

Title: More Than a Shade Apart

There is a degree of humorless irony in reading what was said during the preliminary discussions about a planned “bed and breakfast style inn” sitting at the crest of downtown. Residents stated they wanted it small, a low-impact B&B, and the Metlox site was an “ideal location for a quaint inn.”

Fast forward from 2000 to to-day. Some of the same residents speak of being “lulled into complacency” and an original supporter who first stated, “It’s getting a little bigger than I hoped,” now stands before Planning Commission and describes deprived sleep due to the noise emanating from the Shade Hotel.

There has been an ongoing contretemps between the residents living in close proximity to the Shade Hotel (see B&B). Petitions, e-mailed complaints, police reports, Planning Commission hearings—all these over a period of a number of years have resulted in some mitigating offers by Metlox owner Michael Zislis, and the residents who responded that the Master Use Permit and the Metlox Conditional Use Permit be scrupulously enforced.

It was in 2004-05 that most Shade Hotel work was in completion. This once popular concept which, at most, should have been a ‘hotel with a bar’ is operated more as a ‘bar with a hotel’.

A major source of contention is that of the way an alcohol license was obtained. Mr. Zislis explained to Council that in order to have a mini-bar in each hotel room, he had to obtain a Type 70 license—a full alcohol license. This was not questioned by Council who were led to believe that, as a result of several meetings with staff, Zislis and the ABC, the Type 70 license was required

The truth of this is that a type 47 license would have permitted the min-bars without having to acquire the less restrictive Type 70. Asked how this misunderstanding may have come about, staff member Jester said “Staff and the owner met with the ABC several times and looked at what the applicant wanted to accomplish.” And they gave it to him.

Nate Hubbard, facilitator acting as go-between the neighbors and staff and Shade has worked endlessly to negotiate a satisfactory agreement. For five years, he said, he and his wife have been impacted by noise since Day One. As part of the agreement, in exchange for noise reduction, residents would approve extended bar hours from 11p.m. to midnight, Friday and Saturday, in the Zinc Bar alone, not on the Sky Deck.

Subsequently, draft Use Permit was submitted, but no comments were received. Several papers were sent by Hubbard, including a public nuisance paper, an acoustic analyses critique (as recently as April22), and four principal required conditions.

Concepts for noise mitigation were presented by Zislis a few months ago; There were subsequent meetings with neighbors who rejected a number of the proposals which they felt did not meet the existing needs. There are several noise areas which impact the residents and for which mitigating measures are sought.

--An accordion-like retractable door between the Zinc Lounge and the lobby: the tracks for this have been in the hotel since construction, but never been installed, although required by the Use Permit,

--Establishing occupancy numbers. Videos show a packed room and people waiting to get in. A 2006 L.A. Times article wrote that the Zinc Bar was “a unique wine preservation system: which feels more like party bar than wine bar and to expect long lines to get in.”

The Sky Deck, originally conceived as having a Jacuzzi for guests, has morphed into a pool and other parties, with amplified sound.

Some of the conditions set forth by Hubbard on behalf of the residents include, in exchange for the conditional extension of Zinc Bar hours:

- *Full enclosure of the Terrace including sound absorbing drapes and ceiling fixtures;
- *No live entertainment on Sky Deck and removal of an entertainment sound system.
- *Possibly close the Deck at 9 pm;
- *Reducing occupancy by rolling back to 2008 numbers first established by Manhattan Beach Fire Department;
- *Review of the proposed Use Permit on an item by item basis to make changes as basis for a resolution to adopt all Use Permits as modified

While it is helpful that the request for an exit from Shade towards Morningside may be done, the hours of closing, the noise and sounds which carry into the neighbors' homes and lives, must be reviewed, addressed, adhered to the essential CUP as outline.

Currently, when any one CUP conditions is overlooked or ignored, the integrity of the CUP is at stake.