Beverly Hills
Planning Division
455 N. Rexford Drive Beverly Hills, CA 90210
TEL. (310) 285-1141 FAX. (310) 858-5966

Planning Commission Report

Meeting Date: November 12, 2015

Subject: **9291 Burton Way (L'Ermitage Hotel)**
Hotel Overlay Zone and Planned Development Permit
Request for amendments to the General Plan and Municipal Code to create an Overlay Zone that would allow reconfiguration of rooftop amenities and mechanical equipment housing, the addition of an exterior elevator on the west side of the building, extension of the allowed hours of operation, and construction of a glass 15' acoustic enclosure above the roof deck at the property located at 9291 Burton Way, commonly known as the L'Ermitage Hotel. Pursuant to the provisions set forth in the California Environmental Quality Act, the Commission will also review and comment on a Draft Mitigated Negative Declaration (MND) for the project.
PROJECT APPLICANT: Mitchell J. Dawson

Recommendation: That the Planning Commission:
1. Receive public comments on the Project and Draft MND;
2. Provide Commission comments on the Draft MND; and
3. Continue the hearing to a date uncertain to allow for completion of the environmental review process prior to taking formal action on the project.

REPORT SUMMARY

A request has been made to amend the General Plan and Municipal Code to create an Overlay Zone at the property located at 9291 Burton Way, commonly known as the L'Ermitage Hotel. The Overlay Zone would generally allow an existing hotel use to be maintained in a Multi-Family Residential Zone, and would allow the addition of an exterior elevator on the west side of the existing building, the addition of a glass rooftop enclosure that would act as an acoustic shield, relocation of the existing outdoor dining area, and reconfiguration of various existing rooftop structures. As part of the requested Overlay Zone, a Planned Development Permit would also be required to allow an extension of the currently allowed hours of operation for the rooftop event area and outdoor dining area.

As part of the project review, and as required by the California Environmental Quality Act (CEQA), the project was environmentally assessed, and after preparation of an Initial Study it was determined that a Mitigated Negative Declaration (MND) was necessary to reduce potential project impacts to less than significant levels. A Draft MND has been prepared and is currently being circulated for a 20-day public

Attachment(s):
A. Notice of Public Hearing and Notice of Intent to Adopt a Mitigated Negative Declaration
B. Draft Mitigated Negative Declaration
C. Acoustic Shield Report
D. Letters From the Public
E. Architectural Plans

Report Author and Contact Information:
Andre Sahakian
(310) 285-1127
asahakian@beverlyhills.org

review period. Based on the analysis in the Draft MND, the proposed project is not expected to result in any significant environmental impacts, provided that the recommended mitigation measures are adopted. The purpose of this report is to provide an overview of the project and summaries of some of the topics studied in the MND that were of particular concern for this project. The recommendation in this report is to provide Commission comments on the Draft MND, and open the public hearing to accept public comments on the Draft MND and/or project. It is further recommended that the public hearing be continued to a date uncertain in order to complete the 20-day public review period prior to taking action on the project.

BACKGROUND

File Date	6/26/2014
Application Complete	7/25/2014
Subdivision Deadline	N/A
CEQA Deadline	60 days from CEQA Determination
CEQA Determination	Mitigated Negative Declaration
Permit Streamlining	60 days from adoption of the Mitigated Negative Declaration
Applicant(s)	Mitchell J. Dawson
Owner(s)	LBH Real Estate (Beverly Hills), LLC
Representative(s)	Mitchell J. Dawson
Prior PC Action	Reso. 267 (2/25/80) – Variance from parking requirements. (Approved) Reso. 294 (12/8/80) – Variance from parking requirements. (Approved) Reso. 493 (11/23/87) – Front yard setback variance to allow two sculptures to encroach into front setback. (Approved) Reso. 890 (4/27/94) – Setback and rooftop variances, and modifying parking variance. (Approved) Reso 1094 (4/28/99) –DPR for Open Air Dining and CUP to allow hotel dining to be open to the public. (Approved) Reso 1138 (8/23/00) – Renew DPR for Open Air Dining and CUP for Hotel Dining to continue to be open to the public. (Approved) Reso 1191 (8/22/01)- Renewing DPR for Open Air Dining and CUP for Hotel Dining. (Approved)
Prior Council Action	Reso 75-R-5307 (9/2/75) – Allow sundeck to exceed height limit by 3' (Approved on appeal) Reso 99-7-10211 (8/3/99) – DPR for Open Air Dining and CUP to allow hotel dining to be open to the public. (Approved on appeal)
CC/PC Liaison	None
CHC Review	None

PROPERTY AND NEIGHBORHOOD SETTING

Property Information

Address	9291 Burton Way
Assessor's Parcel No.	4342-010-022 and 4342-010-002
Zoning District	R-4
General Plan	Multi-Family Residential (High Density)

Existing Land Use(s)	Commercial (Hotel)
Lot Dimensions & Area	240' x 130' (22,100 square feet)
Year Built	1976
Historic Resource	None
Protected Trees/Grove	None

Adjacent Zoning and Land Uses

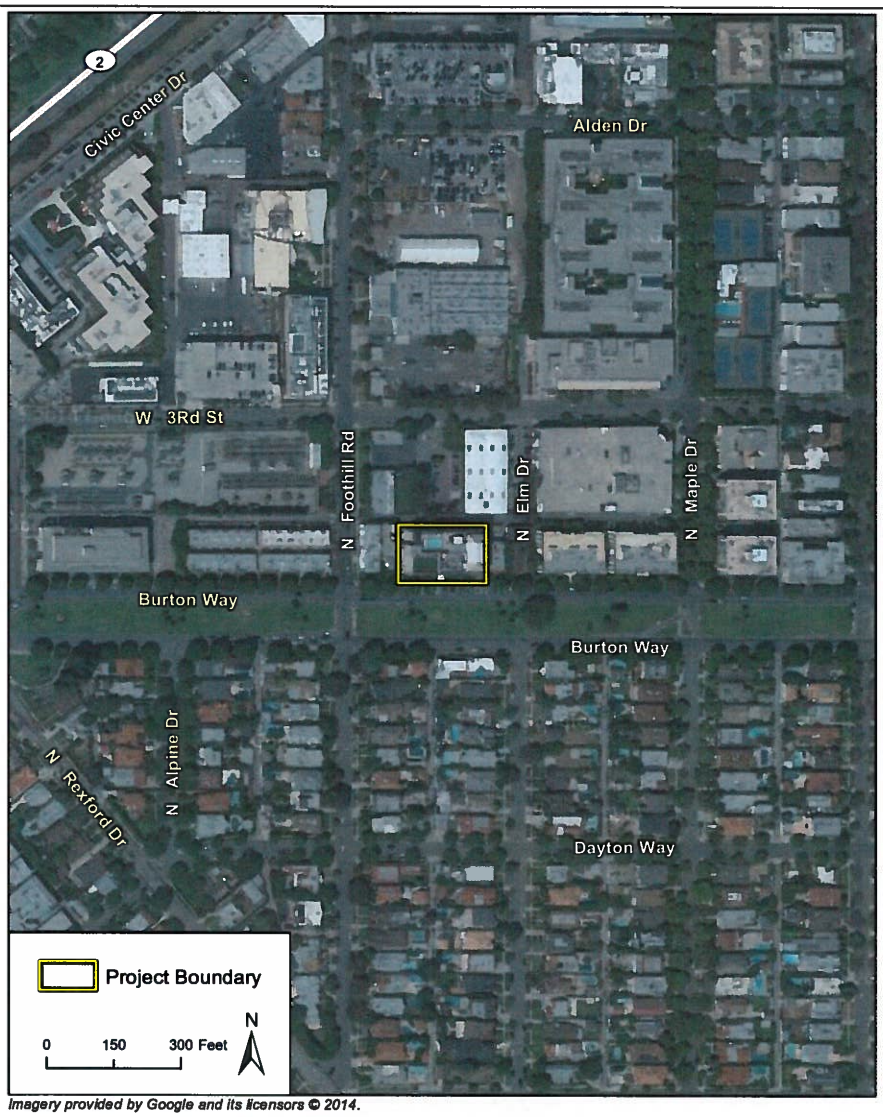
North	C-5 – Commercial
East	R-4 – Multi-Family Residential
South	R-1.8X – Single Family Residential
West	R-4 – Multi-Family Residential

Circulation and Parking

Adjacent Street(s)	Burton Way, between Foothill Road and Maple Drive
Traffic Volume	Average Daily Weekday Trips on Burton Way: Approx. 15,960 Eastbound; Approx. 16,410 Westbound Average Daily Weekday Trips on Maple Drive: Approx. 3,080 Southbound; Approx. 2,360 Northbound Average Daily Weekday Trips on Foothill Drive: Approx. 1,530 Southbound; Approx. 1,315 Northbound
Adjacent Alleys	20'-wide, two-way alley to the north of the subject property, parallel to Burton Way.
Parkways & Sidewalks	Burton Way – 145' street width with 12.5' North and South parkways. Foothill Road – 35' street width with 16' East and West parkways. Maple Drive – 35' street width with 16' East and West parkways.

Neighborhood Character

The project site is located along Burton Way, a major east-west thoroughfare with primarily one- and two-story residential development along the south side, and higher density multi-family residential development along the north side. The project site is abutted by a three-story multi-family residential building to the west, and a new five-story condominium project is currently under construction immediately adjacent to the east of the subject property. To the north is a commercial area characterized by a mix of former industrial sites that have over time developed into a cluster of corporate offices for media/entertainment companies. The project site is separated by this commercial area by a two-way alley that connects Maple Drive and Foothill Road, and provides pedestrian and vehicle access to the rear of the buildings along Burton Way.



Imagery provided by Google and its licensors © 2014.

Project Location

Existing View of South/West Elevation

Proposed View of South/West Elevation

PROJECT DESCRIPTION

The proposed project involves renovations to the existing hotel and modifications to the existing hotel's operational requirements through the creation of a Hotel Overlay Zone and approval of a Planned Development Permit. The following is a list of proposed physical improvements:

- Renovation of the hotel interiors, rooftop pool area, and building energy systems, including reconfiguration of the rooftop area to relocate and reduce in size an existing mechanical equipment housing away from the south facing edge of the building and Burton Way
- Removal of an existing event canopy on the east side of the rooftop
- Reconfiguration of various structures on the existing rooftop, such as the kitchen, restrooms, cabanas, etc.
- Installation of a 15' glass enclosure over the entire perimeter of the rooftop, designed to reduce noise from rooftop use
- Installation of an exterior glass elevator along the western elevation of the building
- Upgrading all mechanical systems in compliance with green building standards
- Relocation of the existing outdoor dining area from the rotunda patio to the patio further east, facing Burton Way, resulting in no change to the number of tables and chairs

In addition to the physical changes that are proposed, the proposed Hotel Overlay Zone would require a Planned Development Permit which would specify the operational requirements for the hotel use that are currently in place as part of the existing CUP. A modification of the existing operational requirements has been requested to allow uses on the remodeled rooftop and existing ground floor outdoor dining area to operate later into the evenings than currently allowed.

Required Entitlements. As proposed, the project requires the following entitlements in order to be constructed:

- **General Plan Amendment:** The proposed project requires amending the General Plan Land Use Map in order to recognize the proposed land use for the property, which would allow a Commercial Hotel use in addition to High Density Multi-Family Residential uses.

- **Overlay Zone:** The applicant has requested the creation of an Overlay Zone that would allow the proposed hotel use and to establish the development standards that would apply to the project, including height, floor area ratio, and setbacks.

- **Planned Development Permit:** As part of the proposed Overlay Zone, a Planned Development Permit would be required to allow any hotel use within the zone. The operational requirements currently in place as part of the existing hotel's CUP would become conditions of approval of the Planned Development Permit. There is also a request to amend the existing conditions of approval to allow outdoor events to carry on later than currently allowed.

GENERAL PLAN[1] POLICIES

The General Plan includes numerous goals and policies intended to help guide development in the City. Some policies relevant to the Planning Commission's review of the project include:

- **Policy LU 2.4 Architectural and Site Design.** Require that new construction and renovation of existing buildings and properties exhibit a high level of excellence in site planning, architectural design, building materials, use of sustainable design and construction practices, landscaping, and amenities that contribute to the City's distinctive image and complement existing development.

- **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 areas.

- **Policy LU 12.1 Functional and Operational Compatibility.** Require that retail, office, entertainment, and other businesses abutting residential neighborhoods be managed to assure that businesses do not create an unreasonable and detrimental impact on neighborhoods with respect to safety, privacy, noise, and quality of life by regulating hours of operation, truck deliveries, internal noise, staff parking and on-site loitering, trash storage and pick-up and other similar business activities.

- **Policy LU 15.2 Priority Businesses.** Retain and build upon the key business sectors contributing to the City's identity, economy, and revenue for resident services, such as entertainment-related Class-A offices, high-end retail an fashion, restaurant, hotel, technology, and supporting uses.

- **Policy ES 1.4 Retain Existing Industries.** Consistent with future economic sustainability plans, encourage existing industries such as luxury retail, tourism, hoteling, finance, entertainment and media businesses and services to remain and expand within the City.

- **Policy N 1.3 Limit Hours of Commercial and Entertainment Operations**. Limit hours of commercial and entertainment operations adjacent to residential neighborhoods and other noise-sensitive receptors in order to minimize exposure to excessive noise.

- **Policy N 1.4 Limit Hours of Truck Deliveries.** Limit the hours of truck deliveries to commercial uses abutting residential neighborhoods and other noise-sensitive receptors in order to minimize exposure to excessive noise, unless there is no feasible alternative or there are overriding transportation benefits by scheduling deliveries at other hours.

---

[1] Available online at http://www.beverlyhills.org/services/planning_division/general_plan/genplan.asp

PUBLIC OUTREACH AND NOTIFICATION

Type of Notice	Required Period	Required Notice Date	Actual Notice Date	Actual Period
Posted Notice	N/A	N/A	11/5/2014	7 Days
Newspaper Notice	10 Days	11/2/2015	10/30/2015	13 Days
Mailed Notice (Owners & Occupants - 500' Radius + blockface)	10 Days	11/2/2015	10/30/2015	13 Days
Property Posting	10 Days	11/2/2015	10/30/2015	13 Days
Website	N/A	N/A	11/5/2015	7 Days

Public Comment

Staff has received several inquiries and comments from the public both in person and via telephone about this project regarding the potential for increased noise, public parking, and traffic impacts resulting from the proposed project. A request was also made to analyze any issues relating to the project site's proximity to the Southern California Edison substation located on W. 3rd Street between Civic Center Drive and Foothill Road. As of the writing of this report, one email has been received by staff and is attached to this report.

ENVIRONMENTAL ASSESSMENT

This project is being assessed in accordance with the authority and criteria contained in the California Environmental Quality Act (CEQA), the State CEQA Guidelines, and the environmental regulations of the City. The City prepared an Initial Study to determine the proposed project's potential impact on the environment. After reviewing the Initial Study, the City has determined that this project may have a significant effect on the environment, but by implementing certain mitigation measures, the project's potentially significant effects could be reduced to less than significant levels. Accordingly, an MND has been prepared. The 20-day public review period for the Draft MND will extend from November 2, 2015 – November 21, 2015. The public review period is currently underway, and the purpose of this staff report and public hearing is to provide an opportunity for the public to comment on the draft MND and/or project, as well as for the Planning Commission to become familiar with the project and offer comments on the MND. No formal action can be taken on the proposed project until the conclusion of the public comment period.

ANALYSIS

Key topics from the MND are outlined below and analysis is provided with respect to the MND's findings as they relate to the proposed project. Additional analysis of the proposed components and required findings will be provided at a future public hearing, and after the conclusion of the public review period for the MND.

Aesthetics. In consideration of any potential aesthetic impacts resulting from the project, the MND analyzes whether the project would have a substantial adverse effect on a scenic vista, substantially degrade the existing visual character or quality of the site and its surroundings, or whether it would create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

Scenic Vistas

The physical changes to the building involve relocating ground floor outdoor dining, relocating mechanical equipment away from the southern edge of the rooftop, constructing a glass elevator on the western façade of the building, removing the existing tent structure on the eastern side of the rooftop, and constructing a 15' tall glass rooftop enclosure around the entire perimeter of the roof. While these changes would change the way the building looks from the public right of way as well as neighboring properties, there are no existing, protected scenic vistas that would be blocked as a result of these changes to the building. Based on this analysis, impacts to scenic vistas would be less than significant and mitigation is not required.

Visual Character of the Site and its Surroundings

As for effects on visual character or quality of the site and surrounding area, any construction-related activities that may decrease the site's visual quality would not cause a substantial impact because project construction is anticipated to last six months, and thus would be temporary in nature. Currently, the existing event canopy covers approximately one third of the rooftop area on the eastern side, and is approximately 21' tall above the roof level. The proposed glass rooftop enclosure would extend over a larger area of the rooftop in order to provide a more even roofline rather than the varied roofline that currently exists, and would reach a maximum height of 15' above the roof level. As a result, the overall massing of the rooftop would incrementally increase, while the maximum height of the building would decrease. Furthermore, Architectural Review would also be required to help ensure that the project would not degrade the visual character of the project site. The project would increase the existing height in some areas from 70' to 85', and decrease the existing height in others from 91' to 85'. These changes would not dramatically alter the existing height of the structure, and therefore would not dramatically alter existing shadow conditions. No shadow sensitive uses were found to the north of the project, and adjacent residences to the east and west and across Burton Way to the south do not have existing usable outdoor spaces that would be affected by the project for substantial periods of time. Additionally, mechanical housing that is currently located towards the southern edge of the rooftop would be moved further towards the center of the building, thus further reducing the potential for shadow impacts. Finally, although some sunlight would be blocked by the additional glass material that would surround the rooftop, the glass would allow more sunlight to pass through than walls or the existing opaque event canopy, further reducing the potential for shadow impacts. Based on this analysis, visual quality and character impacts would be less than significant and mitigation is not required.

