

ATTACHMENT 7
PUBLIC COMMENTS



**BEVERLY HILLS
CHAMBER OF
COMMERCE**

Expertise • Presence • Relationships

September 4, 2013

Beverly Hills City Council
455 N. Rexford Drive
Beverly Hills, CA 90210

Dear Members of the City Council,

The Beverly Hills Chamber of Commerce discussed the AKA Beverly Hills request to City Council at the September 3, 2013 Executive Committee Meeting. At the conclusion of the meeting, the Committee expressed support for the development of this important commercial concept as a valuable addition to our hospitality landscape.

We have been informed that AKA Beverly Hills has invested millions of dollars into remodeling the old Snyder & Company project on Crescent Drive and created a beautiful, well-maintained space at a very public intersection in the City. Their high occupancy rates this summer are testament to the high demand in the area for extended stay residences. In addition, these 88 residences are driving traffic to the smaller businesses on Crescent Drive (i.e. the markets and other resident-oriented businesses) and contribute to our efforts to increase local shopping.

Overall, the Chamber regards the addition of AKA to this community as a win-win situation and asks Council to give their support and conclude the development agreement between the City and AKA.

Sincerely,

Alex Stettinski
Executive Director

Karen Myron

From: guoping fan <guoping.fan@gmail.com>
Sent: Tuesday, November 19, 2013 11:08 PM
To: Ryan Gohlich
Subject: Regarding the permit of AKA 155 N. Crescent Drive

Dear Senior Planner (Ryan Gohlich):

I understand that BH Planning Commission is holding a public meeting on Thursday at 7pm in the Room 280A in the city hall. Since I cannot make to the meeting, I am writing to express my concern about the motion from AKA. Because Crescent Drive is already a busy street, the permit of AKA to have party and restaurant is literally to have another hotel on North Crescent Drive. Therefore, as one of the local residents on the North Crescent Drive (184-192), I am strongly against the plan by AKA. I hope that BH Planning Commission can take all the considerations and vote against the AKA motion.

Sincerely yours,

Guoping Fan
Resident of 184 North Crescent Drive, BH

Karen Myron

From: Yun, Annie <Annie.Yun@cshs.org>
Sent: Thursday, November 21, 2013 6:52 PM
To: Ryan Gohlich
Subject: Request of the conversion to hotel at Crescent Apartments

Hello Mr. Gohlich

My name is Annie and I live across the street of the Crescent Apartments and I am against the conversion of the Crescent Apartments to a hotel and restaurant because of the new issues of heavy trafficking, disruption of peace, and potentially dangerous threats. First, the traffic on Crescent is already heavy with only residencies and with a new hotel, the traffic will be extremely high and be difficult and inconvenient for the residents of this area. Hotel serviced limousines and commercial vehicles would occupy the limited parking spaces of the residential area. Next, the events and people at the hotel would disrupt the peace of the quiet neighborhood. Also, with strangers frequently entering and leaving the hotel, it would bring a negative influence on children and the safety of the children and residents is at risk of potential danger. In conclusion, I am very strongly against this proposal because it brings many problems that this neighborhood has never experienced before. Please consider our concerns and share them in the meeting.

With thanks,

Annie

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Karen Myron

From: Daniel Yun <trojan803@gmail.com>
Sent: Thursday, November 21, 2013 6:38 PM
To: Ryan Gohlich
Subject: Conversion to hotel at 155 N. Crescent Dr, the Crescent Apartments, now known as AKA

Hi Mr. Gohlich,

My concerns for the conversion of the Crescent Apartments to a hotel are the issues of heavy traffic, noise levels, and safety. First, the traffic on Wilshire and Crescent are heavy enough as it is even just with residencies. With the addition of a hotel and restaurant, traffic would be very high and make it difficult for the residents of the this block. Limousines and commercial transportation occupy the already limited parking spaces of the residential area. The neighborhood is supposed to be quiet and the hotel and the events it would host, such as live performances, would compromise the peace of the residencies. Also, with strangers coming in and out frequently, safety of the children and residents is at risk of potential danger. In conclusion, I am very strongly against this proposal as it brings many problems that this area has never experienced before. Please consider our rights as residents to voice our opinions to veto this request.

