## EXHIBIT 6-A



APR ¿y 2005
MPWMD

HAND DELIVERED

Monterey Peninsula Water Management District
Board of Directors
5 Harris Court, Building G
Monterey, CA 93940

## Re: APN 169-131-002 and 003; Storage Pro Self Storage Facility

Dear Chair Foy and Members of the Board:
This letter serves to appeal the decision of the General Manager that Special Circumstances do not apply to the applicant's self storage facility proposed in Carmel Valley. A check in the amount of $\$ 500.00$ is enclosed to cover the cost of the application fee. I have also enclosed a copy of the applicant's request to the General Manager for Special Circumstances (enclosed as Exhibit "A").

District Staff instructed the applicant's representative to prepare a report similar to that prepared for the General Store and Gas Station in Carmel Highlands. That report includes 24 months of historic water use for the single existing facility (enclosed as Exhibit "B"). The Carmel Highlands report did not contain any information or analysis that is substantially difficult from that submitted for Mr. Mirabito's project. The Mirabito report contained exactly what Staff requested (enclosed as Exhibit "C").

Notwithstanding that the applicant provided an engineering report that included documentation that water use at other self storage facilities was less than that estimated by using the District's factor, District Staff stated that Special Circumstances did not apply to this project because the applicant did not submit information on enough facilities over a long enough period of time. Mr. Mirabito provided information for six locations over a one year period, whereas the Highlands Gallery only provided information for only one location over a period of two years.

The CDM Storage Facility Report focused on interior water use and not irrigation requirements because the District Rules require a landscape architect to estimate irrigation water demand for commercial facilities. The report concludes that the total annual water demand (including the

Monterey Peninsula Water Management District
Board of Directors
April 28, 2005
Page 2
landscape architect's estimate) for the proposed facility would be 0.174 acre feet per year, as compared to using the District's factor which estimates water use at 0.629 acre feet annually.

CDM's engineering report is based on historical water use at six other similar facilities in California, and are clearly accurate and reliable. Staff's decision to disregard the information supplied by CDM and its conclusion that the District's factor is an appropriate measurement of the potential water demand is clearly inconsistent with District Rule $24(\mathrm{~g})$ which states that the adjustment shall be based on historical use or other hard documentation, such as been supplied by CDM.

Accordingly, on behalf of Mr. Mirabito, I respectfully request that the Board make a finding of Special Circumstances regarding water demand for the storage facility and approve a permit for the water use estimated by CDM, the project hydrologic engineer.

Respectfully submitted,


DLM:js
cc: Client

November 1, 2004

Mr. David Berger<br>General Manager<br>Monterey Peninsula Water Management District<br>P. O. Box 85<br>Monterey, CA 93942-0085

## Re: Carmel Valley Self-Storage Project (PLN 980301)

## Dear Mr. Berger:

This letter serves to request that Steve Mirabito's application for a water permit for Phases 1 and 2 of the self-storage facility in Carmel Valley be processed pursuant to District Rule 24 (G) for Special Circumstances. This project was approved by Monterey County Board of Supervisors in January, 2004 and consists of 975 square feet of office space and 61,925 square feet of storage area.

Special Circumstances exist with respect to the anticipated water use resulting from this permit. The anticipated water use for the facility equals 0.23 FY , as set forth below:

| Storage Area | $:$ |
| :--- | :--- |
| Office (975 sq. ft.) | $:$ |
| Landscaping (6,382 sq. ft.) | $:$ |
|  | Total |

The proposed storage facility is replacing an existing three bedroom single family dwelling and a pottery art studio. Collectively the two buildings contain six sinks, three showers, four toilets, and one washing machine, along with lawn and landscaping around the structures. The storage facility will only have one toilet, two sinks (one in restroom and one for making coffee in the office) and for use by an employee for 9 hours per day. Two sinks and one toilet in an office could not possibly use as much water as the existing home and studio.