Light and Glare

The nearest light-sensitive uses include multi-family residences to the east and west of the hotel, and one- and two-story multi-family residential buildings on the south side of Burton Way. Under its existing Conditional Use Permit (CUP), the L'Ermitage hotel is permitted to hold up to 52 events per year on the rooftop. Currently, an average of 19 events are held on the rooftop each year, which is less than half of the number allowed. Although there is no request to increase the number of events currently allowed per year, the proposed improvements to the rooftop are expected to increase the number of events actually held. These events would likely use specialized lighting, and the proposed glass canopy would allow more light to escape the rooftop than the existing opaque canopy. Therefore, light-sensitive uses in the vicinity of the hotel may be exposed to night lighting more often than they currently are. The proposed glass

rooftop enclosure and glass elevator on the western side of the building would also be a potential new source of glare. Since the project would be required to comply with the City's existing Municipal Code provisions that limit the design, intensity, and impacts of night Lighting, and since the angle of the acoustic shield would direct any glare away from the street and surrounding properties, there would not be a substantial light or glare impact on neighboring properties or traffic on surrounding streets. Based on this analysis, impacts from light and glare would be less than significant, and mitigation is not required.

Scenic Highways

The analysis in the MND also concludes that since Burton Way is not located on a State Scenic Highway, and since the project site does not include trees, rock outcroppings, or historic buildings, the project would have no impact with regard to substantially damaging scenic resources and mitigation is not required.

Noise. In consideration of any potential noise impacts resulting from the project, the MND analyzes whether the project would generate noise levels in excess of established city standards; generate excessive vibration; permanently or periodically increase ambient noise levels; or if the project's vicinity to airports or air strips would have any noise impacts. Noise-sensitive uses in the vicinity of the project site were determined to be residents at the adjacent multi-family building to the west and future residents at the adjacent multi-family building currently under construction to the east of the project site, as well as hotel guests.

Long-Term Noise Levels

The primary source of long-term noise resulting from the project would be project generated traffic and mechanical equipment. Construction noise would be temporary and short-term. Although the proposed project would likely result in an increase of frequency of rooftop events, the total number and size of annually permitted events would not change, and the event and traffic noise level of individual events would not increase. The project also includes relocating and upgrading mechanical equipment, which would likely be more efficient and quieter than existing equipment. Finally, since the outdoor dining area is being relocated to a location that is further away from the adjacent multi-family building to the west, this would also not result in a significant increase in long-term noise. Based on this analysis, it was found that the project would result in a less than significant impact on generation of noise levels in excess of established standards and a less than significant impact on permanent ambient noise levels.

Temporary or Periodic Noise Levels

Although the existing CUP allows up to 52 rooftop events per year, the average number of actual events has been approximately 19 per year. There is no request to increase the total number of allowed annual events, however it is assumed that the proposed improvements would increase demand for the rooftop event space, and the actual number of events occurring would increase. As more events occur on the proposed new rooftop, there would be more instances of periodic increases in ambient noise levels resulting from amplified music and other event-related sources. Using a conservative estimate of the anticipated noise levels, and taking into account noise attenuation achieved through the acoustic shield and the distance between the event space and the nearest sensitive receptors, the sound would attenuate to 62 dBA. Noise impacts are considered significant if they exceed 65 dBA during daytime hours or 55 dBA

during nighttime hours[2]. While the anticipated noise levels would not exceed the daytime threshold, they would exceed the nighttime threshold by 7 dBA. Additional factors that may also affect noise attenuation include the installation of directional distributed speakers, or higher-rated soundproof glass, which may further reduce the noise levels to be less than significant. If these design features do not adequately reduce the noise level, a mitigation measure is recommended that would restrict any amplified noise after 10:00PM, and place a limit of 103 dBA so that the nearest sensitive receptors do not experience noise levels exceeding 55 dBA. With this mitigation measure, impacts from temporary or periodic noise levels would become less than significant.

The Planning Commission may wish to consider the adequacy of the proposed mitigation measure, and may wish to direct staff to develop additional mitigation measures if it is determined that they would be necessary to reduce the significance of potential noise impacts to nearby sensitive receptors.

Vibration

The potential source of vibration impacts would most likely be during the construction period, which is temporary. Generally, vibration impacts occur when sleep is disturbed for sensitive receptors. Since existing municipal code provisions limit construction activities to daytime hours, vibration impacts would be considered less than significant.

Aircraft-Generated Noise

Finally, the project site is located approximately 4.5 miles from the nearest airport, and there are no private air strips in the project vicinity. Therefore, there would be no potential to expose people to significant aircraft-generated noise, and no impact would occur.

Air Quality, Hazards & Hazardous Materials. The MND found that the project would not result in substantial air pollutant emissions. However, due to the age of the existing building, there is the potential for adverse effects resulting from asbestos and lead if further testing and investigation reveals that these contaminants are present, and the impact would be potentially significant unless mitigation is incorporated. Therefore, two mitigation measures have been recommended to ensure that further investigation occurs as to the presence of these contaminants and that they are handled in accordance with applicable standards and regulations, thereby reducing the impacts to a level that is less than significant.

---

[2] The State of California Governor's Office of Planning and Research has adopted guidelines based on the community noise compatibility guidelines established by the State Department of Health Services in order to assess the compatibility of various land use types with a range of noise levels.

NEXT STEPS

It is recommended that the Planning Commission open the public hearing, receive public comments on the MND and/or project, provide staff with comments as appropriate, and continue the hearing to a date uncertain.

Report Reviewed By:

Ryan Gohlich, City Planner

ATTACHMENT A

NOTICE OF PUBLIC HEARING AND NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION

NOTICE of PUBLIC HEARING and
NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION

HEARING DATE: November 12, 2015

TIME: 1:30PM, or as soon thereafter as the matter may be heard

LOCATION: Commission Meeting Room 280A
Beverly Hills City Hall
455 North Rexford Drive
Beverly Hills, CA 90210

PUBLIC HEARING

The City of Beverly Hills has prepared a Mitigated Negative Declaration (MND) for proposed amendments to the General Plan and Municipal Code to create an Overlay Zone at the property located at **9291 Burton Way**, commonly known as the L'Ermitage Hotel. The Planning Commission will hold a public hearing to review the MND on **November 12, 2015 at 1:30PM** or as soon thereafter as the matter may be heard. The purpose of this meeting is to review the content of the MND and to allow the public and Commission an opportunity to comment on the MND. During this hearing no final decisions will be made with regard to project approval or denial. A separate, noticed public hearing will be held at a future date to review the merits of the project before any final decisions are made by the Planning Commission.

PROJECT DESCRIPTION

The project involves hotel renovations and modifications to the hotel's existing operational requirements. A summary of the various project components is provided below:

- Relocation and reduction in size of existing mechanical equipment housing on the rooftop.
- Removal of an existing event canopy on the rooftop.
- Reduction in size and reconfiguration of the existing kitchen and associated service counter.
- Reconfiguration and reduction in size of the existing restrooms, and addition of new rooftop restrooms near the pool area.
- 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.
- Installation of an exterior elevator along the western wall of the building.
- Upgrading of all mechanical systems throughout the property.
- Relocation of existing outdoor seating from the rotunda patio in the southwestern portion of the hotel lobby to the patio along Burton Way, resulting in no increase in the number of tables or chairs.
- Modification of the operational requirements that are currently in place as part of the hotel's existing Conditional Use Permit (CUP) to allow uses on the remodeled rooftop and existing ground floor outdoor dining area until midnight Sunday through Thursday and until 2:00 a.m. on Friday and

City *of* Beverly Hills 455 N. Rexford Drive Beverly Hills, California 90210 *p* (310) 285-1141 *f* (310) 858-5966 BeverlyHills.*org*

Saturday evenings and evenings preceding a holiday. All other existing operational requirements would remain unchanged.

ENVIRONMENTAL REVIEW

This project is being assessed in accordance with the authority and criteria contained in the California Environmental Quality Act (CEQA), the State CEQA Guidelines, and the environmental regulations of the City. The City prepared an Initial Study to determine the proposed project's potential impact on the environment. After reviewing the Initial Study, the City has determined that this project may have a significant effect on the environment, but by implementing certain mitigation measures, the project's potentially significant effects could be reduced to less than significant levels. Accordingly, a Mitigated Negative Declaration has been prepared.

PUBLIC REVIEW AND COMMENT ON DRAFT MND

The MND is being circulated for a 20-day public review period, from November 2, 2015 to November 21, 2015. During the public review period, written comments concerning the document may be submitted by any interested person and/or affected agency. Following the public review period, a separately noticed public hearing will be scheduled to consider adoption of the MND and the requested project entitlements. Comments on the MND should be directed to:

City of Beverly Hills
Department of Community Development
455 North Rexford Drive
Beverly Hills, California 90210
ATTN: Andre Sahakian, Associate Planner

Email correspondence will also be accepted at: asahakian@beverlyhills.org

Public Review: Copies of the MND are available for public review at the following locations:

City of Beverly Hills City Hall
Planning Division and Office of the City Clerk
455 North Rexford Drive
Beverly Hills, CA 90210

Beverly Hills Public Library
444 North Rexford Drive
Beverly Hills, CA 90210

The City's website: www.BeverlyHills.org

The case file on this project, which includes the plans, applications, and related environmental review documents, is available for public review at the Community Development Department, 455 North Rexford Drive, Beverly Hills, CA 90210. If there are any questions regarding this notice, please contact Andre Sahakian, Associate Planner at (310) 285-1127.

Sincerely,

Andre Sahakian, Associate Planner

Mailed: October 30, 2015

ATTACHMENT B

DRAFT MITIGATED NEGATIVE DECLARATION

(PROVIDED AS A SEPARATE ATTACHMENT)

ATTACHMENT C

ACOUSTIC SHIELD REPORT

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

May 11, 2015

Mr. Andre Sahakian
City of Beverly Hills
Department of Community Development

Re: Viceroy Rooftop Acoustic Information

Andre:

As per your request of recent, I enclose a report from SPF: a with regard to the benefits of the rooftop acoustic enclosure, including information regarding insulating glass unit (IGU) datasheet.

Please forward this documentation to Rincon so that they may complete their MND documentation for public review.

Once again, please advise if you need any further information from us at this point.

Sincerely,

M. J. Dawson

MITCHELL J. DAWSON

MJD:js
Encls.

Viceroy 1-10

SPF:a
Studio *Pali Fekete* architects

8609 E. Washington Blvd
Culver City, CA 90232
p.310.558.0902
f.310.558.0904
www.spfa.com

07 May 2015

Mr. Andre Sahakian
City of Beverly Hills

Subject: Viceroy Rooftop Acoustic Enclosure

Dear Andre,

In an effort to expand on the conclusions of the acoustic/noise impact study carried out by Newsom Brown, we have attached some data on the type of glazing that we are proposing to use in the building envelope assembly. A brief description of the goals of the building envelope follows below.

The building envelope proposed and described in the planning documents will serve several important functions for the upgraded Viceroy L'Ermitage event space. The envelope will serve as an acoustic enclosure which will help mitigate the transfer of sound from events at the rooftop to the surrounding neighborhood. In addition, the building envelope will act as a weather-tight barrier which will keep the space inside the event space – which can be mechanically conditioned – separate from exterior environmental conditions. Finally, the envelope will help us meet Title 24 compliance and achieve optimum thermal comfort by reducing solar heat gain.

The additional functions of weather-tightness and solar heat gain reduction will help the building envelope perform even better as an acoustic isolator. A weather-tight enclosure is superior at mitigating the transfer of sound than an enclosure which is open to the elements, since sound cannot escape through openings and imperfections in the enclosure. It also means that we will be specifying insulated glass units (IGU), which have a superior Sound Transmission Class rating than single panes of glass. In order to reduce solar heat gain and achieve Title 24, we will be using state-of-the-art electrochromic glazing, which can transform from a clear state to a tinted state to mitigate solar heat gain. The data sheet of the product we are proposing – attached to this letter – shows STC ratings that are higher than those of a typical IGU. Even the lowest STC rating specified for the product (35) has a higher acoustic performance than a typical IGU, and a significantly higher rating than standard glazing.

SPF:a
Studio *Pali Fekete* architects

8609 E. Washington Blvd
Culver City, CA 90232
p.310.558.0902
f.310.558.0904
www.spfa.com

We believe that the proposed envelope for the Viceroy L'Ermitage rooftop event space will therefore not only represent an architectural upgrade to the hotel and surrounding neighborhood, but will represent a functional upgrade for the neighborhood which will help mitigate noise levels as described in the Newsom Brown report.

We hope that this helps clarify the design intent of the envelope. Please do not hesitate to contact us if you have any further questions.

Yours Sincerely,

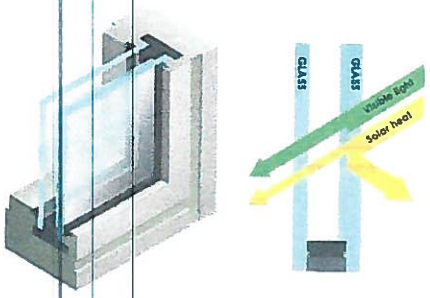
SPF:a

view

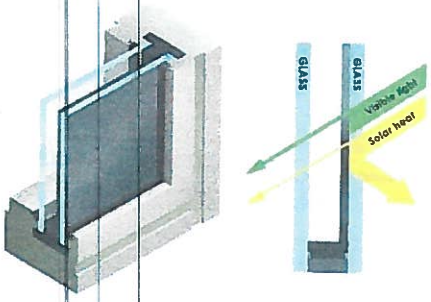
Dynamic Glass

Insulating Glass Unit (IGU) data sheet

CLEAR STATE



TINT STATE



Benefits

View Dynamic Glass uses electrochromic technology to switch between clear and tinted states on demand.

- Glare reduction
- Unobstructed views and natural daylighting
- Energy savings
- Contributes to LEED and other green building rating systems

Features

- 4 preset states from 1% to ~60% visual transmission
- Customizable intermediate states
- Solar heat gain coefficient range of 0.09 to 0.40
- Fully automated control or manual control with a range of user interface options

3rd party testing and certification

- ASTM E-2141: Durability of Absorptive Electrochromic Coatings
- SGCC (ANSI Z97.1, CPSC 16 CFR 1201)
- IGCC/IGMA (ASTM E-2190)

Warranty

- Standard insulating glass unit (IGU)—10 years from date of delivery by View
- Please refer to standard warranty terms for more details

Framing requirements

- Integrates into typical applications and framing system types
- Framing systems need to allow enough space in glazing pocket and framing channels to run system wiring
- Hole size for connector to pass through is ⅞" minimum

IGU performance table

TINT LEVEL	TRANSMITTANCE (%)			REFLECTANCE (%)			U-VALUE (BTU/HR-FT²-°F)	SOLAR HEAT GAIN COEFFICIENT
	VISIBLE	UV	SOLAR	VISIBLE OUT	VISIBLE IN	SOLAR OUT		
TINT 1	58	2	31	13	16	13	0.30	0.40
TINT 2	30	1	14	9	15	10	0.30	0.23
TINT 3	10	1	4	7	15	9	0.30	0.13
TINT 4	1	0	0	7	15	9	0.30	0.09

Performance values apoly to a 1" (25mm) IGU with two ¼" (6mm) lites and ½" (12.7mm) argon airspace; EC coating on surface #2.
All performance values are calculated by LBNL WINDOW 7.3 software.

JOB NAME:	NOTES:
JOB NUMBER:	

viewglass.com info@viewglass.com 408.514.6555 2015 View, Inc.

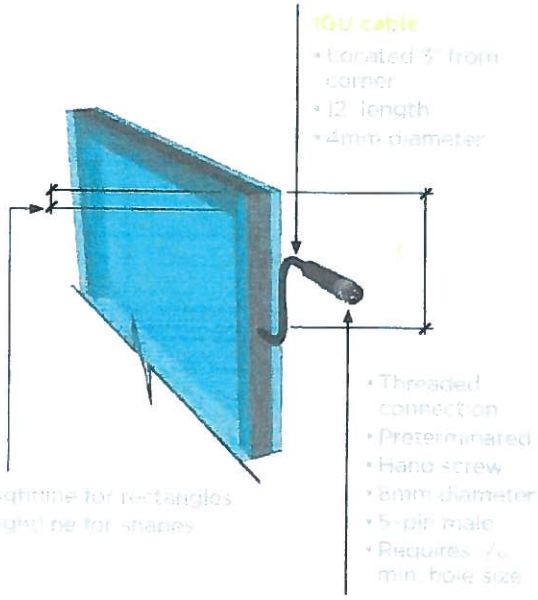
view

Dynamic Glass

VIEW DYNAMIC GLASS - Standard Options (other configurations available on request)		
Type	Dual pane / Triple pane	
Shape	Squares, rectangles Right-angled trapezoids and triangles	
Dimensions	Maximum 62" x 120" (1,575mm x 3,048mm) Minimum 14" x 14" (356mm x 356mm) Maximum overall thickness 2" (52mm) All angles must be ≥30° with at least one 90° angle	
Outboard Lite	Thickness	1/4" (6mm)
	Strength	Tempered
	Color	Clear
	Coating	Dynamic coating on #2 surface
Inboard Lite	Thickness	6mm, 5mm, 4mm
	Strength	Tempered / Heat strengthened
	Color	Clear (6mm, 5mm, 4mm) SolarBlue (6mm)
	Coating	None / SN68 (#3), Cardinal i89 (#4)
Inboard Laminate	6mm clear / .06" PVB / 6mm clear 6mm clear / .09" PVB / 6mm clear 6mm SolarBlue / .06" PVB / 6mm clear 6mm SolarBlue / .09" PVB / 6mm clear	
Spacer Materials and Thickness	Foam Super Spacer® T-Spacer™ (black) ½", ⅝" (12.7mm, 15.9mm)	
Gas Fill	>90% Argon, <10% Air 100% Air*	
Seal	Primary	PIB
	Secondary	Silicone / Polyurethane

- For installations 2,500ft above sea level, units will be built with capillary tubes.
- The inner ply of a tinted laminated lite is colored
- View Dynamic Glass transitions from the long edges of the glass inward to the center.
- Transition speed varies by the size of glass.
- Any View IGU with a base dimension > 84" will exhibit vertical roll wave distortion rather than industry standard horizontal roll wave distortion.
- Using a spark-type analyzer to measure gas content within the IGU will damage the electrochromic coating and void the warranty.
- The overall thickness of the IGU may vary within the glass thickness tolerance stated in ASTM C1036 and the air space thickness tolerance stated in ASTM E2190.

