

MPWMD APPLICATION FOR VARIANCE

Variations to the District's Rules and Regulations may be granted when: a) Special Circumstances exist, as defined in the Rule 11; and b) when strict interpretation and enforcement of any Rule would cause Undue Hardship; and c) when the granting of such a variance will not tend to defeat the purpose of the Rules and Regulations. Applicants must submit a completed application with payment of a non-refundable processing fee \$900.00, (plus \$90.00 an hour for more than 10 hours of staff time), along with any other information necessary to evaluate the case. Upon hearing the variance, the Board has the discretion in unusual matters to reduce and return (in full or in part) the fee for variance otherwise set by Rule 60.

Applications must be received at least four weeks in advance of the next scheduled Board meeting for placement on that agenda, if feasible. All applicants are required to provide the information requested on this form, and that information will be used as the basis for the Board findings to support or deny the variance request. Incomplete applications may constitute grounds for denial or continuation.

PART 1: APPLICANT INFORMATION

Applicant's Full Name: WEST END PARTNERS, LLC ATTN: PATRIK OROSCO
 Mailing Address: 10 HARRIS COURT, SUITE B-1
 City: MONTEREY State: CA Zip: 93940
 Phone Number(s): Primary (831) 649-0220 Secondary (→)
 E-Mail: POROSCO@OROSCOGRP.COM

Name of Agent(s) to Represent Applicant: OROSCO GRAP ATTN: MATT NOHR
 Mailing Address: 10 HARRIS COURT, SUITE B-1
 City: MONTEREY State: CA Zip: 93940
 Phone Number(s): Work (831) 649-0220 Home (→)
 E-Mail: MNOHR@OROSCOGRP.COM

PROPERTY INFORMATION

Full Name of Property Owner: CITY OF SEASIDE REDEVELOPMENT AGENCY (ATTN: KURT OVERMEYER)
 Mailing Address: 440 HARCOURT AVE
 City: SEASIDE State: CA Zip: 93955
 Phone Number(s): Work (831) 899-6839 Home (—)
 E-Mail: KOVERMEYER@CI.SEASIDE.CA.US

Property Address: 1193, 1173, 1137, 1125, 1199 BROADWAY City SEASIDE
1014 TERRACE & 1104 OLYMPIA
 Assessor's Parcel Number: SEE SEPARATE SHEET FOR APNS

Property Area: Acres: +/- 2.83 ACRE SITE (OVERALL) Square Feet: _____ Other: _____

Past Land Use: COMMERCIAL

Present Land Use: COMMERCIAL

Proposed Land Use: MIXED-USE (106 MULTI-FAMILY APARTMENTS AND +/- 4,000 SF COMMERCIAL)

Existing buildings? Yes TWO (RECENTLY DEMOLISHED)

Types of uses and square footage: 1137 BROADWAY (GRAP 3 - BEAUTY SHOP W/ 22 STATIONS) 3,240 SF.
1173 BROADWAY (GRAP 1 - GYM) 5,760 SF.

PART 2: STATEMENT OF VARIANCE REQUEST

* If additional space is needed for response to any questions, please use a separate piece of paper and attach it to the back of this application.

From which rule(s) are you requesting a variance?

RULE 23-A-1 METERING REQUIREMENT

Please state the Special Circumstances¹ which distinguish your application from all others which are subject to enforcement of this process.

HIGH DENSITY OF MULTI-FAMILY RESIDENTIAL UNITS

What difficulties or Undue Hardship(s) would result if your variance request is denied?

IF VARIANCE IS DENIED, MAJOR CONSTRUCTABILITY ISSUES WOULD BE ENCOUNTERED - IT IS NOT POSSIBLE TO HAVE FOR EXAMPLE 25 INDIVIDUAL WATER METERS AT THE PROPERTY LINE THEN HAVE A TRENCH WIDE ENOUGH FOR THOSE LINES TO NOT CONFLICT WITH OTHER ON-SITE UTILITIES. THIS IN THE BUILDING STRUCTURAL & FIRE RATING CONFLICTS OCCUR WITH THAT MANY WATER LINE PENETRATIONS AND ROSTING CONFLICTS.