A copy of the landscape plans prepared by Gates \& Associates is attached hereto, together with a set of plans for the storage facility. The landscape architect prepared a detailed and thorough analysis of the on-site irrigation demand that is based on industry standards. The water demand for the office space represents that which would be required for making coffee and restroom use

Mr. David Berger
Monterey Peninsula Water Management District
November 1, 2004
Page 2
by the storage facility employee. Assuming that an ultra low flow toilet is used, and up to onehalf gallon of water is used for hand washing, the figures set forth above would allow for use of the restroom 72 times per day.

If the District's water demand figure from Table 2 were used, the office space would have 0.49 AFY available for use ( 0.64 total -0.15 for landscape per architects plans), which equals 438 gallons per day. Again, assuming installation of a one-half gallon per flush toilet and that onehalf gallon of water is used for hand washing, the storage facility employee would have to use the restroom 438 times per day to use that much water.

Clearly, the District's demand figure for storage facilities is outdated and based on high flow fixtures and non-drought tolerant landscaping. Given the current regulations requiring use of water conserving fixtures and landscaping, it would be impossible for this project to use the volume of water set forth in District's Table 2.

On behalf of Steve Mirabito, I respectfully request that you administratively grant the project's water permit based on Special Circumstances as set forth in District Rule 24 (G).

Sincerely,
LOMBARDO \& GILLES, PLC


DLM:js
Enclosures

100 Pringle Avenue, Suite 300 Walnut Creek, California 94596 tel: 925 933-2900
fax: 925 933-4174

November 30, 2004

Dan Keig<br>200 Crest Road<br>Carmel Highlands, CA 93923

Subject: Reduction in Water Use
Art Gallery, General Store and Gas Station
Dear Mr. Keig:

In response to your request, we have studied the water use at your Art Gallery, General Store and Gas Station property located on Highway 1 in Carmel Highlands. This letter describes our work and presents our findings.

## Introduction

You are planning to improve the existing Art Gallery and enlarge the building by 1,500 square feet. You also are planning to replace the toilet in the Art Gallery with a low water use toilet, and replace the two toilets in the Gas Station with low water use toilets.

On November 9 I visited the Art Gallery, General Store and Gas Station and inspected the water fixtures. California American Water provides water to your property via two services each with a water meter. The Art Gallery and adjacent landscape area are on one service, and the General Store and Gas Station are on another service. I obtained water use records for 2002 and 2003 for both of the meters.

## 2002 and 2003 Water Use

The typical winter water use for the General Store and Gas Station for 2002 and 2003 was 600 cubic feet per month. The annual water use for these years was 110,500 cubic feet, or 920 cubic feet per month. See Table 1.

The typical winter water use for the Art Gallery for 2002 and 2003 was 200 cubic feet per month. The annual water use for these years was 7,800 cubic feet. See Table 2.

The approximate breakdown of water use for the winters for 2002 and 2003 is shown in Table 3, and the breakdown for an average day during 2002 and 2003 is shown in Table 4.

Dan Keig
November 30, 2004
Page 2
The winter water use of 593 cubic feet per month from Table 3 agrees with the 600 from the California American Water metered amount as shown on Table 1. The average day of 920 cubic feet per month agrees with the 966 from Table 1.

## Reduction in Water Use with the Planned Improvements

The proposed new toilets are shown on Figure 1. These new toilets will consumes less than 1.0 gallons per flush. Two of these new toilets at the Gas Station will result in 0.6 gallons reduction in water use for each flush, or 4,770 cubic feet per year. See Table 5.

The proposed new toilet at the Art Gallery will consume less water per flush. In addition, the 1,500 square foot enlargement will remove approximately 600 square feet of landscape area and the irrigation water needs will be reduced below current levels. Table 6 shows that there will be a yearly reduction of 900 cubic feet.

## Water Requirement for the Enlargement of the Art Gallery

Water use for the Art Gallery will be similar to water use for retail and family grocery. The Monterey Peninsula Water Management District specifies an annual water use of 0.00007 acre-feet per square foot. Annual water use will be 1,500 square foot enlargement times 0.00007 equals 0.105 acre feet or 4,570 cubic feet. There may be a slight increase in water use from a greater number of visitors to the enlarged Art Gallery.