Diagram represents section of IGU



JOB NAME:	NOTES:
JOB NUMBER:	

viewglass.com info@viewglass.com 408.514.6555 ©2015 View, Inc.

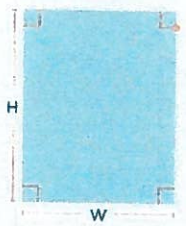
view

Dynamic Glass

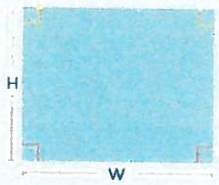
SHAPES CATALOG

- All drawings viewing at surface 1
- Each angle ≥ 30°
- Pigtail exit 3" from closest corner
- Each dimension ≤ 120" and ≥ 14"
- Either W or H must be ≤ 62"

RECTANGLE



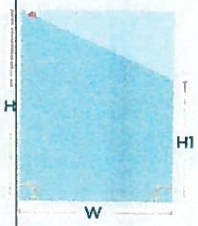
H > W



W > H

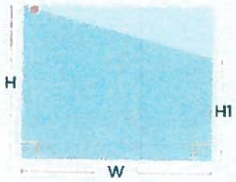
TRAPEZOID

SHAPE 1



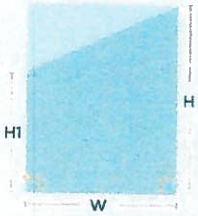
H > W H1 < H

SHAPE 1



W > H H1 < H

SHAPE 2



H > W H1 < H

SHAPE 2

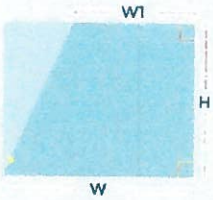
W > H H1 < H

TRAPEZOID

SHAPE 301

H > W W1 < W

SHAPE 301

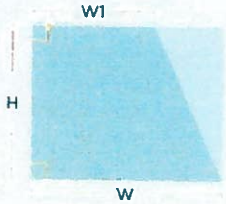


W > H W1 < W

SHAPE 302

H > W W1 < W

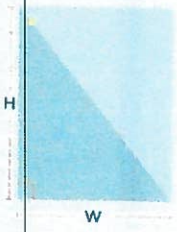
SHAPE 302



W > H W1 < W

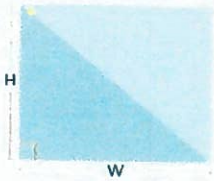
TRIANGLE

SHAPE 45



H > W

SHAPE 45

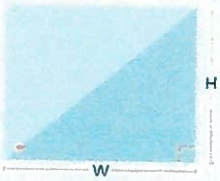


W > H

SHAPE 46

H > W

SHAPE 46



W > H

JOB NAME:	NOTES:
JOB NUMBER:	

viewglass.com info@viewglass.com 408.514.6555 ©2015 View, Inc.

view

Dynamic Glass

IGU Performance Values

Each View Dynamic Glass makeup contains four performance values corresponding to the electrochromic (EC) tint level of the glass, ranging from the clear state (Tint 1) to the fully tinted state (Tint 4). All US values calculated by LBNL Window 7.3.

IGU Configurations	EC Tint Level	Transmittance (%)			Reflectance (%)			U-Value (Btu/h-ft2F)	Solar Heat Gain Coefficient	Sound Transmission Class Rating (dB)
		Visible	UV	Solar	Visible Out	Visible In	Solar Out			
6mm clear FT with dynamic coating on #2	Tint 1	58	2	31	13	16	13	0.30	0.40	
6mm clear FT	Tint 2	30	1	14	9	15	10	0.30	0.23	35
1/2" (12.7mm)	Tint 3	10	1	4	7	15	9	0.30	0.13	
90% argon	Tint 4	1	0	0	7	15	9	0.30	0.09	
6mm clear FT with dynamic coating on #2	Tint 1	48	1	21	12	12	16	0.24	0.32	
6mm clear FT with low-e SN68 on #3	Tint 2	26	1	10	8	11	10	0.24	0.19	35
1/2" (12.7mm)	Tint 3	9	0	3	7	11	9	0.24	0.10	
90% argon	Tint 4	1	0	0	7	11	9	0.24	0.07	
6mm clear FT with dynamic coating on #2	Tint 1	56	2	31	13	16	13	0.24	0.38	
6mm clear FT with low-e i89 on #4	Tint 2	30	1	14	9	14	10	0.24	0.21	35
1/2" (12.7mm)	Tint 3	10	1	4	7	14	9	0.24	0.11	
90% argon	Tint 4	1	0	0	7	14	9	0.24	0.08	
6mm clear FT with dynamic coating on #2	Tint 1	36	1	19	12	9	13	0.30	0.36	
6mm SolarBlue FT	Tint 2	19	1	9	8	9	10	0.30	0.22	35
1/2" (12.7mm)	Tint 3	6	0	3	7	9	9	0.30	0.13	
90% argon	Tint 4	1	0	0	7	9	9	0.30	0.09	
6mm clear FT with dynamic coating on #2	Tint 1	58	2	31	13	16	13	0.31	0.40	
6mm clear FT	Tint 2	30	1	14	9	15	10	0.31	0.23	36
5/8" (15.9mm)	Tint 3	10	1	4	7	15	9	0.31	0.13	
90% argon	Tint 4	1	0	0	7	15	9	0.31	0.09	
6mm clear FT with dynamic coating on #2	Tint 1	48	1	21	12	12	16	0.25	0.32	
6mm clear FT with low-e SN68 on #3	Tint 2	26	1	10	8	11	10	0.25	0.19	36
5/8" (15.9mm)	Tint 3	9	0	3	7	11	9	0.25	0.10	
90% argon	Tint 4	1	0	0	7	11	9	0.25	0.07	
6mm clear FT with dynamic coating on #2	Tint 1	56	2	31	13	16	13	0.24	0.38	
6mm clear FT with low-e i89 on #4	Tint 2	30	1	14	9	14	10	0.24	0.21	36
5/8" (15.9mm)	Tint 3	10	1	4	7	14	9	0.24	0.11	
90% argon	Tint 4	1	0	0	7	14	9	0.24	0.08	
6mm clear FT with dynamic coating on #2	Tint 1	36	1	19	12	9	13	0.31	0.38	
6mm SolarBlue FT	Tint 2	19	1	9	8	9	10	0.31	0.22	36
5/8" (15.9mm)	Tint 3	6	0	3	7	9	9	0.31	0.13	
90% argon	Tint 4	1	0	0	7	9	9	0.31	0.09	
6mm clear FT with dynamic coating on #2	Tint 1	55	0	28	13	16	13	0.29	0.39	
6mm clear / 0.060" PVB / 6mm clear	Tint 2	29	0	13	9	14	10	0.29	0.22	39
1/2" (12.7mm)	Tint 3	10	0	4	7	14	9	0.29	0.13	
90% argon	Tint 4	1	0	0	7	14	9	0.29	0.09	
6mm clear FT with dynamic coating on #2	Tint 1	55	0	28	13	16	13	0.30	0.39	
6mm clear / 0.060" PVB / 6mm clear	Tint 2	29	0	13	9	14	10	0.30	0.22	40
5/8" (15.9mm)	Tint 3	10	0	4	7	14	9	0.30	0.13	
90% argon	Tint 4	1	0	0	7	14	9	0.30	0.09	
6mm clear FT with dynamic coating on #2	Tint 1	35	0	17	12	9	13	0.29	0.37	
6mm SolarBlue / 0.060" PVB / 6mm clear	Tint 2	19	0	8	8	8	10	0.29	0.21	39
1/2" (12.7mm)	Tint 3	6	0	2	7	8	9	0.29	0.12	
90% argon	Tint 4	1	0	0	7	8	9	0.29	0.09	
6mm clear FT with dynamic coating on #2	Tint 1	35	0	17	12	9	13	0.30	0.37	
6mm SolarBlue / 0.060" PVB / 6mm clear	Tint 2	19	0	8	8	8	10	0.30	0.21	40
5/8" (15.9mm)	Tint 3	6	0	2	7	8	9	0.30	0.12	
90% argon	Tint 4	1	0	2	7	8	9	0.30	0.09	
6mm clear FT with dynamic coating on #2	Tint 1	54	0	27	13	16	13	0.29	0.39	
6mm clear / 0.090" PVB / 6mm clear	Tint 2	29	0	13	9	14	10	0.29	0.22	42
1/2" (12.7mm)	Tint 3	10	0	4	7	14	9	0.29	0.13	
90% argon	Tint 4	1	0	0	7	14	9	0.29	0.09	
6mm clear FT with dynamic coating on #2	Tint 1	54	0	27	13	16	13	0.30	0.39	
6mm clear / 0.090" PVB / 6mm clear	Tint 2	29	0	13	9	14	10	0.30	0.22	43
5/8" (15.9mm)	Tint 3	10	0	4	7	14	9	0.30	0.12	
90% argon	Tint 4	1	0	0	7	14	9	0.30	0.09	
6mm clear FT with dynamic coating on #2	Tint 1	34	0	17	12	9	13	0.29	0.37	
6mm SolarBlue / 0.090" PVB / 6mm clear	Tint 2	19	0	8	8	8	10	0.29	0.21	42
1/2" (12.7mm)	Tint 3	6	0	2	7	8	9	0.29	0.12	
90% argon	Tint 4	1	0	0	7	8	9	0.29	0.09	
6mm clear FT with dynamic coating on #2	Tint 1	34	0	17	12	9	13	0.30	0.37	
6mm SolarBlue / 0.090" PVB / 6mm clear	Tint 2	19	0	8	8	8	10	0.30	0.21	43
5/8" (15.9mm)	Tint 3	6	0	2	7	8	9	0.30	0.12	
90% argon	Tint 4	1	0	0	7	8	9	0.30	0.09	

NEWSON BROWN
ACOUSTICS LLC

11 May 2015

Mr. Damian O'Hara
Gardiner & Theobald, Inc.
977 Wilshire Boulevard, Suite 800
Beverly Hills, CA 90212

Subject: Viceroy L'Ermitage Hotel, Beverly Hills
Acoustical Testing of Rooftop Activities

Dear Damian,

We have conducted acoustic measurements for two separate events that were held on the L'Ermitage Hotel rooftop. The first event was held on 22 August 2014 (henceforth referred to as August) from about 18:30 to 20:45 and had a DJ playing music. The second event was held on 8 November 2014 (henceforth referred to as November) from about 18:00 to 22:00 and had a stage band (bongos, keyboard, bass guitar, vocals, etc.) playing music.

We have also conducted acoustic measurements for ambient background noise levels during early morning hours (midnight – 02:00) on 4 April 2015.

Further to our acoustical testing at the hotel and the surrounding neighborhood, our test methods, analysis, and comments are as follows.

Test Methods

For both events, a sound level meter was placed on the northeast corner of the hotel rooftop (see Figures 1 and 2). During the August DJ performance, a small loudspeaker was present next to the DJ station and on the western portion of the rooftop (see Figure 1). During the November stage band performance (North side of the Eastern portion of the rooftop, Figure 2), amplified sound was provided on stage for both the band and various guest speeches throughout the night. In addition to monitoring various noise level parameters throughout both events, the meter on the rooftop recorded full-length audio for reference.

Measurements were taken at multiple positions in the neighborhood surrounding the hotel at varying times from about 18:00 to 21:30 in August and about 17:00 to 22:30 in November (Figure 3). Measurements before and after the event were used for ambient noise levels. Measurements in the neighborhood were 10 minutes in length and captured various acoustical parameters.

In addition, 10 minute long background noise levels were measured on 4 April 2015 (with no events on the hotel roof), continuing through until approximately 2:00 a.m. in selected locations.

2001 Wilshire Boulevard, Suite 301, Santa Monica, CA 90403, USA
t: 310.829.6343 www.newsonacoustics.com f: 310.829.9112

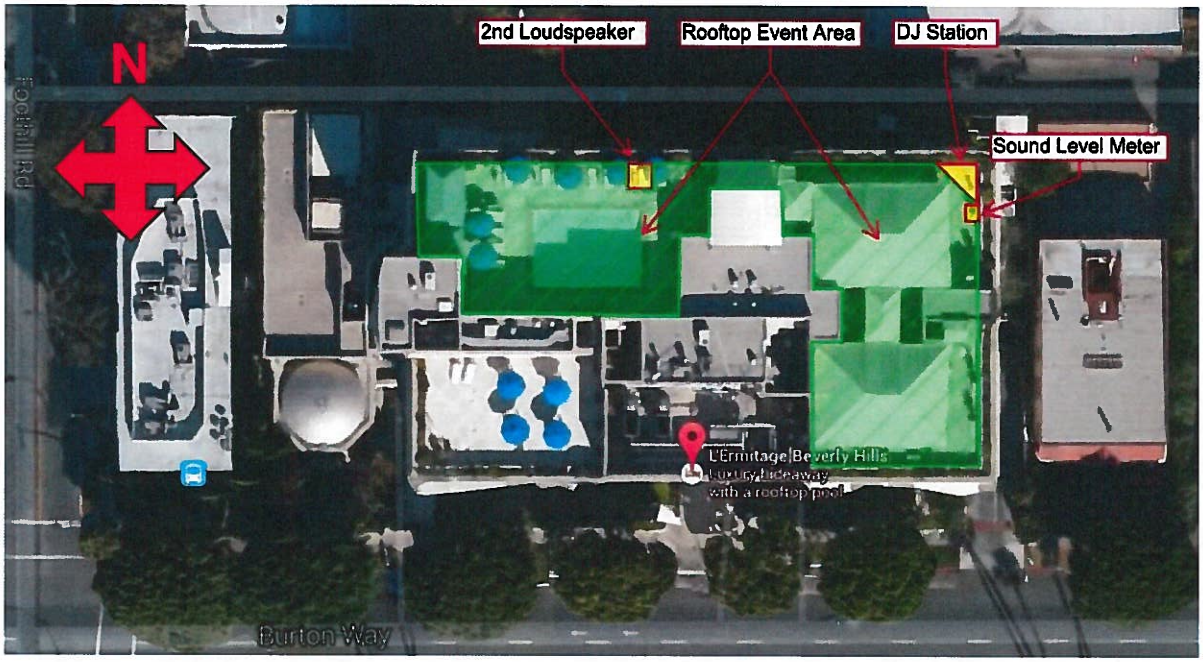


Figure 1 – Layout of the August Event and Equipment on the L'Ermitage Rooftop

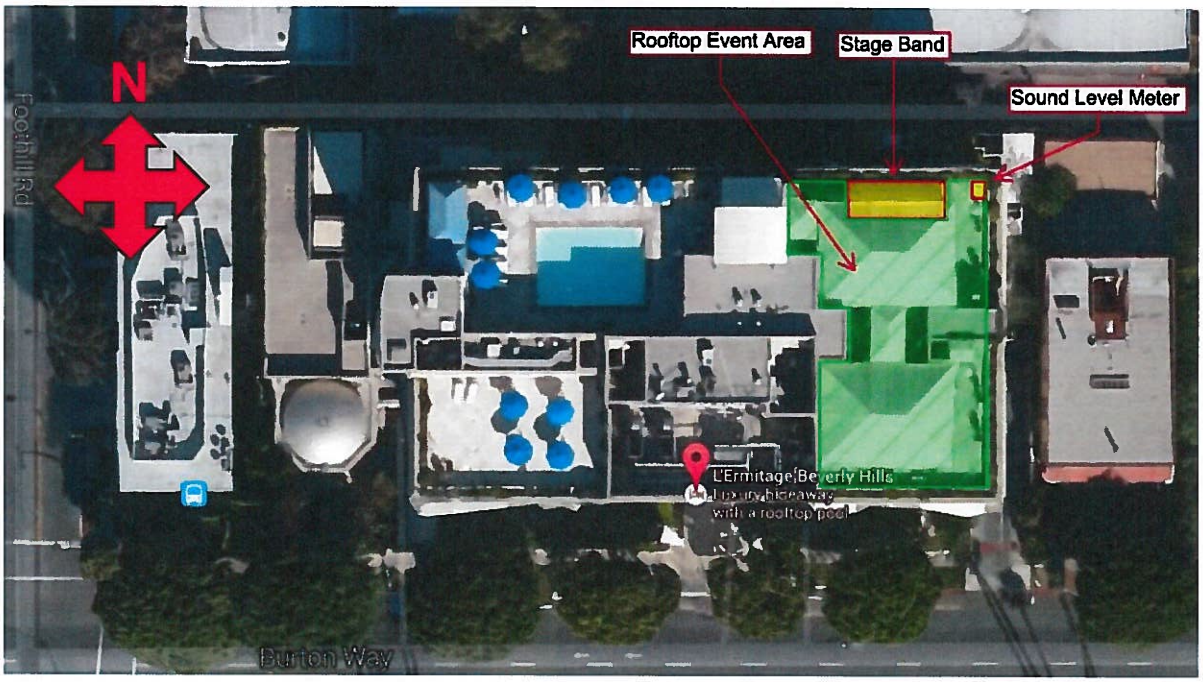


Figure 2 – Layout of the November Event and Equipment on the L'Ermitage Rooftop

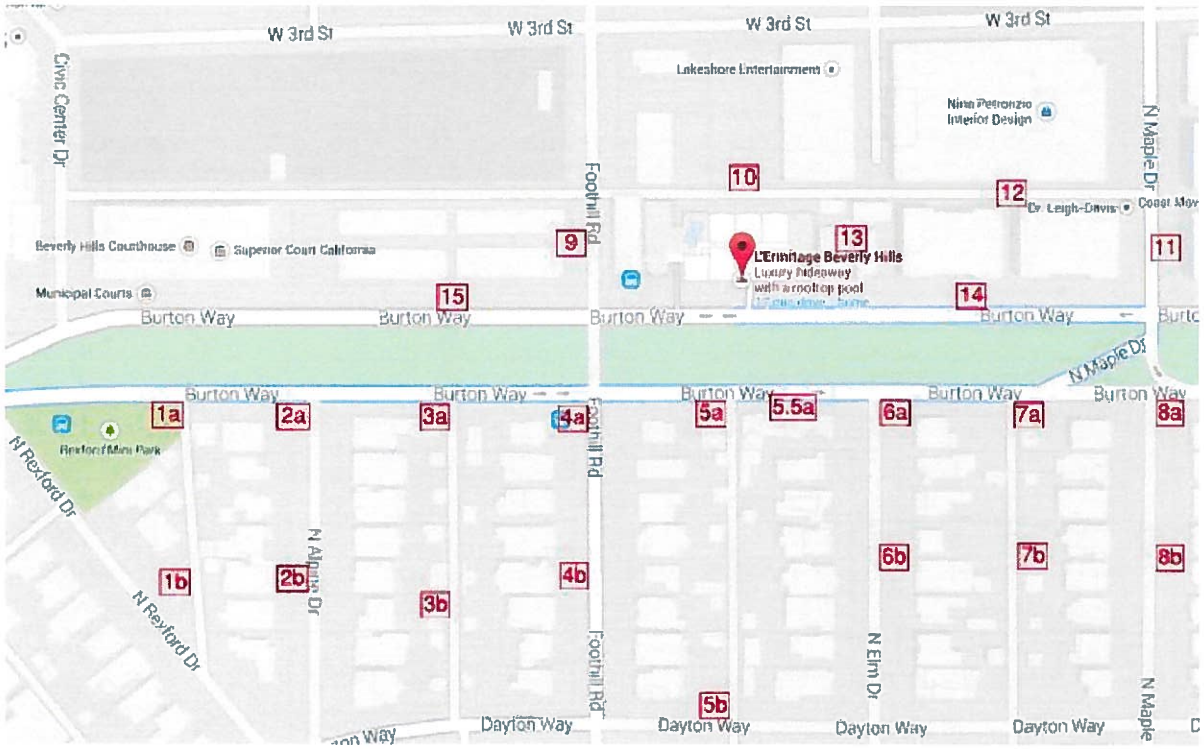


Figure 3 – Test Measurement Positions in the Surrounding Neighborhood

Measurement Data

The Figures in Appendix A, B, and C show the measured L_{eq} (equivalent-continuous sound level of a time-varying sound or time-averaged sound level) at the indicated positions for varying times throughout the August event (Appendix A), November event (Appendix B), or both (Appendix C). Figures from the appendices are referred to within this report.

