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**PUBLIC CORRESPONDENCE**

**MIKAEL COHEN**

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

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

**To:** [lwienner@rwqlaw.com](mailto:lwienner@rwqlaw.com); Mahdi Aluzri

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

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

To Counsel and City Planning Commission;

Re: Planning commission May 2nd

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

**Conditional Use Permit:**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Mikael Cohen

April 26, 2016

Mikael Cohen

## Ryan Gohlich

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

Hi Matti

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

Mikael Cohen

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

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

City staff and officials,

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

Thank You,  
Matti Bialer

Sent from my iPhone

## Ryan Gohlich

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

Thank you Matti for raising the department deficiencies.

To Ryan, Please include my pictures sent to you yesterday showing L'Ermitage's Limousines washing their cars in the middle of Burton Way.

What a beautiful image, L'Ermitage brings to the city.

Mikael Cohen

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

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

Ryan,

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

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

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

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

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

Matti Bialer

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

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

Hi Matti,

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

Ryan

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

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

Ryan and Andre,

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

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

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

Matti Bialer

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

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

Good evening,

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

Please let me know if you have any questions.

Regards,

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

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

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

## Ryan Gohlich

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

Hi Andre and Ryan

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

We need to talk about this at the commission.

Thank you for your attention

Regards

Mikael Cohen

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

From: Mikael Cohen <[mikaelc@aol.com](mailto:mikaelc@aol.com)>

To: Mikael Cohen <[mikaelc@aol.com](mailto:mikaelc@aol.com)>

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

Subject: Pictures limousines hotel

Sent from my iPhone  
Mikael Cohen











## Ryan Gohlich

---

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

Hi Andre and Ryan

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

Please add these pictures to the packet.

Thank you

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

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

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

Sent from my iPhone  
Mikael Cohen







## **Ryan Gohlich**

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

Dear Ryan And Andre

I emailed you yesterday my letter along 45 pages attachments.

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

I would very much appreciate your confirmation.

As always, Thank you and Best Regards

Mikael Cohen

## Ryan Gohlich

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

Dear Ryan

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

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

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

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

Dear Ryan

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

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

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

I will be glad to answer any question.

Please confirm distribution to all Commission Members.

Thank you

Regards

Mikael Cohen

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

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

Dear Matti and Mikael,

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

Thank you,

Ryan

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

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

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

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

**Dear All,**

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

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

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

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

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

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

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

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

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

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

I have some emails attached that suggest that the planning will not enforce any non-compliance or violations against the Hotel. I had a conversation with the Officer Terrence May who promised to enforce the codes. Never heard from him.

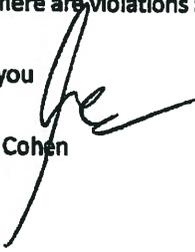
So, my question for the next Planning Commission, why are we discussing a CUP that has been approved 15 years ago? I was present during all debates. We had the same problems and resolutions were adopted. There are no changes to be made as there have been no changes in our way of life, in a zoning or anything else in the vicinity of the Hotel in the last 15 years that would suggest any reason to modify the CUP. Yes, the ownership changed, and I am pretty sure that the current owner, has done its due diligence and was acquainted with the CUP's rules. We see no reason to change the current CUP.

A real change that all of residents insist to see, is to bring the hotel to comply with the rules and stop them from violating those rules, against the CUP or building permits and enforce all codes with first action is to close permanently the new street entrance for their new restaurant.

I am hereby asking, the Planning Commission, not to change anything to the current CUP as there are no existing reasons for any changes, but rather helping us to enforce the codes of the city, issue citations when there are violations and to bring back discipline and respect to our beautiful City rules.

Thank you

Mikael Cohen



JEAN ANDRÉ / PARIS. FRANCE

AN  
NV

avecnous.com — @avecnousch

A  
special invitation  
for you and a  
guest to join us for brunch.  
*Opening March 2016*

Brunch served daily from  
7:00 AM-2:30 PM.

\$75.00 includes not including tax and gratuity.

No.110

8291 Burton Way, Beverly Hills, California 90210 ph. 310 960 8660

*Merci!  
Avec Nous*

**From:** mikaelc <mikaelc@aol.com>  
**To:** rgohlich <rgohlich@beverlyhills.org>; bialermatti <bialermatti@aol.com>; maluzri <maluzri@beverlyhills.org>; gchavez <gchavez@beverlyhills.org>  
**Cc:** lilibosse <lilibosse@icloud.com>; nancy <nancy@krasne.com>; ilanbialer <ilanbialer@gmail.com>; asahakian <asahakian@beverlyhills.org>  
**Bcc:** ejrebibo <ejrebibo@yahoo.com>  
**Subject:** Re: L'Ermitages violations going on.....and on.....  
**Date:** Mon, Apr 4, 2016 5:51 pm

---

Hi Ryan

Thank you for the Hotel agenda. I will be present at the meeting. You have now confirmed what I have assumed and predicted. The Hotel violates the CUP and the building permit. Then the Planning department and its inspection ignore the violations, and do not enforce the codes. Ironically, now the Hotel is coming back to correct with the blessing of the planning. Wow! everything works backward and no fear of consequences for the non-compliance.

I would love to tell you my story of how difficult the inspection I had for just re-roofing my house. The inspector was at my place twice to three times a week to check every progress and in compliance with the permit I had.

I will talk about your planning procedures in my memo/letter to the Planning commission. This entrance that was built in violation to all rules, must be closed permanently and the stairs be removed.

By the way, do not forget to ask the hotel to remove the canopy from the roof top. It is there without a valid permit and give the hotel ploys to run loud events with no approval from the Director of transportation. (always as per CUP).

Thank you  
Regards

Mikael Cohen

—Original Message—

**From:** Ryan Gohlich <rgohlich@beverlyhills.org>  
**To:** mikaelc <mikaelc@aol.com>; bialermatti <bialermatti@aol.com>; Mahdi Aluzri <maluzri@beverlyhills.org>; George Chavez <gchavez@beverlyhills.org>  
**Cc:** lilibosse <lilibosse@icloud.com>; 4-Nancy Krasne <nancy@krasne.com>; ilanbialer <ilanbialer@gmail.com>; Andre Sahakian <asahakian@beverlyhills.org>  
**Sent:** Sun, Apr 3, 2016 11:26 pm  
**Subject:** RE: L'ermitage delivery truck blocking our garages 4/1/2016

Hi Mikael,

At present, the hotel is asking to renew their CUP under the same conditions, but with the allowance to utilize the new stairs adjacent to the main entrance. The meeting will start at 1:30 PM on the 14<sup>th</sup>. I'll have Andre Sahakian from my office follow up with you later this week to make sure you get a copy of the staff report. Also, if you have any materials you'd like us to attach to the staff report we would need to receive them from you by Wednesday at noon. Let me know if you have any questions.

Thank you,

Ryan

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

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

**Sent:** Friday, April 01, 2016 6:03 PM

**To:** Ryan Gohlch; [bialermatti@aol.com](mailto:bialermatti@aol.com); Mahdi Aluzri; George Chavez

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

**Subject:** Re: L'ermitage delivery truck blocking our garages 4/1/2016

Hi Ryan

Thank you for advising the Commission about all problems.

Also, I am preparing my letter to the Commission along with all violations by the Hotel.

I would like to know ASAP, the requests submitted by L'Ermitage for discussion with the Commission and any changes that may be proposed by the hotel and challenged by residents. I need also to inform other concerned residents and prepare our arguments for the continued violations.

Please confirm also, the time of the planning Commission meeting April 14th.

Thank you for your help.

Regards

Mikael Cohen

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

**From:** Ryan Gohlch <[rgohlch@beverlyhills.org](mailto:rgohlch@beverlyhills.org)>

**To:** Matti Bialer <[bialermatti@aol.com](mailto:bialermatti@aol.com)>; Mahdi Aluzri <[maluzri@beverlyhills.org](mailto:maluzri@beverlyhills.org)>; George Chavez <[gchavez@beverlyhills.org](mailto:gchavez@beverlyhills.org)>

**Cc:** lili Bosse <[lilibosse@icloud.com](mailto:lilibosse@icloud.com)>; 4-Nancy Krasne <[nancy@krasne.com](mailto:nancy@krasne.com)>; Ilan Bialer <[ilanbialer@gmail.com](mailto:ilanbialer@gmail.com)>; mikaelc <[mikaelc@aol.com](mailto:mikaelc@aol.com)>

**Sent:** Fri, Apr 1, 2016 4:26 pm

**Subject:** RE: L'ermitage delivery truck blocking our garages 4/1/2016

Hi Matti,

We will include this in the information we provide to the Commission as well.

Thanks,

Ryan

Ryan Gohlich, AICP  
Assistant Director / City Planner  
Community Development Department  
City of Beverly Hills  
455 N. Rexford Dr.  
Beverly Hills, CA 90210  
Direct: (310) 285-1118  
Fax: (310) 858-6966  
[rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org)

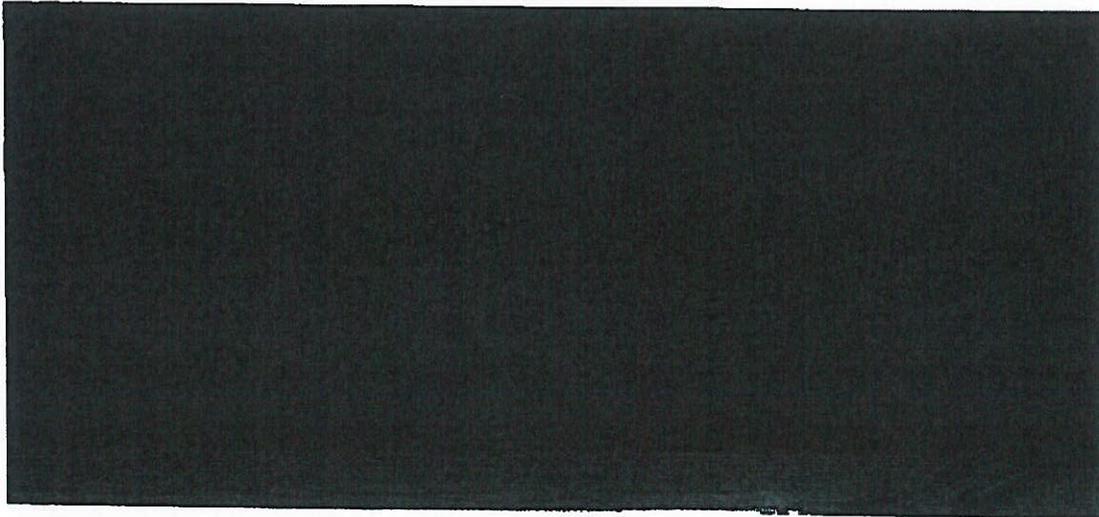
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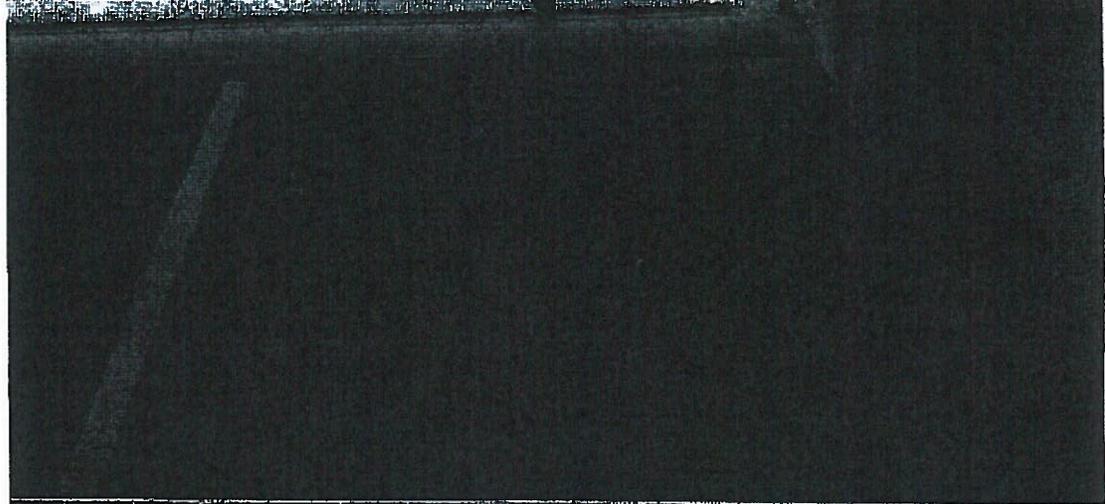
**From:** Matti Bialer [<mailto:bialermatti@aol.com>]  
**Sent:** Friday, April 01, 2016 4:03 PM  
**To:** Mahdi Aluzri; George Chavez; Ryan Gohlich  
**Cc:** Matti Bialer; lili Bosse; 4-Nancy Krasne; Ilan Bialer; [mikaelc@aol.com](mailto:mikaelc@aol.com)  
**Subject:** L'ermitage delivery truck blocking our garages 4/1/2016

City Staff,

The l'ermitage deliveries are continuing to block our garages. This was today 4/1/16 at 12:30 pm. Traffic police were called and cited the vehicle.

>  
>  
>





●●●●○ AT&T LTE

12:44 PM

\* 58% 



Today  
12:34 PM

Edit

3/31/2016

RE: L'Ermitage violations of their CUP

**From:** Ryan Gohlich <rgohlich@beverlyhills.org>  
**To:** mikaelc <mikaelc@aol.com>  
**Cc:** Mahdi Aluzri <maluzri@beverlyhills.org>; George Chavez <gchavez@beverlyhills.org>; Andre Sahakian <asahakian@beverlyhills.org>; Raj Patel <rpatel@beverlyhills.org>  
**Subject:** RE: L'Ermitage violations of their CUP  
**Date:** Mon, Feb 29, 2016 5:33 pm

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Hi Mikael,

I wanted to follow up on your email and let you know that we are reviewing the items you've raised. I hope to have a detailed response for you before tomorrow's City Council meeting so that you have a complete understanding of what has been approved at this point, what is currently pending review and public hearings, and what is being done to investigate and/or enforce any violations. Regarding your desire to speak at tomorrow's Council meeting, please be advised of the following:

Your prior email has been distributed to the City Council for their information and consideration.

The L'Ermitage Hotel is not a formal item on tomorrow's agenda, so you will need to speak at the beginning of the meeting (7:30 PM) during the time allotted for general public communications.

Because it is not a formal agenda item, each person speaking will be given 3 minutes to make comments on the matter.

The City Council will listen to any comments you have, but will be unable to engage in a dialogue since the item is not on the agenda.

Please let me know if you have any questions, and I'll follow up tomorrow with additional information on the issues you've raised.

Thank you,

Ryan

Bcc: City Council

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

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**From:** Andre Sahakian  
**Sent:** Monday, February 29, 2016 11:02 AM  
**To:** Ryan Gohlich  
**Subject:** FW: L'Ermitage violations of their CUP

3/31/2016

RE: L'Ermitage violations of their CUP

---

**From:** Mikael Cohen [mailto: ]  
**Sent:** Monday, February 29, 2016 11:00 AM  
**To:** Andre Sahakian  
**Cc:** [ilanbialer@gmail.com](mailto:ilanbialer@gmail.com); 12-Julian Gold; Mahdi Aluzri; WebCBH MAYORANDCITYCOUNCIL; Terence May; Mary Riedel  
**Subject:** Re: L'Ermitage violations of their CUP

Dear all

Email that I have sent last Thursday and that i would like to be in part of the next council meeting. This is a serious concern fur all of the residents living in the vicinity of L'Ermitage. Please confirm

Thank you

Sincerely

Mikael Cohen

Sent from my iPhone

Mikael Cohen

On Feb 25, 2016, at 9:41 PM, [mikaelc@aol.com](mailto:mikaelc@aol.com) wrote:

Dear Andre

I am observing L'Ermitage across my house, remodeling their restaurant, they are now calling it "Bistro" with a move in front of Burton Way. I do not know if the City has given permission to remodel with an entrance to the restaurant from the street and open walls. This is another intrusion into the residential character of the neighborhood.

However, before I start blaming the Hotel, I want to remind the following extracts from the Resolution number 99R-10211 adopted August 3, 1999 and it states:

Section 4 Paragraph 2: Both live entertainment and amplified music will be prohibited at all times in the open air dining area. Also operation of the open air dining will cease at 10.30PM.

The new bistro will have an opening area. Paragraph 3 of this same section states: "The project, as conditioned, will not significantly interfere with the use and enjoyment of residential properties in the vicinity for the additional reason that ENTRY AND EXITING FROM THE RESTAURANT WILL OCURR THROUGH THE INTERIOR OF THE HOTEL. My comment; this paragraph is clear that entrance to restaurant cannot come directly from the street. As I am observing the remodeling, the hotel has installed new stairs , new rails and new entrance from the street, therefore in violation to the current CUP.

Section 6 Paragraph 3 states. No Live entertainment or amplified sound shall be allowed. Paragraph 4 continues to say:" No banquets or similar receptions or parties shall be held at the restaurants". I do not know the intentions of the Hotel but I will guarantee , they will be in violations as usual and will continue to be in violation unless, the CUP is enforced by the city.

Despite the CUP clearly stating that no limousines should be parked on the south side of

3/31/2016

RE: L'Ermitage violations of their CUP

Burton, L'Ermitage continues to let the divers parking for hours. Some of them, taking the time to clean up their cars and throw all food and bottle garbage right on the street and my lawn. I have to clean often my lawn. See also my previous email, evidencing that the Hotel does use guests parking on the south side of Burton Way.

**Has the City authorized such changes In the bistro and opening from the street and if yes, I would appreciate to have a copy of the resolution. I do not remember that we have been notified.**

Section 6, Paragraph 15. The CUP must be renewed every year at the anniversary date. Did the Hotel renew every year? I would like to check these documents.

Hi Andre, I am sorry to sound like a lawyer, but these changes are clearly affecting the neighborhood with an adverse impact on the properties and their residents. I heard so many complaints when I was collecting the petitions signatures.

Thank you as always for your help

Mikael Cohen  
Cell 323-816 8674

ear Andre

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

—Original Message—

From: mikaelc <[mikaelc@aol.com](mailto:mikaelc@aol.com)>  
To: jgold <[jgold@beverlyhills.org](mailto:jgold@beverlyhills.org)>; maluzri <[maluzri@beverlyhills.org](mailto:maluzri@beverlyhills.org)>  
Cc: ilanblaler <[ilanblaler@gmail.com](mailto:ilanblaler@gmail.com)>; blalermatti <[blalermatti@aol.com](mailto:blalermatti@aol.com)>  
Sent: Tue, Feb 23, 2016 1:46 pm  
Subject: 105 Petitions against L'Rmitage noise expansion

Dear Mayor Gold and City Manager Aluzri

As you have suggested during one of your Sunday meeting with the residents, I have circulated a petition against the noise expansion of L'Ermitage and collected approximately 105 signatures so far.

Please find enclosed 34 pages with the names, addresses and signatures. All of the petitions were signed by residents living close to the Hotel. From the testimonies I have heard while collecting the signatures, the residents are very concerned with the noise expansion proposed by L'Ermitage. Consideration has to be given on the fact that L'Ermitage cannot be allowed to expand any use permit beyond their current one limiting events and noise after 10PM. The hotel does not even comply with their current permit and noise goes beyond the 10PM.

Please check all complaints filed with the Police department by several residents.

I just hoped to bring to the attention to all Council Members during your next meeting March 1, 2016 and have them know, that L'ermitage is operating in the middle of Residential

3/31/2016

RE: L'Ermitage violations of their CUP

area, its noise expansion , and its non-compliance to its actual CUP, make the residents very nervous.

All Petitioners and I, thank you and appreciate very much your assistance in helping to keep our peaceful environment. I am available for any comments or questions you may have.

Respectfully,

Mikael Cohen

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

3/31/2016

L'Ermitage Hotel Follow Up

**From:** Ryan Gohlich <rgohlich@beverlyhills.org>

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

**Cc:** Mahdi Aluzri <maluzri@beverlyhills.org>; George Chavez <gchavez@beverlyhills.org>; Susan Healy Keene <skeene@beverlyhills.org>; Raj Patel <rpatel@beverlyhills.org>; Andre Sahakian <asahakian@beverlyhills.org>

**Subject:** L'Ermitage Hotel Follow Up

**Date:** Tue, Mar 1, 2016 2:15 pm

**Attachments:** PC Reso No. 1138.pdf (185K), PC Reso No. 1191.pdf (306K)

---

Dear Mikael,

Following up on my email yesterday, I wanted to offer some additional information and responses to your questions regarding the recent changes at the L'Ermitage Hotel outdoor dining area:

With respect to the conditions from the current CUP regarding live entertainment, amplified sound, and hours of operation, these conditions all still apply to the outdoor dining area and hotel restaurant, and can continue to be enforced. Staff has reviewed all code enforcement cases for the hotel over the past two years, and although there have been complaints regarding music, noise, and hours of operation, we have not been able to obtain any police records or other evidence to support these violations. However, our Code Enforcement Officers continue to investigate these matters, and we are in the process of obtaining updated police reports to assist us in substantiating any potential violations.

The entry and exit to the new outdoor dining area will continue to be required to occur from within the restaurant. Staff is currently working with the hotel operator to ensure that the stairs from the sidewalk on Burton Way are for emergency egress/ingress only.

After reviewing the CUP, staff was unable to find the condition referenced in your email regarding prohibiting limousines from parking on Burton Way. While the CUP findings acknowledge that there could potentially be impacts to street parking on the nearby residential streets, there are no conditions that prohibit patrons of the hotel from parking on the street. Other conditions were put in place to limit the number and frequency of rooftop events and requiring free, off-street parking for employees and free valet parking for patrons in order to help reduce the impact to street parking.

The City has issued building permits for various changes to the lobby area of the hotel, including relocation of the outdoor dining area from the rotunda courtyard on the west side (which was adjacent to the condominium building next door) to the new area further east along Burton way. These changes were reviewed for conformity with the existing CUP, and to ensure that they would not result in an increase in intensity of the uses. Since the total number of tables and chairs in the outdoor dining area remains the same as before (7 tables and 20 chairs, with the prior outdoor dining area being eliminated), there is no increase in the intensity of use. Since these changes are consistent with the requirements in the original CUP, a resolution and public notice were not required.

The original resolution approving the CUP for the restaurant and outdoor dining uses was renewed annually twice after it was adopted (Resolutions 1138 and 1191). As part of Resolution 1191, the renewal procedure was amended to allow the Director of Community Development (rather than the Planning Commission) to grant subsequent renewals. Please see attached for the aforementioned Resolutions for reference.

Please note that the request for the changes to the CUP conditions regarding rooftop events, construction of the

3/31/2018

L'Ermitage Hotel Follow Up

proposed rooftop enclosure, and the proposed elevator shaft on the west side of the building are still under review and have not yet been approved. Public hearings will be scheduled for those items in the coming months, and notifications will be sent so that neighbors of the property will have the opportunity to comment on these changes. Any other changes to the hotel that go beyond the scope of the existing CUP would also require review.

We appreciate your comments on the property, and will keep you updated as we work with the hotel's management to ensure compliance. Please feel free to contact me if you have any questions.

Thank you,

Ryan

Bcc: City Council

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

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3/31/2016

Re: L'Ermitage Hotel Follow Up and its Violations.

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

**To:** rgohlich <rgohlich@beverlyhills.org>

**Cc:** maluzri <maluzri@beverlyhills.org>; gchavez <gchavez@beverlyhills.org>; skeene <skeene@beverlyhills.org>; rpatel <rpatel@beverlyhills.org>; asahakian <asahakian@beverlyhills.org>; mayorandcitycouncil <mayorandcitycouncil@beverlyhills.org>; bialermatti <bialermatti@aol.com>; tmay <tmay@beverlyhills.org>

**Subject:** Re: L'Ermitage Hotel Follow Up and its Violations.

**Date:** Tue, Mar 8, 2016 5:27 pm

---

Dear Ryan

I appreciate your response to my email and of course I was glad to meet you at the City Hall during the Council meeting of last week.

I guess today, you had the proof that the Hotel did not build an emergency exit door to the street, but rather a real entrance to the restaurant from the street. I believe you have received videos from Matti Blaler. You agree this is violation of the CUP.

I want now to direct you to Resolution 1138 adopted 8-23-00 and you did send a copy, please see Section 5 Paragraph 2 (page 4) where it states clearly, "that the Hotel shall not instruct, nor encourage directly and indirectly any driver of any taxi or Limousine to park on any residential street in the vicinity of the hotel, including but expressly not limited to, the south side of Burton Way." Please read the rest of the text resolution, where the applicant, the Hotel, shall attempt to clearly identify through the use of a special vehicle tags for those limousines.

The Hotel has always violated this resolution and from testimonies collected from the drivers, they are instructed by the personnel of L'Ermitage to park across the street, without consideration of the CUP. You should know, the garbage the drivers leave behind, it is a shame for the beautiful Burton Way. The Hotel has violated most of the resolutions of the CUP, without respect to nay rule, to the issued permit, to the residents and to the City of Beverly Hills itself.

In my last email, I have asked the City to provide me with the permit issued authorizing the Hotel to build a restaurant entrance from the street. I would very much appreciate a copy.

Also, the resolutions call for the CUP to be renewed every year. I would like to review the yearly renewals from year 2000, as per last email. Has L'ermitage complied with the renewals??

Thank you for your help, and hope you would include the above mentioned matters to L'Ermitage during your meeting on Wednesday

Regards  
Mikael Cohen

—Original Message—

**From:** Ryan Gohlich <rgohlich@beverlyhills.org>

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

**Cc:** Mahdi Aluzri <maluzri@beverlyhills.org>; George Chavez <gchavez@beverlyhills.org>; Susan Healy Keene <skeene@beverlyhills.org>; Raj Patel <rpatel@beverlyhills.org>; Andre Sahakian <asahakian@beverlyhills.org>

**Sent:** Tue, Mar 1, 2016 2:15 pm

**Subject:** L'Ermitage Hotel Follow Up

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The City has issued building permits for various changes to the lobby area of the hotel, including relocation of the outdoor dining area from the rotunda courtyard on the west side (which was adjacent to the condominium building next door) to the new area further east along Burton way. These changes were reviewed for conformity with the existing CUP, and to ensure that they would not result in an increase in intensity of the uses. Since the total number of tables and chairs in the outdoor dining area remains the same as before (7 tables and 20 chairs, with the prior outdoor dining area being eliminated), there is no increase in the intensity of use. Since these changes are consistent with the requirements in the original CUP, a resolution and public notice were not required.