What specific action are you requesting that the Board take?

REQUESTING THE DISTRICT ALLOW FOR ONE (1) MAIN DOMESTIC WATER METER FOR EACH MULTI-FAMILY RESIDENTIAL BUILDING WITH EACH RESIDENTIAL UNIT SUB-METERED. THE COMMERCIAL AND LANDSCAPE WOULD STILL BE SEPARATELY METERED

Please indicate if you intend to make a statement at the variance hearing, and list the names of any other individuals who may speak on your behalf at the hearing.

YES. OTHER INDIVIDUALS THAT MAY SPEAK ON MY BEHALF INCLUDE,
PATRICK OROSO
CHRIS OROSO
SHERY FEVERINI
WHITSON ENGINEERS
OUR LEGAL COUNCIL

¹ Capitalized terms are defined in MPWMD Rule 11, Definitions

PART 3: PROJECT INFORMATION

*If additional space is needed for response to any questions, please use a separate piece of paper and attach it to the back of this application.

Type of Project: ✓ New Construction _____ Remodel/Addition

Residential: _____ Non-Residential: _____ Mixed Use: ✓

Describe the Project, particularly as it relates to water use:

PLEASE SEE ATTACHED SHEETS FOR PROJECT DESCRIPTION AS IT RELATES TO WATER USE. IN GENERAL THERE ARE 100 RESIDENTIAL UNITS, 14,000 SF OF COMMERCIAL AREA, LANDSCAPING IRRIGATION FOR EACH PARCEL AND R.O.W. AREA.

Current Zoning Classification: CITY OF SEASIDE 'CMX' ZONE

Name of water company which services the property: CAL AM

Has this project been approved by the local jurisdiction? If so, please list or attach a copy of all conditions which have been imposed on the project. (Attach copies of all findings, conditions and approvals received)

YES. CATEGORICAL EXEMPTION, CLASS 32 INFILL DEVELOPMENT DETERMINED ON OCT. 14, 2019. BAR-19-17 CITY APPROVAL ON Nov. 20, 2019. MINOR USE PERMIT MUR-19-13 APPROVED ON NOV 18, 2019 & DENSITY BONUS & INCLUSIVE HOUSING APPROVED BY CITY COUNCIL ON MARCH 9, 2020

Does the applicant intend to obtain a municipal or county building permit for the project within ninety (90) days following the issuance of a Water Permit? If not, when will water be needed at the site?

APPLICANT INTENDS TO OBTAIN THE APPROPRIATE BUILDING PERMITS TO SET THE WATER METERS AND WATER LINE STUBS TO EACH BUILDING WITHIN (180) DAYS OF ISSUANCE OF WATER PERMIT BASED ON CURRENT SCHEDULE.

I declare under penalty of perjury that the information in the application and on accompanying attachments is correct to the best of my knowledge and belief.

[Signature]
Signature of Applicant

6/19/20 MONTEREY, CA
Date/Location

NOTE TO APPLICANT: You may attach written findings and other evidence for the Board to review and consider in support of the action you have requested.

Fee Paid _____ Receipt No. _____ Staff Initials _____



EXHIBIT 10-A

PART 4: EX PARTE COMMUNICATIONS DISCLOSURE STATEMENT

Name or description of project, action, etc.: SEASIDE AGENT BROWNIAT

Names and addresses of all persons authorized to communicate with the Board of Directors on this matter (if more space is needed, please add a new page):

<u>Name</u>	<u>Address</u>
<u>PATRICK OROSCO</u>	<u>10 HARRIS COURT, SUITE B-1 MONTEREY, CA 93940</u>
<u>CHRIS OROSCO</u>	<u>" "</u>
<u>SHERRY FEVERINI</u>	<u>" "</u>
<u>MATT NOHR</u>	<u>" "</u>

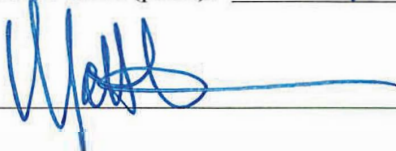
This *Disclosure Statement* is completed in my capacity as the Applicant for matter referenced in the first line, or as an authorized Agent of the Applicant. My signature evidences I am duly authorized to act on behalf of all individuals and/or entities that have an ownership interest in this matter (exceptions shall be noted by checking this box and providing a complete explanation as an attachment to this *Disclosure Statement*).