Thank you,
Daniel

THE SILVERSTEIN LAW FIRM

A Professional Corporation

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ROBERT@ROBERTSILVERSTEINLAW.COM
WWW.ROBERTSILVERSTEINLAW.COM

November 21, 2013

VIA EMAIL rgohlich@beverlyhills.org

City Planning Commission
City of Beverly Hills
c/o Ryan Gohlich, Senior Planner
455 N. Rexford Drive
Beverly Hills, CA 90210

Re: Objections to Proposed AKA Hotel/Crescent Apartments

Honorable Planning Commissioners:

On behalf of my parents and brother who are Beverly Hills residents at 129 North Stanley Drive, please distribute this letter to the Planning Commissioners and include it in the administrative record for this matter. We object to the proposed conversion of the AKA Apartments on North Crescent to hotel use for two key reasons:

(1) Beverly Hills needs more apartments, not less. No evidence exists that Beverly Hills needs more hotel rooms. When the original Crescent apartments and their Wilshire office component were entitled, both were spot zoned to allow for more density and height for the 88 apartment units and the commercial component. There was and remains a recognized need for more apartments in Beverly Hills. We do not believe the original intent and goals of the City Council should be changed.

(2) If AKA is allowed to convert to operate as a hotel, other apartment owners will demand the same entitlement, creating a dangerous domino effect. See the analogous *Minney v. City of Azusa* (1958) 164 Cal.App.2d 12, 32-33, in the variance context: "A variant use of plaintiff's lands would necessarily be the basis for others and thus the disintegrating process would be set in motion."

Please reject the application. Thank you for your consideration of our objections.

Very truly yours,

ROBERT F. SILVERSTEIN
FOR
THE SILVERSTEIN LAW FIRM

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*

December 11, 2013

Mr. Ryan Gohlich
City of Beverly Hills
Department of Community Development

VIA EMAIL:
rgohlich@beverlyhills.org

Re 9355 Wilshire Boulevard/AKA Serviced Residences

Ryan:

I write on behalf of myself and not as a representative of any individual or entity. I have no financial interest in this matter.

I have numerous concerns with regard to the requested entitlements sought by the Applicant.

1. In 2002, the subject property received approvals to construct a mixed-use development for 88 residential apartments. This was based in large part upon the specific need for apartments in Beverly Hills and to benefit the Beverly Hills housing element requirements.
2. The entitlement sought is for the ability to rent the apartments for periods of 7 days up to 29 days as serviced residences.

My concern is the ability to enforce such a requirement. How will it be possible to determine whether in fact the rental "stays" are really limited to no less than 7 days? They could be booked for 7 days and then released from that obligation after one or two days. As well, many suite "stays" in Beverly Hills 5-star hotels are for 7 days or more. The 7-day allowance cannibalizes the Beverly Hills hotel industry, especially the 5-star hotel industry, by competing at a lesser rate utilizing apartments as hotel suites. Those rentals of one or two-bedroom apartments could offer a lesser rate than our fine 5-star hotels. This would be to the detriment of the Beverly Hills hotel industry irrespective of the TOT or gross receipts received.

3. Restaurant. The restaurant will clearly be used for the public notwithstanding the claim that it states it is in large part for the tenants of the subject property and to a limited extent to the public. That simply will not be the likely scenario.

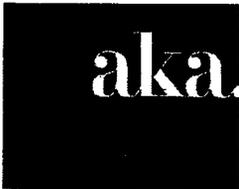
Mr. Ryan Gohlich
Re: 9355 Wilshire Boulevard
December 12, 2013
Page 2

4. This entitlement request, if approved, will set a very dangerous and serious precedent within the City. Which apartment building will next ask for the same privileges and further decimate the high-end suite rental business of our esteemed 5-star hotels?

I urge the Commission to review these issues very carefully for the benefit of the City and especially the hotel industry in Beverly Hills.

Respectfully submitted,


MITCHELL J. DAWSON



...hotel? Seriously?

We, the undersigned neighbors, are opposed to the conversion of the former Crescent Apartments located at 155 N. Crescent Drive, now called AKA, to hotel use. We live in a residential community and we want the Crescent Apartments, now called AKA, to remain as apartments. We do not want to be forced to live near a hotel.

When the City Council gave entitlements to the developer of the Crescent Apartments, which included a non-conforming, four story, Wilshire office building, it was because no new apartments had been developed in Beverly Hills in over twenty years. The Council at that time said to the community that Beverly Hills needs more apartments. If AKA is allowed to operate their apartments as a hotel, other apartment owners will want the same right.