The original resolution approving the CUP for the restaurant and outdoor dining uses was renewed annually twice after it was adopted (Resolutions 1138 and 1191). As part of Resolution 1191, the renewal procedure was amended to allow the Director of Community Development (rather than the Planning Commission) to grant subsequent renewals. Please see attached for the aforementioned Resolutions for reference.

Please note that the request for the changes to the CUP conditions regarding rooftop events, construction of the proposed rooftop enclosure, and the proposed elevator shaft on the west side of the building are still under review and have not yet been approved. Public hearings will be scheduled for those items in the coming months, and notifications will be sent so that neighbors of the property will have the opportunity to comment on these changes. Any other changes to the hotel that go beyond the scope of the existing CUP would also require review.

We appreciate your comments on the property, and will keep you updated as we work with the hotel's management to ensure compliance. Please feel free to contact me if you have any questions.

Thank you,

Ryan

Bcc: City Council

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

3/31/2016

Re: L'Ermitage Hotel Follow Up and its Violations.

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

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—  
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3/31/2016

RE: L'ermitage deliveries 7:05am

**From:** Ryan Gohllich <[rgohllich@beverlyhills.org](mailto:rgohllich@beverlyhills.org)>

**To:** Matti Bialer <[mattibialer@icloud.com](mailto:mattibialer@icloud.com)>; Mahdi Aluzri <[maluzri@beverlyhills.org](mailto:maluzri@beverlyhills.org)>; George Chavez <[gchavez@beverlyhills.org](mailto:gchavez@beverlyhills.org)>; Raj Patel <[rpatel@beverlyhills.org](mailto:rpatel@beverlyhills.org)>; Susan Healy Keene <[skeene@beverlyhills.org](mailto:skeene@beverlyhills.org)>; Nestor Otazu <[notazu@beverlyhills.org](mailto:notazu@beverlyhills.org)>; Iian <[ilanbialer@gmail.com](mailto:ilanbialer@gmail.com)>; mikaalc <[mikaalc@aol.com](mailto:mikaalc@aol.com)>

**Subject:** RE: L'ermitage deliveries 7:05am

**Date:** Thu, Mar 10, 2016 11:57 am

---

Thank you, Matti. I met with the hotel's representatives yesterday afternoon, and we are in the process of putting in writing the ongoing CUP compliance issues, with agreement from the hotel that they will respond in writing and outline how they intend to comply. My hope is that this will be the last of the loading issues (among other things), but please continue to provide me with any violation info you capture. I'll continue to keep you updated as we work through this, and I will also notify you once we have a date set for the Planning Commission to review the CUP (likely in April).

Ryan

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

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**From:** Matti Bialer [<mailto:mattibialer@icloud.com>]

**Sent:** Thursday, March 10, 2016 9:30 AM

**To:** Ryan Gohllich; Mahdi Aluzri; George Chavez; Raj Patel; Susan Healy Keene; Nestor Otazu; Iian; [mikaalc@aol.com](mailto:mikaalc@aol.com)

**Cc:** Matti Bialer

**Subject:** Re: L'ermitage deliveries 7:05am

On Mar 10, 2016, at 7:35 AM, Matti Bialer <[mattibialer@icloud.com](mailto:mattibialer@icloud.com)> wrote:

City officials,

The hotel continues to have deliveries at 7am, waking up the neighborhood and blocking the whole alley.

Matti Bialer

<IMG\_0079.MOV>

Sent from my iPhone

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RE: L'ermitage deliveries 7:05am

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3/31/2016

Re: L'Hermitage

**From:** Victoria Talbot <[vtalbot@bhcourier.com](mailto:vtalbot@bhcourier.com)>  
**To:** Mikael Cohen <[mikaelc@aol.com](mailto:mikaelc@aol.com)>  
**Subject:** Re: L'Hermitage  
**Date:** Sun, Mar 13, 2016 4:11 pm

---

I'm afraid this particular issue has slipped past me. I am aware that the hotel is planning renovations that you are opposed to because they infringe on your peaceful habitude, with the outdoor elevator and the late hours on the rooftop and etc.

I think the approvals for this project were under my radar.

When did this go through the Planning Commission? Were there residents who opposed it there at the meetings? Who was the planning commission chair? Who was the Community Development liaison? What did the process look like? Were residents treated with respect or was it pushed through without your awareness and notification? Or were you notified and did not know what it meant? How did this happen?

Victoria Talbot  
Editor/Reporter  
Beverly Hills Courier  
499 N. Canon Dr. Suite 100  
Beverly Hills, CA 90212  
[vtalbot@bhcourier.com](mailto:vtalbot@bhcourier.com)  
Off. (310) 278-1322, ext. 105  
Cell (424) 901-9942

On Mar 13, 2016, at 12:13 PM, [mikaelc@aol.com](mailto:mikaelc@aol.com) wrote:

Dear Victoria

I read your great article on L'Ermitage's new Bistro, in the last week courier. I agree it is a beautiful place, but it was remodeled in violation of the current CUP adopted by the City of Beverly Hills. In fact the adopted resolutions # 99-R 1138-1191 do not allow a restaurant entrance from the street and L'Ermitage is in non compliance. Everyone keeps forgetting that the Hotel is operating in a Residential area and I have presented the City with more than 100 signatures against the project. Furthermore, the restaurant must close at 10.30 PM and should not accept any new guests by 9 PM.

Despite my several requests to the City and its representatives, I am still not in possession of the City's authorization or approval of the new restaurant new entrance from the street. But I will continue to insist in obtaining the documents. I will be glad to answer any question or information you may inquire.

Thank you

Regards

Mikael Cohen

—Original Message—

**From:** Victoria Talbot <[vtalbot@bhcourier.com](mailto:vtalbot@bhcourier.com)>  
**To:** Mikael Cohen <[mikaelc@aol.com](mailto:mikaelc@aol.com)>  
**Sent:** Fri, Jan 22, 2016 4:01 pm  
**Subject:** Fwd: L'Hermitage

Here is the response from Andre. So now we know!

Begin forwarded message:

**From:** Andre Sahakian <[asahakian@beverlyhills.org](mailto:asahakian@beverlyhills.org)>  
**Subject:** RE: L'Hermitage  
**Date:** January 21, 2016 at 5:49:09 PM PST  
**To:** Victoria Talbot <[vtalbot@bhcourier.com](mailto:vtalbot@bhcourier.com)>  
**Cc:** Ryan Gohlich <[rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org)>, Therese Kosterman <[tkosterman@beverlyhills.org](mailto:tkosterman@beverlyhills.org)>

Hi Victoria,

We are waiting for the applicants to provide us with their proposed changes to the project in response to the feedback from the Planning Commission. Once we receive their materials, we will complete the Mitigated Negative Declaration and schedule a noticed public hearing with the Planning Commission to consider the project. It's hard to say when that will happen, since the timing depends on when we receive the applicant's proposed changes, and how extensive those changes will be.

Please let me know if you need any further information.

Best,

—

Andre Sahakian  
Associate Planner | City of Beverly Hills  
310.285.1127

---

**From:** Victoria Talbot [<mailto:vtalbot@bhcourier.com>]  
**Sent:** Thursday, January 21, 2016 1:09 PM  
**To:** Andre Sahakian; Ryan Gohlich; Therese Kosterman  
**Subject:** L'Hermitage

Could you please update me on the status of the application for the L'Hermitage, and possible timeline?

Thank you.

Victoria Talbot, Reporter  
Beverly Hills Courier  
(310) 278-1322  
[vtalbot@bhcourier.com](mailto:vtalbot@bhcourier.com)  
499 N. Canon Dr.  
Beverly Hills, CA 90210

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3/31/2016

Re: L'ermitage deliveries 7:05am

**From:** Ilan Bialer <ilanbialer@gmail.com>  
**To:** Ryan Gohlich <rgohlich@beverlyhills.org>  
**Cc:** Matti Bialer <bialermatti@aol.com>; mikaelc <mikaelc@aol.com>  
**Subject:** Re: L'ermitage deliveries 7:05am  
**Date:** Wed, Mar 16, 2016 2:32 pm

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Hi Ryan,

I didn't hear back on the below.

Btw, the reception desk and entrance remains active directly on Burton Way.

Thank you,

All the best, Ilan

On Mar 10, 2016, at 12:37 PM, Ilan Bialer <ilanbialer@gmail.com> wrote:

Thank you Ryan for the update. Could you please supply us with a list of the compliance issues you are notifying them of?

Thanks again for your diligence in this matter.

All the best, Ilan

On Mar 10, 2016, at 2:57 PM, Ryan Gohlich <rgohlich@beverlyhills.org> wrote:

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Ryan

Ryan Gohlich, AICP  
Assistant Director / City Planner  
Community Development Department  
City of Beverly Hills  
455 N. Rexford Dr.  
Beverly Hills, CA 90210  
Direct: (310) 285-1118  
Fax: (310) 858-5968  
[rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org)

---

**From:** Matti Bialer [<mailto:mattbialer@icloud.com>]  
**Sent:** Thursday, March 10, 2016 9:30 AM  
**To:** Ryan Gohlich; Mahdi Aluzri; George Chavez; Raj Patel; Susan Healy Keene; Nestor Otazu; Ilan; [mikaelc@aol.com](mailto:mikaelc@aol.com)

3/31/2016

Re: L'ermitage deliveries 7:05am

**Cc:** Matti Bialer

**Subject:** Re: L'ermitage deliveries 7:05am

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Matti Bialer

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3/31/2016

RE: L'ermitage deliveries 7:05am

**From:** Ryan Gohlich <rgohlich@beverlyhills.org>  
**To:** mikaelc <mikaelc@aol.com>; ilanbialer <ilanbialer@gmail.com>; bialermatti <bialermatti@aol.com>  
**Subject:** RE: L'ermitage deliveries 7:05am  
**Date:** Fri, Mar 18, 2016 2:22 pm

---

Hi All,

The specific items that we are currently working with L'Ermitage to address include the following:

Abiding by the hour limitations for loading activities, ensuring that alley access is maintained, and ensuring that your parking spaces remain accessible.

Eliminating music from within the outdoor dining area per the conditions of approval.

Directing limousines and other transportation to not park/wait on Burton Way adjacent to residential areas.

In addition to the above, we are working to resolve the restaurant access issue. The language in the original CUP requiring restaurant guests to access the dining area from inside the hotel was intended to keep arriving patrons from using an access door in close proximity to the Bialer property. The new point of access in question is located approximately 120' away from the Bialer property and immediately adjacent to the hotel's main entrance. In addition, the outdoor dining has been relocated approximately 50' to the east, away from the Bialer property. While I believe that the distance of the new access point from the Bialer property is generally consistent with the intent of having patrons use the main hotel entrance rather than going into the restaurant adjacent to the Bialer property, I agree that the CUP does not specifically authorize this. As I previously stated, the CUP is up for renewal, and we will be taking it forward to the Planning Commission in either April or May for them to review. As a component of the renewal, we will be asking the Planning Commission to address the restaurant access point. In the interim, I am working with the hotel to identify solutions and ensure that guests do not congregate around the access point. I will also be out at the hotel on Monday afternoon to meet with hotel management, walk the property, and address CUP and other issues. I'm happy to meet with any of you at City Hall, your residences, or in front of the hotel to go over these issues as well, and will have additional details after my Monday meeting. If you experience any issues over the next several days (particularly with respect to truck loading or congregation around the access point) please let me know. Thank you for working with us to ensure that we are able to address neighborhood impacts.

Ryan

Ryan Gohlich, AICP  
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455 N. Rexford Dr.  
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Direct: (310) 285-1118  
Fax: (310) 858-5966  
[rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org)

**From:** [mikaelc@aol.com](mailto:mikaelc@aol.com) [<mailto:mikaelc@aol.com>]  
**Sent:** Wednesday, March 16, 2016 3:50 PM  
**To:** [ilanbialer@gmail.com](mailto:ilanbialer@gmail.com)

3/31/2016

RE: L'ermitage deliveries 7:05am

**Cc:** [bialermatti@aol.com](mailto:bialermatti@aol.com); Ryan Gohlich  
**Subject:** Re: L'ermitage deliveries 7:05am

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I would love to hear also from Ryan ( CC herein) who promised an answer to my emails. Yes the hotel is still operating same with an alleged emergency exit with a hostess and host counter. I have never seen such an entry with top glass door and beautiful stairs to be for an emergency exit.

Thank you all for proper follow up.  
Best to all

Mikael Cohen

—Original Message—

**From:** Ilan Bialer <[ilanbialer@gmail.com](mailto:ilanbialer@gmail.com)>  
**To:** Ryan Gohlich <[rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org)>  
**Cc:** Matti Bialer <[bialermatti@aol.com](mailto:bialermatti@aol.com)>; mikaelc <[mikaelc@aol.com](mailto:mikaelc@aol.com)>  
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Direct: (310) 285-1118  
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**To:** Ryan Gohlich; Mahdi Aluzri; George Chavez; Raj Patel; Susan Healy Keene; Nestor Otazu; Ian; [mikaelc@aol.com](mailto:mikaelc@aol.com)  
**Cc:** Matti Bialer  
**Subject:** Re: L'ermitage deliveries 7:05am

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**From:** mikaelc <mikaelc@aol.com>  
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**Cc:** asahakian <asahakian@beverlyhills.org>; mayorandcitycouncil <mayorandcitycouncil@beverlyhills.org>; nkrasne <nkrasne@beverlyhills.org>; tmay <tmay@beverlyhills.org>; maluzri <maluzri@beverlyhills.org>  
**Subject:** Re: L'ermitage deliveries 7:05am and violations  
**Date:** Mon, Mar 21, 2016 8:55 am

---

Hi Ryan

With all due respect to you and to the City, I totally disagree with you. You let the hotel first violate the CUP and then presenting arguments to support the violations. This is not in compliance with the CUP or Beverly Hills City rules.

The Hotel is not stopping from violation to violation. Just as an example the last Saturday night they had music so loud that you can hear it from 5 miles away, even after the visit of the police department. The Canopy on the roof top, which is already there without permit, gives the hotel pretext to have loud parties without proper authorization from the department of the transportation as stated by the CUP.

Now, before I answer your email in the same language as dictated by the CUP, I have asked and asked so many times, the permit that has allowed L' Ermitage to build the front restaurant entrance. I NEED THE COPY OF THAT PERMIT. I know that Beverly Planning would not allow an remodeling without permit. I had the experience dealing with the planning for my own house work.

**Therefore, I am begging you, I beg the Planning, I beg the City Manager and I beg the council to have a copy of the permit for the restaurant entrance from the street, or let me know how can I get it.**

Thank you for your help  
Best Regards

Mikael Cohen

—Original Message—

**From:** Ryan Gohlich <rgohlich@beverlyhills.org>  
**To:** mikaelc <mikaelc@aol.com>; ilanbialer <ilanbialer@gmail.com>; bialermatti <bialermatti@aol.com>  
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**DEPARTMENT OF COMMUNITY DEVELOPMENT  
BUILDING AND SAFETY  
455 North Rexford Dr.  
Beverly Hills, Calif. 90210**

Permit No : **BS1509256**  
Permit Status : **Issued**  
Plan Check Status : **PC Final**  
Page 1 of 6  
03/21/2016

**Building Permit**

Job Address: **9291 BURTON WAY**

PRE : **ekeshishian**  
Entered By : **acurtis**

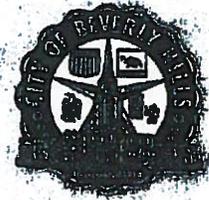
Project No 140002233  
Activity Type Building  
Project Name "L'ERMITAGE HOTEL"- T.I.  
Parcel Number  
Project Description "L'ERMITAGE HOTEL"- T.I.  
Owner VICEROY HOTEL GROUP/DEPOSIT ACCOUNT  
Applicant CHRISTOPHER ALEX  
Applicant Address 1350 CORONADO AVE LONG BEACH CA 90804  
Applicant Phone (562)597-8760  
Applicant MICHAEL KOLLIN  
Applicant Address 1350 CORONADO AVE LONG BEACH CA 90804  
Applicant Phone (562)597-8760  
Base Address 9291 BURTON WAY  
Valuation \$1,500,000.00  
Job Description L'ERMITAGE HOTEL- INTERIOR RESTAURANT AND BAR REMODEL AND EXTERIOR ADA RAMP. OUTDOOR PATIO REMODEL  
ENGINEER BURO HAPPOLD CONSULTING ENGINEERING INC Lic. 20294 (213)281-8786  
800 WILSHIRE BLVD, 16TH FLR LOS ANGELES CA 90278  
CONTRACTOR MC GUIRE BUILDERS INC Lic. 759960 (562)424-3636  
3299 WALNUT AVENUE SIGNAL HILL CA 90755  
1356407 STATE COMP INS FUND  
CONTRACTOR MC GUIRE BUILDERS INC Lic. 759960 (310)505-7615  
3299 WALNUT SIGNAL HILL CA 90755  
STATE COMPENSATION INSURANCE FUND Policy Number:9106877 Effective Date: 07/01/2014 Expire Date: 07/01/2016  
ARCHITECT MICHAEL KOLLIN Lic. 21173 (562)597-8760  
1350 CORONADO AVE LONG BEACH CA 90804

Fee Description	Account	Units	Fee/Units	Amount	Paid
Permit Issuance	5572			\$52.20	\$52.20
Building Permit	101			\$21,639.30	\$21,639.30
Technology Fee - Building Permit	888			\$1,190.16	\$1,190.16
Building Plan Review	20			\$17,311.44	\$17,311.44
Planning Plan Review	201			\$706.20	\$706.20
Technology Fee- Building Plan Review	888			\$952.13	\$952.13
Building Energy Plan Review	47			\$2,163.93	\$2,163.93
Building Energy Permit	48			\$4,327.86	\$4,327.86
Document Maintenance	560			\$368.70	\$368.70
Building Special Inspection (per hr)	112	2	\$87.50	\$175.00	\$175.00
General Plan/Long Range Planning	5213			\$2,265.00	\$2,265.00
Other Fees (Plan Check)	20			\$1,137.60	\$1,137.60
Expedited Plan Review	878			\$3,000.00	\$3,000.00
SB1608 PC Fee (New or >50% MFR/Comm)	891			\$692.46	\$692.46
SB1608 Permit Fee (New or >50% MFR/Comm)	891			\$649.18	\$649.18
AB717 Training & Education Fee	890			\$259.67	\$259.67

FOR INFORMATION AND SERVICES, PLEASE VISIT THE BUILDING & SAFETY DIVISION ONLINE AT [www.beverlyhills.org/bldgonline](http://www.beverlyhills.org/bldgonline) OR DIAL (310) 285-1141.

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**DEPARTMENT OF COMMUNITY DEVELOPMENT  
BUILDING AND SAFETY  
455 North Rexford Dr.  
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Permit No : BS1509256  
Permit Status : Issued  
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Page 2 of 6  
03/21/2016

**Building Permit**

Job Address: 9291 BURTON WAY

PRE : ekeshishian  
Entered By : acurtis

Fine Arts Tax In-Lieu Payment (90%)	520	\$15,750.00	\$15,750.00
CBSC State Fee	889	\$60.00	\$60.00
Seismic Fee (Commercial)	875	\$420.22	\$420.22
Heavy Hauling Fee (Multi-trip/annual)	5541	\$90.00	\$90.00

Function	Permit	Final
Fees: \$25,963.76	Fees: \$47,247.29	Fees: \$73,211.05
Payments: \$25,963.76	Payments: \$47,247.29	Adjustments: \$0.00
Balance Due: \$0.00	Balance Due: \$0.00	Payments: \$73,211.05
		Extend Credit: \$0.00
		Balance Due: \$0.00

Date	Transaction Type	Method	Amount
06/25/2015	Payment of Balance Due	check	\$24,626.16
10/12/2015	Payment of Balance Due	check	\$60,269.79
11/18/2015	Payment of Balance Due	creditcard	\$758.40
11/30/2015	Payment of Balance Due	creditcard	\$379.20
12/21/2015	Payment of Balance Due	creditcard	\$175.00

License No	Name	Primary	Valuation	Tax	Paid	Balance Due
759960	MC GUIRE BUILDERS INC	✓	\$1,500,000.00	\$3,187.50	\$3,187.50	0.00

THE CITY OF BEVERLY HILLS IS UNDER EXCLUSIVE CONTRACTUAL AGREEMENT WITH CROWN DISPOSAL SERVICES FOR THE HAULING OF ALL CONSTRUCTION RELATED MATERIALS. THIS INCLUDES, BUT IS NOT LIMITED TO, EXPORTING CONSTRUCTION DEBRIS FROM JOB SITES WITHIN THE CITY BOUNDARIES. FOR INFORMATION AND OR TO REQUEST HAULING SERVICES, PLEASE CALL (310) 288-2806.

Health and Safety Code Section 17951 is amended to provide that a permittee is entitled to reimbursement of permit fees if the local enforcement agency fails to conduct an inspection of the permitted work within 60 days of receiving notice that the work is completed.

TO REQUEST A BUILDING & SAFETY INSPECTION:

**ONLINE**

Logon to [www.beverlyhills.org/obc](http://www.beverlyhills.org/obc)

**TELEPHONE**

- A.) Dial (310) 285-2534
- B.) Enter your permit number. (Remember, each permit has a different number.)
- C.) Enter your phone number to receive the inspectors estimated time of arrival.

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Plan Check Status : PC Final  
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03/21/2016

**Building Permit**

Job Address: **9281 BURTON WAY**

PRE : ekeshshian  
Entered By : acurtis

**SPECIAL INSPECTION/INVESTIGATION FEE:** A special inspection fee may be assessed by the building official or his technical officers, inspectors, and other employees as determined necessary to achieve compliance of the permitted work and/or related activity. Such enforcement shall result from those actions and/or a violation(s) of Beverly Hills Municipal code associated with the permitted work and/or related activity caused by property owner, contractor, its employees, and/or persons working under the control and direction of contractor. A two hour minimum special inspection/investigation fee shall apply, with additional time charged at the current hourly rate. Such related building and/or technical permits shall be suspended until the assessed special investigation fee has been paid and the subject actions and/or violations(s) of Beverly Hills Municipal code have been resolved to the satisfaction of the building official.

**RESTRICTIONS ON CONSTRUCTION ACTIVITY:** No person shall engage in construction, maintenance or repair work which requires a City permit between the hours of 6:00 p.m. and 8:00 a.m. of any day, or at any time on a Sunday or public holiday unless such person has been issued an after hours construction permit. In addition, no person shall engage in such work within a residential zone, or within five hundred (500) feet of a residential zone, at any time on a Saturday unless such person has been issued an after hours construction permit. For the purpose of this Section, "Public Holiday" shall mean: (1) New Year's Day (2) Memorial Day (3) Independence Day (4) Labor Day (5) Thanksgiving Day (6) Christmas Day. No person employed for the purposes of construction, maintenance, or repair work which requires a city permit shall enter a site on which such work will be done prior to 8:00 a.m. Any violation of this condition shall be deemed to be an infraction.

When Fire Life Safety Fee have been applied to this permit OR modifications to the Fire Life Safety System have occurred, then prior to operation and/or use of any system or equipment, or occupancy of any temporary and/or permanent facilities, the owner/contractor must call the Fire Department to schedule inspection at (310) 281-2703.

Seismic retrofit inspection and verification requirements of residential structures shall be performed by qualified persons specializing in seismic retrofit installations. Contractor shall be responsible to obtain the services of a qualified and certified Deputy Inspector, registered with the City of Beverly Hills, or State licensed Architect or Engineer, who shall verify and certify the seismic retrofit installation, was installed per the approved plan and specifications as required by a listed materials manufacturer. Contractor shall be responsible for having the work inspected and verified by such qualified, certified and/or licensed persons having specific knowledge and experience in seismic retrofit construction activity and provide a written report on appropriate letterhead stating that the work was inspected and verified to have been installed per the approved plans and all material manufacturer installation specifications. Contractor shall be responsible to schedule an inspection for the work performed and shall provide the City Building Inspector with a written report, with no unverified deficient conditions. The City Building Inspector upon his discretion may verify any statement(s) contained in the report, and/or may perform further verification and inspections as deemed necessary.

Storm water/urban runoff discharges to the public storm drainage system shall be prohibited for all discharges not wholly comprised of storm water, or permitted by a valid National Pollution Discharge Elimination System (NPDES) permit issued by the California Regional Water Quality Control Board. "Storm drain system" includes all roads with drainage systems, municipal streets, catch basins, curbs, gutter, ditches, man-made channels, or storm drains. The contractor shall prevent all non-storm water discharges from the construction site (i.e. mixing and cleaning construction materials, concrete washout, disposal of paints, adhesives, solvents, and landscape products).

Pursuant to NPDES Section G, the City of Beverly Hills possesses the necessary legal authority to prohibit non-storm water discharges to the storm drain system, including, but not limited to, the discharge of chlorinated/brominated swimming pool water and filter backwash to the storm drain conveyance system (MS4 system). As such, before any water discharge occurs, an inspection appointment must be made with City Environmental Program Inspectors to verify acceptable chlorine/bromine concentration. Please call the City of Beverly Hills Environmental Inspectors Duane Washington at (310) 721-9726 or Michael A. Jones at (310) 779-0574 to arrange an inspection.

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BUILDING AND SAFETY  
455 North Rexford Dr.  
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Page 4 of 6  
03/21/2016

**Building Permit**

Job Address: 9291 BURTON WAY

PRE : ekeshishian  
Entered By : acurtis

**City Inspector Requirements and Conditions for Inspection:**

1. Provide access to work area, gates and doors to be unlocked, and pets to be out of areas of inspection.
2. OSHA approved ladder in good condition properly secured in place to allow roof access.
3. Approved plans to be on site and available for use by City Inspector.
4. OSHA safety practice does not allow City Inspectors on roofs in rainy conditions. Inspections scheduled during poor weather are subject to cancellation. Contractors are responsible for rescheduling the inspection.