Appendix D shows the late-night ambient noise levels measured on 4 April 2015.

Observations and Analysis

The areas directly north of the hotel are industrial buildings while residential areas are located directly south of the hotel (separated by Burton Way). The dominant noise source is road traffic, particularly along Burton Way, which remains relatively busy even late in the evening. Measurements taken south of the hotel were taken at various positions along Burton Way (1a, 2a, etc.) and between Burton Way and Dayton Way (1b, 2b, etc.). During both the August 2014 and November 2014 events, traffic volumes and noise levels on the north/south roads were less than along Burton Way. During some of our measurements at positions 1b, 2b, etc., extraneous noise sources were noted (house parties, outdoor mechanical equipment, foot traffic, etc.). In some cases these noise sources were completely dominant (such as during the November 2014 event, we noted two noisy house parties near position 5b along Dayton Way).

August 2014 – Noise from the rooftop event was inaudible in areas west of the hotel, even during periods of lower background noise (see blue shaded areas on Figure 4). This is partially due to structures on the rooftop creating a barrier to those portions of the neighborhood. In the Southern & Eastern portions of the surrounding neighborhood, music and conversation from the event was, at times, audible (see red shaded areas on Figure 4), but generally only during periods of low background noise (e.g. idling or no cars). We understand that there are a range of event types for the roof. This particular event, although not the noisiest rooftop event, demonstrates the range of noise levels that occur at the rooftop.

November 2014 – Noise from the November rooftop event could be heard in a larger region when compared to that from August (see Figure 5). This can be attributed to the November stage band being louder overall than the DJ from August (see Figure 1C [Figure 1, Appendix C]). During this event, cheering and speeches were audible in some areas of the surrounding neighborhood. The area of greatest audibility was the alleyway behind the hotel. Because of house parties occurring along Dayton Way, it was indeterminable whether noise from the hotel could be heard in some areas (gray area in Figure 5).

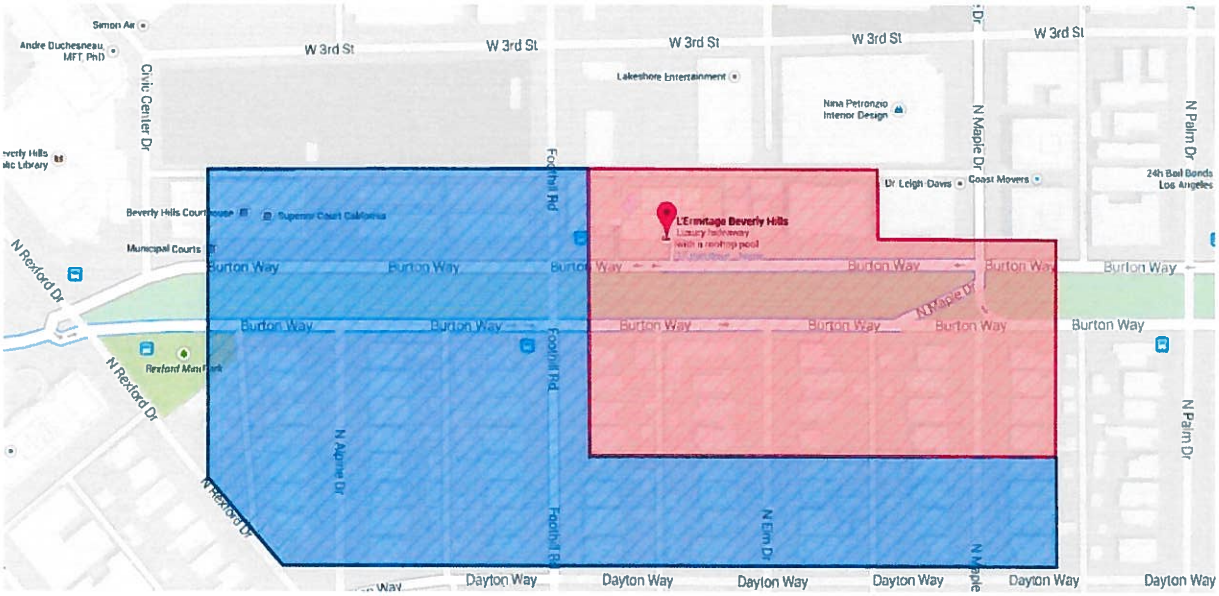


Figure 4 – Periodically Audible (Red) and Inaudible (Blue) Areas of the Surrounding Neighborhood in August 2014

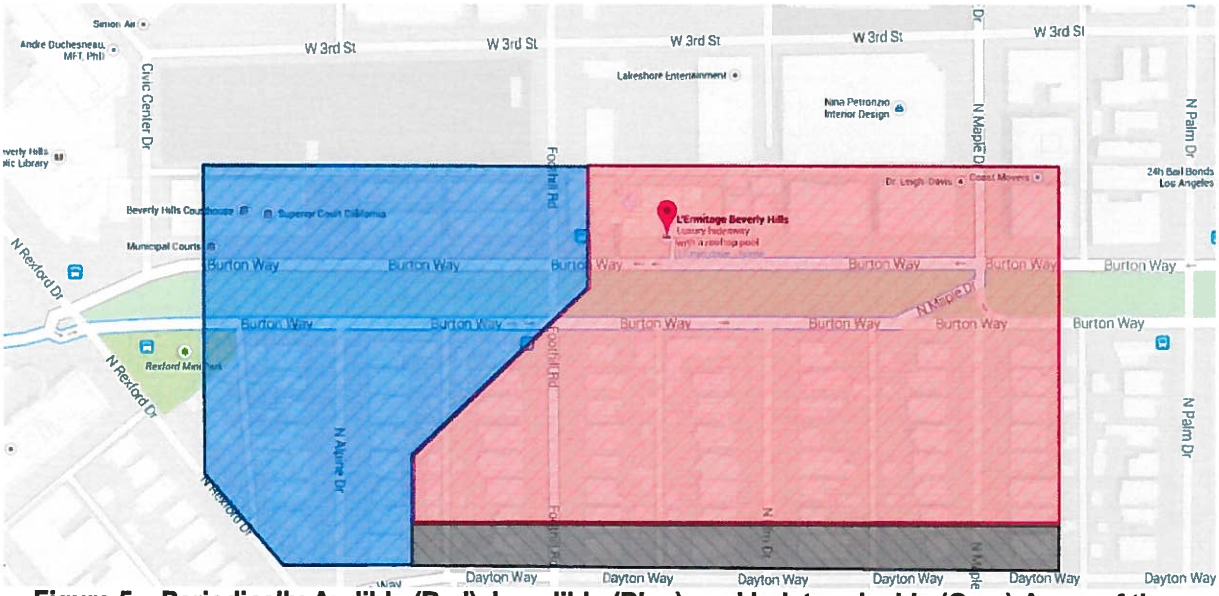


Figure 5 – Periodically Audible (Red), Inaudible (Blue), and Indeterminable (Gray) Areas of the Surrounding Neighborhood in November 2014

Although noise from the event was, at times, audible in the red shaded areas of Figures 4 & 5, generally it did not appear to increase the measured overall L_{eq} noise levels in the surrounding neighborhood compared to the ambient noise levels prior to commencement of the event (see Figures 1B and 2B for examples). Please note that in Figures 1B and 3C, noise levels were elevated by a nearby emergency siren and noisy car, respectively. The lack of increase in measured noise level can be confirmed subjectively since noise from the event in most areas within the "periodically audible" zone could only be heard when background noise levels were low (e.g. when road traffic was not dominant, cars were idling at red lights, in portions of the neighborhood between Burton Way & Dayton Way, etc.).

Future Events

It is our understanding that the intent of future events on the rooftop is to generally fall within the range of activities that have been occurring to date. As such, while some future events may possibly be slightly louder than those measured in our two surveys, it is not the intent that they be substantially louder (i.e., nightclub with electronic dance music, loud rock band, etc.).

We understand that it is proposed to build a glass enclosure around the perimeter of the hotel rooftop with a retractable glass roof. The design intent of this enclosure is that it is weather sealed, which will inherently provide a good acoustical seal. The glazing systems will incorporate insulated glass (two panes of glass separated by an air gap) and have been laboratory tested to demonstrate an acoustical performance of STC-35. Based upon this performance, we expect that this acoustical enclosure will effectively reduce noise transfer into the surrounding neighborhood.

With this acoustical enclosure in place, rooftop noise levels similar to the DJ and stage band, as measured in our surveys, would be less audible within the neighborhood (e.g., reducing the red areas of Figures 4 & 5). Following our late night ambient noise measurements on 4 April 2015, we note that the majority of areas have approximately a 5 dBA difference when comparing the ambient noise levels taken following the various measured events from August/November of 2014 and those taken after midnight from April 2015 (see Figures 1D, 2D, and 4D in Appendix D). Figure 3D in Appendix D varies by approximately 8 dBA which can be attributed to the August 2014 measurement having been taken during the rooftop event as well as it being taken earlier in the evening (e.g. before 20:00). The STC-35 glass will reduce noise levels by more than this 5 – 8 dB reduction in background noise level that occurs late at night.

We expect that by using the proposed glass enclosure with an acoustical rating of STC-35, slightly increased noise levels due to activities on the rooftop would still produce lower noise levels within the neighborhood than currently occur due to the barrier attenuation (i.e. a slightly louder event would not create increased noise levels in the surrounding community). This creates an acoustical "safety net" in that if some events are slightly louder than the events used as the basis of design, there is some spare capacity in the design of the glazing system to attenuate this increased sound.

Summary

The proposed addition of a glass enclosure for the rooftop event space will serve as a high-quality acoustical enclosure to reduce event sound levels within the surrounding community compared to what occurs today.

The two events surveyed did not create widespread audibility in the surrounding community. The proposed noise control enclosure will reduce this audibility even further for future events producing similar noise levels to those currently occurring at the hotel.

With the proposed design, the enclosure will also permit source levels to be slightly increased while still decreasing noise levels in the community compared to what is currently experienced during such events.

We trust that this is adequate for your current needs. Please do not hesitate to contact us if you have any further questions.

Yours Sincerely,
Newson Brown Acoustics, LLC

Chester Raney
Consultant

Martin Newson
Principal

C.C. Josh McCrow | Gardiner

13-265
F:\Datafiles\PROJ\Viceroy L'Ermitage Hotel Beverly Hills\rpt1d testing.docx

Appendix A

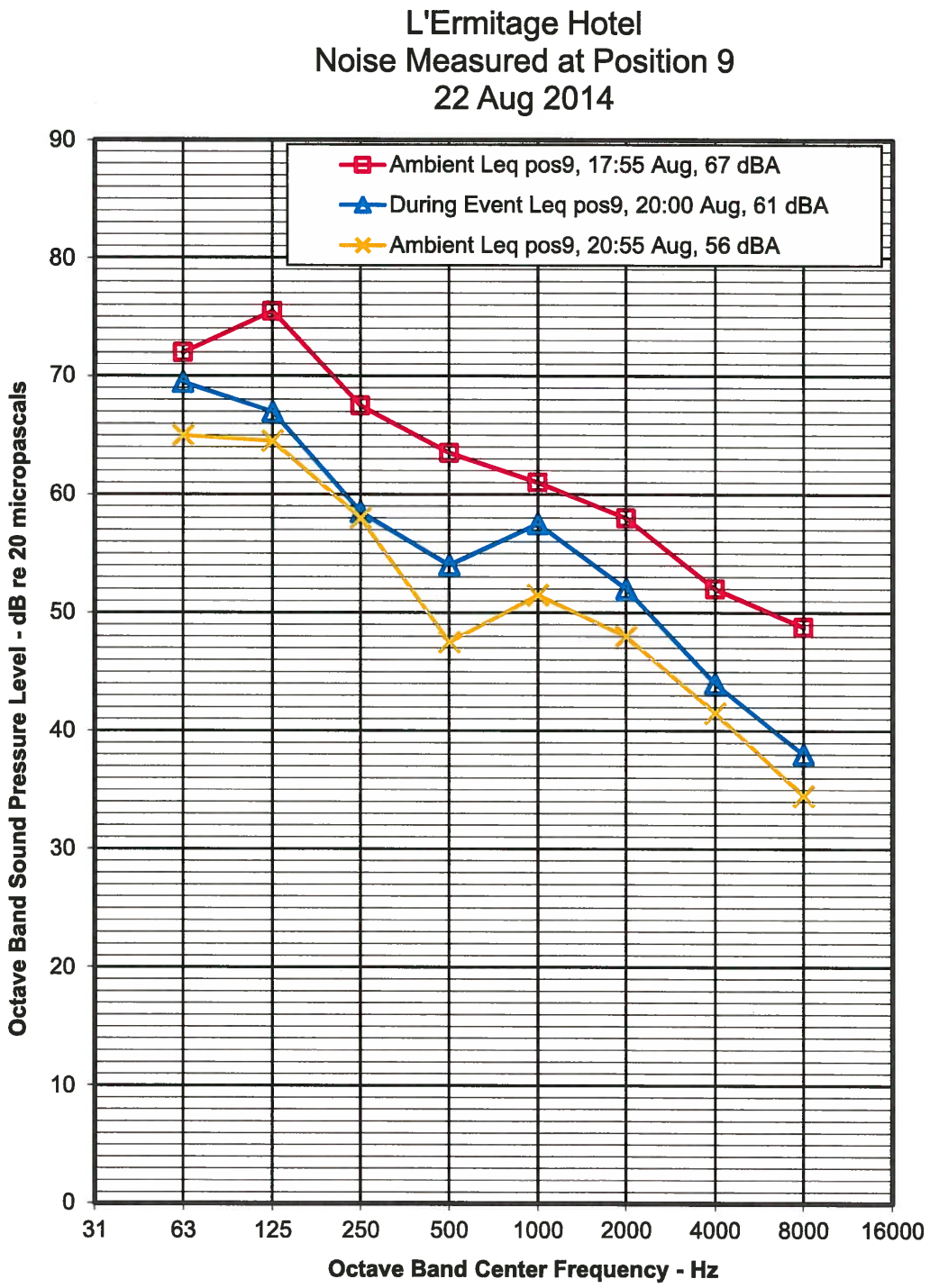


Figure 1A – August measurement data at Position 9. Noise from the event was inaudible at this position. Noise levels during the event were lower than the ambient before the event. Noise levels at this location decrease with time (e.g. road traffic volumes).