## Conclusion

The proposed replacement of the three toilets and the reduction in landscape area will result in a reduction in annual water use of 5,670 ( 4,770 plus 900) cubic feet. The enlarge Art Gallery will require 4,570 cubic feet per year. Therefore there will be a net reduction in water use of 1,100 cubic feet per year.

## Limitations

CDM did not perform flow measurements of fixtures, and only reviewed water use records for 2002 and 2003.

Very truly yours,


Roger G. Fry
Associate
Camp Dresser \& McKee Inc.
Enclosures: As noted
Copy: Miriam Schakat, Lombardo \& Gilles.

General Store and Gas Station

Water Usage Comparison
Monthly usage in 100 Cubic Feet


Winter month $=600$ cubic fat


Table 2

## Water Usage in Winter

## Gas Station and Grocery

|  | Gal per use | Times per day <br> (estimated) | Gal per day |
| :--- | :---: | :--- | :--- |
| Grocery - Coffee Sink | $---------------------------------~$ |  | 4 |
| Grocery -Freezer Sink |  |  | 2 |
| Men's Urinal | 0.5 | 20 | 10 |
| Men's Toilet | 1.6 | 20 | 32 |
| Men's Sink | 0.5 | 30 | 15 |
| Women's Toilet | 1.6 | 40 | 64 |
| Women's Sink | 0.5 | 40 | 20 |
| Drinking Fountain | 0.03 | 30 | 1 |
| Irrigation of landscape area, none in winter |  | 0 |  |

$$
\begin{aligned}
\text { Total } & 148 \text { gal per day } \\
x 30 & =4,440 \text { gal per month } \\
= & 593 \text { cubic feet per mo } .
\end{aligned}
$$

## Art Gallery

Toilet
Sink
Kitchen Sink
4.0
0.5
0.5

10
40
10
12

5
6

Total 51 gal per day $\times 30=1,530 \mathrm{gal}$ per month
$=205$ cubic feet per mo.

Water Usage - Average Day (Winter and Summer combined)

## Gas Station and Grocery



## Art Gallery

Toilet 4.0 15
$5 \quad 60$
Sink
0.5

Kitchen Sink
0.5

18
$=3,710$ cubic feet per year
TOTAL 15,300 cubic feet per year

Notes:

1. Gas Station and Grocery are open 13 hours per day ( 7 AM to 8 PM ).
2. Restrooms are open for public use and customers.

# Water Usage - Average Day (Winter and Summer combined) <br> With Turbo Capizzi Low Water Use Toilets 

## Gas Station and Grocery

| Gal per use | Times per day (estimated) | Gal per day |
| :---: | :---: | :---: |

Grocery - Coffee Sink
Grocery - Freezer Sink
Men's Urinal
0.5

30
6

Men's Toilet
Men's Sink
Women's Toilet
Women's Sink
Drinking Fountain
$1.0 \quad 30$
$1.0 \quad 30$
3
15
30
$0.5 \quad 45$
22
$1.0 \quad 60$
$0: 5 \quad 60$
Irrigation of landscape area
$0.03 \quad 45$
45
60
30
1
20
Total 187 gal per day
x $30=5,610$ gal per month
$=750$ cubic feet per mo.
$=9,000$ cubic feet per year

## Art Gallery

| Toilet | 1.0 |
| :--- | :--- |
| Sink | 0. |

Kitchen Sink
0.5

15
15
18
15
15
8
9

Total 32 gal per day x $30=960$ gal per month
$=128$ cubic feet per mo.
$=1,530$ cubic feet per year
TOTAL 10,530 cubic feet per year

| Existing water use | 15,300 cubic feet per year |
| :--- | ---: |
| Proposed water use | 10,530 cubic feet per year |
| Reduction | $-\cdots,-\ldots$ |