**HEAVY VEHICLE RESTRICTIONS - BHMC 7-2-201: HEAVY VEHICLES RESTRICTED TO CERTAIN STREETS:**

A. No person shall operate any vehicle having a gross weight, including the vehicle and its load, of three (3) tons or more on any street in the city except on those streets designated in section 7-2-203 of the Beverly Hills Municipal Code. IT IS THE RESPONSIBILITY OF THE PERMITTEE TO DISTRIBUTE A COPY OF THIS PERMIT TO ALL OPERATORS OF HEAVY VEHICLES PURSUANT TO THIS CODE.

**B. The provisions of subsection A of this section shall not apply to the following:**

1. Any passenger stage vehicle regulated by sections 1031 through 1036 of the state Public Utilities Code and operating under a certificate from the public utilities commission of the state declaring that the public necessity and convenience require the operation of such vehicle; and further provided that the certificate specifically authorizes such vehicle to be operated in the city, and the vehicle is being operated while in the city for the purpose authorized in such certificate; provided further, this exemption shall not apply to vehicles operated as a round trip sightseeing service;
2. Any vehicle owned by a public utility while necessarily in use in the construction, installation, or repair of any public utility;
3. Any vehicle operated by the city, or any employee thereof, in the course of regular or official city business;
4. Any vehicle of the military or naval forces of the United States or the duly authorized militia of the state in the proper performance of their duties. (1962 Code § 3-6.1306; amd. Ord. 90-O-2088, eff. 2-8-1980)

**HEAVY HAUL ROUTES - BHMC 7-2-202: EMERGENCY OR NECESSARY USE OF RESTRICTED STREETS:**

The following vehicles may use a street other than designated in section 7-2-203 of this article under the circumstances herein below:

A. Any passenger vehicle while operated, engaged, and used for the sole and exclusive purpose of picking up or discharging a passenger or passengers at an origin or destination on any street in which the vehicle is prohibited;

B. Any vehicle when necessary, for the purpose of making pick ups and deliveries of goods, wares, or merchandise from or to any premises located on any prohibited street, or for the purpose of delivering materials on a prohibited street to be used in the repair, alteration, remodeling, or construction of any building or structure for which a building permit has previously been obtained;

C. Whenever it is necessary for a vehicle to deviate from the streets designated in section 7-2-203 of this article for the purposes specified in subsection A or B of this section, the vehicle shall travel from a street authorized by section 7-2-203 of this article to the destination by a route so that the point of travel is the shortest possible distance over prohibited streets; provided however, if the additional distance of travel to reach the shortest route would exceed two (2) miles, the vehicle may take the most direct route to its destination. (1962 Code §§ 3-6.1306, 3-6.1306.1)

**BHMC §7-2-203: STREETS DESIGNATED FOR HEAVY VEHICLE USAGE:**

Pursuant to Beverly Hills Municipal Code § 7-2-203, the following streets are designated for use by vehicles exceeding a maximum gross weight, including the vehicle and its load, of three (3) tons:

Alden Drive;

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**Building Permit**

Job Address: **9291 BURTON WAY**

PRE : ekeshishian  
Entered By : acurtis

Bedford Drive from Wilshire Boulevard to Santa Monica Boulevard (north);  
Beverly Boulevard;  
Beverly Drive from the south city limits to Santa Monica Boulevard (north);  
Brighton Way from Canon Drive to Wilshire Boulevard;  
Burton Way;  
Camden Drive from Wilshire Boulevard to Santa Monica Boulevard (north);  
Canon Drive from Wilshire Boulevard to Santa Monica Boulevard (north);  
Civic Center Drive from Burton Way to Santa Monica Boulevard (south);  
Crescent Drive between the north and south roadways of Santa Monica Boulevard;  
Dayton Way from Canon Drive to Wilshire Boulevard;  
Doheny Drive;  
Foothill Road from Burton Way to Santa Monica Boulevard (south);  
La Cienega Boulevard;  
Linden Drive from Wilshire Boulevard to Santa Monica Boulevard (south);  
Maple Drive from Burton Way to Santa Monica Boulevard (south);  
Olympic Boulevard;  
Rexford Drive from Santa Monica Boulevard (north) to Burton Way;  
Robertson Boulevard;  
Rodeo Drive from Wilshire Boulevard to Santa Monica Boulevard (north);  
Roxbury Drive from Wilshire Boulevard to Santa Monica Boulevard (north);  
San Vicente Boulevard;  
Santa Monica Boulevard (north and south roadways);  
Third Street;  
Wilshire Boulevard

\*\*\*FOR OPERATORS USING LOMA VISTA DRIVE AS THE SHORTEST PATH FROM AN APPROVED HEAVY HAUL ROUTE TO THE CONSTRUCTION SITE, PLEASE NOTE THAT THERE IS A TRUCK RUN OFF RAMP AT LOMA VISTA DRIVE LOCATED NORTH OF DOHENY ROAD.

**OVERSIZE HAULING:**

Hauling that meets the following criteria may require engineering investigations, routing definition, coordination, police escort, and control of permit movement:

- (1) Loads in excess of 14 feet wide.
- (2) Loads in excess of 135 feet in overall length.
- (3) Loads that are of a weight that require:
  - A) More than a 13-axle, single-vehicle width hauling combination, or
  - B) A 13-axle, single-vehicle width hauling combination with a load deck where the inner axles in the groups bordering the load deck are 40 feet or more apart, or
  - C) Two or more side-by-side vehicles with a combined width of 14 feet or more supporting the load.

**BHMC 7-2-205: COMMERCIAL VEHICLES PROHIBITED FROM USING PRIVATE DRIVEWAYS WITHOUT PERMISSION:**

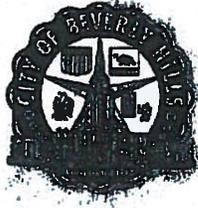
No person shall operate or drive a commercial vehicle in, on, or across any private driveway approach or sidewalk area without the consent of the owner or occupant of such property if a sign or markings are in place indicating that the use of such driveway is prohibited. For the purposes of this section, a commercial vehicle shall mean a vehicle having a rated capacity in excess of one-half (1/2) ton. (1982 Code § 3-6.803)

**TYPE IA CONSTRUCTION. A2 OCCUPANCY.  
LOUNGE DINING 830 SF 32 SEATS**

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**Building Permit**

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PRE : ekeshishian  
Entered By : acurtis

RESTAURANT DINING 818 SF 36 SEATS  
BAR 100 SF 10 SEATS  
WINE TASTING 115 SF NO SEATING  
TOTAL INDOOR SEATS 78, REDUCED FROM EXISTING 83. NO SEWER FEE. HEALTH DEPT APPROVAL FILED WITH PLANS.



Building Name - HOTEL  
Building Use - Commercial  
Const. Type - I-A  
Height ft - 75  
sprinklered - 1  
Lot Area - 26000  
Addition - 0

OCC Group - R1 / S2  
# of Stories - 8  
# of Basement Levels - 2

Location - C

Exist Bldg Area - 126972

Number of Units - 119

Required Parking - 134  
Provided Parking - 129  
Applicable Building Code - 2013 CBC

Comments - THERE ARE 117 EXISTING ROOM ON FLOORS 2-8 REMODELED TO 116 ROOMS. (REDUCED ONE SUITE ON 7TH FLOOR). THERE ARE 3 SUITES ON THE FIRST FLOOR(NOT PART OF SCOPE). TOTAL NUMBER OF SUITES AFTER THIS T.I. IS 119. THE MAXIMUM ALLOWED NUMBER OF SUITES IS 124 BASED ON RESO 1094. THE EXISTING PARKING WERE SPACES REDUCED TO PROVIDE 5-ADA SPACES. 134 PARKING SPACES WERE REQUIRED PER RESOLUTION 890, NOW THERE ARE 129 PARKING SPACES.

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3/31/2016

RE: L'ermitage deliveries 7:05am and viloations

**From:** Ryan Gohlich <[rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org)>  
**To:** mikaelc <[mikaelc@aol.com](mailto:mikaelc@aol.com)>; ilanbialer <[ilanbialer@gmail.com](mailto:ilanbialer@gmail.com)>; bialermatti <[bialermatti@aol.com](mailto:bialermatti@aol.com)>  
**Cc:** Mahdi Aluzri <[maluzri@beverlyhills.org](mailto:maluzri@beverlyhills.org)>; George Chavez <[gchavez@beverlyhills.org](mailto:gchavez@beverlyhills.org)>; Susan Healy Keene <[skeene@beverlyhills.org](mailto:skeene@beverlyhills.org)>  
**Subject:** RE: L'ermitage deliveries 7:05am and viloations  
**Date:** Tue, Mar 22, 2016 9:22 am

---

Hi Mikael,

I wanted to let you know that after my meeting yesterday with the hotel's management they closed off use of the new stairs with a rope and stanchions so that all patrons must access the restaurant from within the hotel as outlined in the CUP. The stair access will remain closed unless and until the Planning Commission modifies the CUP to allow its use after studying any potential impacts. At this time, the outdoor dining area is now in compliance with the CUP. In addition to addressing the stair access, the hotel again committed to abiding by the conditions in the CUP, and we will continue to monitor their compliance so that we can report out on it when the Planning Commission reviews the matter on April 14<sup>th</sup>. Please let me know if you have any questions.

Thank you,

Ryan

Bcc: City Council

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

---

**From:** Ryan Gohlich  
**Sent:** Monday, March 21, 2016 10:12 AM  
**To:** '[mikaelc@aol.com](mailto:mikaelc@aol.com)'; [ilanbialer@gmail.com](mailto:ilanbialer@gmail.com); [bialermatti@aol.com](mailto:bialermatti@aol.com)  
**Cc:** Mahdi Aluzri; George Chavez; Susan Healy Keene  
**Subject:** RE: L'ermitage deliveries 7:05am and viloations

Hi Mikael,

Thank you for the information regarding this weekend. I will be out at the hotel this afternoon to discuss all of these issues with the hotel, including how they are using the new stairs and the need to comply with the CUP. In addition, we will be scheduling a review of the hotel's CUP for the April 14<sup>th</sup> Planning Commission meeting. I have attached a copy of the permit for the hotel's renovations, which included the new stairs in place of the former valet/luggage area. We also have the plans that accompany the permit here at City Hall if you'd like to review them. I'll continue to provide you with updates as I have them.

Thank you,

3/31/2016

Fwd: L'ermitage deliveries 7:05am and restaurant and parties violations

**From:** mikaelc <mikaelc@aol.com>  
**To:** bialermatti <bialermatti@aol.com>  
**Subject:** Fwd: L'ermitage deliveries 7:05am and restaurant and parties violations  
**Date:** Tue, Mar 22, 2016 7:07 pm

---

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

—Original Message—

**From:** mikaelc <mikaelc@aol.com>  
**To:** rgohlch <rgohlch@beverlyhills.org>; ilanbialer <ilanbialer@gmail.com>; bialermatti <bialermatti@aol.com>  
**Cc:** maluzri <maluzri@beverlyhills.org>; gchavez <gchavez@beverlyhills.org>; skeene <skeene@beverlyhills.org>; mayorandcitycouncil <mayorandcitycouncil@beverlyhills.org>; lillbosse <lillbosse@icloud.com>; nkrasne <nkrasne@beverlyhills.org>  
**Sent:** Tue, Mar 22, 2016 6:35 pm  
**Subject:** Re: L'ermitage deliveries 7:05am and restaurant and parties bjarviolations

Hi Ryan

Thank you for your email. At least we all agree now, that the entrance of the restaurant was done against the permit and in non-compliance to the current CUP. However, closing the stairs with a rope until the Planning approved the changes, seems to be another encouragement for the Hotel to be more arrogant and not respectful to the rules of law, Again, adding a nice red rope does not resolve the compliance and you, Planning Commission is helping the process of the violation until next approval, that your email is suggesting already, will be resolved. And then what, remove the nice red rope? The rules as I have understood and known them through other projects, is to cite the hotel and make them rebuild the site to its original condition, until such an adequate permit has been approved by the Planning Commission and the City Council. This seems to be inclined in favor of the Hotel, no consideration of their past and actual wrong behaviors.

With the mass mailing invitations cards being sent for the Bistro's promotion, suggest that that l'Ermitage wants to advertise for big crowd. Please remember that we are in residential area.

When the Roof top canopy is to be removed? There is no permit the last time I have inquired.

Please advise if the April 14's planning commission will be open to hearings and if so, I insist to be present for any input. Other concerned residents may be also attending. Any change to the CUP must be approved by the Planning Commission and the City Council.

Please advise the time of the meeting April 14<sup>TH</sup>.

Thank you  
Sincerely

Mikael Cohen

3/31/2016

Re: Deliveries Foothill Rd. NO PARKING ZONES

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

**To:** rgohlich <rgohlich@beverlyhills.org>; bialermatti <bialermatti@aol.com>; maluzri <maluzri@beverlyhills.org>; gchavez <gchavez@beverlyhills.org>

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

**Subject:** Re: Deliveries Foothill Rd. NO PARKING ZONES

**Date:** Mon, Mar 28, 2016 2:51 pm

---

Thank you Ryan

I would object to any noise on Burton way. You are still trying to accommodate the hotel on the expense of the residents. Have the Hotel to comply to the RULES and the current CUP. That the way to do it. I am very upset of the way the planning is handling these problems.

The CUP cannot be changed and nothing should make the CUP changed or modified. The Hotel is Operating in RESIDENTIAL AREA and needs to be modified back to Residential Apartment as it used to be.

Thank you

Mikael Cohen

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

**From:** Ryan Gohlich <rgohlich@beverlyhills.org>

**To:** Matti Bialer <bialermatti@aol.com>; Mahdi Aluzri <maluzri@beverlyhills.org>; George Chavez <gchavez@beverlyhills.org>

**Cc:** ilanbialer <ilanbialer@gmail.com>; mikaelc <mikaelc@aol.com>; lilibosse <lilibosse@icloud.com>; 4-Nancy Krasne <nancy@krasne.com>

**Sent:** Mon, Mar 28, 2016 2:42 pm

**Subject:** RE: Deliveries Foothill Rd. NO PARKING ZONES

Hi Matti,

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

Thanks,

Ryan

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

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

3/31/2016

Re: Deliveries Foothill Rd. NO PARKING ZONES

**Sent:** Monday, March 28, 2016 2:37 PM

**To:** Mahdi Aluzri; George Chavez; Ryan Gohlich

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

**Subject:** Deliveries Foothill Rd. NO PARKING ZONES

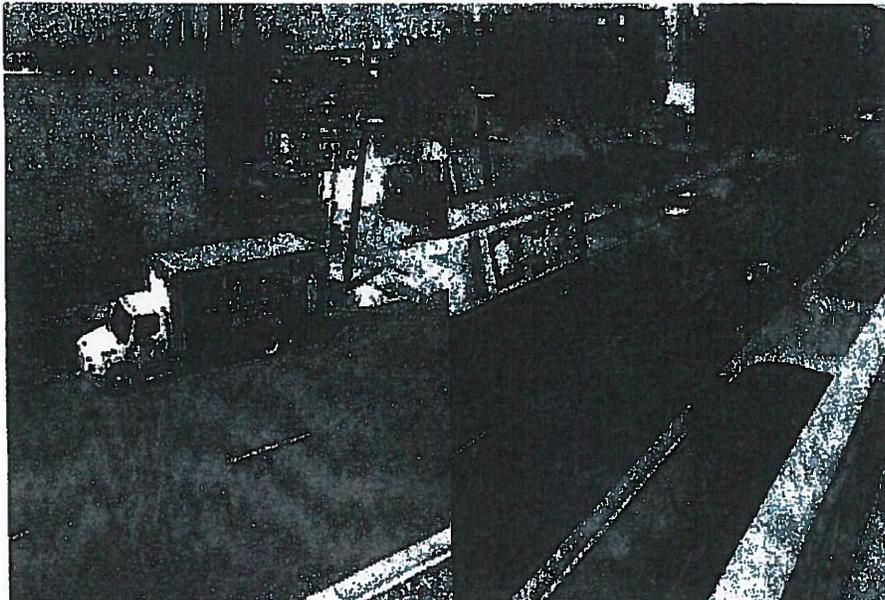
CITY OFFICIALS,

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

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

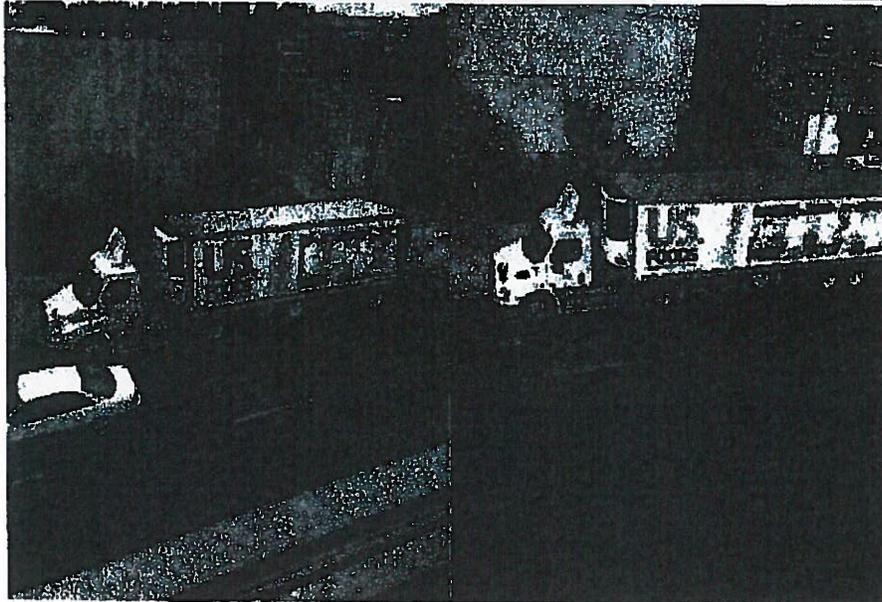
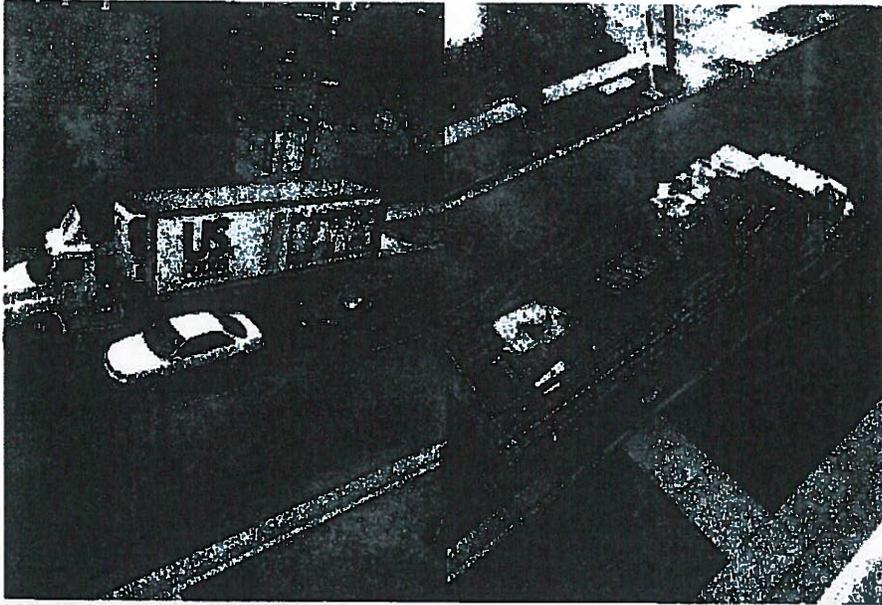
Thank you for your attention to these violations,

Matti Bialer



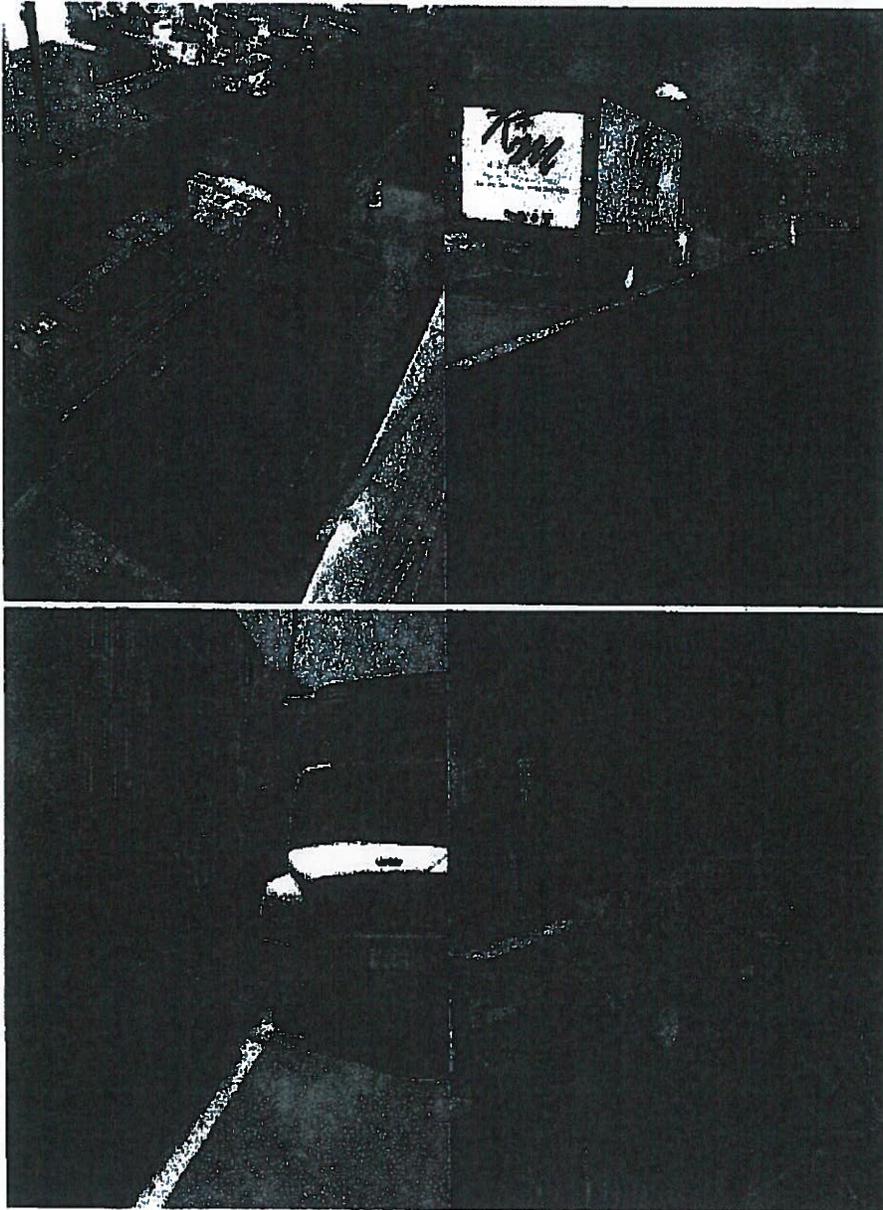
3/31/2016

Re: Deliveries Foothill Rd. NO PARKING ZONES



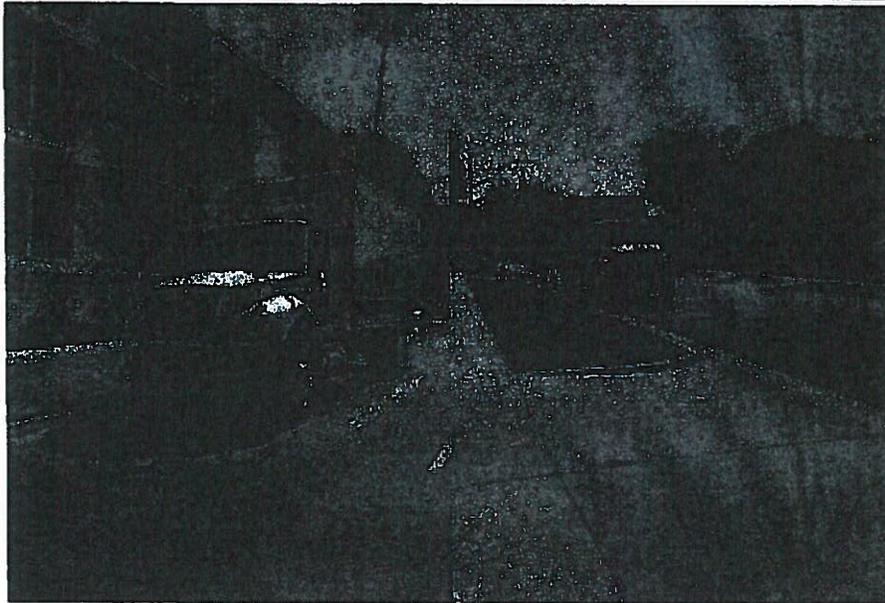
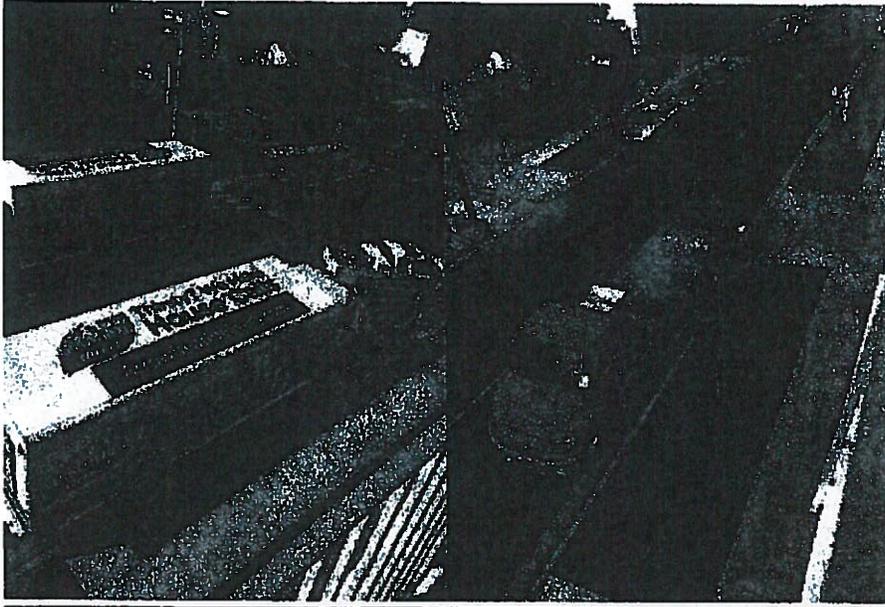
3/31/2016