I understand this *Disclosure Statement* is required to list the names and addresses of **all persons authorized to communicate with the Directors of the Water Management District on this matter**. I further understand and agree to revise and amend this *Disclosure Statement* whenever any other person is authorized to communicate regarding this matter. Oral disclosure of agents shall not satisfy this requirement.

I understand and agree that failure to disclose the name of individuals who shall communicate with the District Board Members on behalf of the applicant shall subject the matter referenced above to immediate review and denial. Further, I understand that if denial is based on failure of either the applicant or of an authorized agent of the applicant to comply with these disclosure requirements, no request for approval of an identical or similar matter shall be granted for a period of twenty-four (24) months from the date this matter is denied.

I declare the foregoing to be true and correct of my own personal knowledge. I have signed this form this 19 day of JUNE, 2020. This form is signed in the City of MONTEREY, State of CALIFORNIA.

Applicant/Agent's Name (print): MATT NOHR

Signature:  Date: 6/19/20



DISCLOSURE STATEMENT
(EX PARTE COMMUNICATIONS)

Name or description of project, action, etc.: SEASIDE ACQUANT BROADWAY

Names and addresses of all persons authorized to communicate with the Board of Directors on this matter:

<u>Name</u>	<u>Address</u>
<u>PATRICK OROSIO</u>	<u>10 HARBIS COURT, SUITE B1 MONTEREY, CA 93940</u>
<u>CHRIS OROSIO</u>	<u>" "</u>
<u>SHERRY PEVERINI</u>	<u>" "</u>
<u>MATT NOHR</u>	<u>" "</u>

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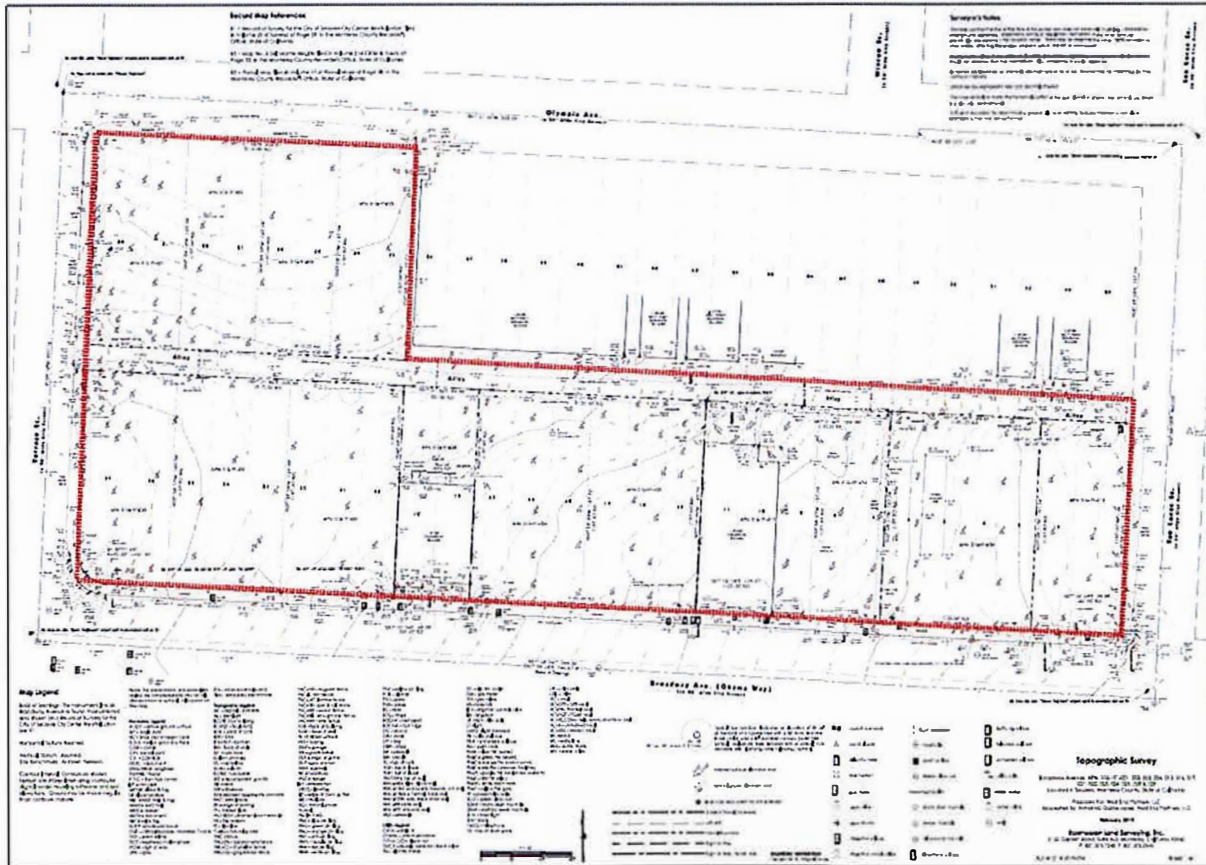
MATT NOHR
Name (print)
[Signature]
Signature