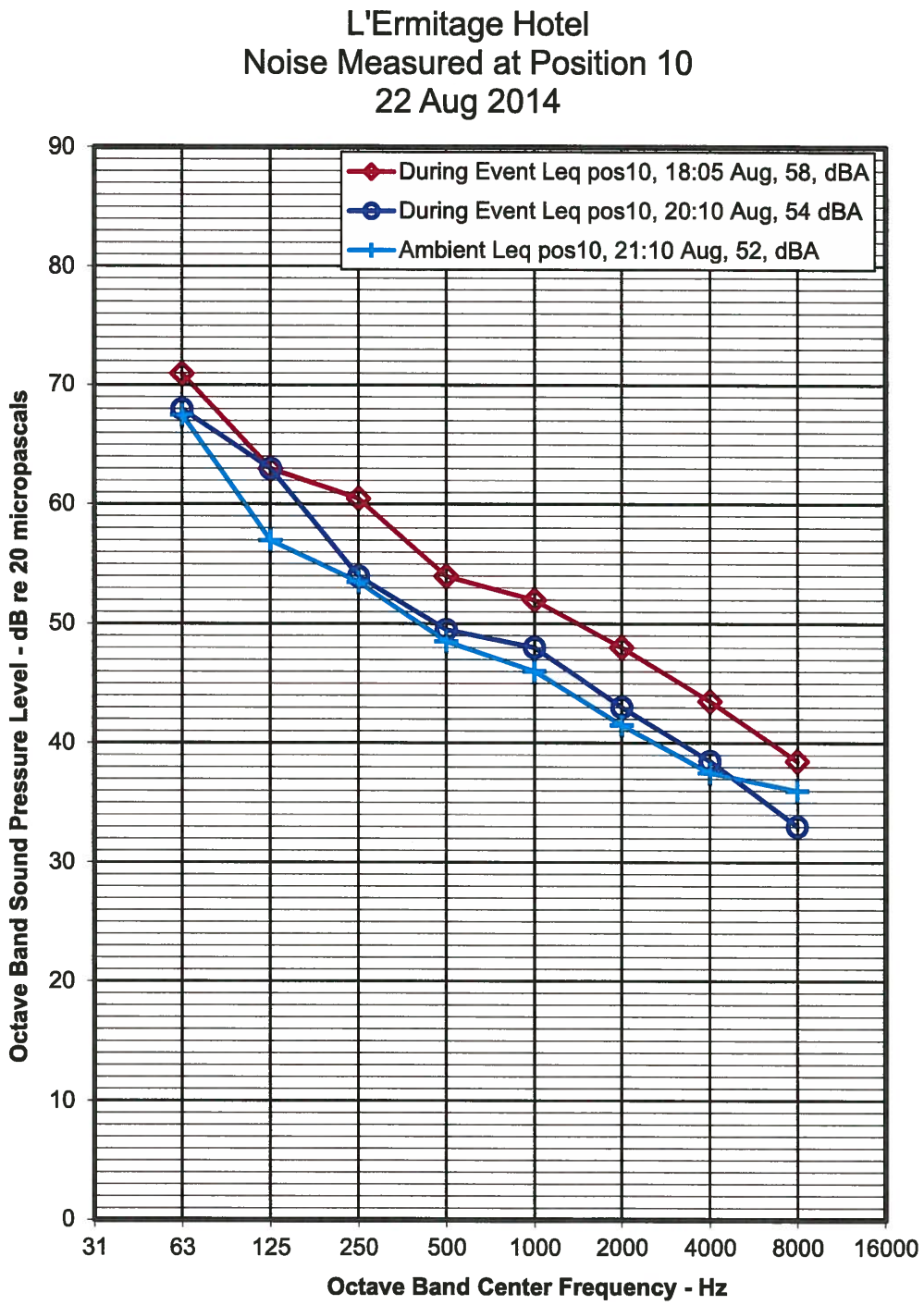


Figure 2A – August measurement data at Position 10. Noise from the event was audible at this position. Noise levels at this position decreased with time due to reduced ambient noise despite noise from the event being audible and line of sight to Burton Way being blocked. Besides the variance in noise levels at the 125 Hz octave band, there was little difference in the noise levels towards the end of and after the event

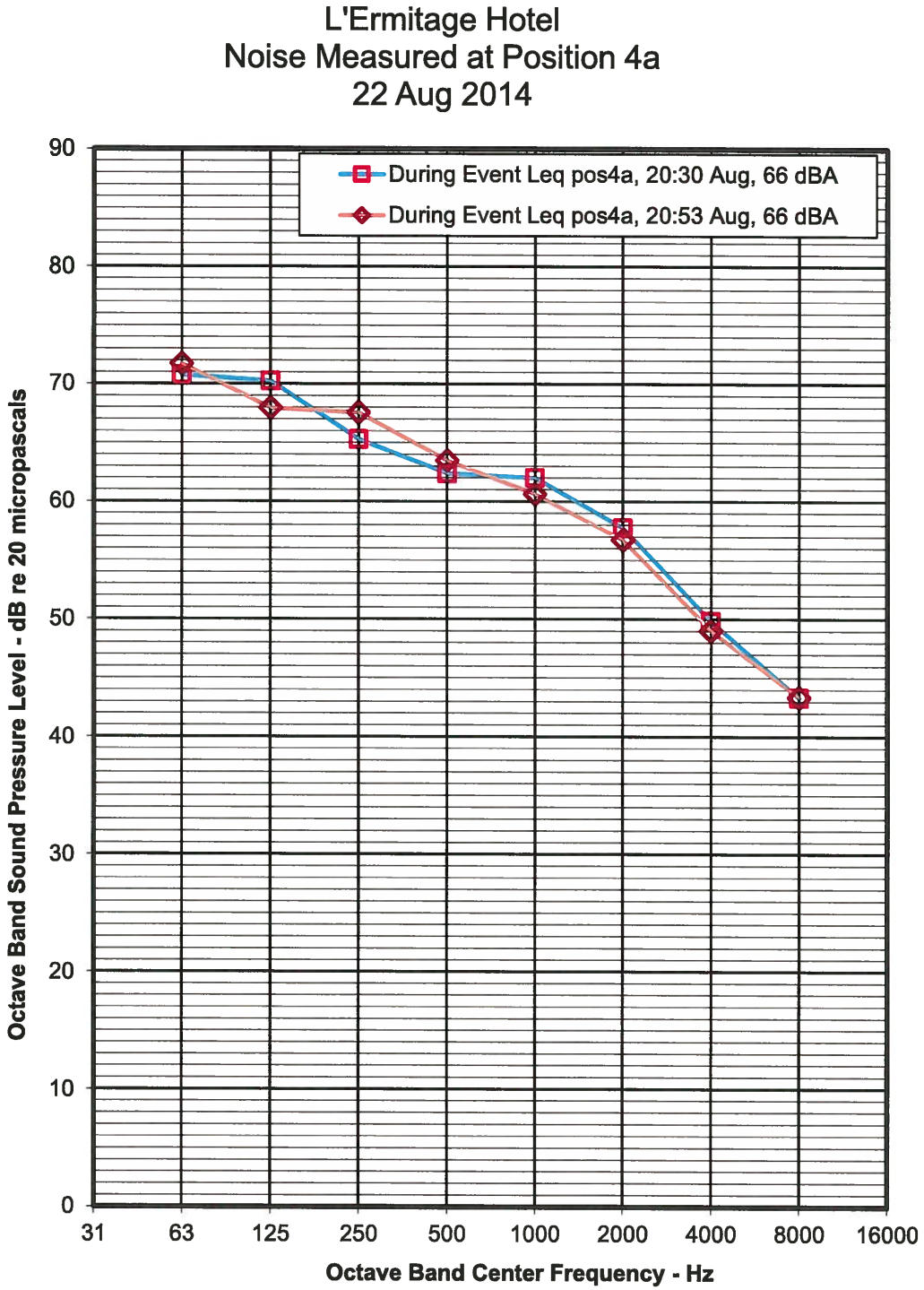


Figure 3A – August measurement data at Position 4a. Noise from the event was inaudible at this position. The noise data displayed above for during and after the rooftop event are virtually indistinguishable.

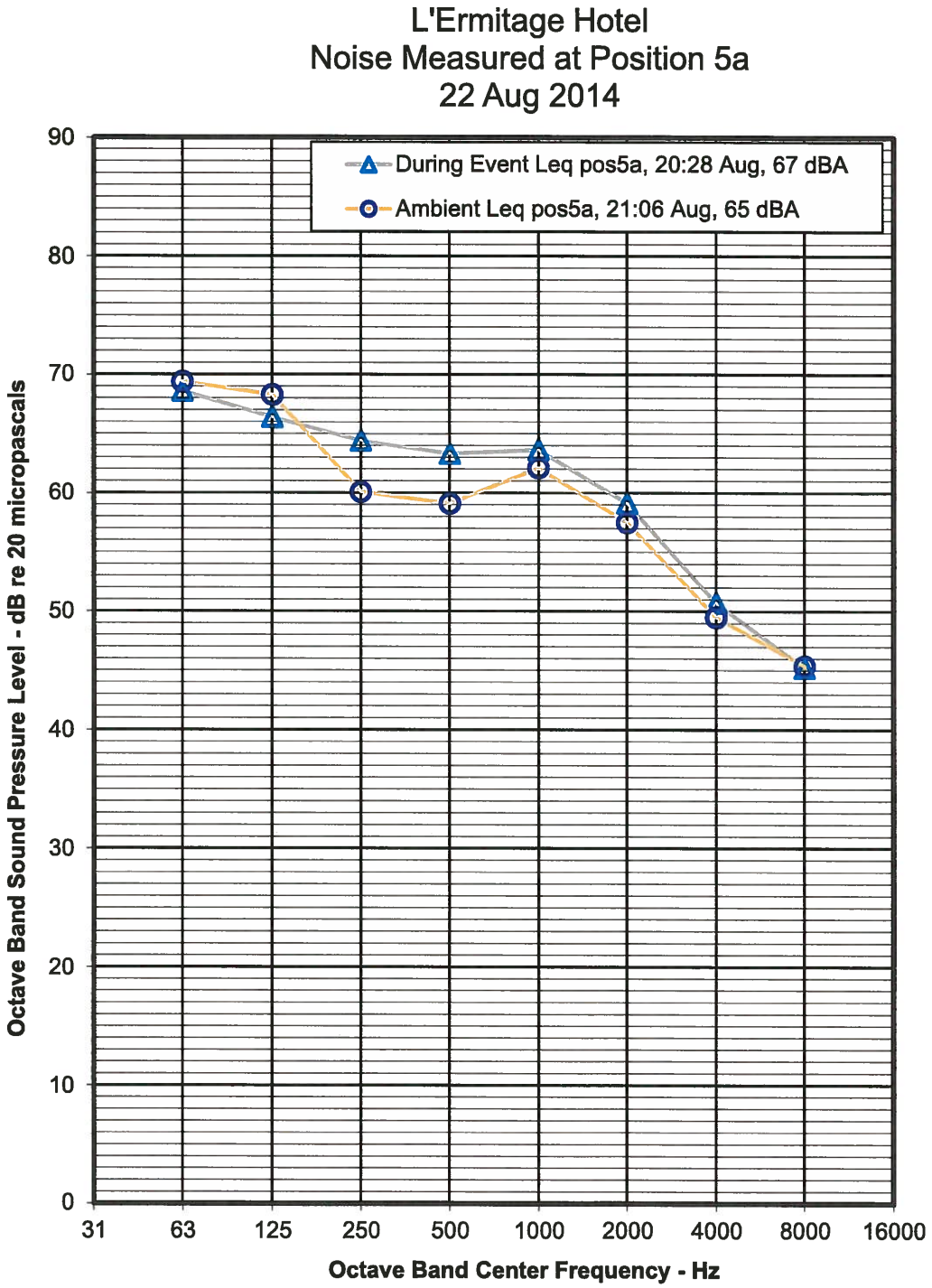


Figure 4A – August measurement data at Position 5a. Noise from the event was audible at this position. Besides the variance in noise levels in the 250 Hz & 500 Hz octave bands, the noise data displayed above for during and after the rooftop event are virtually indistinguishable.

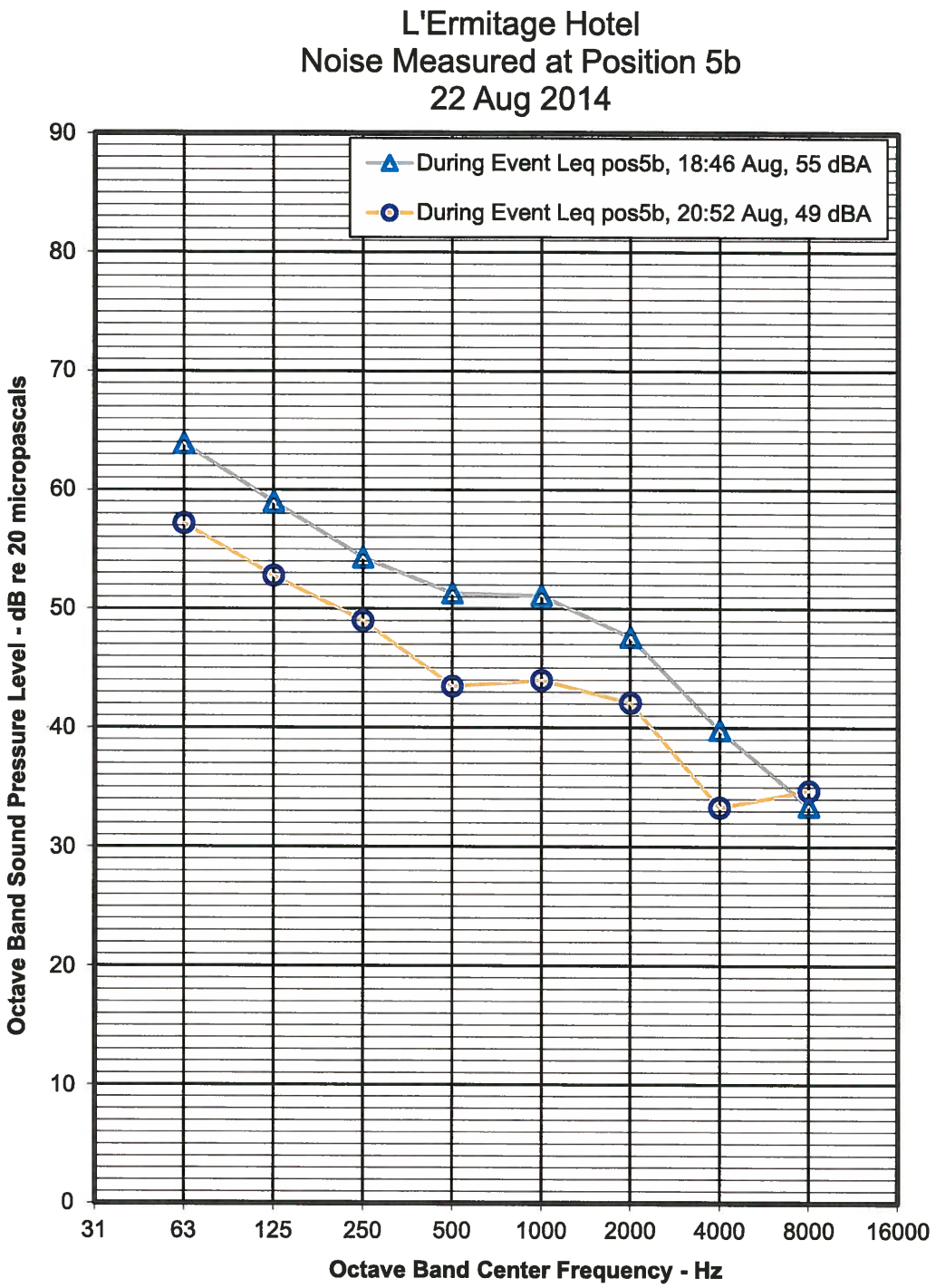


Figure 5A – August measurement data at Position 5b. Noise from the event was inaudible at this position. The difference in noise levels between the two contours can be attributed to the difference in ambient noise levels at the time of the measurements. This location is comparatively remote from traffic noise on Burton Way.

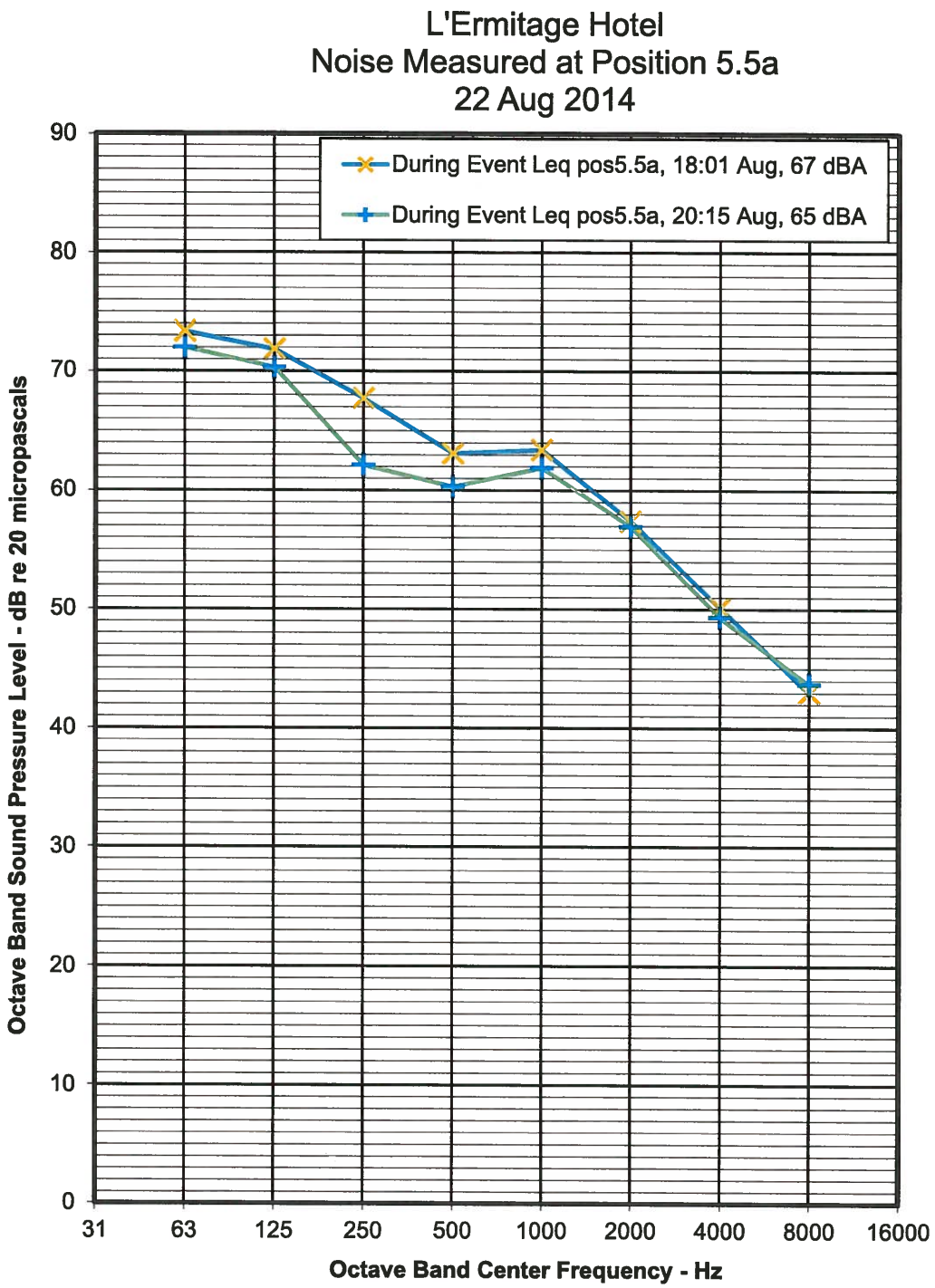


Figure 6A – August measurement data at Position 5.5a. Noise from the event was audible at this position. Besides the variance in noise levels in the 250 Hz & 500 Hz octave bands, the noise data displayed above for before and near the end of the rooftop event are virtually indistinguishable.