Therefore, we urge the Planning Commission and City Council to reject any conversion of the AKA apartments to hotel use.

| | | | |
|---------------|--------------------|---------------------------------|------------------|
| ROBERT GRAFFA | <i>[Signature]</i> | 170 N. Crescent Drive, BH 90210 | |
| NAME | SIGNATURE | ADDRESS | EMAIL (optional) |

| | | | |
|------------------------------|--------------------|------------------------------|------------------|
| Carley Gordon, Carley Gordon | <i>[Signature]</i> | 170 N Crescent Dr #205 90210 | |
| NAME | SIGNATURE | ADDRESS | EMAIL (optional) |

| | | | |
|-----------|--------------------|----------------------------|------------------|
| Tina Goss | <i>[Signature]</i> | 170 N Crescent # 106 90210 | |
| NAME | SIGNATURE | ADDRESS | EMAIL (optional) |

| | | | |
|----------------|--------------------|---------------------|-----------------------|
| Don FitzGerald | <i>[Signature]</i> | 186 N. Crescent Dr. | dfitzgerald@gmail.com |
| NAME | SIGNATURE | ADDRESS | EMAIL (optional) |

| | | | |
|-------------|--------------------|----------------------|-------------------|
| Jayme Kanub | <i>[Signature]</i> | 202 N Crescent Dr #4 | mk12357@gmail.com |
| NAME | SIGNATURE | ADDRESS | EMAIL (optional) |

| | | | |
|----------------|--------------------|---------------|------------------|
| Aditya Prakash | <i>[Signature]</i> | 147 N Rexford | |
| NAME | SIGNATURE | ADDRESS | EMAIL (optional) |

| | | | |
|------|-----------|---------|------------------|
| NAME | SIGNATURE | ADDRESS | EMAIL (optional) |
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| NAME | SIGNATURE | ADDRESS | EMAIL (optional) |
|------|-----------|---------|------------------|



Received
City of Beverly Hills

NOV 21 REC'D

PLANNING DIVISION
COMMUNITY DEVELOPMENT

November 19, 2013

Re: AKA Serviced
Residences

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

Dear Commissioners,

As a resident who lives within 500 feet of this project, I am opposed to AKA's redevelopment of this site. I have a number of concerns:

1. Neighbors were never notified that the Crescent was being converted into a hotel. We learned about it from tenants who were being evicted.
2. The city told us that the conversion happened without their knowledge. Either someone was not being honest, or city inspectors were asleep -- and for that they should be working for Bell.
3. Traffic studies are not adequate.
4. Mitigation measures outlined in the Planning Commission report need more enforcement "teeth"

In the General Plan...

Policy LU 5.8 Encroachment of Incompatible Land Uses. Protect residential neighborhoods from the encroachment of incompatible nonresidential uses and disruptive traffic, to the extent possible. Zoning and design review should assure that compatibility issues are fully addressed when nonresidential development is proposed near or within residential neighborhoods.

To conclude that the project will not result in a significant impact to the neighboring residential area suggests that a study has been made. Only traffic on North Crescent Drive was considered. What about traffic on Clifton Way and North Rexford Drive? These streets currently serve as access points to the eastern edge of the business triangle. Also, it is on these two streets that limos from the hotel and other Canon Drive businesses -- notably restaurants -- park, in violation of the permit parking zone.

The city seems unwilling or unable to aggressively enforce the permit parking restrictions when the violators are tour bus and limo operators. It usually takes citizen phone calls to get a parking enforcement officer to the scene.

Since the city seems reluctant to enforce its own parking ordinances, what guarantees are offered residents who can expect a restaurant to bring more traffic into their neighborhood?

The General Plan states that it's important to sustain a vigorous economy by supporting businesses that contribute revenue, quality services and high-paying jobs. This project might well meet the first of those three objectives, and perhaps even the second, but "high-paying jobs" -- maybe the hotel executives and head chef, but I doubt that maids, laundryworkers and wait staff can expect top pay.

Why is a business that allows a seven day stay not considered a commercial enterprise, AKA: HOTEL?

If it operates as a hotel, albeit with a tax penalty, it's a commercial operation and not a "residence." That would make this project an incompatible nonresidential use.

How is a restaurant that's open to the public a "residential use" and not a commercial enterprise? If it's a business, then it's an incompatible nonresidential use.

The modification of the Crescent into the AKA took place without a single notice to its residential neighbors, and apparently without any additional city permits or inspections. Now that many of these modifications have been completed, Applicant wants to continue the process by constructing a restaurant -- this time with the city's blessing. If a resident put up a backyard fence a half-foot taller than code, and city inspectors noticed the fence's construction, the resident would have been required to shorten the fence -- perhaps even take it down. Why is this applicant being given a pass?

