to be seen to be believed. Cannot wait for it to return.....At the San Francisco Chronicle's 2016 Wine Competition, the 2013 *Nadia Cabernet Sauvignon* (Santa Barbara Highlands) won a **Double Gold Medal**. This companion brand to my favorite *Laetitia* is a terrific buy and a startling good wine....The *Waldorf Astoria Beverly Hills* should be opening in the spring of next year beside the *Beverly Hilton*. What is exciting (at least to me) is that it will feature an indoor-outdoor 150-seat restaurant from the acclaimed chef Jean-George Vongerichten. The chef said he did not intend to 'reinvent' California cuisine but would do lots of farm-to-table stuff, all organic. Since it is about a hundred yards from my house, I suspect I will be doing lots of meals there...I have any readers dined at *Tempura Endo*, the century-old family-run Japanese tempura restaurant from Kyoto which just opened next to *La Dolce Vita* at 9777 Little Santa Monica Blvd? I am told that in its tiny rooms everything from sea urchin to Wagyu beef is encrusted in a refined oil-and-flour coating before deep frying. The elegant tasting menu of 22 courses runs from \$280 a person up. (They say they use a special flour with very little gluten.) A bit too expensive for my taste... ■

**PUBLIC CORRESPONDENCE**  
**BOB AND CAROLINE MACDONALD**

Bob and Caroline MacDonald  
425 North Maple Drive #204  
Beverly Hills, CA 90210

May 2, 2016

Re: L'Ermitage Conditional Use Permit, Development Plan Review Permit

Dear Commissioners,

My wife and I are writing this letter to you to share our support of the Hotel L'Ermitage and its request for a new Conditional Use Permit (CUP) and Development Plan Review Permit (DPR).

We have been residents of Beverly Hills for over 14 years living at 425 N. Maple Dr., a few blocks from L'Ermitage. We understand the unfortunate issues surrounding the CPUC and the controversy that has been created for the L'Ermitage. The hotel has held an exemplary record of corporate citizenship in the Beverly Hills community and we urge all the Commissioners to expeditiously grant the CPUC and the DPR.

As local neighbors, we utilize the Hotel often and over the years we have used the hotel for its accommodations for our out-of-town friends, for business meetings, drinks and for dinners. We have always found the hotel staff very friendly and very accommodating and quite "neighborly". We walk and drive by the hotel often on our way to town and have never witnessed any of the disturbances mentioned in the Courier article. Recently on our way home from town one evening we came across a lost puppy on Foothill and brought it to the Hotel. The staff quickly assisted us providing water and the concierge called the number on the tag helping leave messages to locate the owner and accommodated us until the owners arrived.

I'm sure the Commission recognizes the improvements being made to the hotel are necessary to maintain their competitive advantage and similar renovations are made to other Beverly Hills Hotels. I believe Mr Abaunza has dealt with the City with the best of intention and an unfortunate misinterpretation by City Staff has caused this issue. I would hope that the Commission, after carefully considering all comments, reaches the fair conclusion and grants the CPUC and DPR in support of the L'Ermitage.

Thank You,

Bob and Caroline MacDonald

**PUBLIC CORRESPONDENCE**  
**CONCERNED CITIZENS OF BEVERLY HILLS**

May 1, 2016

TO THE HONORABLE COMMISSIONERS:

On behalf of the Concerned Citizens of Beverly Hills, we understand that there are three options available to the Planning Commission at the Special Meeting relative to the L'Ermitage request for a Conditional Use Permit, Development Plan Review, and an Extended Hours Use Permit:

- (1) Approve the Project
- (2) Deny the Project
- (3) Continue the Hearing

We wish for the Hearing to be continued for two primary reasons (for two months):

- (1) Allow the city to develop a real system and mechanisms to monitor the hotel and penalize them if they violate the CUPs, including on evenings and weekends when code enforcement is not present. Also create conditions under which the CUPs are terminated for non-compliance of the CUP. These systems/mechanisms would help with other violations throughout the city.
- (2) This is surrounded by residential neighborhoods that pre-date the existence of the hotel. Allow for new traffic, noise, and parking studies to be created, and are required and appropriate under CEQA.

If the Applicant is unwilling to have the Hearing continued, we request that the "Proposed Solutions" on the accompanying sheet be incorporated into the Draft Resolution.