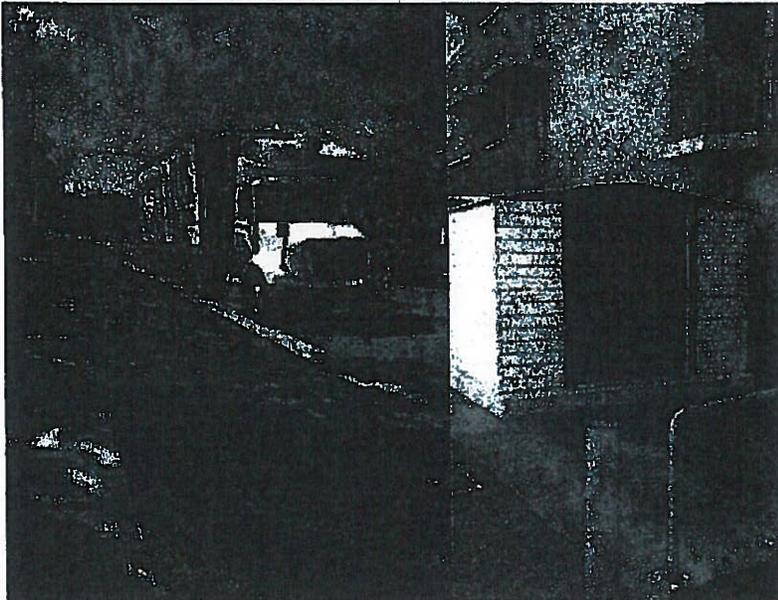
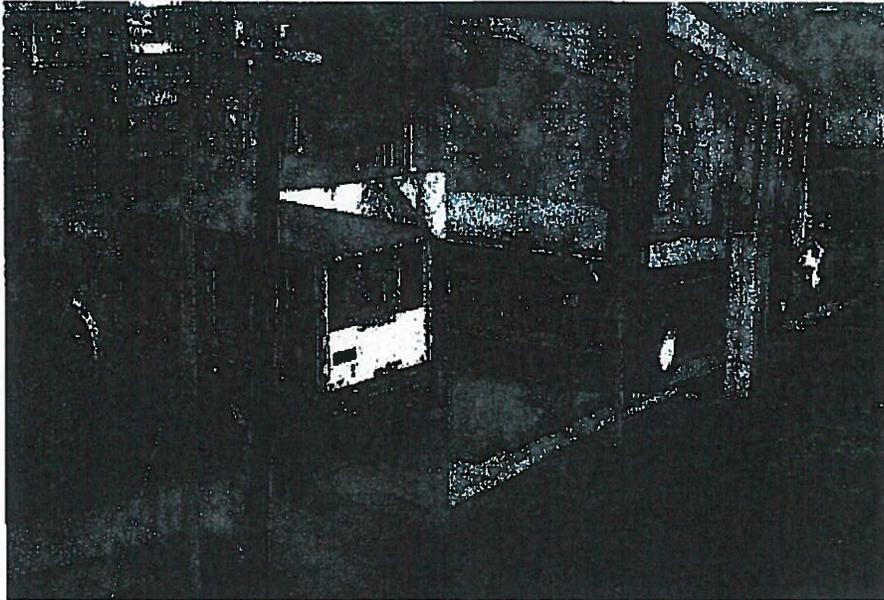
Re: Deliveries Foothill Rd. NO PARKING ZONES



3/31/2016

Re: Deliveries Foothill Rd. NO PARKING ZONES





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

3/31/2016

RE: Deliveries Foothill Rd. NO PARKING ZONES

**From:** Ryan Gohlich <rgohlich@beverlyhills.org>  
**To:** mikaelc <mikaelc@aol.com>; bialermatti <bialermatti@aol.com>; Mahdi Aluzri <maluzri@beverlyhills.org>; George Chavez <gchavez@beverlyhills.org>  
**Cc:** Iianbialer <iianbialer@gmail.com>; Iillbosse <Iillbosse@icloud.com>; 4-Nancy Krasne <nancy@krasne.com>  
**Subject:** RE: Deliveries Foothill Rd. NO PARKING ZONES  
**Date:** Mon, Mar 28, 2016 3:56 pm

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Hi Mikael,

Unfortunately, the hotel is a use that is allowed at the property based on prior zoning codes, and the City cannot require that it be reverted back to apartment uses. Accordingly, our goal is to find solutions and impose conditions that protect the residents while still allowing the hotel to operate in a feasible manner. In discussing the ongoing issues with Matti, it became apparent that the backup alarms on trucks are a persistent problem, even when the trucks are operating legally during the allowed hours and not blocking the alley. The CUP stipulates loading hours, but does not state where loading must occur. In an effort to resolve some of the noise issues, we are looking at whether it would be feasible to conduct loading on Burton Way so that trucks can pull straight in without having to backup (no decision has been made on this matter). I want to be clear that no changes to the CUP have been approved by City staff, as that authority is reserved for the Planning Commission. Our focus right now is to ensure CUP compliance, but also to look at alternative solutions in the event that CUP compliance still does not resolve all of the neighborhood compatibility issues. All of this information will be compiled and presented to the Planning Commission for their consideration. Please let me know if you have any questions.

Thank you,

Ryan

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

**From:** [mikaelc@aol.com](mailto:mikaelc@aol.com) [<mailto:mikaelc@aol.com>]  
**Sent:** Monday, March 28, 2016 2:51 PM  
**To:** Ryan Gohlich; [bialermatti@aol.com](mailto:bialermatti@aol.com); Mahdi Aluzri; George Chavez  
**Cc:** [iianbialer@gmail.com](mailto:iianbialer@gmail.com); [Iillbosse@icloud.com](mailto:Iillbosse@icloud.com); 4-Nancy Krasne  
**Subject:** Re: Deliveries Foothill Rd. NO PARKING ZONES

Thank you Ryan

I would object to any noise on Burton way. You are still trying to accommodate the hotel on the expense of the residents. Have the Hotel to comply to the RULES and the current CUP. That the way to do it. I am very upset of the way the planning is handling these problems. The CUP cannot be changed and nothing should make the CUP changed or modified. The Hotel is Operating in RESIDENTIAL AREA and needs to be modified back to Residential Apartment as it used to be.

3/31/2016

FW: Lots of Delivery trucks prior to 9am

**From:** Ryan Gohlich <[rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org)>  
**To:** mikaelc <[mikaelc@aol.com](mailto:mikaelc@aol.com)>  
**Subject:** FW: Lots of Delivery trucks prior to 9am  
**Date:** Tue, Mar 29, 2016 9:18 am  
**Attachments:** CC Reso No. 99-R-10211 - L'Ermitage.pdf (500K)

---

Please see the below email. You were accidentally not copied.

Ryan

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

---

**From:** Ryan Gohlich  
**Sent:** Tuesday, March 29, 2016 9:17 AM  
**To:** 'Matti Bialer'  
**Cc:** [lillbosse@icloud.com](mailto:lillbosse@icloud.com); [ilanbialer@gmail.com](mailto:ilanbialer@gmail.com); 4-Nancy Krasne; Susan Healy Keene; Mahdi Aluzri; George Chavez  
**Subject:** RE: Lots of Delivery trucks prior to 9am

Hi Matti,

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

Thanks,

Ryan

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

**From:** Matti Bialer [<mailto:bialermatti@aol.com>]  
**Sent:** Tuesday, March 29, 2016 8:58 AM

<https://mail.aol.com/webmail-sid/en-us/PrintMessage>

1/2

3/31/2016

FW: Lots of Delivery trucks prior to 9am

**To:** Mahdi Aluzri; George Chavez; Ryan Gohlich  
**Cc:** [lillbosse@icloud.com](mailto:lillbosse@icloud.com); [ilanbialer@gmail.com](mailto:ilanbialer@gmail.com); 4-Nancy Krasne  
**Subject:** Lots of Delivery trucks prior to 9am

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

Thank You,

Matti Bialer

Sent from my iPhone

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3/31/2016

Re: Lots of Delivery trucks prior to 9am

**From:** mikaelc <mikaelc@aol.com>  
**To:** rgohlich <rgohlich@beverlyhills.org>  
**Cc:** bialermatti <bialermatti@aol.com>  
**Subject:** Re: Lots of Delivery trucks prior to 9am  
**Date:** Wed, Mar 30, 2016 11:24 am

---

Hi Ryan

Just to add a comment, their activities are still in non-compliance. Those trucks are most of the time parked in front of residential garages disturbing the tenants while adding their beeps and running engines. Discipline must be taught to the hotel and not protecting them every time we report a problem. As residents paying taxes we do have our rights too.

Thank you for clarifying

Mikael Cohen

—Original Message—

**From:** Ryan Gohlich <rgohlich@beverlyhills.org>  
**To:** mikaelc <mikaelc@aol.com>  
**Sent:** Tue, Mar 29, 2016 9:18 am  
**Subject:** FW: Lots of Delivery trucks prior to 9am

Please see the below email. You were accidentally not copied.

Ryan

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

---

**From:** Ryan Gohlich  
**Sent:** Tuesday, March 29, 2016 9:17 AM  
**To:** 'Matti Bialer'  
**Cc:** [lilibosse@icloud.com](mailto:lilibosse@icloud.com); [ilanbialer@gmail.com](mailto:ilanbialer@gmail.com); 4-Nancy Krasne; Susan Healy Keene; Mahdi Aluzri; George Chavez  
**Subject:** RE: Lots of Delivery trucks prior to 9am

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## Ryan Gohlich

---

**From:** mikaelc@aol.com  
**Sent:** Monday, April 04, 2016 5:51 PM  
**To:** Ryan Gohlich; bialermatti@aol.com; Mahdi Aluzri; George Chavez  
**Cc:** lilibosse@icloud.com; 4-Nancy Krasne; ilanbialer@gmail.com; Andre Sahakian  
**Subject:** Re: L'Ermitages violations going on.....and on.....

Hi Ryan

Thank you for the Hotel agenda. I will be present at the meeting.

You have now confirmed what I have assumed and predicted. The Hotel violates the CUP and the building permit. Then the Planning department and its inspection ignore the violations, and do not enforce the codes. Ironically, now the Hotel is coming back to correct with the blessing of the planning. Wow! everything works backward and no fear of consequences for the non-compliance. I would love to tell you my story of how difficult the inspection I had for just re-roofing my house. The inspector was at my place twice to three times a week to check every progress and in compliance with the permit I had.

I will talk about your planning procedures in my memo/letter to the Planning commission.

This entrance that was built in violation to all rules, must be closed permanently and the stairs be removed.

By the way, do not forget to ask the hotel to remove the canopy from the roof top. It is there without a valid permit and give the hotel ploys to run loud events with no approval from the Director of transportation. (always as per CUP).

Thank you  
Regards

Mikael Cohen

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

**From:** Ryan Gohlich <rgohlich@beverlyhills.org>  
**To:** mikaelc <mikaelc@aol.com>; bialermatti <bialermatti@aol.com>; Mahdi Aluzri <maluzri@beverlyhills.org>; George Chavez <gchavez@beverlyhills.org>  
**Cc:** lilibosse <lilibosse@icloud.com>; 4-Nancy Krasne <nancy@krasne.com>; ilanbialer <ilanbialer@gmail.com>; Andre Sahakian <asahakian@beverlyhills.org>  
**Sent:** Sun, Apr 3, 2016 11:26 pm  
**Subject:** RE: L'ermitage delivery truck blocking our garages 4/1/2016

Hi Mikael,

At present, the hotel is asking to renew their CUP under the same conditions, but with the allowance to utilize the new stairs adjacent to the main entrance. The meeting will start at 1:30 PM on the 14<sup>th</sup>. I'll have Andre Sahakian from my office follow up with you later this week to make sure you get a copy of the staff report. Also, if you have any materials you'd like us to attach to the staff report we would need to receive them from you by Wednesday at noon. Let me know if you have any questions.

Thank you,

Ryan

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

**From:** [mikaelc@aol.com](mailto:mikaelc@aol.com) [<mailto:mikaelc@aol.com>]  
**Sent:** Friday, April 01, 2016 6:03 PM  
**To:** Ryan Gohlich; [bialermatti@aol.com](mailto:bialermatti@aol.com); Mahdi Aluzri; George Chavez  
**Cc:** [lilibosse@icloud.com](mailto:lilibosse@icloud.com); 4-Nancy Krasne; [ilanbialer@gmail.com](mailto:ilanbialer@gmail.com)  
**Subject:** Re: L'ermitage delivery truck blocking our garages 4/1/2016

Hi Ryan

Thank you for advising the Commission about all problems.

Also, I am preparing my letter to the Commission along with all violations by the Hotel.

I would like to know ASAP, the requests submitted by L'Ermitage for discussion with the Commission and any changes that may be proposed by the hotel and challenged by residents. I need also to inform other concerned residents and prepare our arguments for the continued violations.

Please confirm also, the time of the planning Commission meeting April 14th.

Thank you for your help.

Regards

Mikael Cohen

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

From: Ryan Gohlich <[rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org)>  
To: Matti Bialer <[bialermatti@aol.com](mailto:bialermatti@aol.com)>; Mahdi Aluzri <[maluzri@beverlyhills.org](mailto:maluzri@beverlyhills.org)>; George Chavez <[gchavez@beverlyhills.org](mailto:gchavez@beverlyhills.org)>  
Cc: lili Bosse <[lilibosse@icloud.com](mailto:lilibosse@icloud.com)>; 4-Nancy Krasne <[nancy@krasne.com](mailto:nancy@krasne.com)>; Ilan Bialer <[ilanbialer@gmail.com](mailto:ilanbialer@gmail.com)>; mikaelc <[mikaelc@aol.com](mailto:mikaelc@aol.com)>  
Sent: Fri, Apr 1, 2016 4:26 pm  
Subject: RE: L'ermitage delivery truck blocking our garages 4/1/2016

Hi Matti,

We will include this in the information we provide to the Commission as well.

Thanks,

Ryan

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

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

---

**From:** Matti Bialer [<mailto:bialermatti@aol.com>]  
**Sent:** Friday, April 01, 2016 4:03 PM  
**To:** Mahdi Aluzri; George Chavez; Ryan Gohlich  
**Cc:** Matti Bialer; lili Bosse; 4-Nancy Krasne; Ilan Bialer; [mikaelc@aol.com](mailto:mikaelc@aol.com)  
**Subject:** L'ermitage delivery truck blocking our garages 4/1/2016

City Staff,

The l'ermitage deliveries are continuing to block our garages. This was today 4/1/16 at 12:30 pm. Traffic police were called and cited the vehicle.

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●●●●○ AT&T LTE

12:44 PM

✳ 58% 



Today  
12:34 PM

Edit



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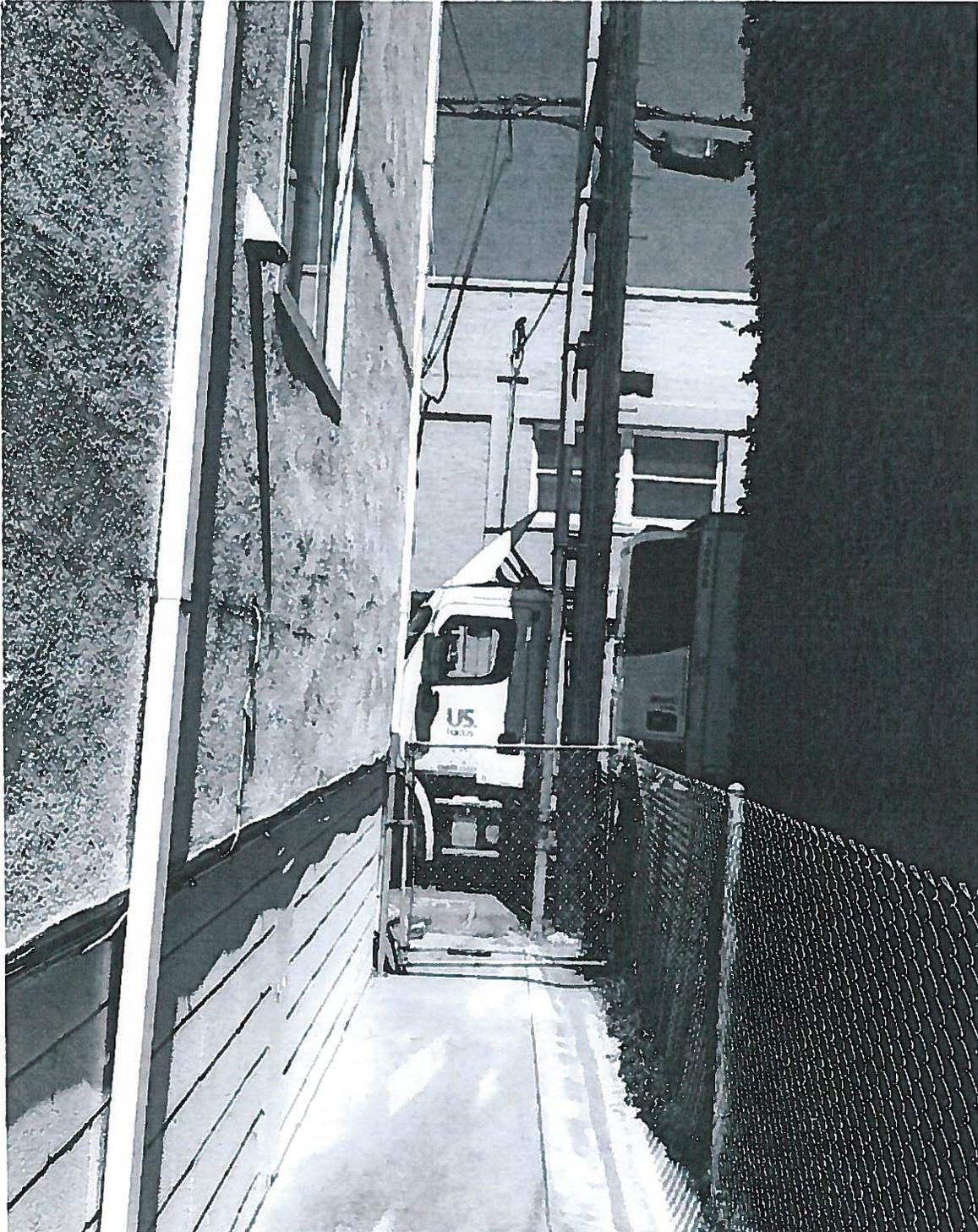
12:44 PM

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Today  
12:34 PM

Edit





## Ryan Gohlich

---

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**Sent:** Friday, April 01, 2016 6:03 PM  
**To:** Ryan Gohlich; bialermatti@aol.com; Mahdi Aluzri; George Chavez  
**Cc:** lilibosse@icloud.com; 4-Nancy Krasne; ilanbialer@gmail.com  
**Subject:** Re: L'ermitage delivery truck blocking our garages 4/1/2016

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Regards

Mikael Cohen

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

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**To:** Matti Bialer <bialermatti@aol.com>; Mahdi Aluzri <maluzri@beverlyhills.org>; George Chavez <gchavez@beverlyhills.org>  
**Cc:** lili Bosse <lilibosse@icloud.com>; 4-Nancy Krasne <nancy@krasne.com>; Ilan Bialer <ilanbialer@gmail.com>; mikaelc <mikaelc@aol.com>  
**Sent:** Fri, Apr 1, 2016 4:26 pm  
**Subject:** RE: L'ermitage delivery truck blocking our garages 4/1/2016

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Thanks,

Ryan

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

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**From:** Matti Bialer [<mailto:bialermatti@aol.com>]  
**Sent:** Friday, April 01, 2016 4:03 PM  
**To:** Mahdi Aluzri; George Chavez; Ryan Gohlich  
**Cc:** Matti Bialer; lili Bosse; 4-Nancy Krasne; Ilan Bialer; [mikaelc@aol.com](mailto:mikaelc@aol.com)  
**Subject:** L'ermitage delivery truck blocking our garages 4/1/2016

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●●●●○ AT&T LTE

12:44 PM

✳ 58% 



Today  
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Edit



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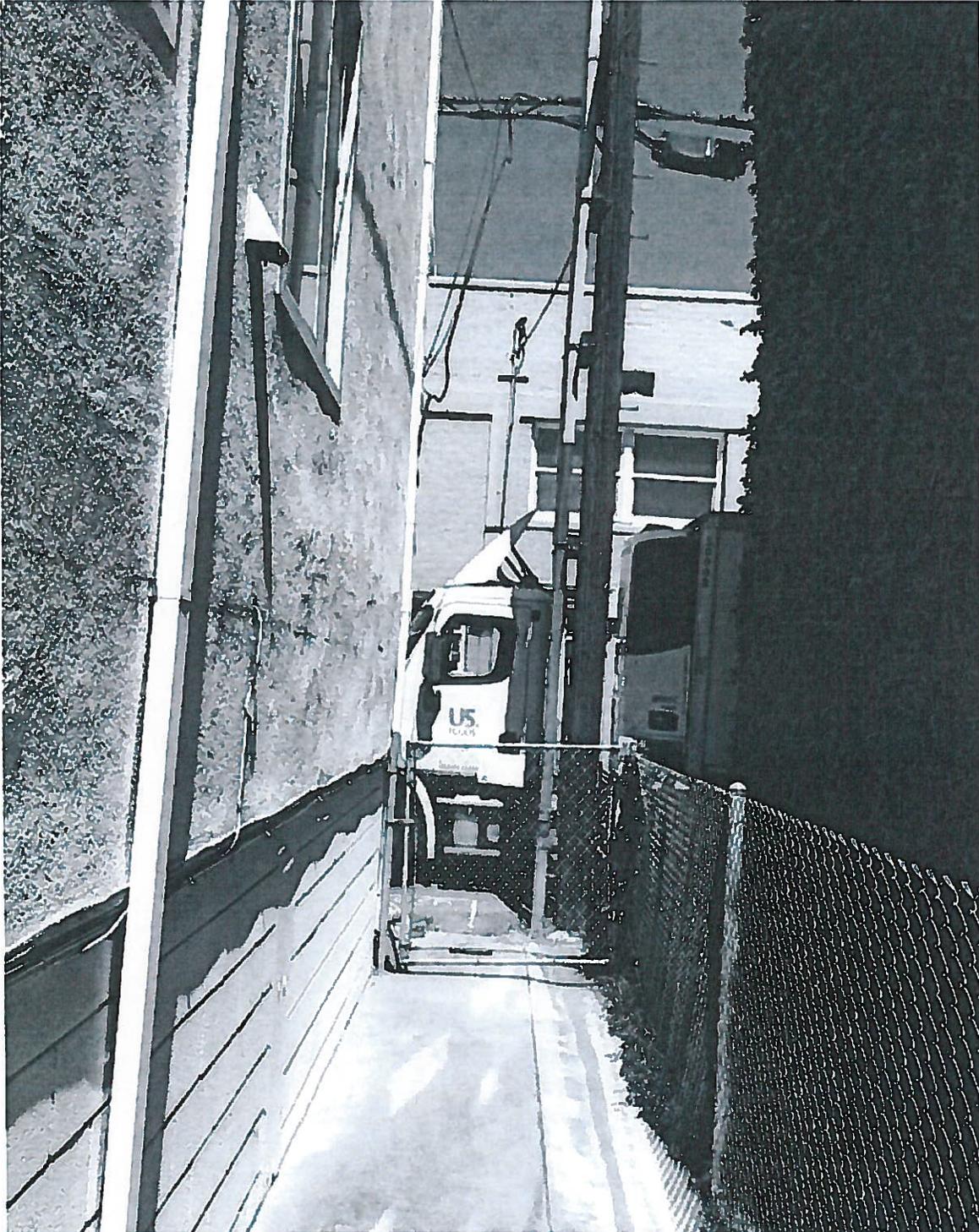
12:44 PM

✶ 58% 



Today  
12:34 PM

Edit





## Ryan Gohlich

---

**From:** mikaelc@aol.com  
**Sent:** Wednesday, March 30, 2016 11:25 AM  
**To:** Ryan Gohlich  
**Cc:** bialermatti@aol.com  
**Subject:** Re: Lots of Delivery trucks prior to 9am

Hi Ryan

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Mikael Cohen

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

**From:** Ryan Gohlich <rgohlich@beverlyhills.org>  
**To:** mikaelc <mikaelc@aol.com>  
**Sent:** Tue, Mar 29, 2016 9:18 am  
**Subject:** FW: Lots of Delivery trucks prior to 9am

Please see the below email. You were accidentally not copied.

Ryan

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

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**Sent:** Tuesday, March 29, 2016 9:17 AM  
**To:** 'Matti Bialer'  
**Cc:** [lilibosse@icloud.com](mailto:lilibosse@icloud.com); [ilanbialer@gmail.com](mailto:ilanbialer@gmail.com); 4-Nancy Krasne; Susan Healy Keene; Mahdi Aluzri; George Chavez  
**Subject:** RE: Lots of Delivery trucks prior to 9am

Hi Matti,

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

Thanks,

Ryan

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

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

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

Thank You,

Matti Bialer

Sent from my iPhone

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

## Ryan Gohlich

---

**From:** mikaelc@aol.com  
**Sent:** Monday, March 28, 2016 2:51 PM  
**To:** Ryan Gohlich; bialermatti@aol.com; Mahdi Aluzri; George Chavez  
**Cc:** ilanbialer@gmail.com; lilibosse@icloud.com; 4-Nancy Krasne  
**Subject:** Re: Deliveries Foothill Rd. NO PARKING ZONES

Thank you Ryan

I would object to any noise on Burton way. You are still trying to accommodate the hotel on the expense of the residents. Have the Hotel to comply to the RULES and the current CUP. That the way to do it. I am very upset of the way the planning is handling these problems.

The CUP cannot be changed and nothing should make the CUP changed or modified. The Hotel is Operating in RESIDENTIAL AREA and needs to be modified back to Residential Apartment as it used to be.