# Water Usage for the Art Gallery Landscaped Garden 

Irrigated Landscaped Area $=2800$ square feet (approximate)
Total Water Use from Cal American Water meter
Year 20028600 cubic feet
Year 20037000 cubic feet
Average 7800 cubic feet
Average monthly water use for the Art Gallery Building:
300 cubic feet per month
3600 cubic feet per year
Irrigation Water Use 7800 minus $3600=4200$ cubic feet
Unit water use: $\quad 4200$ cubic feet divided by 2800 square feet $=1.5$ feet
1.5 feet is an appropriate amount

Proposed 1500 square foot Art Gallery building expansion would remove approximately 600 square feet of landscaped area and approximately 900 square feet of pathways and other non-irrigated land.

Reduction in water use by the removal of 600 square feet of landscaped area will be 600 times 1.5 feet of water use $=900$ cubic feet per year.

## TURBO CAPIZZI 3.8 - LOW PROFILE. ELONGATED FRONT PRESSURE ASSISTED TOILET <br> HET 1.0 gमf 3-8 IPf YTTREOUS CHIRA

## TURBO CAPIZZI 3.8 - LP® ELONGATED FRONT PRESSURE ASSISTED TOILET FLUSHMATE MVINSIDE*

- High Efficiency Toilet (HET) consumes less than 1.0 gallon per flush (less than 3.8 fiters per flush), saving $33 \%$ or more water vs. conventional low-consumption toilets
- $2-1 / 8^{\prime \prime}(54,0 \mathrm{~mm})$ fulhy-glazed, $2^{\prime \prime}(50.8 \mathrm{~mm})$ ballpass trapway for smooth discharges without ologging after each flush
- Prespure assisted siption jet Rush FLUSHMATE NO IKSIDE
for efficient one-flush performance every time
- Low profile height of $29^{\prime \prime}$ ( 736 mm ) ideal for retrofit applicatians
"Large footprint 20-7/8" $\times 10-5 / 46^{\prime \prime}(530: 252 \mathrm{~mm})$ ideal for retrofit applications
- Elongated front bowl for comfortable use and improved hygiene
- Vifreous china for easy cieaning
- $8^{\prime \prime} \times 9-1 / 2^{\prime \prime}(203 \times 241 \mathrm{~mm})$ water surface area for cleaner bowl interior surfaces
- Easy installation
- 2 bolt cap covers
- Flush System 100\% factory tested
- Limited lifetime warranty - on china and five year wamanty on Flushmate system

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- Colors Available: White, Briscuit and Bone
- Retommerded seats:
Bemis 1900 . (chosed fromt, with cover)
Bemis 1955 C (open fromt, less cover)
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Model numbers:
00478 Bowl
口 1278 Tárk.
Nominal Dimensions:
$29.7 / 8^{\prime \prime} \times 20.1 / 4^{n} \times 29^{n}$
( $758 \times 514 \times 735 \mathrm{~mm}$ )
Recommended working pressure range by
SLOAN FLUSHMATEQ 35 psi $\sim 125$ psi
Flustimate $N$ tank system by Fushmate a blishon of Stoan Vahe co.


INDUSTRY CERTIFCATIONS:
Meets or exceeds ASME A112.19.2.M (and
19.6M) and CSA

NOTES
-THIE TOLIETIS DESGENED ROR A IT FOS MM ROUZH IN
DSTNULTRON
-ALL FXTURE DIMENSHONS SHOWN ARE NOMINAL AND MAY
VART WITHN INDUSTRY ACEEPTED TOLERANEES
ESTABHIFED BT ANS STANDARD ATT218.3M

- FKTURE ONLY, SEAT AND COYER WKIER SUPPLY

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-INFORMATION AND MEASTREMENTS SHENN ARE SURJECTT TO CHANGES ORCNEELATHON.
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ITETHE RESPONGBMTT OF TEE RNTRIIER TO COMND Y WITH
LOCAL CODES ANE STANDARLS PRJOR TO INSTALLATINN OF
BATHRDOM FUKTLRES.