Part 1: Property Information (APNs & Addresses)

Ascent Broadway, Seaside, CA Project:

APNs: 012-191-001, 002, 003, 004, 013, 016, 017, 021, 022, 023, 024, 025, 028 and 029

Street Addresses: 1125, 1137, 1173, 1193, & 1199 Broadway, 1104, 1116, & 1128 Olympia, & 1614 Terrace Street



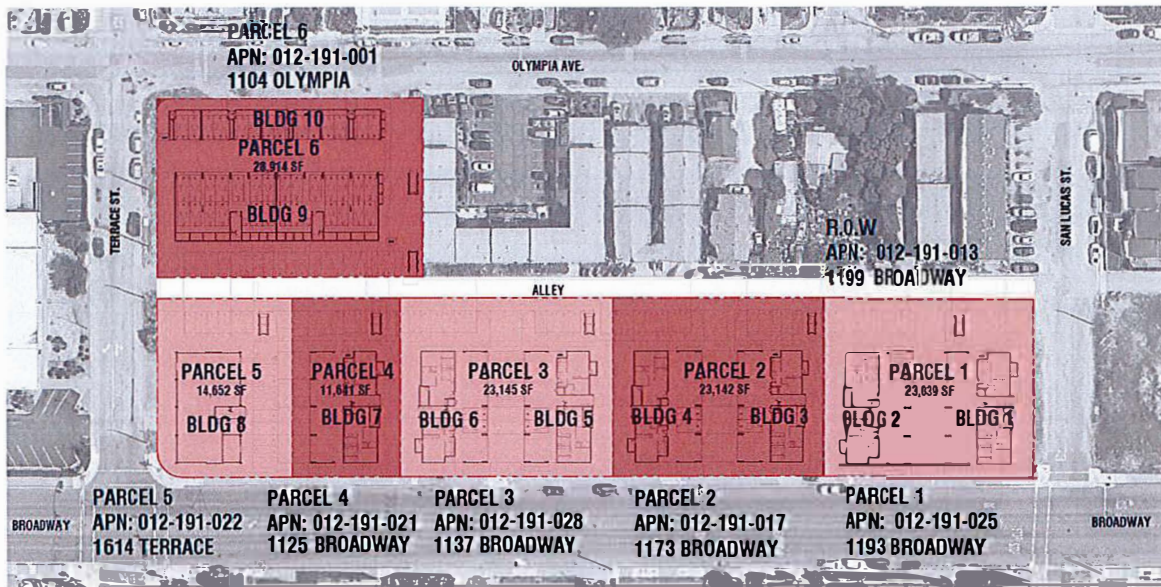
Part 3: Project Info (Description of Water)