Thank you

Mikael Cohen

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

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

Hi Matti,

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

Thanks,

Ryan

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

**From:** Matti Bialer [<mailto:bialermatti@aol.com>]  
**Sent:** Monday, March 28, 2016 2:37 PM  
**To:** Mahdi Aluzri; George Chavez; Ryan Gohlich

Cc: [ilanbialer@gmail.com](mailto:ilanbialer@gmail.com); [mikaelc@aol.com](mailto:mikaelc@aol.com); [lilibosse@icloud.com](mailto:lilibosse@icloud.com); 4-Nancy Krasne  
Subject: Deliveries Foothill Rd. NO PARKING ZONES

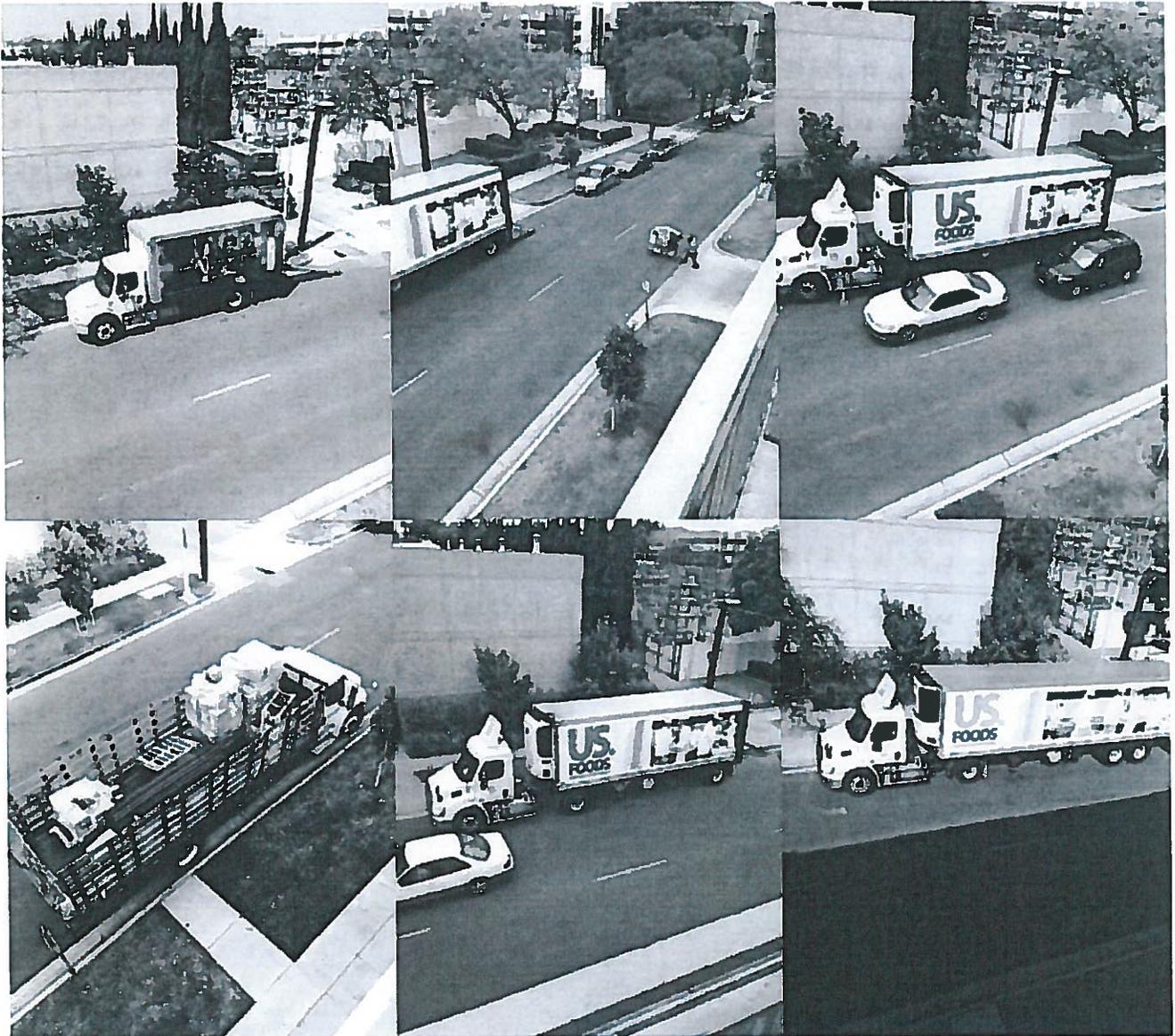
CITY OFFICIALS,

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

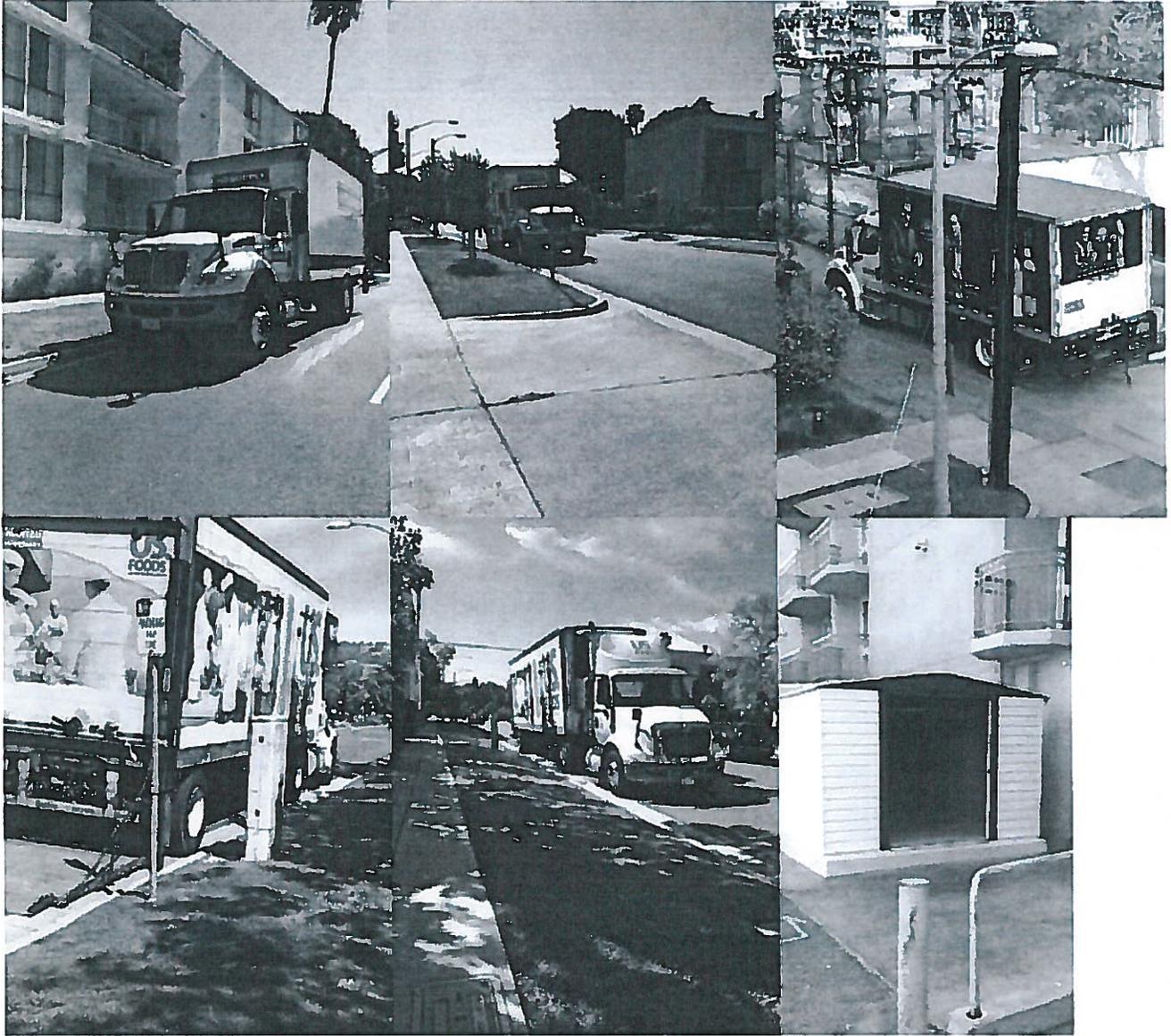
They also just installed a large storage shed in place of the temporary construction elevator in the rear alley.

Thank you for your attention to these violations,

Matti Bialer







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## Ryan Gohlich

---

**From:** mikaelc@aol.com  
**Sent:** Friday, March 25, 2016 12:51 PM  
**To:** bialermatti@aol.com; Ryan Gohlich; Mahdi Aluzri; George Chavez; Susan Healy Keene; Nestor Otazu; WebCBH MAYORANDCITYCOUNCIL  
**Cc:** ilanbialer@gmail.com  
**Subject:** Re: L'ermitage delivery trucks

Hi Matti

I got your email, we have a real problems with this hotel operating in the middle of residential area. The city must take proper action to protect its residents.  
Thank you

Mikael Cohen

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

**From:** Matti Bialer <[bialermatti@aol.com](mailto:bialermatti@aol.com)>  
**To:** rgohlich <[rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org)>; maluzri <[maluzri@beverlyhills.org](mailto:maluzri@beverlyhills.org)>; gchavez <[gchavez@beverlyhills.org](mailto:gchavez@beverlyhills.org)>; skeene <[skeene@beverlyhills.org](mailto:skeene@beverlyhills.org)>; notazu <[notazu@beverlyhills.org](mailto:notazu@beverlyhills.org)>; mayorandcitycouncil <[mayorandcitycouncil@beverlyhills.org](mailto:mayorandcitycouncil@beverlyhills.org)>  
**Cc:** ilanbialer <[ilanbialer@gmail.com](mailto:ilanbialer@gmail.com)>; mikaelc <[mikaelc@aol.com](mailto:mikaelc@aol.com)>  
**Sent:** Fri, Mar 25, 2016 12:33 pm  
**Subject:** L'ermitage delivery trucks

City officials,

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

Sincerely,

Matti Bialer

## Ryan Gohlich

---

**From:** mikaelc@aol.com  
**Sent:** Tuesday, March 22, 2016 6:36 PM  
**To:** Ryan Gohlich; ilanbialer@gmail.com; bialermatti@aol.com  
**Cc:** Mahdi Aluzri; George Chavez; Susan Healy Keene; WebCBH MAYORANDCITYCOUNCIL; lilibosse@icloud.com; Nancy Krasne  
**Subject:** Re: L'ermitage deliveries 7:05am and restaurant and parties bijanviolations

Hi Ryan

Thank you for your email. At least we all agree now, that the entrance of the restaurant was done against the permit and in non-compliance to the current CUP.

However, closing the stairs with a rope until the Planning approved the changes, seems to be another encouragement for the Hotel to be more arrogant and not respectful to the rules of law, Again, adding a nice red rope does not resolve the compliance and you, Planning Commission is helping the process of the violation until next approval, that your email is suggesting already, will be resolved.

And then what, remove the nice red rope?

The rules as I have understood and known them through other projects, is to cite the hotel and make them rebuild the site to its original condition, until such an adequate permit has been approved by the Planning Commission and the City Council. This seems to be inclined in favor of the Hotel, no consideration of their past and actual wrong behaviors.

With the mass mailing invitations cards being sent for the Bistro's promotion, suggest that that l'Ermitage wants to advertise for big crowd. Please remember that we are in residential area.

When the Roof top canopy is to be removed? There is no permit the last time I have inquired.

Please advise if the April 14's planning commission will be open to hearings and if so, I insist to be present for any input. Other concerned residents may be also attending. Any change to the CUP must be approved by the Planning Commission and the City Council.

Please advise the time of the meeting April 14<sup>TH</sup>.

Thank you  
Sincerely

Mikael Cohen

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

**From:** Ryan Gohlich <rgohlich@beverlyhills.org>  
**To:** mikaelc <mikaelc@aol.com>; ilanbialer <ilanbialer@gmail.com>; bialermatti <bialermatti@aol.com>  
**Cc:** Mahdi Aluzri <maluzri@beverlyhills.org>; George Chavez <gchavez@beverlyhills.org>; Susan Healy Keene <skeene@beverlyhills.org>  
**Sent:** Tue, Mar 22, 2016 9:22 am  
**Subject:** RE: L'ermitage deliveries 7:05am and viloations

Hi Mikael,

I wanted to let you know that after my meeting yesterday with the hotel's management they closed off use of the new stairs with a rope and stanchions so that all patrons must access the restaurant from within the hotel as outlined in the

CUP. The stair access will remain closed unless and until the Planning Commission modifies the CUP to allow its use after studying any potential impacts. At this time, the outdoor dining area is now in compliance with the CUP. In addition to addressing the stair access, the hotel again committed to abiding by the conditions in the CUP, and we will continue to monitor their compliance so that we can report out on it when the Planning Commission reviews the matter on April 14<sup>th</sup>. Please let me know if you have any questions.

Thank you,

Ryan

Bcc: City Council

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

---

**From:** Ryan Gohlich  
**Sent:** Monday, March 21, 2016 10:12 AM  
**To:** '[mikaelc@aol.com](mailto:mikaelc@aol.com)'; [ilanbialer@gmail.com](mailto:ilanbialer@gmail.com); [bialermatti@aol.com](mailto:bialermatti@aol.com)  
**Cc:** Mahdi Aluzri; George Chavez; Susan Healy Keene  
**Subject:** RE: L'ermitage deliveries 7:05am and viloations

Hi Mikael,

Thank you for the information regarding this weekend. I will be out at the hotel this afternoon to discuss all of these issues with the hotel, including how they are using the new stairs and the need to comply with the CUP. In addition, we will be scheduling a review of the hotel's CUP for the April 14<sup>th</sup> Planning Commission meeting. I have attached a copy of the permit for the hotel's renovations, which included the new stairs in place of the former valet/luggage area. We also have the plans that accompany the permit here at City Hall if you'd like to review them. I'll continue to provide you with updates as I have them.

Thank you,

Ryan

Bcc: City Council

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

**From:** [mikaelc@aol.com](mailto:mikaelc@aol.com) [<mailto:mikaelc@aol.com>]  
**Sent:** Monday, March 21, 2016 8:56 AM  
**To:** Ryan Gohlich; [ilanbialer@gmail.com](mailto:ilanbialer@gmail.com); [bialermatti@aol.com](mailto:bialermatti@aol.com)

**Cc:** Andre Sahakian; WebCBH MAYORANDCITYCOUNCIL; Nancy Krasne; Terence May; Mahdi Aluzri  
**Subject:** Re: L'ermitage deliveries 7:05am and viloations

Hi Ryan

With all due respect to you and to the City, I totally disagree with you. You let the hotel first violate the CUP and then presenting arguments to support the violations. This is not in compliance with the CUP or Beverly Hills City rules.

The Hotel is not stopping from violation to violation. Just as an example the last Saturday night they had music so loud that you can hear it from 5 miles away, even after the visit of the police department. The Canopy on the roof top, which is already there without permit, gives the hotel pretext to have loud parties without proper authorization from the department of the transportation as stated by the CUP.

Now, before I answer your email in the same language as dictated by the CUP, I have asked and asked so many times, the permit that has allowed L' Ermitage to build the front restaurant entrance. I NEED THE COPY OF THAT PERMIT. I know that Beverly Planning would not allow an remodeling without permit. I had the experience dealing with the planning for my own house work.

**Therefore, I am begging you, I beg the Planning, I beg the City Manager and I beg the council to have a copy of the permit for the restaurant entrance from the street, or let me know how can I get it.**

Thank you for your help  
Best Regards

Mikael Cohen

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

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

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

Sent: Fri, Mar 18, 2016 2:22 pm

Subject: RE: L'ermitage deliveries 7:05am

Hi All,

The specific items that we are currently working with L'Ermitage to address include the following:

- Abiding by the hour limitations for loading activities, ensuring that alley access is maintained, and ensuring that your parking spaces remain accessible.
- Eliminating music from within the outdoor dining area per the conditions of approval.
- Directing limousines and other transportation to not park/wait on Burton Way adjacent to residential areas.

In addition to the above, we are working to resolve the restaurant access issue. The language in the original CUP requiring restaurant guests to access the dining area from inside the hotel was intended to keep arriving patrons from using an access door in close proximity to the Bialer property. The new point of access in question is located approximately 120' away from the Bialer property and immediately adjacent to the hotel's main entrance. In addition, the outdoor dining has been relocated approximately 50' to the east, away from the Bialer property. While I believe that the distance of the new access point from the Bialer property is generally consistent with the intent of having patrons use the main hotel entrance rather than going into the restaurant adjacent to the Bialer property, I agree that the CUP does not specifically authorize this. As I previously stated, the CUP is up for renewal, and we will be taking it forward to the Planning Commission in either April or May for them to review. As a component of the renewal, we will be asking the Planning Commission to address the restaurant access point. In the interim, I am working with the hotel to identify solutions and ensure that guests do not congregate around the access point. I will also be out at the hotel on Monday afternoon to meet with hotel management, walk the property, and address CUP and other issues. I'm happy to

meet with any of you at City Hall, your residences, or in front of the hotel to go over these issues as well, and will have additional details after my Monday meeting. If you experience any issues over the next several days (particularly with respect to truck loading or congregation around the access point) please let me know. Thank you for working with us to ensure that we are able to address neighborhood impacts.

Ryan

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

**From:** [mikaelc@aol.com](mailto:mikaelc@aol.com) [<mailto:mikaelc@aol.com>]  
**Sent:** Wednesday, March 16, 2016 3:50 PM  
**To:** [ilanbialer@gmail.com](mailto:ilanbialer@gmail.com)  
**Cc:** [bialermatti@aol.com](mailto:bialermatti@aol.com); Ryan Gohlich  
**Subject:** Re: L'ermitage deliveries 7:05am

Thank you Matti

I would love to hear also from Ryan ( CC herein) who promised an answer to my emails.  
Yes the hotel is still operating same with an alleged emergency exit with a hostess and host counter. I have never seen such an entry with top glass door and beautiful stairs to be for an emergency exit.

Thank you all for proper follow up.  
Best to all

Mikael Cohen

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

From: Ilan Bialer <[ilanbialer@gmail.com](mailto:ilanbialer@gmail.com)>  
To: Ryan Gohlich <[rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org)>  
Cc: Matti Bialer <[bialermatti@aol.com](mailto:bialermatti@aol.com)>; mikaelc <[mikaelc@aol.com](mailto:mikaelc@aol.com)>  
Sent: Wed, Mar 16, 2016 2:32 pm  
Subject: Re: L'ermitage deliveries 7:05am

Hi Ryan,

I didn't hear back on the below.

Btw, the reception desk and entrance remains active directly on Burton Way.

Thank you,

All the best, Ilan

On Mar 10, 2016, at 12:37 PM, Ilan Bialer <[ilanbialer@gmail.com](mailto:ilanbialer@gmail.com)> wrote:

Thank you Ryan for the update. Could you please supply us with a list of the compliance issues you are notifying them of?

Thanks again for your diligence in this matter.

All the best, Ilan

On Mar 10, 2016, at 2:57 PM, Ryan Gohlich <[rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org)> wrote:

Thank you, Matti. I met with the hotel's representatives yesterday afternoon, and we are in the process of putting in writing the ongoing CUP compliance issues, with agreement from the hotel that they will respond in writing and outline how they intend to comply. My hope is that this will be the last of the loading issues (among other things), but please continue to provide me with any violation info you capture. I'll continue to keep you updated as we work through this, and I will also notify you once we have a date set for the Planning Commission to review the CUP (likely in April).

Ryan

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

---

**From:** Matti Bialer [<mailto:mattibialer@icloud.com>]  
**Sent:** Thursday, March 10, 2016 9:30 AM  
**To:** Ryan Gohlich; Mahdi Aluzri; George Chavez; Raj Patel; Susan Healy Keene; Nestor Otazu; Ilan; [mikaelc@aol.com](mailto:mikaelc@aol.com)  
**Cc:** Matti Bialer  
**Subject:** Re: L'ermitage deliveries 7:05am

On Mar 10, 2016, at 7:35 AM, Matti Bialer <[mattibialer@icloud.com](mailto:mattibialer@icloud.com)> wrote:

City officials,  
The hotel continues to have deliveries at 7am, waking up the neighborhood and blocking the whole alley.

Matti Bialer

<IMG\_0079.MOV>

Sent from my iPhone

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

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## Ryan Gohlich

---

**From:** mikaelc@aol.com  
**Sent:** Monday, March 21, 2016 5:57 PM  
**To:** lilibosse@icloud.com; Ryan Gohlich  
**Cc:** ilanbialer@gmail.com; bialermatti@aol.com; Mahdi Aluzri; George Chavez; Susan Healy Keene  
**Subject:** Re: L'ermitage deliveries 7:05am and viloations

Dear Council Boss

I am so grateful to have your support and thank you for your comforting message. I will forward your message to all concerned residents in the vicinity of the Hotel and those ones who signed the petition and let everyone know your support...

Thank you so much

Sincerely

Mikael Cohen

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

**From:** lili Bosse <lilibosse@icloud.com>  
**To:** Ryan Gohlich <rgohlich@beverlyhills.org>  
**Cc:** mikaelc <mikaelc@aol.com>; ilanbialer <ilanbialer@gmail.com>; bialermatti <bialermatti@aol.com>; Mahdi Aluzri <maluzri@beverlyhills.org>; george chavez <gchavez@beverlyhills.org>; susan healy keene <skeene@beverlyhills.org>  
**Sent:** Mon, Mar 21, 2016 12:11 pm  
**Subject:** Re: L'ermitage deliveries 7:05am and viloations

Dear Mikael,

You have my full support on this issue.. You can rest assured that the Planning Commission and the city council will make sure that all impacts and CUP issues will be addressed fully.

As a former Planning Commissioner myself, you can count on me thoroughly reviewing this issue too!

Warmly,  
Lili

On Mar 21, 2016, at 10:12 AM, Ryan Gohlich <[rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org)> wrote:

Hi Mikael,

Thank you for the information regarding this weekend. I will be out at the hotel this afternoon to discuss all of these issues with the hotel, including how they are using the new stairs and the need to comply with the CUP. In addition, we will be scheduling a review of the hotel's CUP for the April 14<sup>th</sup> Planning Commission meeting. I have attached a copy of the permit for the hotel's renovations, which included the new stairs in place of the former valet/luggage area. We also have the plans that accompany the permit here at City Hall if you'd like to review them. I'll continue to provide you with updates as I have them.

Thank you,

Ryan

Bcc: City Council

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

**From:** [mikaelc@aol.com](mailto:mikaelc@aol.com) [<mailto:mikaelc@aol.com>]  
**Sent:** Monday, March 21, 2016 8:56 AM  
**To:** Ryan Gohlich; [ilanbialer@gmail.com](mailto:ilanbialer@gmail.com); [bialermatti@aol.com](mailto:bialermatti@aol.com)  
**Cc:** Andre Sahakian; WebCBH MAYORANDCITYCOUNCIL; Nancy Krasne; Terence May; Mahdi Aluzri  
**Subject:** Re: L'ermitage deliveries 7:05am and viloations

Hi Ryan

With all due respect to you and to the City, I totally disagree with you. You let the hotel first violate the CUP and then presenting arguments to support the violations. This is not in compliance with the CUP or Beverly Hills City rules.

The Hotel is not stopping from violation to violation. Just as an example the last Saturday night they had music so loud that you can hear it from 5 miles away, even after the visit of the police department. The Canopy on the roof top, which is already there without permit, gives the hotel pretext to have loud parties without proper authorization from the department of the transportation as stated by the CUP.

Now, before I answer your email in the same language as dictated by the CUP, I have asked and asked so many times, the permit that has allowed l' Ermitage to build the front restaurant entrance. I NEED THE COPY OF THAT PERMIT. I know that Beverly Planning would not allow an remodeling without permit. I had the experience dealing with the planning for my own house work.

**Therefore, I am begging you, I beg the Planning, I beg the City Manager and I beg the council to have a copy of the permit for the restaurant entrance from the street, or let me know how can I get it.**

Thank you for your help  
Best Regards

Mikael Cohen

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

From: Ryan Gohlich <[rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org)>  
To: mikaelc <[mikaelc@aol.com](mailto:mikaelc@aol.com)>; ilanbialer <[ilanbialer@gmail.com](mailto:ilanbialer@gmail.com)>; bialermatti <[bialermatti@aol.com](mailto:bialermatti@aol.com)>  
Sent: Fri, Mar 18, 2016 2:22 pm  
Subject: RE: L'ermitage deliveries 7:05am

Hi All,

The specific items that we are currently working with L'Ermitage to address include the following:

- Abiding by the hour limitations for loading activities, ensuring that alley access is maintained, and ensuring that your parking spaces remain accessible.

- Eliminating music from within the outdoor dining area per the conditions of approval.
- Directing limousines and other transportation to not park/wait on Burton Way adjacent to residential areas.

In addition to the above, we are working to resolve the restaurant access issue. The language in the original CUP requiring restaurant guests to access the dining area from inside the hotel was intended to keep arriving patrons from using an access door in close proximity to the Bialer property. The new point of access in question is located approximately 120' away from the Bialer property and immediately adjacent to the hotel's main entrance. In addition, the outdoor dining has been relocated approximately 50' to the east, away from the Bialer property. While I believe that the distance of the new access point from the Bialer property is generally consistent with the intent of having patrons use the main hotel entrance rather than going into the restaurant adjacent to the Bialer property, I agree that the CUP does not specifically authorize this. As I previously stated, the CUP is up for renewal, and we will be taking it forward to the Planning Commission in either April or May for them to review. As a component of the renewal, we will be asking the Planning Commission to address the restaurant access point. In the interim, I am working with the hotel to identify solutions and ensure that guests do not congregate around the access point. I will also be out at the hotel on Monday afternoon to meet with hotel management, walk the property, and address CUP and other issues. I'm happy to meet with any of you at City Hall, your residences, or in front of the hotel to go over these issues as well, and will have additional details after my Monday meeting. If you experience any issues over the next several days (particularly with respect to truck loading or congregation around the access point) please let me know. Thank you for working with us to ensure that we are able to address neighborhood impacts.

Ryan

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

**From:** [mikaelc@aol.com](mailto:mikaelc@aol.com) [<mailto:mikaelc@aol.com>]  
**Sent:** Wednesday, March 16, 2016 3:50 PM  
**To:** [ilanbialer@gmail.com](mailto:ilanbialer@gmail.com)  
**Cc:** [bialermatti@aol.com](mailto:bialermatti@aol.com); Ryan Gohlich  
**Subject:** Re: L'ermitage deliveries 7:05am

Thank you Matti

I would love to hear also from Ryan ( CC herein) who promised an answer to my emails. Yes the hotel is still operating same with an alleged emergency exit with a hostess and host counter. I have never seen such an entry with top glass door and beautiful stairs to be for an emergency exit.

