



Public Hearing Item 11:

Consider Application for Variance to Allow Non-Residential Group II
Water Use Capacity at 458-460 Alvarado Street, Monterey
(APN: 001-572-029)

Variance Request

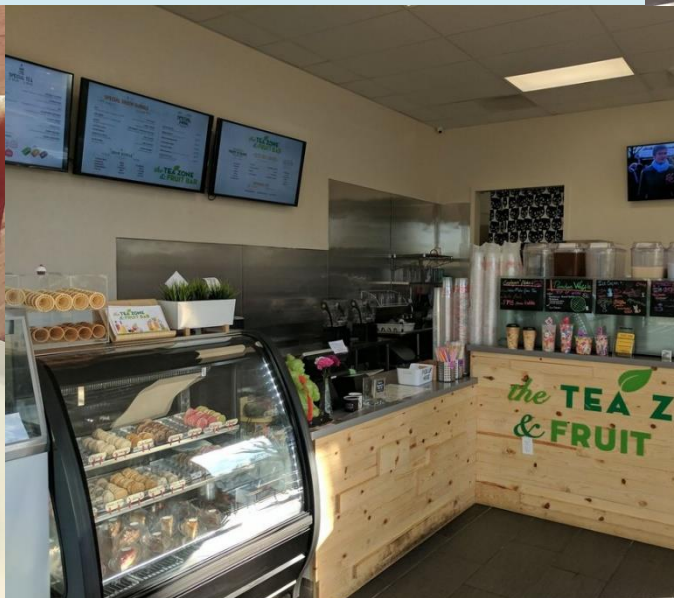
- Request variance from Rule 24-B; allow Group II water in Group I space without Allocation
- 458-460 Alvarado Street, Monterey with two Group I retail spaces
- Lack of rental interest by Group I businesses (retail, office, warehouse, gym, bank, etc)
- Property vacant for 14 months, faces loss of property insurance

Variance Request

- Potential tenants Group II
(coffee shops, bakeries, ice cream shops, delis and pizzerias)
- Converting 5,300 square-feet of Group I to Group II requires 0.689 Acre-Feet (AF) of water
- No additional water is available
- Group II use desirable on Alvarado Street

Tea Zone & Fruit Bar

- December 2017 proposed “Tea Zone & Fruit Bar”
- Juice bar, smoothies and tea
- Staff determined Group II use
- Requires additional water



Tea Zone & Fruit Bar



Lack of Available Water

- Water Supply Shortage
- Cease and Desist Order
- Allocations Depleted
 - Insufficient onsite water
 - Little left for potential development
- Monterey County Weekly Article

Variance – Rule 90

The Board may grant a variance from any provision of the standards in the Rules and Regulations whenever it finds:

- Special Circumstances exist in a particular case, and
- Practical difficulties or Undue Hardship would result from the strict interpretation and enforcement of any such standard, and
- Granting of such a variance would not tend to defeat the purposes of these Rules and Regulations

Staff Recommendation

Deny the variance and adopt the Findings of Denial

- Rule 20 requires Water Permit for intensification of use
- Rule 23-A-1-g requires a debit to a Jurisdiction's Allocation or a Water Entitlement for an Intensification of Use
- Rule 24, Table 2, Non-Residential Water Use Factors: Conversion of the building to Group II requires 0.689 Acre-Feet (AF) of water
- The City of Monterey has not authorized water from its Allocation
- Granting a variance would tend to defeat the purposes of the District's Rules and Regulations and would potentially set precedent for other Change in Use.

Staff reports, ordinances and presentation materials can be found on the District's website at:

www.mpwmd.net

PowerPoint presentations will be posted on the website the day after the meeting