Since the city seems unable to police wayward commercial construction projects, what guarantees do residents have that any of the conditions being suggested in this "hybrid" plan will be enforced? Will it be the residents' responsibility to call the city every time a limo from the AKA parks unlawfully in a permit zone.

Should this project be approved, please consider these mitigation measures:

1. I would suggest that if the AKA's motor court area is not large enough to accomodate all of the limousines on any given night, the operator of the hotel will provide additional on-site parking for liveries and do so at no charge.
2. If valets are used for the restaurant operation, they must follow a proscribed route that keeps them out of the residential areas to the east. It should be the Applicant's responsibility to see that valets -- be they employees of AKA or a service that the Applicant contracts -- follow the city's noise and speed laws in the dropping off and picking up of patrons' vehicles.
3. The city should install, at the Applicant's expense, a flashing in-pavement lights system at the Crescent and Clifton intersection, with the lighting to be pedestrian activated..
4. Applicant must provide free employee parking.

Sincerely,



Mitch Waldow
209 N. Rexford Dr.

COMPARISON OF TOT TAXES

AKA HOTEL - 1 BEDROOM APARTMENT

| | | |
|---|-----------|-------------------------|
| Daily Rent Per Night* | \$ | 500.00 |
| TOT Tax | | 20% Extra 6% Tax |
| Total TOT Tax Per Night | \$ | 100.00 |
| Days | | 7 |
| Total TOT Tax to City for 7 Days | \$ | 700.00 |

LUXURY HOTEL - 1 BEDROOM SUITE

| | | |
|---|-----------|-----------------|
| Daily Rent Per Night** | \$ | 1,100.00 |
| TOT Tax | | 14% |
| Total TOT Tax Per Night | \$ | 154.00 |
| Days | | 7 |
| Total TOT Tax to City for 7 Days | \$ | 1,078.00 |

| | | |
|--------------------------------|-----------|---------------|
| Luxury Hotel TOT Tax 7 Days | \$ | 1,078.00 |
| Less AKA Hotel TOT Tax 7 Days | \$ | 700.00 |
| WEEKLY LOSS TO THE CITY | \$ | 378.00 |
| % DECLINE IN TOT TAXES | | 35.06% |

ANNUAL LOSS OF TOT TAXES WITH AKA HOTEL

| | | |
|---------------------------------|----|-----------|
| LOSS TO CITY PER APT - 52 WEEKS | \$ | 19,656.00 |
| ANNUAL OCCUPANCY %*** | | 75% |
| ADJUSTED ANNUAL LOSS PER APT. | \$ | 14,742.00 |
| TOTAL AKA APARTMENTS | | 88 |

ANNUAL LOSS TO CITY \$ 1,297,296.00

CONCLUSION: AKA HOTEL MAY CAUSE A FINANCIAL LOSS TO THE CITY!

*Higher rate than AKA's current quoted rates for 1 bedroom suites for 30 days

** Luxury 1 bedroom suites range from \$900 to \$1,600 - most are in the \$1,100 range

*** Current average occupancy as of September 2013 is 73.4%

CITY OF BEVERLY HILLS
PLANNING DEPARTMENT

SUBMITTED AT PLANNING
COMMISSION MEETING OF:

12/12/13
L. LARSON

EGERMAN & BROWN, LLP

PHILIP BROWN
MARK EGERMAN
LEE A. EGERMAN

9401 Wilshire Boulevard
Suite 500
Beverly Hills, California 90212-2918

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December 12, 2013

Beverly Hills Planning Commission
Chair Brian Rosenstein
Vice Chair Howard S. Fisher
Commissioner Daniel Yukleson
Commissioner Craig Corman
Commissioner Allan Robert Block
455 North Rexford Drive
Beverly Hills, CA 90210

Re: AKA Beverly Hills

Dear Chairman Rosenstein and Members of the Planning Commission,

I am writing you as Chair of the Government Affairs Committee of the Beverly Hills Chamber of Commerce and as a member of its Executive Committee and Board of Directors. AKA Beverly Hills appeared before the Government Affairs Committee, and presented its project to convert the Snyder & Co. apartment project on Crescent Drive into a long term stay hotel. After examining the project, the Government Affairs Committee recommended that the Beverly Hills Chamber of Commerce support AKA Beverly Hills in its application to develop the property as a long-term stay hotel.