Thank you all for proper follow up.  
Best to all

Mikael Cohen

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

From: Ilan Bialer <[ilanbialer@gmail.com](mailto:ilanbialer@gmail.com)>  
To: Ryan Gohlich <[rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org)>  
Cc: Matti Bialer <[bialermatti@aol.com](mailto:bialermatti@aol.com)>; mikaelc <[mikaelc@aol.com](mailto:mikaelc@aol.com)>  
Sent: Wed, Mar 16, 2016 2:32 pm  
Subject: Re: L'ermitage deliveries 7:05am

Hi Ryan,

I didn't hear back on the below.

Btw, the reception desk and entrance remains active directly on Burton Way.

Thank you,

All the best, Ilan

On Mar 10, 2016, at 12:37 PM, Ilan Bialer <[ilanbialer@gmail.com](mailto:ilanbialer@gmail.com)> wrote:

Thank you Ryan for the update. Could you please supply us with a list of the compliance issues you are notifying them of?

Thanks again for your diligence in this matter.

All the best, Ilan

On Mar 10, 2016, at 2:57 PM, Ryan Gohlich <[rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org)> wrote:

Thank you, Matti. I met with the hotel's representatives yesterday afternoon, and we are in the process of putting in writing the ongoing CUP compliance issues, with agreement from the hotel that they will respond in writing and outline how they intend to comply. My hope is that this will be the last of the loading issues (among other things), but please continue to provide me with any violation info you capture. I'll continue to keep you updated as we work through this, and I will also notify you once we have a date set for the Planning Commission to review the CUP (likely in April).

Ryan

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

---

**From:** Matti Bialer [<mailto:mattibialer@icloud.com>]  
**Sent:** Thursday, March 10, 2016 9:30 AM  
**To:** Ryan Gohlich; Mahdi Aluzri; George Chavez; Raj Patel;  
Susan Healy Keene; Nestor Otazu; Ilan; [mikaelc@aol.com](mailto:mikaelc@aol.com)  
**Cc:** Matti Bialer  
**Subject:** Re: L'ermitage deliveries 7:05am

On Mar 10, 2016, at 7:35 AM, Matti Bialer  
<[mattibialer@icloud.com](mailto:mattibialer@icloud.com)> wrote:

City officials,  
The hotel continues to have deliveries at 7am, waking up the  
neighborhood and blocking the whole alley.

Matti Bialer

<IMG\_0079.MOV>

Sent from my iPhone

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<L'Ermitage Building Permit.pdf>

## Ryan Gohlich

---

**From:** mikaelc@aol.com  
**Sent:** Monday, March 21, 2016 8:56 AM  
**To:** Ryan Gohlich; ilanbialer@gmail.com; bialermatti@aol.com  
**Cc:** Andre Sahakian; WebCBH MAYORANDCITYCOUNCIL; Nancy Krasne; Terence May; Mahdi Aluzri  
**Subject:** Re: L'ermitage deliveries 7:05am and viloations

Hi Ryan

With all due respect to you and to the City, I totally disagree with you. You let the hotel first violate the CUP and then presenting arguments to support the violations. This is not in compliance with the CUP or Beverly Hills City rules.

The Hotel is not stopping from violation to violation. Just as an example the last Saturday night they had music so loud that you can hear it from 5 miles away, even after the visit of the police department. The Canopy on the roof top, which is already there without permit, gives the hotel pretext to have loud parties without proper authorization from the department of the transportation as stated by the CUP.

Now, before I answer your email in the same language as dictated by the CUP, I have asked and asked so many times, the permit that has allowed l' Ermitage to build the front restaurant entrance. I NEED THE COPY OF THAT PERMIT. I know that Beverly Planning would not allow an remodeling without permit. I had the experience dealing with the planning for my own house work.

**Therefore, I am begging you, I beg the Planning, I beg the City Manager and I beg the council to have a copy of the permit for the restaurant entrance from the street, or let me know how can I get it.**

Thank you for your help  
Best Regards

Mikael Cohen

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

**From:** Ryan Gohlich <rgohlich@beverlyhills.org>  
**To:** mikaelc <mikaelc@aol.com>; ilanbialer <ilanbialer@gmail.com>; bialermatti <bialermatti@aol.com>  
**Sent:** Fri, Mar 18, 2016 2:22 pm  
**Subject:** RE: L'ermitage deliveries 7:05am

Hi All,

The specific items that we are currently working with L'Ermitage to address include the following:

- Abiding by the hour limitations for loading activities, ensuring that alley access is maintained, and ensuring that your parking spaces remain accessible.
- Eliminating music from within the outdoor dining area per the conditions of approval.
- Directing limousines and other transportation to not park/wait on Burton Way adjacent to residential areas.

In addition to the above, we are working to resolve the restaurant access issue. The language in the original CUP requiring restaurant guests to access the dining area from inside the hotel was intended to keep arriving patrons from using an access door in close proximity to the Bialer property. The new point of access in question is located

approximately 120' away from the Bialer property and immediately adjacent to the hotel's main entrance. In addition, the outdoor dining has been relocated approximately 50' to the east, away from the Bialer property. While I believe that the distance of the new access point from the Bialer property is generally consistent with the intent of having patrons use the main hotel entrance rather than going into the restaurant adjacent to the Bialer property, I agree that the CUP does not specifically authorize this. As I previously stated, the CUP is up for renewal, and we will be taking it forward to the Planning Commission in either April or May for them to review. As a component of the renewal, we will be asking the Planning Commission to address the restaurant access point. In the interim, I am working with the hotel to identify solutions and ensure that guests do not congregate around the access point. I will also be out at the hotel on Monday afternoon to meet with hotel management, walk the property, and address CUP and other issues. I'm happy to meet with any of you at City Hall, your residences, or in front of the hotel to go over these issues as well, and will have additional details after my Monday meeting. If you experience any issues over the next several days (particularly with respect to truck loading or congregation around the access point) please let me know. Thank you for working with us to ensure that we are able to address neighborhood impacts.

Ryan

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

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**Subject:** Re: L'ermitage deliveries 7:05am

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Thank you all for proper follow up.  
Best to all

Mikael Cohen

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

From: Ilan Bialer <[ilanbialer@gmail.com](mailto:ilanbialer@gmail.com)>  
To: Ryan Gohlich <[rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org)>  
Cc: Matti Bialer <[bialermatti@aol.com](mailto:bialermatti@aol.com)>; mikaelc <[mikaelc@aol.com](mailto:mikaelc@aol.com)>  
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[rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org)

---

**From:** Matti Bialer [<mailto:mattibialer@icloud.com>]

**Sent:** Thursday, March 10, 2016 9:30 AM

**To:** Ryan Gohlich; Mahdi Aluzri; George Chavez; Raj Patel; Susan Healy Keene; Nestor Otazu; Ilan; [mikaelc@aol.com](mailto:mikaelc@aol.com)

**Cc:** Matti Bialer

**Subject:** Re: L'ermitage deliveries 7:05am

On Mar 10, 2016, at 7:35 AM, Matti Bialer <[mattibialer@icloud.com](mailto:mattibialer@icloud.com)> wrote:

City officials,  
The hotel continues to have deliveries at 7am, waking up the neighborhood and blocking the whole alley.

Matti Bialer

<IMG\_0079.MOV>

Sent from my iPhone

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## Ryan Gohlich

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**Sent:** Wednesday, March 16, 2016 3:50 PM  
**To:** ilanbialer@gmail.com  
**Cc:** bialermatti@aol.com; Ryan Gohlich  
**Subject:** Re: L'ermitage deliveries 7:05am

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**To:** Ryan Gohlich <rgohlich@beverlyhills.org>  
**Cc:** Matti Bialer <bialermatti@aol.com>; mikaelc <mikaelc@aol.com>  
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Thanks again for your diligence in this matter.

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Direct: (310) 285-1118  
Fax: (310) 858-5966  
[rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org)

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**Sent:** Thursday, March 10, 2016 9:30 AM  
**To:** Ryan Gohlich; Mahdi Aluzri; George Chavez; Raj Patel; Susan Healy Keene; Nestor Otazu; Ian; [mikaelc@aol.com](mailto:mikaelc@aol.com)  
**Cc:** Matti Bialer  
**Subject:** Re: L'ermitage deliveries 7:05am

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Matti Bialer

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## **Ryan Gohlich**

---

**From:** mikaelc@aol.com  
**Sent:** Thursday, March 10, 2016 1:37 PM  
**To:** Ryan Gohlich; mattbialer@icloud.com; Mahdi Aluzri; George Chavez; Raj Patel; Susan Healy Keene; Nestor Otazu; ilanbialer@gmail.com; tmay@beverlyhill.org; WebCBH MAYORANDCITYCOUNCIL  
**Subject:** Re: L'ermitage deliveries 7:05am

Thank you Ryan for your help.

I sent you an email on Tuesday and I hope you have included the Limousine concern too to the hotel and have them stop the parking violation in addition to all other violations.

See email below that I sent and appreciate if you could respond.

Thank you for your help.

Best Regards

Mikael Cohen

Email from Tuesday 3-8-2016

Dear Ryan

I appreciate your response to my email and of course I was glad to meet you at the City Hall during the Council meeting of last week.

I guess today, you had the proof that the Hotel did not build an emergency exit door to the street, but rather a real entrance to the restaurant from the street. I believe you have received videos from Matti Bialer. You agree this is violation of the CUP.

I want now to direct you to Resolution 1138 adopted 8-23-00 and you did send a copy, please see Section 5 Paragraph 2 (page 4) where it states clearly, "that the Hotel shall not instruct, nor encourage directly and indirectly any driver of any taxi or Limousine to park on any residential street in the vicinity of the hotel, including but expressly not limited to, the south side of Burton Way." Please read the rest of the text resolution, where the applicant, the Hotel, shall attempt to clearly identify through the use of a special vehicle tags for those limousines.

The Hotel has always violated this resolution and from testimonies collected from the drivers, they are instructed by the personnel of L'Ermitage to park across the street, without consideration of the CUP.

You should know, the garbage the drivers leave behind, it is a shame for the beautiful Burton Way.

The Hotel has violated most of the resolutions of the CUP, without respect to nay rule, to the issued permit, to the residents and to the City of Beverly Hills itself.

In my last email, I have asked the City to provide me with the permit issued authorizing the Hotel to build a restaurant entrance from the street. I would very much appreciate a copy.

Also, the resolutions call for the CUP to be renewed every year. I would like to review the yearly renewals from year 2000, as per last email. Has L'ermitage complied with the renewals??

Thank you for your help, and hope you would include the above mentioned matters to L'Ermitage during your meeting on Wednesday

Regards  
Mikael Cohen

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

From: Ryan Gohlich <rgohlich@beverlyhills.org>

To: mikaelc <mikaelc@aol.com>

Cc: Mahdi Aluzri <maluzri@beverlyhills.org>; George Chavez <gchavez@beverlyhills.org>; Susan Healy Keene <skeene@beverlyhills.org>; Raj Patel <rpatel@beverlyhills.org>; Andre Sahakian <asahakian@beverlyhills.org>

Sent: Tue, Mar 1, 2016 2:15 pm

Subject: L'Ermitage Hotel Follow Up

Dear Mikael,

Following up on my email yesterday, I wanted to offer some additional information and responses to your questions regarding the recent changes at the L'Ermitage Hotel outdoor dining area:

- With respect to the conditions from the current CUP regarding live entertainment, amplified sound, and hours of operation, these conditions all still apply to the outdoor dining area and hotel restaurant, and can continue to be enforced. Staff has reviewed all code enforcement cases for the hotel over the past two years, and although there have been complaints regarding music, noise, and hours of operation, we have not been able to obtain any police records or other evidence to support these violations. However, our Code Enforcement Officers continue to investigate these matters, and we are in the process of obtaining updated police reports to assist us in substantiating any potential violations.
- The entry and exit to the new outdoor dining area will continue to be required to occur from within the restaurant. Staff is currently working with the hotel operator to ensure that the stairs from the sidewalk on Burton Way are for emergency egress/ingress only.
- After reviewing the CUP, staff was unable to find the condition referenced in your email regarding prohibiting limousines from parking on Burton Way. While the CUP findings acknowledge that there could potentially be impacts to street parking on the nearby residential streets, there are no conditions that prohibit patrons of the hotel from parking on the street. Other conditions were put in place to limit the number and frequency of rooftop events and requiring free, off-street parking for employees and free valet parking for patrons in order to help reduce the impact to street parking.
- The City has issued building permits for various changes to the lobby area of the hotel, including relocation of the outdoor dining area from the rotunda courtyard on the west side (which was adjacent to the condominium building next door) to the new area further east along Burton way. These changes were reviewed for conformity with the existing CUP, and to ensure that they would not result in an increase in intensity of the uses. Since the total number of tables and chairs in the outdoor dining area remains the same as before (7 tables and 20 chairs, with the prior outdoor dining area being eliminated), there is no increase in the intensity of use. Since these changes are consistent with the requirements in the original CUP, a resolution and public notice were not required.
- The original resolution approving the CUP for the restaurant and outdoor dining uses was renewed annually twice after it was adopted (Resolutions 1138 and 1191). As part of Resolution 1191, the renewal procedure was amended to allow the Director of Community Development (rather than the Planning Commission) to grant subsequent renewals. Please see attached for the aforementioned Resolutions for reference.

Please note that the request for the changes to the CUP conditions regarding rooftop events, construction of the proposed rooftop enclosure, and the proposed elevator shaft on the west side of the building are still under review and have not yet been approved. Public hearings will be scheduled for those items in the coming months, and notifications will be sent so that neighbors of the property will have the opportunity to comment on these changes. Any other changes to the hotel that go beyond the scope of the existing CUP would also require review.

We appreciate your comments on the property, and will keep you updated as we work with the hotel's management to ensure compliance. Please feel free to contact me if you have any questions.

Thank you,

Ryan

Bcc: City Council

Ryan Gohlich, AICP  
Assistant Director / City Planner  
Community Development Department  
City of Beverly Hills  
455 N. Rexford Dr.  
Beverly Hills, CA 90210  
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Sent: Thu, Mar 10, 2016 11:57 am  
Subject: RE: L'ermitage deliveries 7:05am

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**PUBLIC CORRESPONDENCE**

**MARK EGERMAN**

MARK EGERMAN  
[mark@egermanlaw.com](mailto:mark@egermanlaw.com)

LEE EGERMAN  
[lee@egermanlaw.com](mailto:lee@egermanlaw.com)

## EGERMAN LAW GROUP, LLP

280 South Beverly Drive  
Suite 304  
Beverly Hills, California 90212

TELEPHONE  
(310) 248-6299

FACSIMILE  
(310) 248-6288

April 12, 2016

***Via Messenger and E-Mail***

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

City of Beverly Hills  
Beverly Hills Planning Commission  
Attn: Chair Alan Robert Block  
Vice Chair Farshid Joe Shooshani  
Commissioner Craig Corman  
Commissioner Howard S. Fisher  
Commissioner Lori Greene Gordon  
455 North Rexford Drive  
Beverly Hills, CA 90210

*Re: L'Ermitage Hotel - Development Plan and CUP*

Dear Chairman Block and Members of the Planning Commission:

I am writing you to strongly support the application of the L'Ermitage Hotel to renew its previous approved Development Plan and Conditional Use Permit to allow the continued operation of the L'Ermitage Hotel and its restaurant, rooftop event space, and open air dining area. The City of Beverly Hills has long recognized the importance of high end hotels, in this case a five-star hotel, to maintain the viability, image, brand, and style of the City of Beverly Hills. The L'Ermitage Hotel is one of the key business assets of our City, providing substantial revenues and securing Beverly Hills as a destination location for high end travelers.

Its operation conforms to several of the General Plan's policies, including but not limited the Policy LU 9.1, which sets a City goal to accommodate hotels that support the need of local residents, attract customers from the region, and provide a quality experience for national and international tourists. General Plan Policy LU 15.2 specifies that the City is to retain and build upon the key business sectors contributing to the City's identity, including but not limited to restaurant and hotel operations. Finally, Policy ES 1.4 states that the City is to encourage existing industries such as luxury retail, tourism, hotels, and finance.

We are fortunate to be a City that is known world wide as a special place to live

City of Beverly Hills  
Beverly Hills Planning Commission  
April 12, 2016  
Page 2

or visit. This reputation comes in no small part from the fact that we have more five-star hotels given the size of our City than any other place in the world. The L'Ermitage Hotel is an important piece of the mosaic that makes Beverly Hills so special.

I urge you to give every consideration and support to the L'Ermitage Hotel as one of our great business institutions with an international reputation.

Thank you for your consideration in this matter.

Very truly yours,

A handwritten signature in black ink, appearing to read "Mark Egerman". The signature is fluid and cursive, with a prominent initial "M" and a long, sweeping tail.

MARK EGERMAN

ME/jl

S:\Clients\WME\Beverly Hills Planning Commission-2.4-12-16.wpd

**PUBLIC CORRESPONDENCE**

**MITCH DAWSON**

April 25, 2016

**Dawson Tilem & Gole**  
9545 Wilshire Blvd., Penthouse  
Beverly Hills, CA 90212

Attention: Mr. Mitchel Dawson

**Subject: Viceroy Lermitage Hotel, Beverly Hills, CA**  
**Outdoor Patio Restaurant**  
**Acoustical Review**  
**V.A. Project No. 4580-002**

Dear Mr. Dawson:

We have reviewed the plans for the proposed new outdoor dining area at Viceroy Lermitage Hotel in Beverly Hills. The purpose of this review was to assess the possible impact of any produced sounds in this area, at the noise sensitive locations in the near vicinity of the hotel.

The closest noise sensitive structure is a residential building to the west property line of the hotel. Another residential structure is located to the east property line of the hotel however due to its farther distance than the structure on the west side, any possible impact will be less severe at this location. A number of residential units are located directly across the Burton Way which may be considered as sensitive noise receptors.

As you are aware we had documented the ambient noise levels at this location in a previous study. Noise levels were measured at a location directly in front of the hotel and also near a residential unit across the Burton Way.

We estimated the produced noise levels at these sensitive locations due to expected activities in a typical restaurant. These levels were substantially lower than the ambient noise levels which we measured in our previous survey.

Based on our noise estimates and comparison with the results of our past ambient noise survey we have concluded that any noise produced in the outdoor dining area will have minimal or no impact at the nearest noise sensitive locations. Therefore, no noise impact may be expected at any other

location, near or far from the hotel. This conclusion had also been reached by the City's technical staff and included in their report to the Planning Commission.

If you have any questions concerning information contained in this report please do not hesitate to contact me.

Sincerely,

**Veneklasen Associates, Inc.**

A handwritten signature in black ink, appearing to read "H. Khosrovani", written over a horizontal line.

Hooshang Khosrovani, Ph.D., P.E.

Principal

G:\DawsonTilem&Gole\ViceroyLermitage\16HK001

Law Offices of  
**DAWSON TILEM & GOLE**

*MITCHELL J. DAWSON  
JOSEPH N. TILEM  
GARY M. GOLE*

*9454 Wilshire Boulevard, Penthouse  
Beverly Hills, California 90212  
Telephone: (310) 285-0880  
Facsimile: (310) 285-0807*

November 10, 2015

Chairman Alan Block  
Members of the Planning Commission

Re: Viceroy L'Ermitage Hotel Application for Overlay Zone

Dear Commissioners:

I write on behalf of the Viceroy L'Ermitage Hotel, which includes direct comments from General Manager Sal Abaunza, Hotel Manager Nicholas Rimedio, project management and others involved.

The L'Ermitage Hotel, and individuals directly related with the ongoing property management, have put forth a multitude of opportunities to address potential concerns of neighbors and to promote positive relations with the community and especially nearby residents.

First is attached a letter to Neighbors of February 23, 2015, from the Hotel Manager, Nicholas Rimedio. It explains the remodeling program and its goals. The letter discusses hours of operation for the remodeling, which commenced in March of 2015.

The letter includes "an expression of our appreciation" offering a lunch or other items to drink or eat for the entire year of 2015. Moreover, the letter leaves a dedicated telephone hotline number "... should you have any questions or concerns about this remodeling phase...."

The staff of the L'Ermitage Hotel, including the undersigned, have had numerous meetings at the hotel with neighbors to discuss preventative measures.

Specific neighbors have been given not only the personal telephone number of the Hotel Manager, but as well, members of the construction staff, project management staff and myself. In each instance, our cell numbers were given for direct contact.

Re: L'Ermitage Hotel Application

November 10, 2015

Page 2

The Hotel has positioned a "parking guard" at the Foothill entry to the alley behind the hotel. The parking guard is there to avert parking issues, alley congestion and potential blockage of garages of the apartment building on the western end of the alley.

The Hotel has offered to provide double glazing to two sides of windows on one property and to provide the necessary funds for the owners to control at their will.

An additional factor is the request of the Hotel within the overlay zone is to eliminate outdoor seating in the western-most terrace area. The request is to move that seating much further east (same number of seats as has been approved - 20) so that it is then a greater distance from the residential apartment building to the west.

Both the General Manager Sal Abaunza and Hotel Manager Nick Rimedio reside in Beverly Hills and are in close walking proximity to the Hotel. They have been and remain welcoming to the opportunity to be immediately onsite in an attempt to remedy any concerns that arise. Both Mr. Abaunza and Mr. Rimedio advise that they have not been contacted by cell as offered. Neither have I.

Since construction for the remodeling has begun in March there have been very few events at all on the rooftop due to remodeling in the lobby area. The few that were allowed on the rooftop ended promptly at 10:00 p.m. None will be scheduled for the remainder of the year and presently none are yet scheduled for 2016 – still limited in number by the existing CUP.

#### AN IMPORTANT POINT OF CLARIFICATION.

There will be NO BAR or NIGHT CLUB on the roof. The request for 2am hours is meant for a limited number of special events such as a major awards reception.

One of the significant points of the Application now pending is covered very carefully in the mitigated negative declaration document which reflects the study of the "... installation of a glass 15-foot "acoustic shield" that would extend around the perimeter of the rooftop and would slope inward and is designed to reduce noise from rooftop uses." This is a quote from the project description published in the local newspapers and part of the MND project description. The shield will significantly mitigate noise from the rooftop. See attached memo.

Re: L'Ermitage Hotel Application  
November 10, 2015  
Page 3

An additional undertaking as to noise reduction is a system for staff to call from the rooftop to the valet personnel on ground level/garage to bring up the car needed. This will limit the waiting time for vehicles and minimize noise. Further, for events on rooftop that require the need, the Hotel will continue to have its employees park off site in paid for BH parking lots.

The L'Ermitage Hotel will continue to do its very best in dealing with all issues of noise, parking, deliveries and things of that nature. Special conditions will be imposed for event set up and breakdown. The L'Ermitage Hotel believes it has taken great strides to meet the requests of the community and local neighbors and will continue to do whatever it takes to make it even better.

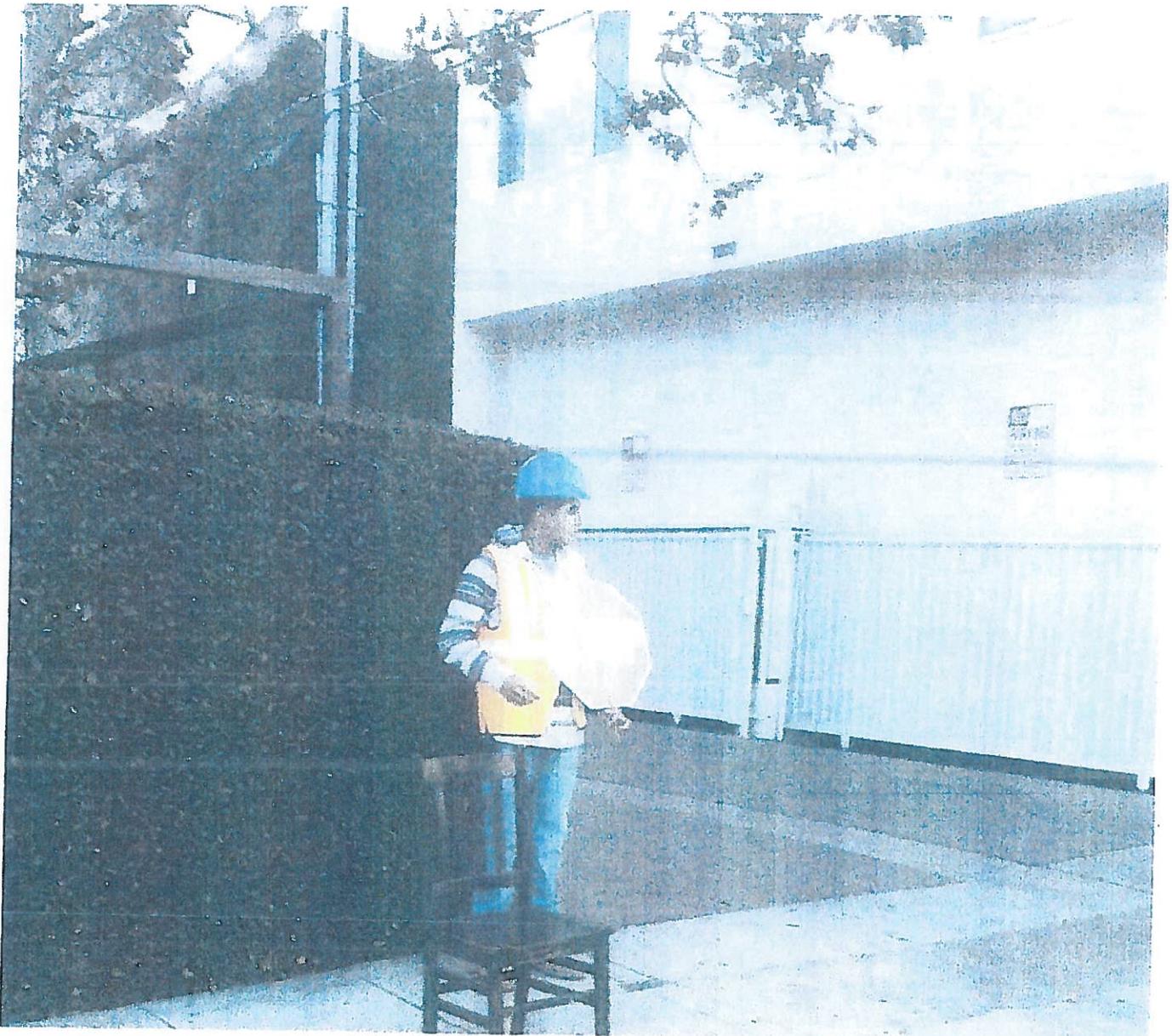
The Viceroy L'Ermitage Hotel is one of the very few 5-star hotels in Beverly Hills and would only have the desire to maintain that status -- as reflected in recently being honored by the Beverly Hills Chamber of Commerce as the best of Beverly Hills Golden Palm Awards in the category of ABOVE AND BEYOND. Reaching out to neighbors is essential to "going above and beyond." The Viceroy L'Ermitage Hotel respects the rights of neighbors and the right of quiet enjoyment.