One Walnut Creek Center, 100 Pringle Avenue, Suite 300

Stephen F. Mirabito
STORAGEPRO, INC.
P. O. BOX 459

Walnut Creek, CA 94597

## Subject: Carmel Valley Road Storage

Dear Mr. Mirabito:
We have prepared an estimate of the annual water use at the proposed storage facility at 9680 Carmel Valley Road, Carmel. This letter describes our work and presents our findings. Irrigation water use estimate for the landscaped areas at the storage facility has been prepared by Gates \& Associates, and their analysis is presented in Exhibit A.

## Introduction

StoragePro is proposing to construct a 453 unit self-storage facility on Carmel Valley Road. Design drawings for the facility have been prepared by ARE Associates and a copy of the drawing cover sheet, AO.1, is enclosed. Figure 1 shows the site plan. There will be one fulltime employee and one part-time employee at the facility.

The facility will have 62,900 square feet of storage area and a 975 square foot sales area, and restroom as shown on Figure 2. The restroom will have one toilet and one sink. The restroom will be open for use by the employees and for customers during the office hours of 9 AM to 6 PM seven days per week. The sales area will have one sink for making coffee. A water faucet will be located outside for cleaning doors and other janitorial uses. The faucet will be locked and will not be for public use.

## Water Use

## Water Use at the Site

Exhibit $B$ lists the metered water use for the existing residence and existing pottery shop at 9680 Carmel Valley Road. The total water use was 0.445 acre-feet per year for the period 1993 to 1999.

Mr. Stephen Mirabito<br>March 17, 2005<br>Page 2

## Northern California Facilities

Storage Pro has storage facilities at six Northern California locations. At our request, the number of restroom uses was recorded for each of the six facilities for the three day period February 3-5, 2005. Table 1 shows for each of the six facilities the number of storage units, the number of restroom uses, and the number of restroom uses per 100 storage units.

1. Lathrop

The existing StoragePro facility at Lathrop has 618 storage units and a sales area/office of approximately the same area as Carmel Valley. This facility has two water meters: one for the storage units, restroom, sales area and outside water faucets for janitorial use; and one meter for irrigation of the landscape areas. There are two full-time employees at this facility.

Exhibit C is a copy of the 2004 water use record from the City of Lathrop for the storage units/sales area/office and shows an annual use of 0.046 acre-feet. The 2004 water use is consistent with the facility's historic water use since its opening in December 2001.
2. Restroom Use at StorePro Northern California Facilities

Table 1

| Location | Number of Units | Uses during 2005 |  |  | Average <br> Uses per <br> Day | Average Uses per 100 Units |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: |
|  |  | Feb. 3 | Feb. 4 | Feb 5. |  |  |
| Stockton | 530 | 4 | 4 | 5 | 4.3 | 0.81 |
| Livermore | 234 | 3 | 3 | 4 | 3.3 | 1.41 |
| San Francisco | 533 | 5 | 10 | 11 | 8.7 | 1.63 |
| Hayward | 569 | 6 | 12 | 4 | 7.3 | 1.28 |
| Lathrop | 618 | 9 | 11 | 6 | 8.7 | 1.41 |
| Oroville | 432 | 2 | 3 | 3 | 2.7 | 0.63 |
|  |  |  |  |  | Average | 1.20 |

Mr. Stephen Mirabito
March 17, 2005
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## 3. Alameda County

CDM's recent information on water use in the Livermore and Pleasanton areas in Alameda County indicate that the annual water use for a typical medium sized single family house (two bathrooms, 9 water fixtures) consumes within the house approximately 250 gallons per day ( 0.28 acre-feet per year). The sales area/office at Carmel Valley Road Storage will have three fixtures and will only be used 9 hours per day. Therefore the sales area/office will consume approximately one fifth of the water ( 0.056 acre-feet per year) a house will consume.