The primary reason for supporting AKA Beverly Hills' project is that the existing structure will be substantially upgraded with no added burdens placed on the City or business committee. Further, the type of clientele that will be attracted to stay at the project will be of substantial support to our local businesses. In short, there appears to be no downside whatsoever coupled with substantial benefits for the City, the surrounding area, and local businesses.

Attached is a copy of the letter from Alex Stezinski, Executive Director of the Beverly Hills Chamber of Commerce, dated September 4, 2013, setting forth the official position of the Beverly Hills Chamber of Commerce supporting the project.

CITY OF BEVERLY HILLS
PLANNING DEPARTMENT

SUBMITTED AT PLANNING
COMMISSION MEETING OF:

12/12/13

*M. Egerman via Courier
Delivered*

Beverly Hills Planning Commission
December 12, 2013
Page 2

Please be so kind to read the letter of September 4, 2013, into the record for this project.

Thank you.

Very truly yours,

A handwritten signature in black ink, appearing to read "Mark Egerman". The signature is written in a cursive, flowing style.

MARK EGERMAN

ME/jl

enc.

S:\Clients\Beverly Hills Chamber of Commerce\Planning Commission AKA Beverly Hills.12-12-13.wpd

RECEIVED
CITY OF BEVERLY HILLS

1 2014 JAN 28 P 5: 31

CITY CLERK'S OFFICE

January 25, 2014

Keven Bellows
170 N. Crescent Drive
Beverly Hills, CA.

Clerk
City Council
455 N. Rexford Dr.
Beverly Hills 90210

RE: Addendum to the EIR for 155 N. Crescent Dr. (AKA Serviced Residences)

I am totally opposed to allowing this company to expand its already dismaying presence on even more of N. Crescent Drive and to increase the near capacity traffic on the block to gridlock. We will not even be able to get out of our driveways when taxis and limos line up to drop and pick up hotel passengers, to say nothing of the constant comings and goings of the restaurant patrons at all hours of the day and night. The noise will shatter the nighttime calm of the present neighborhood.

AKA has already ruined what was a lovely block with its dismaying sprawl and constant Construction. Permission to allow them to have such a huge and ugly "A" practically on the public sidewalk perhaps speaks to the company's undue influence on the political leaders of our city.

I can't imagine why the city fathers and professionals have let this go this far. These people should be stopped before their growing "footprint" blocks out the entire 100 block of N. Crescent Drive. Believe me, if this goes through, their next step will be to cannibalize the east side of the street.

Does Beverly Hills REALLY need another hotel??!!

Sincerely,


Keven Bellows (Ms.)

Ryan Gohlich

From: Lois Hirt <loismile@aol.com>
Sent: Wednesday, January 29, 2014 11:59 AM
To: Ryan Gohlich
Subject: 9355 Wilshire

Sent from my iPad

Hi Ryan,

I won't be able to make the meeting on Tuesday, Feb.4.

I am opposed to any restaurant going in at the AKA property on 9355 Wilshire.

There will be extra traffic, more cars trying to park in the neighborhood. Those residents of 155 N. Crescent won't want to be eating at the same restaurant all the time. To me that is an excuse for putting in a restaurant . There are plenty of restaurants totally surrounding the area.

Also, I wouldn't want to see a bar being allowed to go there. We don't need traffic all hours of the morning and people driving in the area, or any where, after drinking. This scenario was not discussed basically at the planning meeting I attended.

I am still opposed to having service residences at 155 N. Crescent.

We have voted on what we wants do service apartments were not included. To keep giving variances is not right.

It was also discussed about the uses of the balcony at 155 N. Crescent, like time use, days, who can use it. I want to make sure that is in writing. We have had situations where the residences were promised things, they were not put in writing and I don't know why, and what we were promised didn't happen, like professional healthcare workers at Sunrise Retirement Home.

This is a unique area for the AKA properties being in a residential area like we have here in Beverly Hills, especially with private homes right around the corner and down the street. They have no other residences to compare it to. I hope the City Council takes this in to consideration.

I hope the City Council takes into consideration the residents feelings and how this will affect us

Companies come in and promise the city will be getting X number of dollars from them each year, like the Montage, and it doesn't happen. Are we going to have the same situation with AKA?

Please check all the facts that AKA states because at the planning meeting, not everything was correct,like their survey and where there employees live in relationship to the project.

We also have plenty of hotels in the surrounding area, so we don't need more hotels.

I have lived here for over 33 years.

Thank you

Lois Hirt

203 N. Rexford Dr.

Beverly Hills, CA. 90210