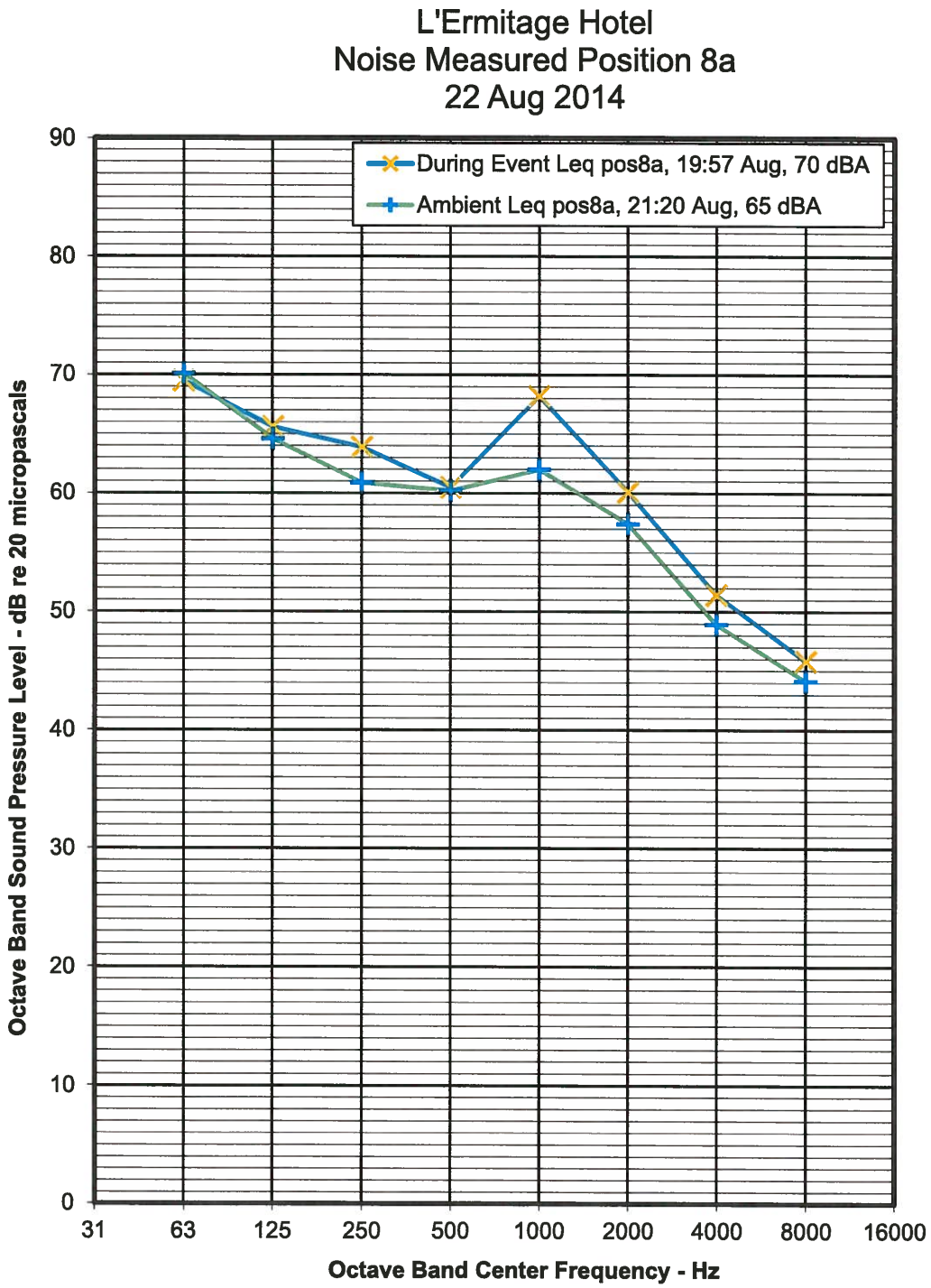


Figure 7A – August measurement data at Position 8a. Noise from the event was occasionally faintly audible at this position.

Appendix B

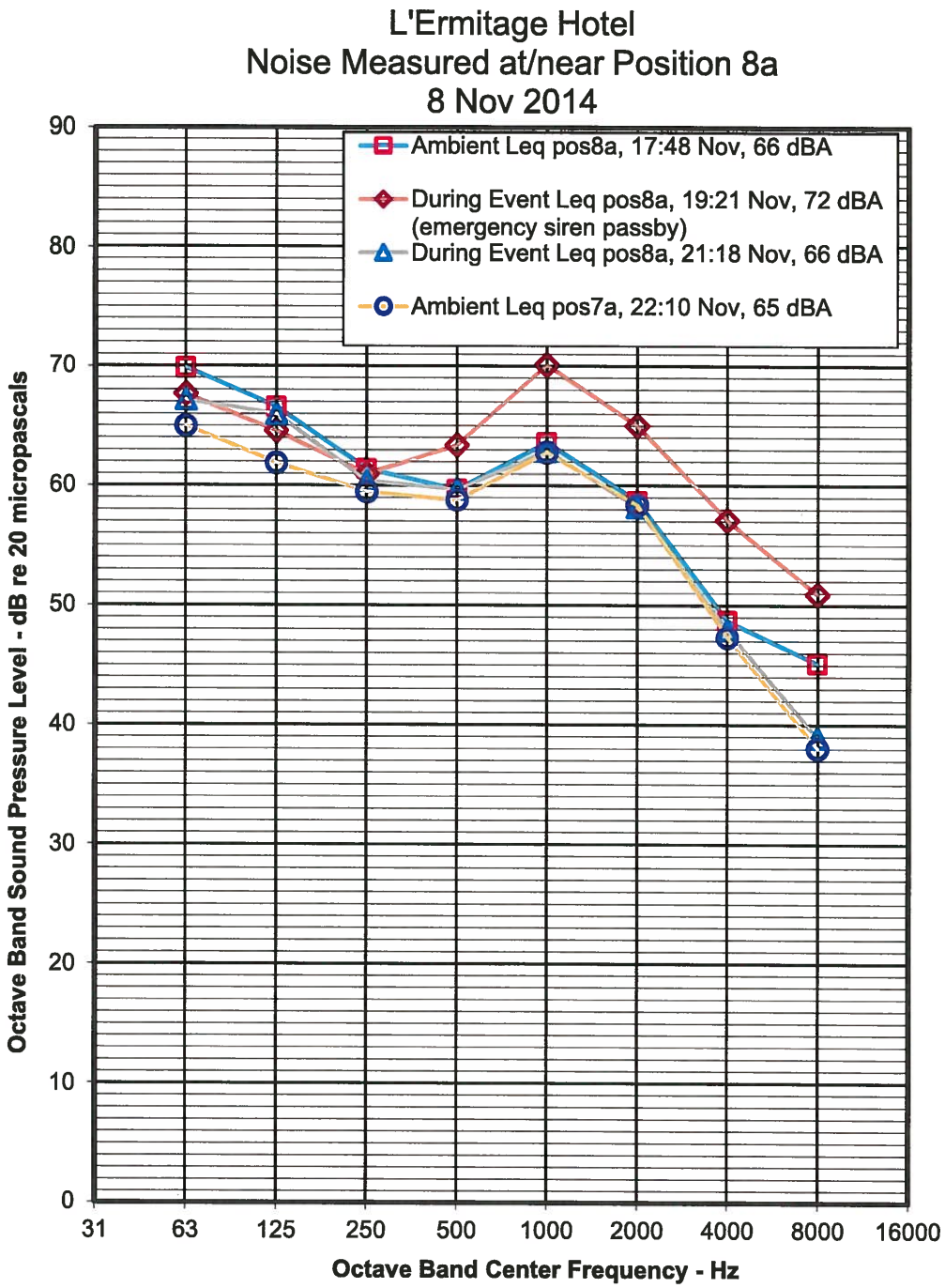


Figure 1B – November measurement data at Position 8a. Noise from the event was audible at this position. The noise level increase during 19:21 can be attributed to an emergency siren passing by on Burton Way. There was little difference in the noise levels before, during, and after the event at this position.

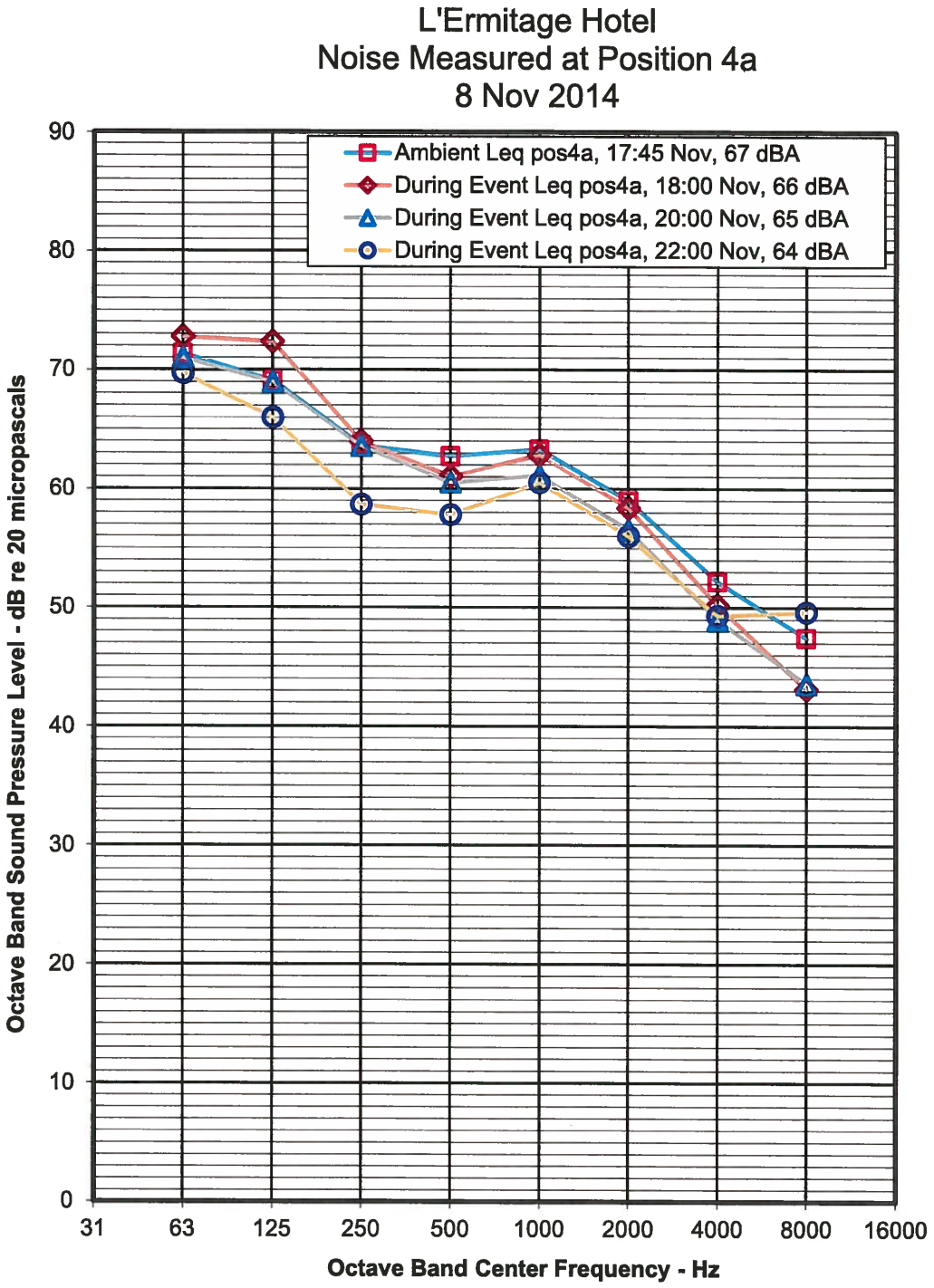


Figure 2B – November measurement data at Position 4a. Noise from the event was audible at this position. There was little difference in the noise levels before and during the event at this position.

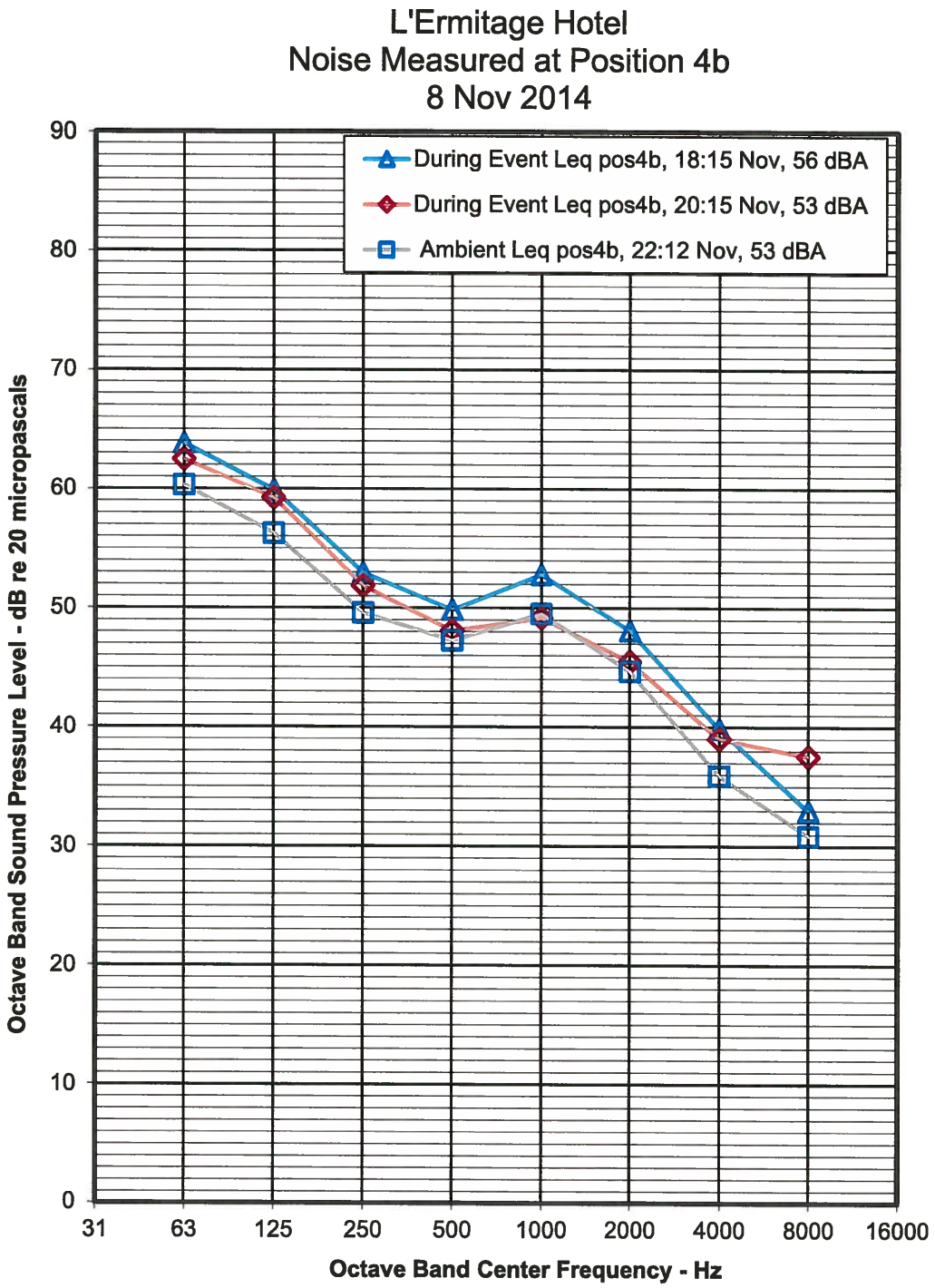


Figure 3B – November measurement data at Position 4b. Noise from the event was audible at this position. There was little difference in the noise levels during and after the event at this position.