EXHIBIT 10-A

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West End Partners, LLC submitted eight (8) water permit applications to the Water District for the Ascent Broadway mixed use redevelopment project corresponding the parcels and use (residential or non-residential). A summary of the applications is outlined below along with a reference map:

App No.	Parcel	Bldgs Nos.	APN	Address
1	Parcel 1	Residential Bldgs #1 & 2	012-191-025	1193 Broadway Ave, Seaside, CA 93955
2	Parcel 2	Residential Bldgs #3 & 4	012-191-017	1173 Broadway Ave, Seaside, CA 93955
3	Parcel 3	Residential Bldgs #5 & 6	012-191-028	1137 Broadway Ave, Seaside, CA 93955
4	Parcel 4	Residential Bldgs #7	012-191-021	1125 Broadway Ave, Seaside, CA 93955
5	Parcel 5	Mixed-use Bldg #8 (residential area)	012-191-022	1614 Terrace Ave, Seaside, CA 93955
6	Parcel 5	Mixed-use Bldg #8 (commercial area)	012-191-022	1614 Terrace Ave, Seaside, CA 93955
7	Parcel 6	Residential Bldgs #9 & 10	012-191-001	1104 Olympia Ave, Seaside, CA 93955
8	Public R.O.W.	Public Right of Way Irrigation	012-191-013	1199 Broadway Ave, Seaside, CA 93955



Please note this reference map shows proposed new improvements and parcel configurations. The APN's and addresses referenced are based on existing site configuration/information and subject to change per Lot Line Adjustment application concurrently being processed.

EXHIBIT 10-A

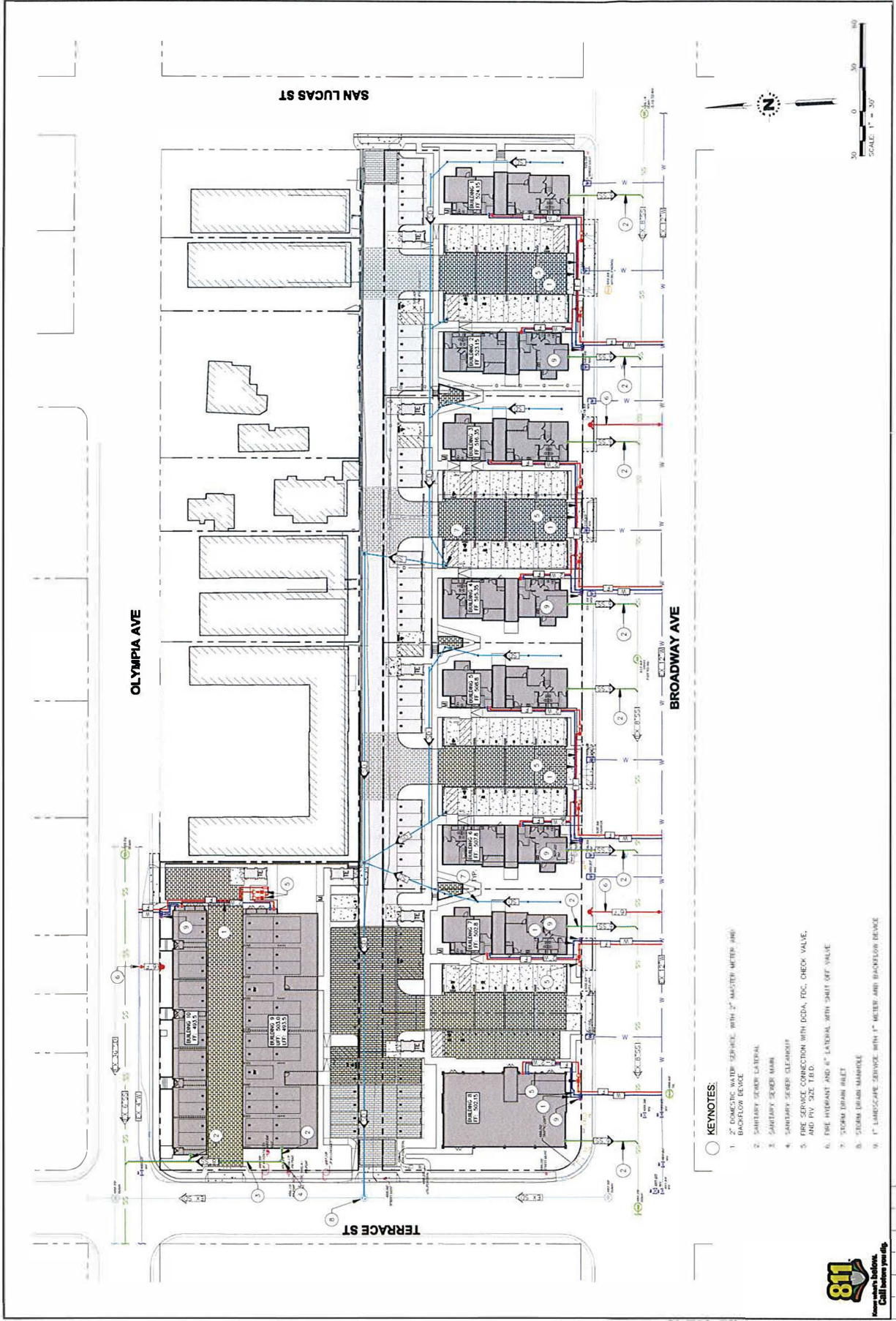
Exhibit A – Existing Water Credits Summary:

Location	Existing Group Classification	Area	Factor	Use/AF of Water Credit Available
1137 Broadway Ave (APN 012-191-028)	Group 3 – Beauty Shop	3,240 s.f. (13 stations)	0.0567 per station	0.7371 AFY
1173 Broadway Ave (APN 012-191-017)	Group 1 – Gym	5,760 s.f.	0.00007	0.4032 AFY
Total Existing Water Credit Available:				1.1402 AFY

EXHIBIT 10-A

NOT FOR CONSTRUCTION

 <p>Whitson ENGINEERS</p> <p style="font-size: small;">Civil Engineering Land Surveying 8000 Wilshire Blvd Suite 1000 Beverly Hills, CA 90212 www.whitsoneng.com</p>	 <p>REGISTERED PROFESSIONAL CIVIL ENGINEER No. 52018 STATE OF CALIFORNIA</p>	<p>SUBMITTAL / REVISION</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">10/8/19</td> <td style="width: 50%;">ADENDUM No. 1</td> </tr> <tr> <td>11/13/19</td> <td>ADENDUM No. 2</td> </tr> <tr> <td>4/30/20</td> <td>WATER METERS</td> </tr> </table>	10/8/19	ADENDUM No. 1	11/13/19	ADENDUM No. 2	4/30/20	WATER METERS	<p>ASCENT BROADWAY TERRACE Preliminary Utility Plan</p> <p>Broadway Ave & Terrace St Beverly Hills, California 90212</p>	<p>SHEET C2.1 OF 2</p> <p>SCALE: 1"=30' DRAWN: [Name] JOB NO.: 041400</p>
10/8/19	ADENDUM No. 1									
11/13/19	ADENDUM No. 2									
4/30/20	WATER METERS									



KEYNOTES:

1. 1/2" DOMESTIC WATER SERVICE WITH 2" MASTER METER AND BACKFLOW DEVICE
2. SANITARY SEWER LATERAL
3. SANITARY SEWER MAIN
4. SANITARY SEWER CLEANOUT
5. FIRE SERVICE CONNECTION WITH DDDA, DDC, CHECK VALVE, AND PIV 3/4" x 1/2"
6. FIRE HYDRANT AND 6" LATERAL WITH SHUT OFF VALVE
7. STORM DRAIN INLET
8. STORM DRAIN MANHOLE
9. 1" LANDSCAPE SERVICE WITH 1" METER AND BACKFLOW DEVICE