Sincerely,

Concerned Citizens of Beverly Hills

# CONCERNED CITIZENS OF BEVERLY HILLS

MEETING DATE: May 2, 2016

SUBJECT: 9291 Burton Way (L'Ermitage Hotel)

PROBLEMS CITED BY STAFF	PROPOSED SOLUTIONS
<b>DELIVERIES</b>	Deliveries in the alley are acceptable, subject to:  (1) All deliveries must be made between 10 a.m. to noon Monday through Saturday  (2) No deliveries on Sunday  (3) The City will dedicate some of the Lakeshore / Credit Union parking area for L'Ermitage deliveries  (4) No reversing trucks (beeping)
<b>ROOFTOP EVENTS OUTDOOR EVENTS</b>	Rooftop/outdoor events are acceptable, subject to:  (1) One event per month  (2) All events must terminate at 10 p.m.  (3) No breakdown until the following day after 9 a.m.  (4) No music on any outdoor/rooftop patios. No speakers or amplification on any outdoor/rooftop patios.  (5) Events shall be limited to 100 guests per event.
<b>RESTAURANT</b>	Relocation is acceptable, subject to:  (1) Meal service ends at 9 p.m.  (2) Restaurant closes at 10 p.m.  (3) Entry and exit only through the hotel lobby

	<p>(4) 12' panels with baffles of ivy or some other vegetation to mitigate noise</p> <p>(5) Old patio can not be used for any events, nor can it be used as a smoking area. Closed to all uses. The hotel excuse for moving it was that it disturbs neighboring residents, now they want to double down and have a second outdoor patio.</p>
<p><b>LIMOUSINES/CHAUFFEURS</b></p>	<p>Limousine/chauffeur parking is acceptable, subject to:</p> <p>(1) Limousine parking is limited to the North side of Third Street, between Maple Drive and Civic Center Drive</p>
<p><b>ENFORCEMENT AND PENALTIES</b></p>	<p>Enforcement is currently non-existent on evenings/weekends.</p> <p>There must be a way to monitor and enforce the CUPs and there must be a way impose meaningful penalties:</p> <p>(1) The deposit is \$100,000.</p> <p>(2) Penalties start at \$5,000 and increase with each violation.</p> <p>(3) A police citation is sufficient evidence to create a penalty.</p> <p>(4) Three violations and the CUP is automatically terminated.</p>

**PUBLIC CORRESPONDENCE**  
**BEVERLY HILLS CHAMBER OF COMMERCE**



May 13, 2016

Honorable Mayor and City Council  
Beverly Hills City Hall  
455 N. Rexford Drive  
Beverly Hills, CA, 90210

Dear Honorable Mayor and Members of the City Council:

The Beverly Hills Chamber of Commerce writes to urge that the City Council NOT take up the Planning Commission's recent decision to grant a new Conditional Use Permit to allow the hotel's Avec Nous restaurant to remain open to the public. As you know, if you place the matter on the City Council agenda, the new CUP granted by the Planning Commission is automatically placed on hold until the Council makes its decision. In the interim, the hotel's Avec Nous restaurant would again be closed to the public causing substantial damage to the hotel financially and in terms of public relations.

Due to an unfortunate series of events, the hotel's Avec Nous restaurant was forced to close to the public because of an expired Conditional Use Permit. The Avec Nous restaurant had just reopened after its new owner completed a \$38 million remodel. The closure of the restaurant to the public had devastating consequences to this five star hotel, as the hotel lost not only thousands of dollars in revenue, but also was subject to substantial negative publicity. The restaurant is only now starting to get back on its feet.

The Viceroy L'Ermitage has provided a world-class five star hotel experience in the City for many years and has served as a venue for many important functions, including most recently the kick-off to Culinary Week in the City, which then Mayor Gold attended. The hotel brings in a large amount of business tax revenue for the City and will continue to do so in the years ahead.

Based on the above, we ask that the City Council NOT take up the Planning Commission's decision to grant a Conditional Use and Associated Permits to allow Avec Nous to remain open to the public.

Sincerely,

A handwritten signature in black ink, appearing to read "Todd Johnson".

Todd Johnson  
CEO

A handwritten signature in black ink, appearing to read "Kelly O. Scott".