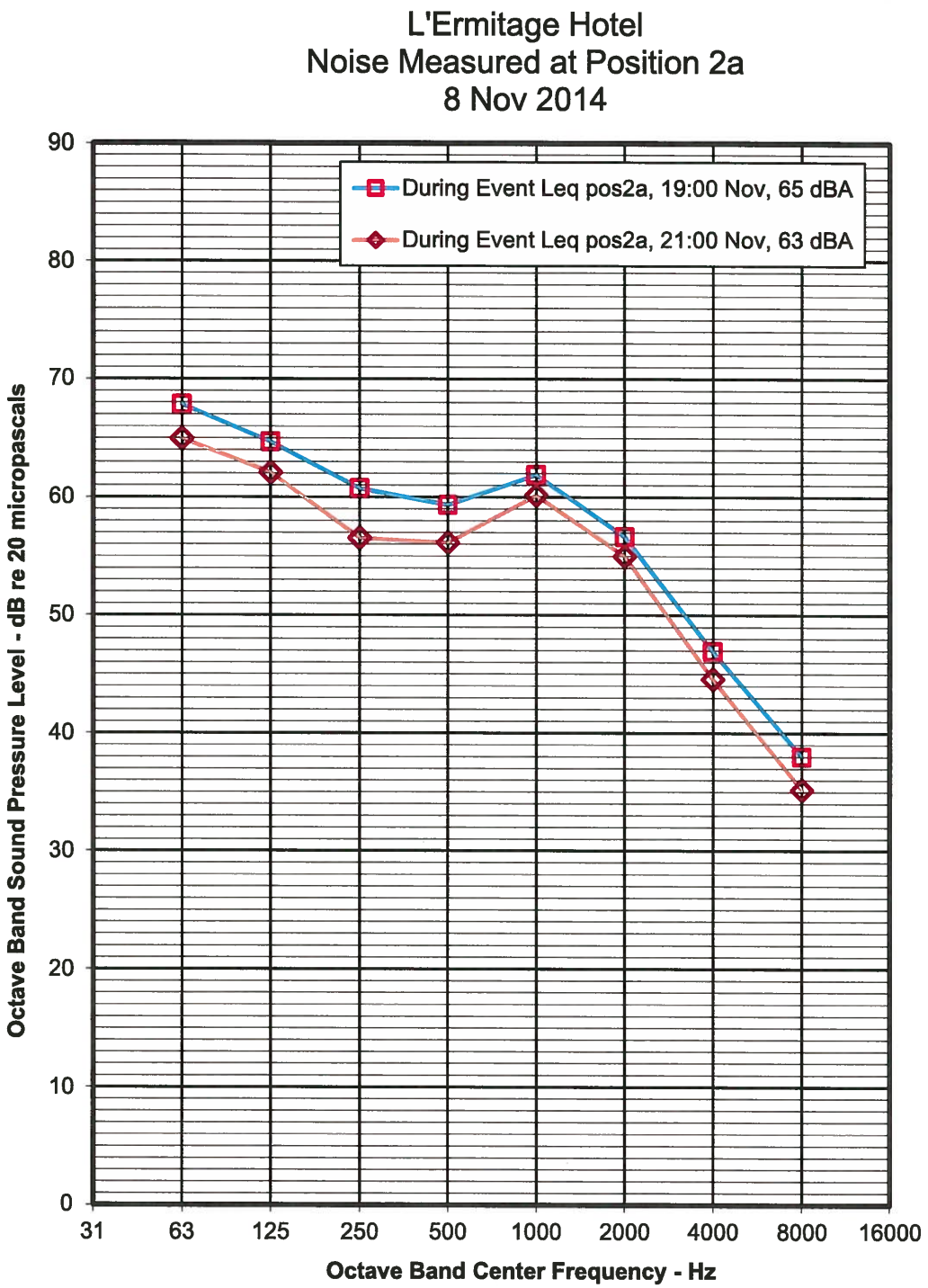


Figure 4B – November measurement data at Position 2a. Noise from the event was inaudible at this position.

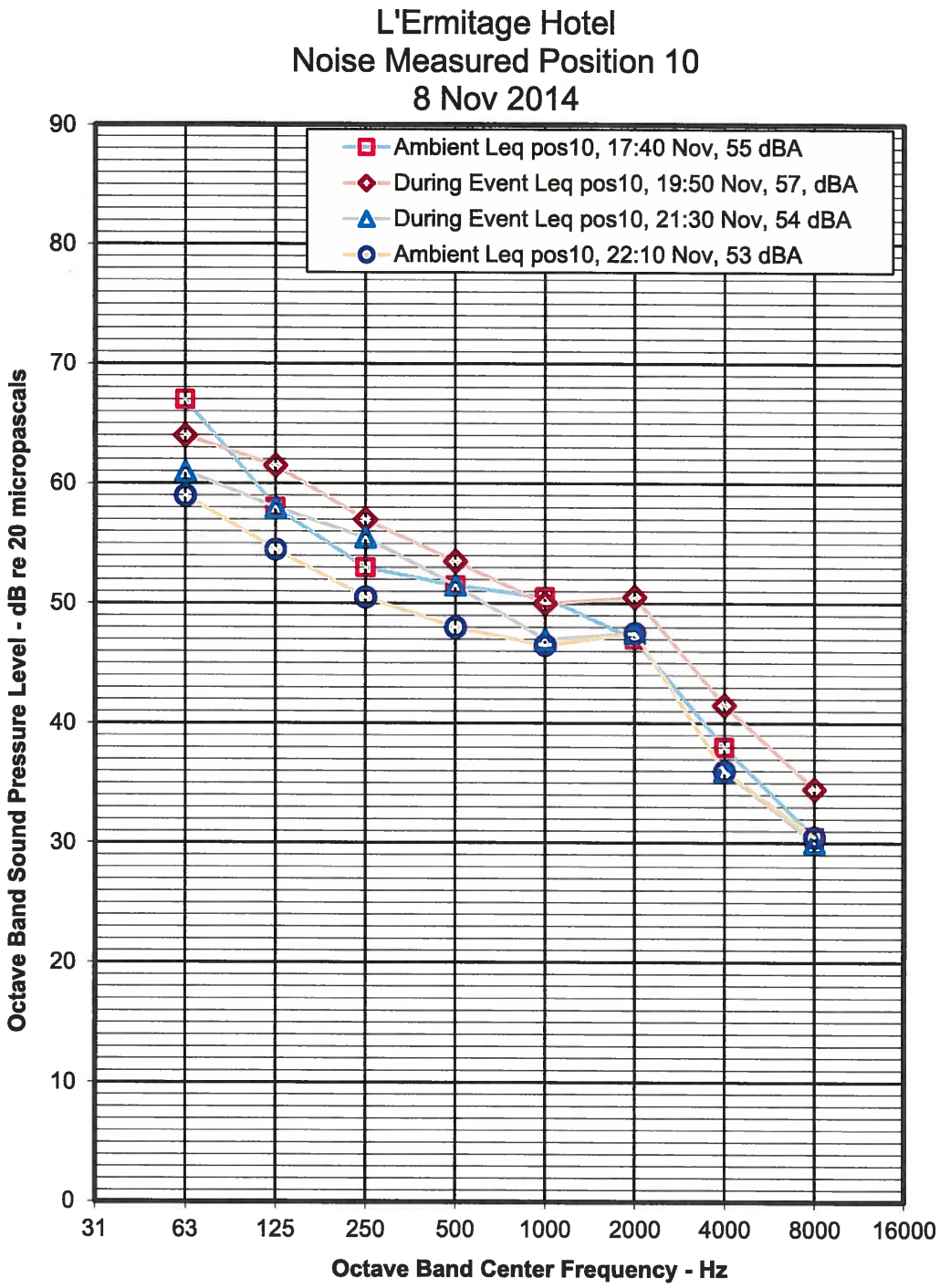


Figure 5B – November measurement data at Position 10. Noise from the event was audible at this position.

Appendix C

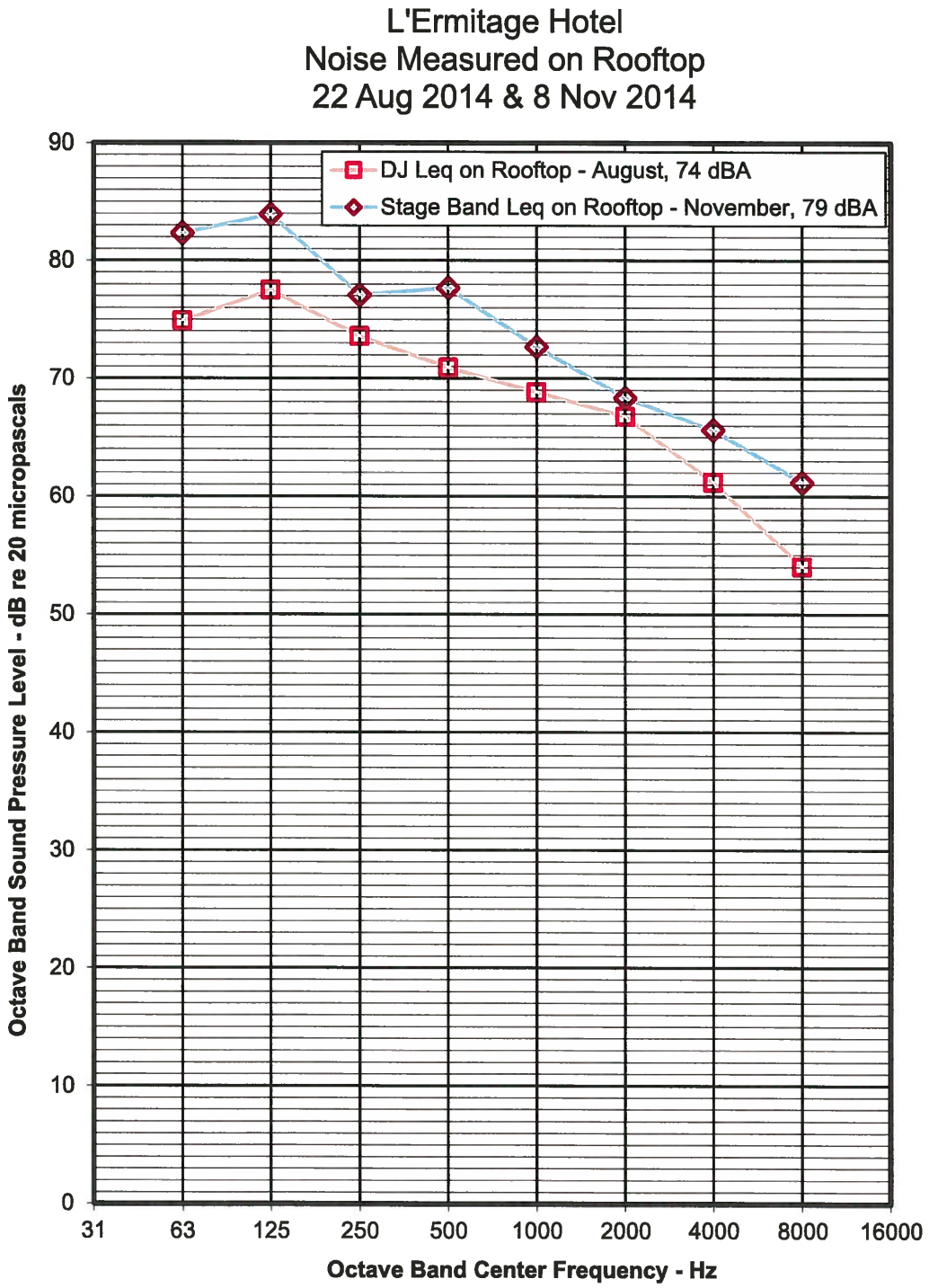


Figure 1C – Measurement data on the L'Ermitage Hotel rooftop from both the August and November events.

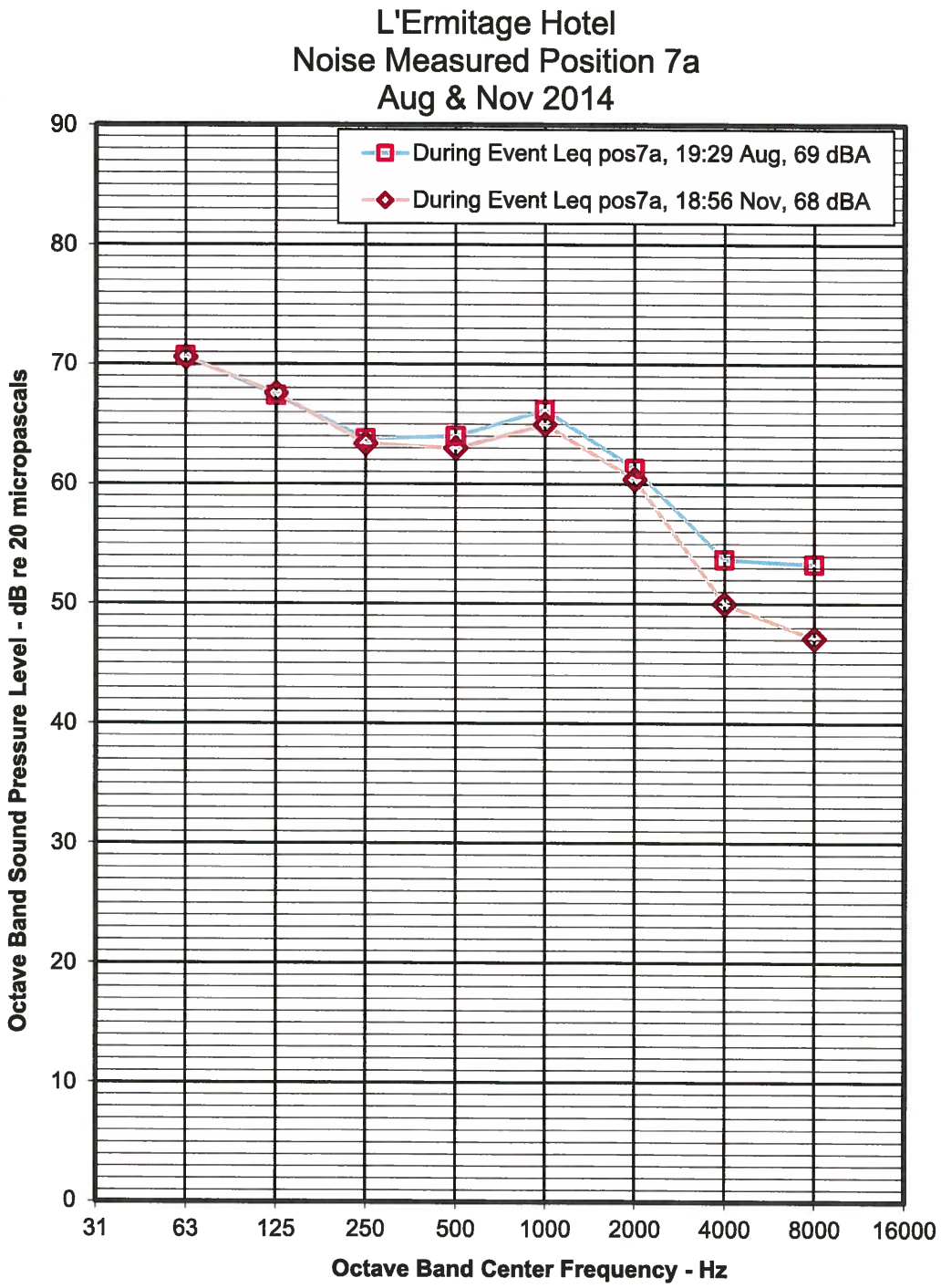


Figure 2C – Comparison of measurement data at Position 7a from August and November. Noise from both events was audible at this position. There is little difference between these two noise levels.

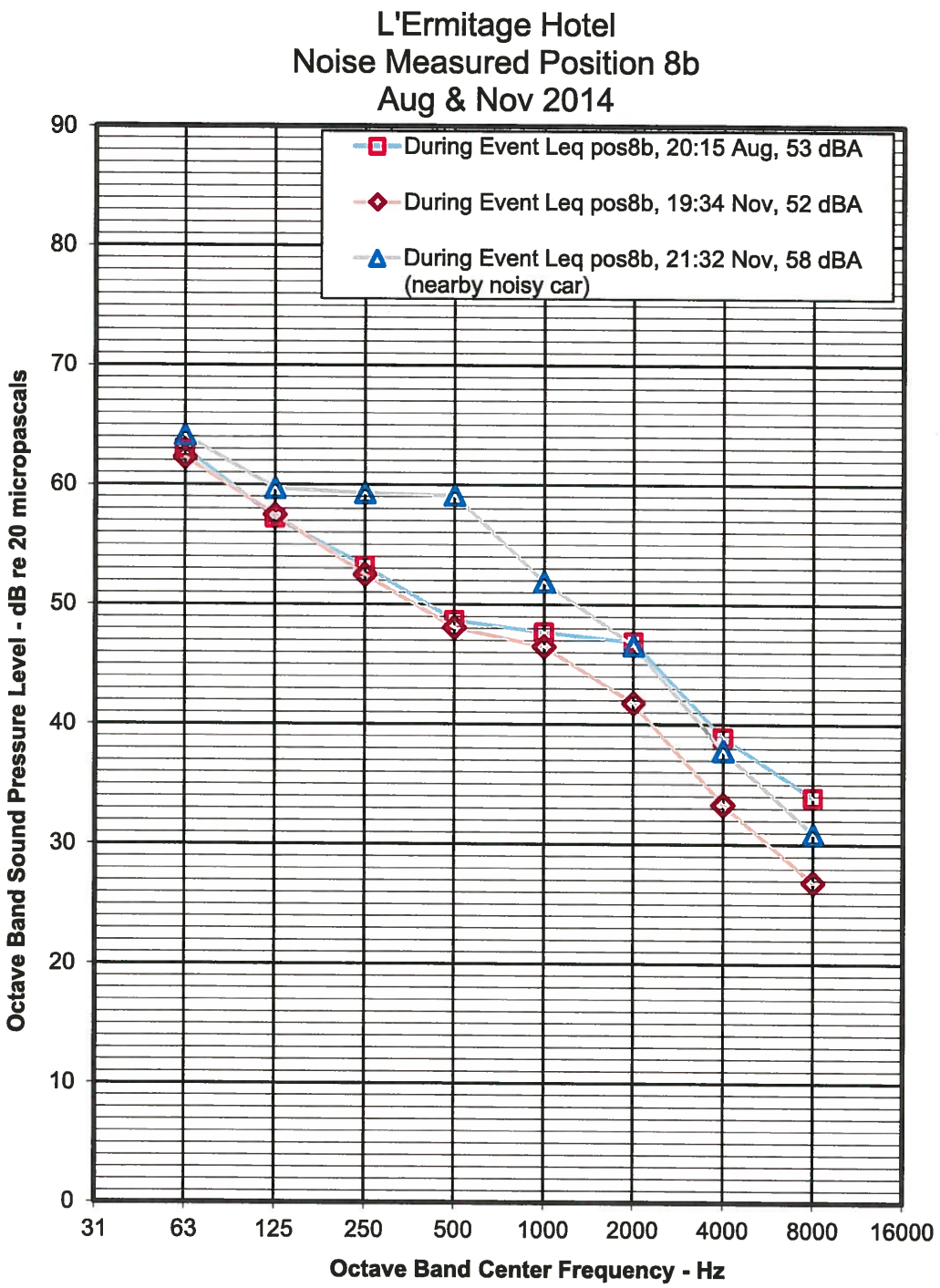


Figure 3C – Comparison of Measurement Data at Position 8b from August and November. Noise from both events was audible at this position. There is a substantial increase in noise during the 21:32 Nov measurement. This can be attributed to an idling car and its loud stereo next to the microphone on N Maple Drive.