Respectfully submitted,



MITCHELL J. DAWSON  
On Behalf of Viceroy/L'Ermitage Hotel

MJD:js  
Attachments





## Front Door Policy- Seating & Phone Calls

Effective:

**April 1, 2016**

### **TO: ALL AVEC NOUS COLLEAGUES**

#### **PURPOSE**

To ensure that all guest reservations are properly taken in addition to communicating complimentary valet and our waiting policy in advance of their arrival.

#### **Steps of Service:**

##### Reservations:

- All incoming calls to be answered by either host/hostess or hotel reservationist.
  - Please warmly answer the phone with time of day and "Good morning, thank you for calling Avec Nous! This is John, how may I be of service?".
  - Inquire on date and time of reservation, and be sure to check availability on reservation system, Open Table.
    - Open Table is calibrated specifically for our 75 seats, so follow the seating parameters as established.
    - No overbookings in excess of capacity are permitted.
- Ask for guest email address so that reservation confirmation may be sent.
- Please be sure to inform all guests of the following key pieces of information:
  - All valet charges for restaurant guests are complimentary
  - All guests will be directed to the bar or lounge in the event of a delay for their seating time. No guests may be permitted to wait on the sidewalk.

Please reach out to Manager for any questions or concerns. Thank you.



## Front Door Policy- Guests waiting for Reservation

Effective:

**March 15, 2016**

### **TO: ALL AVEC NOUS COLLEAGUES**

#### **PURPOSE**

To ensure that all guests are directed to wait for reservations inside the restaurant. No guests are permitted to wait on the street or steps of the restaurant.

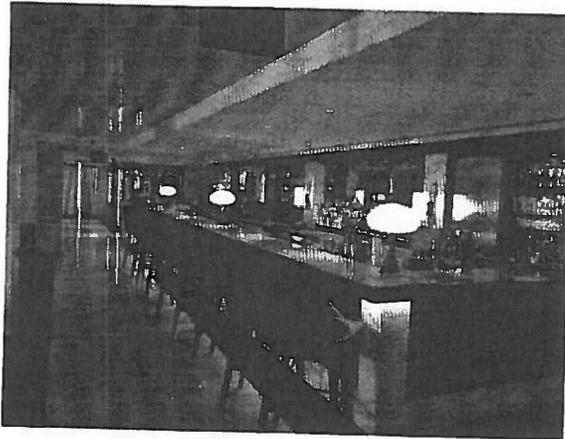
#### **Steps of Service:**

##### Greeting:

- All guests will be greeted by Valet or Bellmen at moment of arrival.
  - Valet and/or Bellmen will direct guests to entrance and inform that they may not wait on the sidewalk.
- There should be a host stationed at the front door at all times.
- Guests should be politely acknowledged and information such as their name and reservation time should be inquired immediately.
  - Team Member will find the provided name with the matching reservation and time.
  - In the event where there is no matching name or time, please inquire with the guest if there may be another name used.
- Upon finding the reservation, team member should confirm that the table is ready and preset to the specific number of guests.
  - In the event that the scheduled table is not ready, an alternative table may be used if it is not specifically reserved for another reservation and if the original table was not specifically reserved.
  - In the event that the scheduled table is not ready or an alternative table is not available, guests are to be politely informed that their table is not yet ready, but we expect for it to be available in XX minutes.
- Upon notification of a delay, all guests must be directed to an approved area. No guests may wait on the sidewalk or steps of the restaurant.
  - In the event that a guest insists on waiting on the sidewalk or steps, please advise a manager immediately to address with security.
- It is the responsibility of the team member to provide an accurate estimation of time, and to update the guest directly if circumstances change.

Approved locations where guests may wait for their reservation:

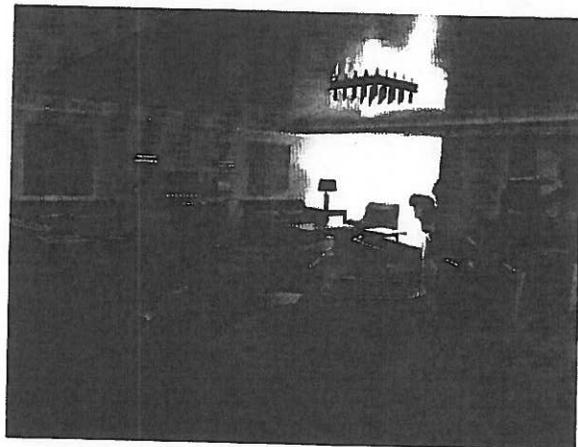
- Bar



- Center Lounge



- Library Lounge



Please reach out to Manager for any questions or concerns. Thank you.

**VICEROY**  
L'ERMITAGE • BEVERLY HILLS

**Hotel Response Process to  
Community Complaints**

**Effective:**

**April 10, 2016**

**TO: HOTEL EXECUTIVE OFFICE**

**PURPOSE**

To ensure that all community complaints receive timely responses from the hotel in a professional manner to which solutions are offered when appropriate in all expediency and transparency.

**Guidelines:**

**Point of Contact:**

- All community complaints will be directed to either the General Manager or the Hotel Manager by any neighbors, city officials, or by any hotel colleagues who received complaints by any of the above.

**Response Time:**

- All community complaints will be responded by the General Manager or the Hotel Manager at the soonest of one (1) business day and no later than three (3) business days.

**Response Format:**

- All responses will include a summary of an investigation into the complaint in addition to proposed solution(s) to resolve if needed. The proposed solutions will include a step by step SOP (Standard Operating Procedure) to address the concerns in addition of photographs, when appropriate, to demonstrate the changes.

Please reach out to the General Manager or Hotel Manager for any questions or concerns. Thank you.

<b>VICEROY</b> <small>L'ERMITAGE • BEVERLY HILLS</small>	<b>Deliveries</b>
	<b>Effective:</b> <b>April 10, 2016</b>

**TO: ALL HOTEL COLLEAGUES**

**PURPOSE**

To ensure that all deliveries are received in accordance to City Conditional Use Permit.

**Guidelines:**

**Hours:**

- Monday- Friday: 8:00 AM-9:00 PM
- Saturday: 9:00 AM-9:00 PM
- Sunday: 9:00 AM-8:00 PM

**No deliveries to be scheduled nor accepted outside of these times.**

**Location:**

- All deliveries are to occur at the loading dock of the hotel at the back alley.
  - *We have petitioned the city to move our loading location to the front loading zone of the hotel given the intensification of use in the alley with the construction next door.*

**Staffing:**

- The alley is under 24 hour surveillance and to be staffed by receiving team during hours of delivery. In the event where receiving team cannot be present, security team will be located in alley to oversee arrivals

**Enforcement:**

- All vendors will be required to sign a formal acknowledgement of our receiving policy in which hours, location, and regulations (including the prohibition of blocking the alley and any neighbor property) and subsequent penalties will be defined.
- Violations by vendors will be documented the same day and sent with penalties to discourage further violations. A first time violation will result in a final notice by the hotel where we will inform the vendor that they are at risk of termination. A second violation will result in formal termination by the hotel.
- A Weekly Vendor Delivery calendar will be prepared by receiving team and submitted to security and executive management on each Saturday for the week following. Any changes made to calendar will be submitted as an addendum on each day prior to delivery.

Please reach out to the General Manager or Hotel Manager  
for any questions or concerns. Thank you.

**VICEROY**  
L'ERMITAGE • BEVERLY HILLS

## Evening Rooftop Events

Effective:

**Revised April 10, 2016**

### **TO: Catering Department**

#### **PURPOSE**

To ensure that all evening rooftop events are in accordance to City Conditional Use Permit.

#### **Guidelines:**

##### **Minimum guest count and hours:**

- This is applicable for all rooftop events with more than 25 people with an event time that exceeds 6:00 PM.
  - No more than 2 events per week may occur not exceed 52 events per year.

##### **Traffic & Parking Plan:**

- For events that meet the minimum criteria, a Traffic and Parking Plan must be submitted to the city.
- The Plan must include the following:
  - Specify hours of arrival and departure for event
  - Specify the route of valets from point of guest arrival to parking in hotel garage
  - Identify the number of parking spaces allocated in hotel garage for the event
  - Specify plans for limousine parking and free offsite parking for hotel employees
  - Specify our valet attendant plan of 1 attendant per every 7 cars
  - Specify stationed security guard plans for guest departure

##### **Submission Process:**

- Catering Department will submit all Traffic & Parking Plans to Beverly Hills Director of Transportation when catering contracts finalize.
- Catering Department will submit written Summary schedule of dates and times for all rooftop evening events on the last day of each month for the following month.
- Catering Department will submit both the Traffic & Parking Plans and amended summary schedule for events scheduled within the month with a deadline of 48 hours prior to event date.

Please reach out to the General Manager or Hotel Manager for any questions or concerns. Thank you.

**VICEROY**  
L'ERMITAGE • BEVERLY HILLS

## Smoking Policy & Personal Phone Calls

Effective:

**April 1, 2016**

**TO: All colleagues**

### **PURPOSE**

To ensure that all colleagues take personal time in the directed and approved areas of the hotel. All colleagues must comply with the restriction where the back dock and alley behind the hotel is not to be used for any personal purposes.

### **Guidelines:**

#### **Smoke Breaks:**

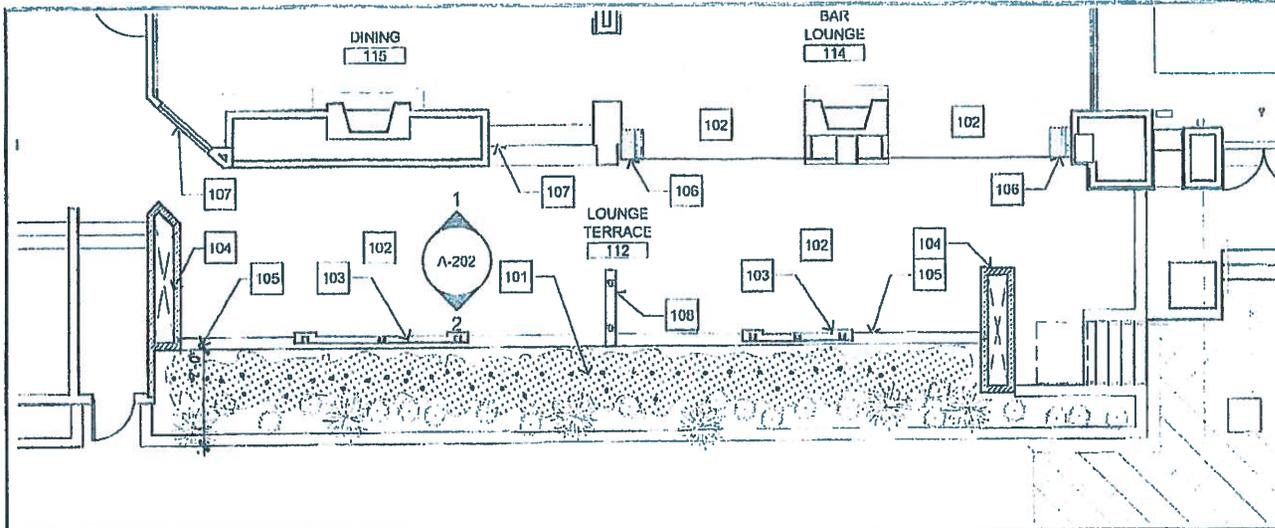
- All colleagues who wish to take a smoke break must go the far end of the building near the emergency stairwell where a bench and ashtrays are provided.
  - No colleagues are permitted to smoke on the loading dock or in the alley behind the hotel. It is expressly prohibited for any colleague to be on private property at any time.

#### **Personal Time:**

- All colleagues who wish to take personal time must go to the far end of the building near the emergency stairwell.
  - No colleagues are permitted to take personal time on the loading dock or in the alley behind the hotel.
  - Colleagues who require privacy for personal phone calls who wish for a separate space must see their manager to direct them elsewhere in the hotel.
    - Under no circumstance may a colleague be directed to the alley or loading dock for a personal phone call.

*Colleagues who do not follow these directions or are found to be engaging in personal time and/or smoke breaks in unapproved areas may subject to disciplinary action up and to including termination.*

Please reach out to Manager for any questions or concerns. Thank you.

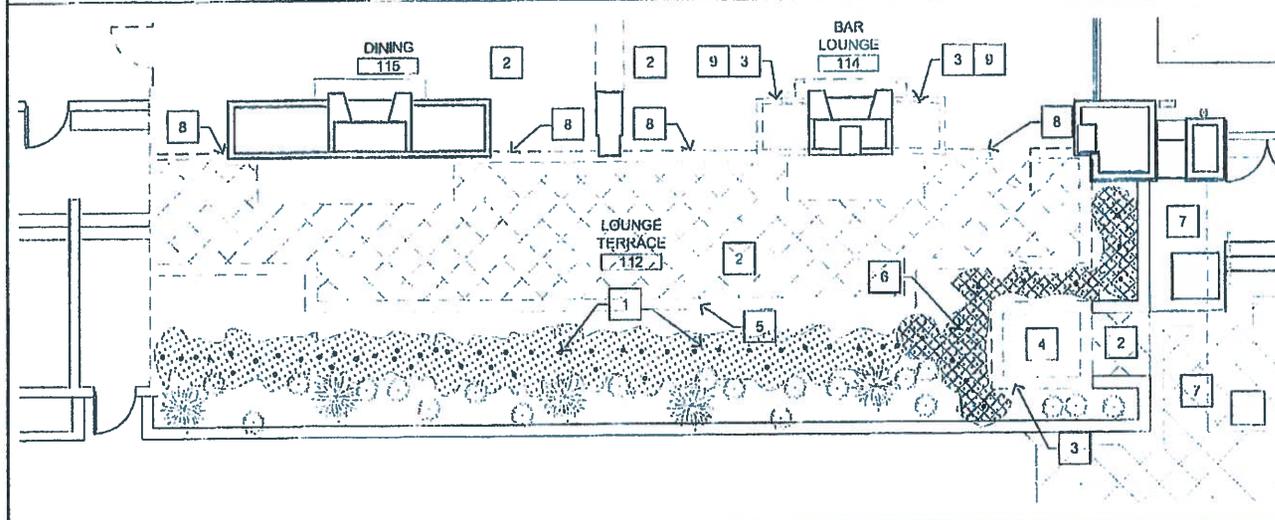


- ### KEYNOTES
- 101 EXISTING LANDSCAPE TO REMAIN - PROTECT IN PLACE
  - 102 NEW FLOOR FINISH
  - 103 NEW 5'-11" HIGH DECORATIVE WALL WITH MARBLE STONE SLAB FINISH
  - 104 NEW 7'-0" WALL STONE FINISH
  - 105 NEW EDGE PAVER AT PLANTER
  - 106 NEW 7'-0" HIGH BI-FOLD WALL
  - 107 NEW FIXED GLASS WINDOW
  - 108 NEW LOW WALL PARTITION WITH GRILLE WORK

1500 Broomfield Avenue  
 Suite 200  
 Broomfield, CO 80020  
 T 303.440.3333 F 303.440.3334  
 www.koehnarchitect.com

PROPOSED PLAN

1/8"=1'-0" 2



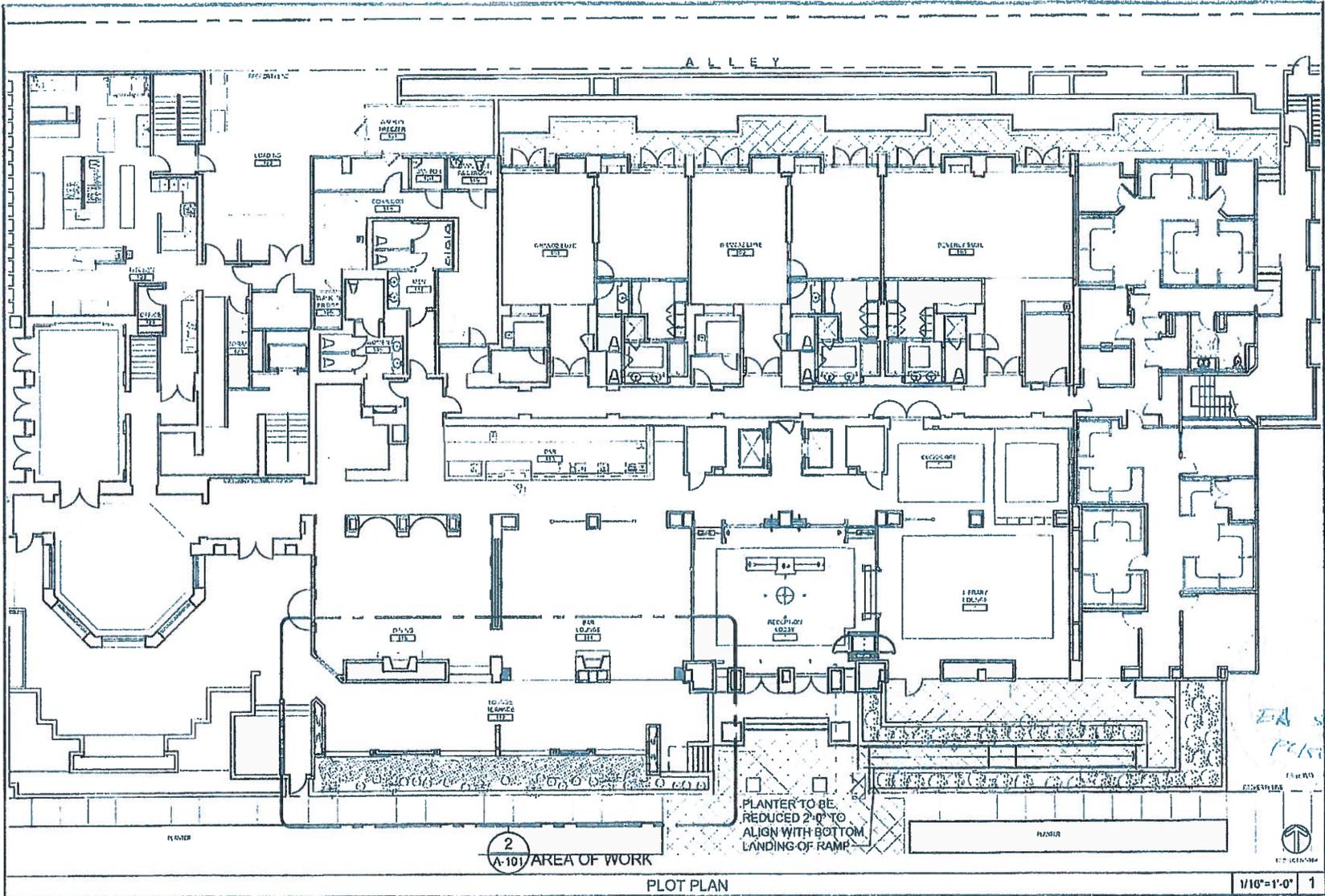
- ### DEMOLITION KEYNOTES
- 1 EXISTING LANDSCAPE TO REMAIN - PROTECT IN PLACE
  - 2 REMOVE FLOOR FINISH - PREPARE TO RECEIVED NEW FLOOR FINISH
  - 3 DEMO EXISTING WALL
  - 4 EXISTING LUGGAGE LIFT, PREPARE FOR NEW CONCRETE SLAB AND STAIR INFILL
  - 5 REMOVE EXISTING PAVER EDGE OF PLANTER
  - 6 PORTION OF HEDGE TO BE REMOVED FOR NEW STAIR ENTRY
  - 7 EXISTING TO REMAIN - PROTECT IN PLACE
  - 8 REMOVE EXISTING GLASS WALL, DOOR, WINDOW
  - 9 EXISTING FLOOR OPENING, PREPARE FOR NEW CONCRETE SLAB INFILL.

**HERMITAGE**  
 RESTAURANT  
 9271 Broomfield Way  
 Broomfield, CO 80020

DEMOLITION PLAN

1/8"=1'-0" 1

A-101



PLOT PLAN

1/16"=1'-0" 1

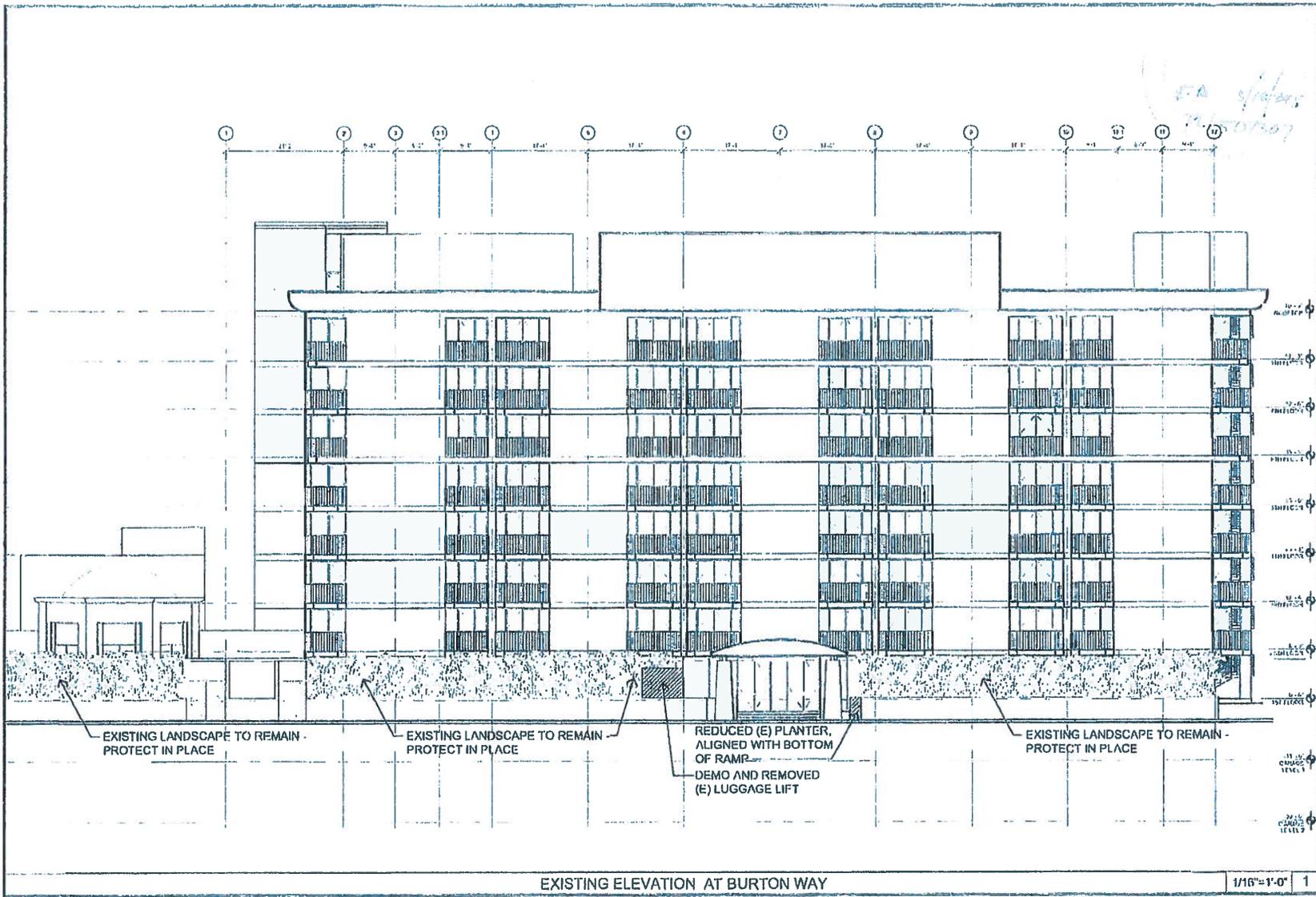
ARCHITECT: **ADP GROUP ARCHITECTS**  
 1508 CALIFORNIA AVENUE, SUITE 110, COSTA MESA, CA 92626  
 (714) 261-8800 FAX (714) 261-8801  
 WWW.ADPARCHITECTS.COM

**L'HERMITAGE**  
 LEVEL 1 RESTAURANT  
 9281 BURTON WAY  
 SEVENY HILLS, CA 92710

PROJECT: **FACADE RENOVATION FOR**

DATE: 01/11/10  
 DRAWING NO: 101-101-101  
 SCALE: 1/16"=1'-0"

**A-001**



EA of/plan  
7/15/2019

**NOVOTEC ARCHITECTS**  
1525 Greenwood Avenue  
Culver City, CA 90230  
Tel: (310) 397-8700 • Fax: (310) 397-8722  
www.novotecarchitects.com

**HERMITAGE**  
Lobby, Restaurant  
8751 Burton Way  
Beverly Hills, CA 90210

FACADE RENOVATION FOR

1/16"=1'-0" 1 A-200



## Andre Sahakian

---

**From:** Mitchell Dawson <dawsonmlaw@gmail.com>  
**Sent:** Monday, April 11, 2016 4:00 PM  
**To:** Ryan Gohlich; Mitchell Dawson; Andre Sahakian  
**Subject:** viceroy neighborhood support  
**Attachments:** VICEROY SUPPORT DOCUMENTS.pdf

Ryan and Andre

The attached represents approximately 225 supporters of Viceroy L' Ermitage, of close proximity, including Doheny Dr, Alpine, Elm, N. Oakhurst, N. Rexford, Foothill, N. Rexford, N. Palm, N. Maple, Burton Way, etc

The support includes "...a premier hotel by investing in its future...to build upon their investment in the city and achieve parity with other Five Star Hotels in Beverly Hills...". This applies irrespective of rooftop or ground level improvements and 5 star parity.