Kelly O. Scott  
Chairman, Board of Directors  
Partner, Ervin Cohen & Jessup, LLP



April 28, 2016

Honorable Planning Commission Chair Alan Robert Block  
Beverly Hills Planning Commission  
City of Beverly Hills  
455 North Rexford Drive  
Beverly Hills, CA 90210

Dear Honorable Chairman Block,

The Beverly Hills Chamber of Commerce, with the support of its Board of Directors, writes to urge that the Planning Commission recommend the granting of a new Conditional Use Permit to the Viceroy L'Ermitage and swift approval by the City of Beverly Hills to allow the hotel's Avec Nous restaurant to re-open to the public.

As you know, due to an unfortunate series of events, the Viceroy L'Ermitage's Avec Nous restaurant was forced to close to the public because of an expired conditional use permit. The hotel had just been remodeled and is under new ownership. As you can imagine, the closure of the restaurant to the public has had devastating consequences to this 5 star hotel, as the hotel is losing thousands of dollars a day. The hotel will continue to suffer such consequences, both financial and public relations, until it can re-open.

The Viceroy L'Ermitage has provided a world-class 5 star hotel experience in the City for many years and has served as a venue for many important functions, including most recently the kick-off to the Culinary Week in the City, which then Mayor Gold attended. The hotel brings in a large amount of business tax revenue for the City and will continue to do so in the years ahead.

Based on the above, we ask that the Commission recommend that the City Council approve a Conditional Use Permit (along with Development Plan Review and Extended Hours Permits) to allow Avec Nous to open to the public and to recommend that the City proceed on an expedited basis to do so.

Sincerely,

A handwritten signature in black ink, appearing to read "Todd Johnson".

Todd Johnson  
CEO

A handwritten signature in black ink, appearing to read "Kelly O. Scott".

Kelly O. Scott  
Chairman, Board of Directors  
Partner, Ervin Cohen & Jessup, LLP



**BEVERLY HILLS  
CHAMBER OF  
COMMERCE**

Board of Directors Continued

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Bendheim Enterprises Inc.

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Bentley Beverly Hills

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David Haimovitz  
OneWest Bank

Marc Wolf  
KPMG

**PUBLIC CORRESPONDENCE**

**CRAIG BERBERIAN**

May 2<sup>nd</sup> 2016

Beverly Hills Planning Commission

**Re: L'Ermitage Hotel Letter of Support**

To The Planning Commission of the City of Beverly Hills,

I am writing to you in order to express my support for the newly requested conditional use permit, development plan review permit, and extended hours permit for the property located at 9291 Burton Way (L'Ermitage Hotel).

As an immediate neighbor to the east of 9291 Burton Way, we believe that the requests sought out by the property owners of the L'Ermitage Hotel will improve and benefit the neighborhood and the surrounding area.

Outlined below are the reasons that we believe these adaptations will not harm the community, and instead provide an attractive amenity for the community.

***Conditional Use Permit.***

Allowing the hotel restaurant at L'Ermitage Hotel to be open to the public will provide a high-quality, conveniently located restaurant for the community to enjoy.

***Development Plan Review.***

We believe that the addition of 7 tables and 20 chairs to the already existing hotel restaurant will not create additional nuisances and negative externalities for the neighborhood. L'Ermitage Hotel already has enough parking supply to provide for the minimal amount of traffic that this new extension of the restaurant will create. Because the new hotel restaurant space and required parking will operate on already privately owned land, I do not see why such a request would be deemed harmful for the community.

***Extended Hours Permit.***

Although the newly proposed space is requesting an Extended Hours Permit that will permit operations to extend later in the night, I do not believe that the magnitude of the requested use will have negative impacts our community. Indeed there is the potential for a restaurant open to the public to become noisy at later hours, however I believe that the hotel will do an excellent job to mitigate and detriment for noise to adjacent neighbors. Given the layout of the neighborhood, it seems unlikely that an additional 7 tables and 20 chairs would create a space that disrupts neighbors during later hours of the night.

Assuming the project is in accordance with typical conditions set for similar hotel and restaurants that operate near residential areas and environmental quality codes, I strongly believe that The Planning Commission of the City of Beverly Hills should allow for these appropriate requests made by the hotel which will have community serving benefits.

Sincerely,



Craig Berberian  
Managing Partner  
Empire at Burton Way  
Property Owner of 9265 Burton Way