Appendix D

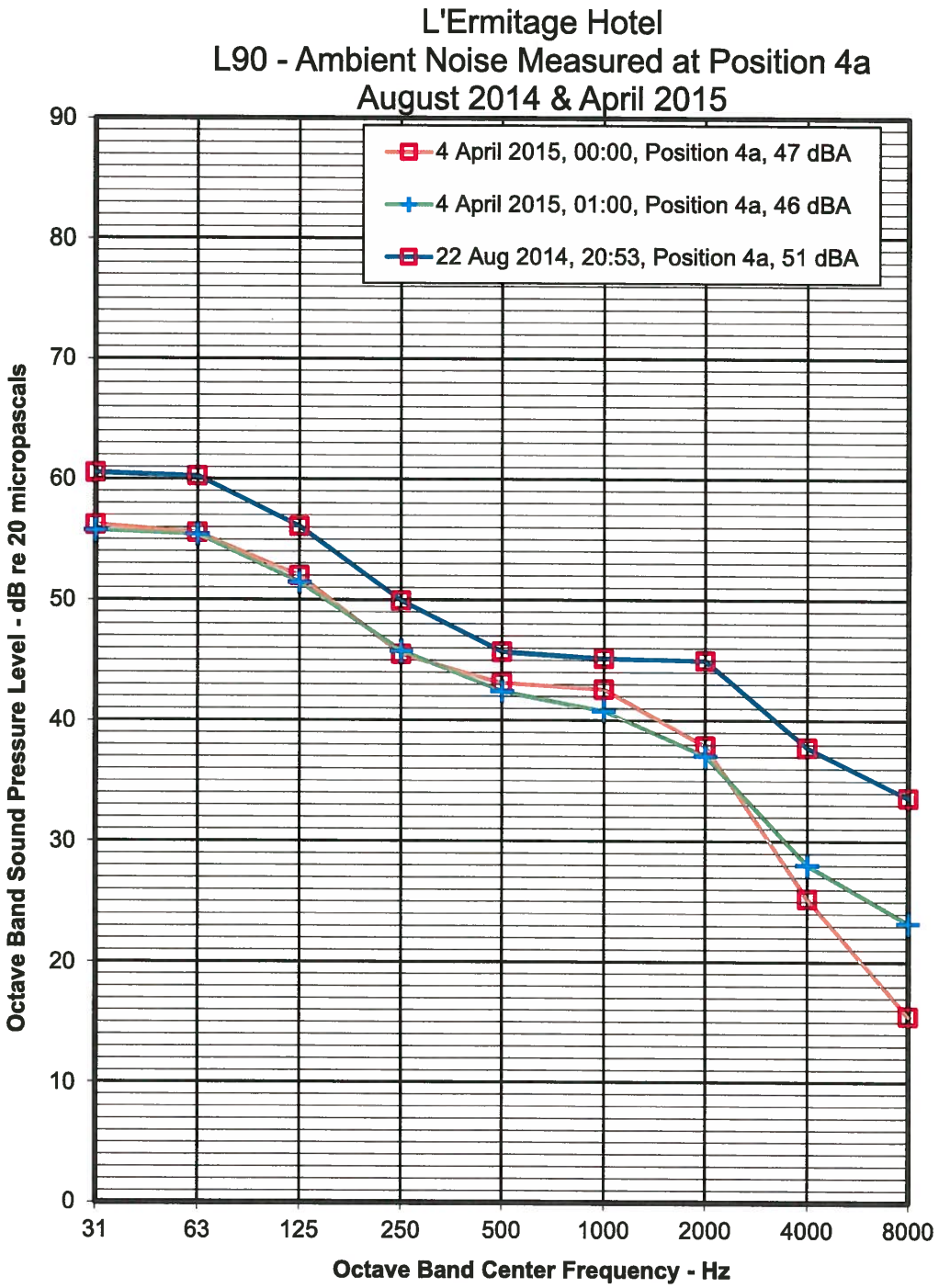


Figure 1D – Comparison of ambient noise measurement data at Position 4a from August 2014 and April 2015.

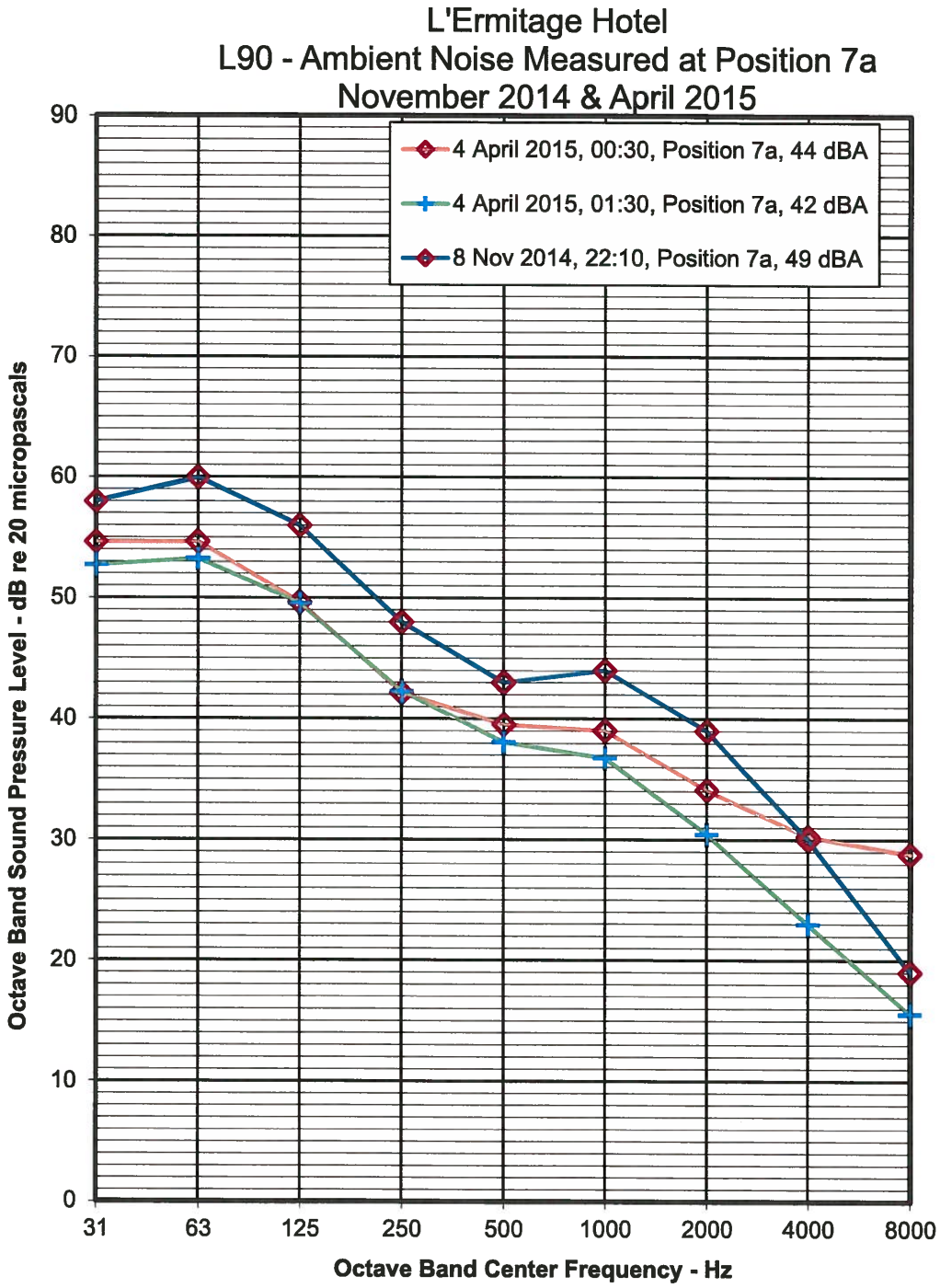


Figure 2D – Comparison of ambient noise measurement data at Position 7a from November 2014 and April 2015.

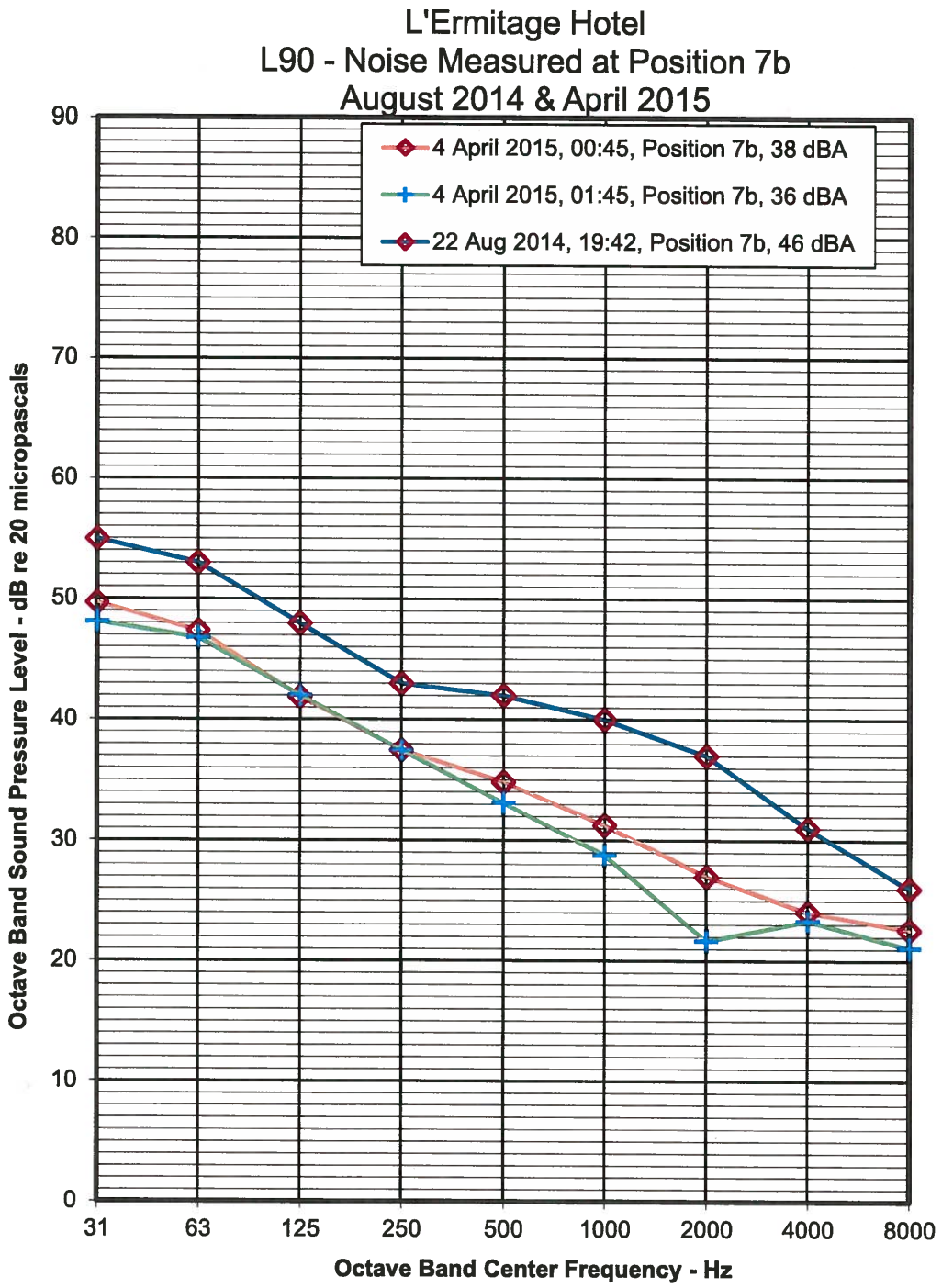


Figure 3D – Comparison of noise measurement data at Position 7b during the event from August 2014 and ambient noise measurement data at Position 7b from April 2015.

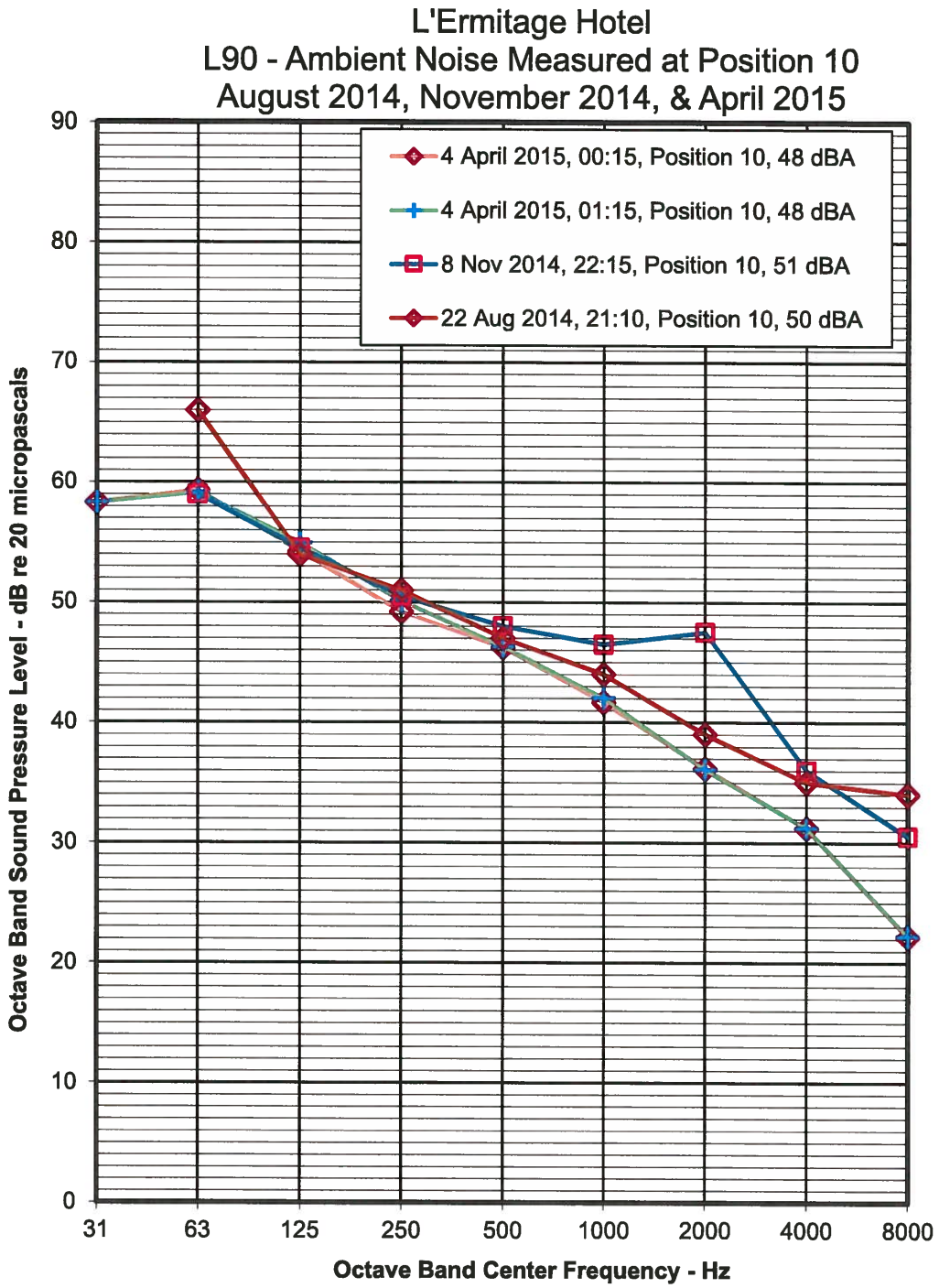


Figure 4D – Comparison of ambient noise measurement data at Position 10 from August 2014, November 2014, and April 2015.

ATTACHMENT D

LETTERS FROM THE PUBLIC

Andre Sahakian

From: Rochelle (Shelley) Berkowitz <rberkow627@aol.com>
Sent: Sunday, November 01, 2015 12:30 AM
To: Andre Sahakian
Subject: L'Hermitage

My name is Shelley Berkowitz and I reside at 302 N. Elm Dr.
For many years we have heard loud music coming from the rooftop of the hotel til late in the evenings. It was very disturbing to our peace and quiet and enjoyment of our homes. We live down at 302. What about the neighbors that live closer?

I heard that they will be putting up a sound barrier, I thought that was a good idea. How do we know how well the sound barrier will work in an open space (??).
Now they want to expand their hours until midnight during the week and 2:00a.m. on weekends.

It is not fair to the neighbors to have loud bands performing at such late hours.

I already have loud neighbors in a fourplex I own in Beverly Hills. Since they are a temple (Beth Jacob parking lot on Doheny and Olympic), apparently not much can be done to stop them from disturbing 4 families because of discrimination issues. Never mind the rights of the families living there.

So before you approve these long hours, make sure that their noise will not disturb their neighbors before it is too late to stop them once they are approved.

Make sure the sound barrier works. I would like to put a sound barrier between the 4-plex and the parking lot if it is truly that effective.

Respectfully,
Rochelle Berkowitz
310-386-1889

ATTACHMENT E

ARCHITECTURAL PLANS

(PROVIDED AS A SEPARATE ATTACHMENT)