A sampling is included altho previously submitted.

Respectfully submitted

Mitchell Dawson

on behalf of Viceroy L'Ermitage

[Click here to enable desktop notifications for C](#)

Viceroy neighborhood support

rgohlich@beverlyhills.org, Mitchell Dawson

Viceroy neighborhood support

Ryan

The attached represents approximately 225 supporters of Viceroy L' Ermitage, of close proximity, including Doheny Dr, Alpine, Elm, N. Oakhurst, N. Rexford, Footl

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A sampling is included altho previously submitted.

Respectfully submitted

Mitchell Dawson

on behalf of Viceroy L'Ermitage

Sans Serif

Send

### L'Ermitage Supporters

36	D Miller	124	N ELM DR.	Beverly Hills
37	F Schloss	124	N. Maple Dr	Beverly Hills
38	S Gull	124	N. Maple Dr	Beverly Hills
39	Sepdeth Neiman	124	N. Oakhurst Dr	Beverly Hills
40	Speiden Newman	124	N. Oakhurst Dr	Beverly Hills
41	Would not provide name	124	N Doheny Dr	Beverly Hills
42	Donna Flade	125	N Doheny Dr	Beverly Hills
43	Macarenu Gardarills	125	N. Maple Dr	Beverly Hills
44	Ray Flade	125	N Doheny Dr	Beverly Hills
45	Soham Wattan	125	N. Oakhurst Dr	Beverly Hills
46	E Greer	126	N. Maple Dr	Beverly Hills
47	Lauren Winter	126	N. Oakhurst Dr	Beverly Hills
48	Angelica Kulch	127	Palm Dr.	Beverly Hills
49	Cadvan Griffiths	127	N. Doheny Dr.	Beverly Hills
50	Ellen Milton	127	N. Maple Dr	Beverly Hills
51	Mehri Feizbakhsh	127	N. Oakhurst Dr	Beverly Hills
52	Nasser Feizbakhsh	127	N. Oakhurst Dr	Beverly Hills
53	B Tanz	132	N. Doheny Dr.	Beverly Hills
54	Eva Tanz	132	N. Doheny Dr.	Beverly Hills
55	Brian Katz	133	N. Rexford Dr	Beverly Hills
56	Limor Dawoody	133	N. Rexford Dr	Beverly Hills
57	Seth	133	N. Rexford Dr	Beverly Hills
58	Laura Kasper	144	N. Doheny Dr.	Beverly Hills
59	Nassir Afshin	149	N. Rexford Dr	Beverly Hills
60	Would not provide name	156	N. Doheny Dr.	Beverly Hills
61	Mytill Prakash	167	N. Rexford Dr	Beverly Hills
62	V Prakash	167	N. Rexford Dr	Beverly Hills
63	Ebby Tabariai	173	N. Rexford Dr	Beverly Hills
64	Lily Tabariai	173	N. Rexford Dr	Beverly Hills
65	Sofia Shay	179	N. Rexford Dr	Beverly Hills
66	Lillian Ghodsian	180	N. Rexford Dr	Beverly Hills
67	Cameron Sikavi	185	N. Rexford Dr	Beverly Hills
68	Eliza Sikavi	185	N. Rexford Dr	Beverly Hills
69	E Savis	197	N. Rexford Dr	Beverly Hills
70	S Savis	197	N. Rexford Dr	Beverly Hills
71	Andrew Crow	201	N Doheny Dr	Beverly Hills

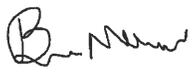
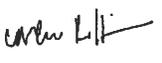
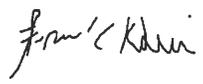
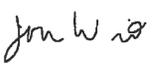
**L'Ermitage Supporters**

72	Donald Ostrove	201	N ELM DR.	Beverly Hills
73	Joseph Dabby	202	N. Maple Dr	Beverly Hills
74	Nadine Dabby	202	N. Maple Dr	Beverly Hills
75	Y Dabby	202	N. Maple Dr	Beverly Hills
76	Lois Hirt	203	N. Rexford Dr	Beverly Hills
77	Lisa Zieve	204	N. Maple Dr	Beverly Hills
78	Mitra Yaghoubieh	204	N. Oakhurst Dr	Beverly Hills
79	Sherman Zieve	204	N. Maple Dr	Beverly Hills
80	Beno Dymant	205	N Doheny Dr	Beverly Hills
81	Lucia Dymant	205	N Doheny Dr	Beverly Hills
82	M Moghtader	205	N. Oakhurst Dr	Beverly Hills
83	Marjan Moradian	206	N. Oakhurst Dr	Beverly Hills
84	Marleen K.	206	Palm Dr.	Beverly Hills
85	George Klabin	207	N. Oakhurst Dr	Beverly Hills
86	Maurice Douek	207	N. Maple Dr	Beverly Hills
87	D Einhorn	208	N. Maple Dr	Beverly Hills
88	David Poursalimi	208	N. Oakhurst Dr	Beverly Hills
89	Hank Rabbani	208	Foothill Rd	Beverly Hills
90	Rosie Einhorn	208	N. Maple Dr	Beverly Hills
91	M Gomez	209	N Doheny Dr	Beverly Hills
92	Shirley Frankel	210	Palm Dr.	Beverly Hills
93	Touran Emmanuel	210	Foothill Rd	Beverly Hills
94	Ann Pack	211	N. Maple Dr	Beverly Hills
95	D Nissani	211	N. Doheny Dr.	Beverly Hills
96	David Ngathaim	211	N. Oakhurst Dr	Beverly Hills
97	Hastee Movafagh	211	N. Doheny Dr.	Beverly Hills
98	Michael Hershkovich	211	N ELM DR.	Beverly Hills
99	Richard Pack	211	N. Maple Dr	Beverly Hills
100	Meera Dhawan	212	N. Oakhurst Dr	Beverly Hills
101	Nejatollah Javidzad	212	N. Maple Dr	Beverly Hills
102	Rahul Dhawan	212	N. Oakhurst Dr	Beverly Hills
103	David Kroh	213	N. Maple Dr	Beverly Hills
104	Eva Kroh	213	N. Maple Dr	Beverly Hills
105	Maria Bennett	213	Palm Dr.	Beverly Hills
106	Megan Zucaro	213	N Doheny Dr	Beverly Hills
107	Richard Zucaro	213	N Doheny Dr	Beverly Hills

**L'Ermitage Supporters**

216	Roxanne Lapenta	346	N. Maple Dr	Beverly Hills
217	A Kwon	348	N. Maple Dr	Beverly Hills
218	C Lynn	348	N. Maple Dr	Beverly Hills
219	E Kahn	348	REXFORD	Beverly Hills
220	Joe Griffin	348	N. Maple Dr	Beverly Hills
221	Paula Rounds	348	N. Maple Dr	Beverly Hills
222	Fredidoun Sefaradi	349	N. Oakhurst Dr	Beverly Hills
223	Steve Cook	350	N. Maple Dr	Beverly Hills
224	Adam Louis	9153	Burton Way	Beverly Hills
225	T Zarnegin	9153	Burton Way	Beverly Hills

**L'Ermitage Signatures**

- Afee Sadik 
- Ben Neman 
- Cameron Sikavi 
- Caroline Rashitan 
- Danielle Kemp 
- David Kohan 
- Desiree Jan 
- Edward Ipp 
- Eliza Sikavi 
- Farzad Salmenia 
- Frank Kalili 
- Jasmine Banayan 
- Joe Griffin 
- Jon Wine 
- Justin Smith 
- Leo Steinberg 
- Lillian Ghodsian 

Count me in!

The Viceory L'Ermitage plan embraces the hotel's pride in providing the City of Beverly Hills the premier hotel by investing in its future. When completed, the hotel will meet ADA requirements and CALGREEN standards. I support the hotel having an enclosure that continues to build upon their investment in the city and takes the surrounding neighbors into consideration by continuing to minimize any potential noise impacts. I support the hotels efforts to amend the current CUP so that it can provide more energy-efficient operations and achieve parity with other Five Star Hotels in Beverly Hills. You may use my name as a supporter.

FIRST	LAST	ADDRESS	EMAIL	PHONE	SIGNATURE
GEORGIS	KLABIN KLING	207 N. DAKHURST			
AMIR	SHIRIAN	122 N. DAKHURST			
HOOHAN	SHIRIAN	118 N. DAKHURST			
Behzad	Neman	124 N. Dakhurst			
Sepideh	Neman	124 N. Dakhurst			

**PUBLIC CORRESPONDENCE**

**JOE TILEM**

Law Offices of  
**DAWSON TILEM & GOLE**

*MITCHELL J. DAWSON  
JOSEPH N. TILEM  
GARY M. GOLE*

*9454 Wilshire Boulevard, Penthouse  
Beverly Hills, California 90212  
Telephone: (310) 273-3313  
Facsimile: (310) 285-0807*

April 12, 2016

Mr. Ryan Golich:  
City of Beverly Hills  
455 N. Rexford Drive  
Beverly Hills, CA. 90210

Re: L'Ermitage Hotel modernization application

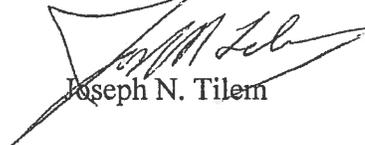
Dear Ryan:

My partner, Mitch Dawson, represents the applicant in the above Planning Commission proceeding. I want to add my support of the application.

The General Plan policy makes clear that hotels, particularly luxury hotels that attract tourists and visitors, are an essential part of the city's identity and revenue which enables the city to function as a first class community. The Transit Occupancy Tax is a particularly important source of revenue to the city's budget. All major hotels must upgrade their properties periodically to enable them to compete in the competitive market of luxury hotels. The L'Ermitage is on Burton Way, an important thoroughfare in the city, has always been a good neighbor and has accommodated all reasonable neighbors concerns.

I urge the approval of the current requests for the improvements and enhancements of the hotel.

Very truly yours,



Joseph N. Tilem

**PUBLIC CORRESPONDENCE**

**ERVIN COHEN & JESSUP**

April 27, 2016

**VIA HAND DELIVERY & EMAIL**

Ryan Gohlich  
rgohlich@beverlyhills.org  
Assistant Director/City Planner  
Community Development Department  
455 N. Rexford Drive  
Beverly Hills, California 90210

Re: **Viceroy L'Ermitage Hotel, 9291 Burton Way, Beverly Hills, California  
CUP and DPR**

Dear Mr. Gohlich:

This firm represents the Viceroy L'Ermitage Hotel at 9291 Burton Way in Beverly Hills (hereafter the "L'Ermitage"). This letter is being provided in connection with the May 2, 2016 Beverly Hills' Planning Commission Special Meeting, at which time L'Ermitage's application requesting a new Conditional Use Permit ("CUP") and a Development Plan Review Permit ("DPR") will be considered.

L'Ermitage has undergone a \$38,000,000 remodel which includes each and every one of its suites, and \$4,000,000 alone towards its new dining facility called Avec Nous. On April 14, 2016, the Planning Commission was scheduled to consider a request by the L'Ermitage to renew its CUP and DPR for Avec Nous. The CUP would allow Avec Nous to be open to the public (as L'Ermitage's prior restaurants had always been in previous years, rather than be restricted to use only by hotel guests and guests of hotel guests) and the DPR would allow for Avec Nous to offer open air dining. Just prior to the hearing taking place, however, it was determined by City Attorney Larry Wiener that the CUP and DPR had expired, and were no longer eligible for renewal. This determination caused the CUP and DPR to immediately become invalid, meaning that L'Ermitage's right to operate outdoor dining and allow the restaurant to be open to the public was lost. In addition, because the hearing was noticed for a renewal, rather than a brand new CUP and DPR, the Planning Commission refused to take any further action on the matter. Instead, they scheduled a Special Meeting for May 2, 2016 to take up the issue.

Ryan Gohlich  
April 27, 2016  
Page 2

Avec Nous has now been severely impacted by the loss of tens of thousands of dollars in revenue through the inability to serve outside guests since April 14, 2016, pending the decision by the Planning Commission. L'Ermitage wants to ensure that the Staff and Planning Commission have all the information that they need or want in order to make an informed decision at that May 2<sup>nd</sup> hearing, so that Avec Nous can be open to the public again. In this regard, this letter is intended to address some of the issues, uncertainties, and questions that have been raised with L'Ermitage to date.

First, there has been some discussion about a significant number of neighborhood complaints in connection with the L'Ermitage. There have been 143 complaints made from mid-2014 to earlier this year.<sup>1</sup> However, the vast majority of these complaints came from a single neighbor residing next to the hotel—Matti Bialer. And 110 of those 143 total complaints were complaints of public works; in other words, only 33 of the 143 neighborhood complaints lodged had anything to do with L'Ermitage. A sampling of those complaints is listed here, along with L'Ermitage's response:

- **COMPLAINT:** "On the evening of Friday, February 12, 2016 there was a rooftop Grammy-related party at the hotel. This party attracted many hundreds of guests. The party created a difficult and disturbing atmosphere for all of the residents on all of the surrounding streets. Loud amplified music late into the night, illegal parking, littering, loud drunk and inebriated party guests loudly wandering the streets until as late as 4AM Saturday. Disturbing the peace, and our right to quiet enjoyment of our residences, in our residential neighborhood."
- **L'ERMITAGE'S RESPONSE:** The rooftop event at L'Ermitage on Friday, February 12, 2016 was a reception and dinner from 6:00 p.m. – 10:00 p.m. with no DJ or amplified music. The guest count was 104 individuals. There was also a restaurant reception for 150-guests within the hotel from 6:00 p.m. – 11:00 p.m., but there was no amplified outdoor music or outdoor dining. In order to ensure orderly departure, mitigate noise, and preclude loitering on the streets, L'Ermitage scheduled additional valet attendants, and all guests left the property by 11:30 p.m. that night. Security was present at all times, and there were no disturbances observed. The police were called to the property once at 7:41 p.m. as a result of a "neighbor complaint", but having verified that there were no violations, they left. No citations were issued.
- **COMPLAINT:** "There was use of the patio area outside the restaurant structure after the permitted 10:00 p.m. curfew. People were loud and boisterous in this area until late into the night."

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<sup>1</sup> Note the L'Ermitage hotel was closed for renovation for most of 2015.

Ryan Gohlich  
 April 27, 2016  
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- **L'ERMITAGE'S RESPONSE:** The use of the pavilion patio was related to the February 12, 2016 restaurant event as a smoking area. There was no seating or amplified music. All guests were cleared from the area at 10:00 p.m.
- **COMPLAINT:** "On February 15, 2016, President's Day a federal holiday, the day was interrupted by the breakdown of the party all day long. Noise and trucks blocking the alley and garage access for the residents."
- **L'ERMITAGE'S RESPONSE:** The rental equipment from the rooftop event on February 12, 2016 was actually removed by a vendor on Saturday, February 13, 2016 from 9:00 a.m.-12:00 p.m. Another client loaded equipment for a ground floor meeting space on Monday, February 15, 2016. They began at 8:05 a.m. and concluded by 2:48 p.m., escorted by security and logged into L'Ermitage's daily security notes.
- **COMPLAINT:** "Additionally, the hotel continuously violates the construction hours rules in place in the city. On Sunday, January 10, 2016, the hotel was found to be in violation of work rules and did not have property permits for the after hours work it was conducting. This has been an ongoing issue and continues."
- **L'ERMITAGE'S RESPONSE:** L'Ermitage was permitted for weekend work, and provided approved permit numbers upon request. L'Ermitage was not cited for any violations.

Nevertheless, L'Ermitage takes every issue, violation, and concern raised seriously. In spite of L'Ermitage's best efforts, there have admittedly been times when its operations have not been perfect. Consequently, L'Ermitage has worked—and will continue to work—to address and mitigate those instances when raised by the City, private citizens, or anyone else. There are numerous examples of L'Ermitage's remediation efforts in just the last year or so.

For instance, it was recently brought to L'Ermitage's attention that its guests were drinking in the outside patio area. L'Ermitage ceased serving drinks or food in its outside patio area since April 14, 2016. The floral arrangements that are placed on the tables in the outside patio area are part of L'Ermitage's décor throughout its hotel; indeed the same floral arrangements are on tables in the lobby, gym and surrounding areas. The individuals that were seen drinking in the outside patio area, were guests that unilaterally took the drinks they purchased from the inside bar and walked out. Immediately after the issue was brought to L'Ermitage's attention, however, L'Ermitage created and placed clear signs on all the doors that lead to the outside patio area instructing guests that the patio was closed. Since these signs have been posted, L'Ermitage has not observed any further violations.

Ryan Gohlich  
April 27, 2016  
Page 4

L'Ermitage was also informed of speakers that were placed in the outside area of its facilities. Even though the speakers were old and not operational, it was told by the City that it cannot have such speakers in sight. Thus, those speakers were entirely removed and are no longer present.

While L'Ermitage was engaged in remodeling, a neighbor complained of dust having carried over to his building. Regardless of fault or severity, L'Ermitage quickly took it upon itself to remedy the situation by paying for cleaners to wash this neighbor's entire apartment building.

L'Ermitage also hired Veneklasen Associates Inc. to review the possible impact of any produced sounds in the area, and found that L'Ermitage was in good stead. (Attached hereto as **Exhibit "A"** is a true and correct copy of Veneklasen Associates Inc.'s April 25, 2016 findings.) Indeed the hotel went to great lengths to ensure noise was kept at a minimum during construction, and is kept at a minimum now that it is open for operation. These measures have included, but are not limited to, L'Ermitage positioning a "parking guard" at the foothill entry to the alley behind the property to avert parking issues, and avoid congestion and potential blockage of garages of the apartment buildings on the western end of the alley. Further, it has included L'Ermitage offering to provide double-glazing to two sides of windows on one property and to provide the necessary funds for the owners to control at their will. L'Ermitage is also willing to forego having a bar or night club on its rooftop, even though it is free to seek such use.

The staff at L'Ermitage and its counsel have involved the community in numerous meetings at the hotel to discuss preventative measures moving forward as well. Specific neighbors have been given not only the personal telephone numbers of the Hotel Manager, Nicholas Rimedio, but members of the construction staff (when they were present), project management staff, and counsel as well. In each instance, cell numbers were given for direct contact to ensure a timely response. (A true and correct copy of co-counsel Mitchell Dawson's November 10, 2015 letter detailing L'Ermitage's efforts is attached hereto as **Exhibit "B."**)

L'Ermitage is simply asking for the Planning Commission to allow what has successfully operated for years now, and generates significant revenue for the City. The operation of the restaurant and outdoor dining area has not had an adverse impact on the surrounding neighborhood in prior years, or during the time Avec Nous was open earlier this year. L'Ermitage intends to continue to work with the City and its neighbors in ensuring compliance with applicable regulations, and minimizing disturbances.

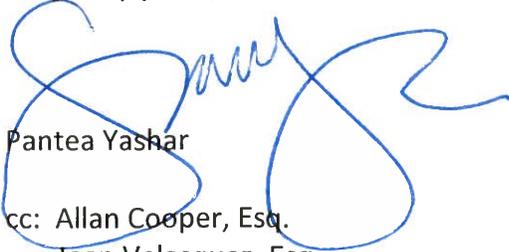
Please let us know if you need any additional information or concerns addressed. L'Ermitage has unfortunately lost fourteen months of business, and therefore, time is truly of the essence to them right now in getting their CUP/DPR approved. We are able and willing to do whatever

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Ryan Gohlich  
April 27, 2016  
Page 5

it takes to be in a position to get a final determination by the Planning Commission on May 2<sup>nd</sup>, 2016.

Very truly yours,



Pantea Yashar

cc: Allan Cooper, Esq.  
Joan Velasquez, Esq.  
Lee Silver, Esq.

# Exhibit A

April 25, 2016

**Dawson Tilem & Gole**  
9545 Wilshire Blvd., Penthouse  
Beverly Hills, CA 90212

Attention: Mr. Mitchel Dawson

Subject: **Viceroy Lermilage Hotel, Beverly Hills, CA**  
**Outdoor Patio Restaurant**  
**Acoustical Review**  
**V.A. Project No. 4580-002**

Dear Mr. Dawson:

We have reviewed the plans for the proposed new outdoor dining area at Viceroy Lermilage Hotel in Beverly Hills. The purpose of this review was to assess the possible impact of any produced sounds in this area, at the noise sensitive locations in the near vicinity of the hotel.

The closest noise sensitive structure is a residential building to the west property line of the hotel. Another residential structure is located to the east property line of the hotel however due to its farther distance than the structure on the west side, any possible impact will be less severe at this location. A number of residential units are located directly across the Burton Way which may be considered as sensitive noise receptors.

As you are aware we had documented the ambient noise levels at this location in a previous study. Noise levels were measured at a location directly in from of the hotel and also near a residential unit across the Burton Way.

We estimated the produced noise levels at these sensitive locations due to expected activities in a typical restaurant. These levels were substantially lower than the ambient noise levels which we measured in our previous survey.

Based on our noise estimates and comparison with the results of our past ambient noise survey we have concluded that any noise produced in the outdoor dining area will have minimal or no impact at the nearest noise sensitive locations. Therefore, no noise impact may be expected at any other

location, near or far from the hotel. This conclusion had also been reached by the City's technical staff and included in their report to the Planning Commission.

If you have any questions concerning information contained in this report please do not hesitate to contact me.

Sincerely,

Veneklasen Associates, Inc.

A handwritten signature in black ink, appearing to read "H. Khosrovani", written over a horizontal line.

Hooshang Khosrovani, Ph.D., P.E.

Principal

G:\DawsonTilem&Gole\ViceroyLermitage\16HK001

# Exhibit B

Law Offices of  
**DAWSON TILEM & GOLE**

MITCHELL J. DAWSON  
JOSEPH N. TILEM  
GARY M. GOLE

9454 Wilshire Boulevard, Penthouse  
Beverly Hills, California 90212  
Telephone: (310) 285-0880  
Facsimile: (310) 285-0807

November 10, 2015

Chairman Alan Block  
Members of the Planning Commission

Re: Viceroy L'Ermitage Hotel Application for Overlay Zone

Dear Commissioners:

I write on behalf of the Viceroy L'Ermitage Hotel, which includes direct comments from General Manager Sal Abaunza, Hotel Manager Nicholas Rimedio, project management and others involved.

The L'Ermitage Hotel, and individuals directly related with the ongoing property management, have put forth a multitude of opportunities to address potential concerns of neighbors and to promote positive relations with the community and especially nearby residents.

First is attached a letter to Neighbors of February 23, 2015, from the Hotel Manager, Nicholas Rimedio. It explains the remodeling program and its goals. The letter discusses hours of operation for the remodeling, which commenced in March of 2015.

The letter includes "an expression of our appreciation" offering a lunch or other items to drink or eat for the entire year of 2015. Moreover, the letter leaves a dedicated telephone hotline number "... should you have any questions or concerns about this remodeling phase...."

The staff of the L'Ermitage Hotel, including the undersigned, have had numerous meetings at the hotel with neighbors to discuss preventative measures.

Specific neighbors have been given not only the personal telephone number of the Hotel Manager, but as well, members of the construction staff, project management staff and myself. In each instance, our cell numbers were given for direct contact.

Re: L'Ermitage Hotel Application  
November 10, 2015  
Page 2

The Hotel has positioned a "parking guard" at the Foothill entry to the alley behind the hotel. The parking guard is there to avert parking issues, alley congestion and potential blockage of garages of the apartment building on the western end of the alley.

The Hotel has offered to provide double glazing to two sides of windows on one property and to provide the necessary funds for the owners to control at their will.

An additional factor is the request of the Hotel within the overlay zone is to eliminate outdoor seating in the western-most terrace area. The request is to move that seating much further east (same number of seats, as has been approved - 20) so that it is then a greater distance from the residential apartment building to the west.

Both the General Manager Sal Abaunza and Hotel Manager Nick Rimedio reside in Beverly Hills and are in close walking proximity to the Hotel. They have been and remain welcoming to the opportunity to be immediately onsite in an attempt to remedy any concerns that arise. Both Mr. Abaunza and Mr. Rimedio advise that they have not been contacted by cell as offered. Neither have I.

Since construction for the remodeling has begun in March there have been very few events at all on the rooftop due to remodeling in the lobby area. The few that were allowed on the rooftop ended promptly at 10:00 p.m. None will be scheduled for the remainder of the year and presently none are yet scheduled for 2016 - still limited in number by the existing CUP.

#### AN IMPORTANT POINT OF CLARIFICATION.

There will be NO BAR or NIGHT CLUB on the roof. The request for 2am hours is meant for a limited number of special events such as a major awards reception.

One of the significant points of the Application now pending is covered very carefully in the mitigated negative declaration document which reflects the study of the "... installation of a glass 15-foot "acoustic shield" that would extend around the perimeter of the rooftop and would slope inward and is designed to reduce noise from rooftop uses." This is a quote from the project description published in the local newspapers and part of the MND project description. The shield will significantly mitigate noise from the rooftop. See attached memo.

Re: L'Ermitage Hotel Application  
November 10, 2015  
Page 3

An additional undertaking as to noise reduction is a system for staff to call from the rooftop to the valet personnel on ground level/garage to bring up the car needed. This will limit the waiting time for vehicles and minimize noise. Further, for events on rooftop that require the need, the Hotel will continue to have its employees park off site in paid for BH parking lots.

The L'Ermitage Hotel will continue to do its very best in dealing with all issues of noise, parking, deliveries and things of that nature. Special conditions will be imposed for event set up and breakdown. The L'Ermitage Hotel believes it has taken great strides to meet the requests of the community and local neighbors and will continue to do whatever it takes to make it even better.

The Viceroy L'Ermitage Hotel is one of the very few 5-star hotels in Beverly Hills and would only have the desire to maintain that status -- as reflected in recently being honored by the Beverly Hills Chamber of Commerce as the best of Beverly Hills Golden Palm Awards in the category of ABOVE AND BEYOND. Reaching out to neighbors is essential to "going above and beyond." The Viceroy L'Ermitage Hotel respects the rights of neighbors and the right of quiet enjoyment.

Respectfully submitted,



MITCHELL J. DAWSON  
On Behalf of Viceroy/L'Ermitage Hotel

MJD:js  
Attachments