## Monterey Peninsula Water Management District

For self-storage facilities the District recommends a water use rate of 0.00001 acre-feet per square foot of structure per year. Carmel Valley Road Storage will have 64,599 square feet of structure and at 0.00001 acre-feet per square foot the annual water use would be 0.646 acrefeet. It is our understanding that the District's use rate includes irrigation water and a managers apartment. This high estimate of annual water use of 0.646 acre-feet per year is not appropriate for total water demand.

## Carmel Valley Road Storage Water Demand

## Indoor Water Demand

The ultra-low flush toilet in the restroom will have a flush capacity of 1.6 gallons. This capacity meets the requirement set forth in Conditions of Approval Item 25 of Resolution No. 04-029 of the Board of Supervisors, County of Monterey. Based upon the restroom use at the six existing storage facilities, it is anticipated that there will be 5.4 uses of the restroom per day during the winter. It is estimated that an average of 8 uses per day for a one year period at Carmel Valley Road Storage is appropriate.
(a) Water use based on comparison to Lathrop facility

Considering that indoor water use is primarily based upon the number of units, Carmel Valley would have 66.5 percent ( 453 units divided by 618 units) times the metered water use at Lathrop of 0.046 or 0.034 acre-feet per year. However, this estimate is high given that the sales area/office at the Lathrop facility also is used by the employee of the adjacent carwash.

Mr. Stephen Mirabito
March 17, 2005
Page 4
(b) Water use based on restroom use

Estimated Restroom Use at Carmel Valley Road Storage:
453 units times 1.20 uses per 100 units per day $=5.4$ times per day.
It is estimated that during warmer summer months the restroom will have higher use than the 5.4 times per day. Therefore an average of 8 uses per day for a one year period is reasonable. The following table (Table 2) illustrates water demand based on restroom use as recorded at the Northern California facilities.

Table 2

|  | Gallons per Use |  | Times per Day |  | Gallons per Day |
| :--- | :---: | :---: | :---: | :---: | :---: |
| Restroom Toilet | 1.6 |  | 8 |  | 13 |
| Restroom Basin | 0.5 |  | 8 | 4 |  |
| Sales Area Basin | 0.5 |  | 8 | 4 |  |
|  |  |  |  |  | Total 21 |

365 days times 21 gallons per day $=7,665$ gallons
1,025 cubic feet per year 0.024 acre-feet per year

Utilizing the above information, the indoor water use at Carmel Valley Road Storage is estimated to be 0.024 acre-feet per year as shown in Table 2.

## Outdoor Water Demand

(a) Janitorial Use

One faucet (no public use)
2 gallons per day $365 \quad=730$ gallons per year
$=98$ cubic feet per year
$=0.002$ acre feet per year

Mr. Stephen Mirabito
March 17, 2005
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(b) Irrigation Use:

Gates \& Associates Landscape Architects prepared a landscape plan for the project that was previously submitted to the District. Gates \& Associates water demand analysis concluded that 0.148 acre feet per year would be required for the Carmel Valley Facility.

## Total Water Demand

Total annual water demand for the proposed facility will be 0.174 acre feet, and consists of 0.150 acre feet for outdoor use and 0.024 acre feet for indoor use.

## Conclusion

Based upon the forgoing information, water use at the Carmel Valley Road Storage facility will be approximately 40 percent of the existing water use.
Existing Water Use
0.445 acre feet per year
Proposed Water use
0.174 acre feet per year

Very truly yours,




GATES \＆ASSロCIATES


2440 TASSAJARA LANE，DANVILLE，CA． 94525
TEL： 925.736 .8175 FAX：925．736．6184
WWW．DGATES．CロM

Note：For establishment periad the schedules can be odjustea upward by $20 \%$ fot the first full growing season．

STロRAGE PRD

$$
=0.148 \text { acre feet per year }
$$

Residence and Pottery Shop Water Consumption Data Mirabito Seif Storage Lockers


$$
\left.\begin{array}{rl} 
& 17,251 \\
2,139
\end{array}\right] \text { cubic feet per year }
$$




## 4



