



ITEM 10: Consider Application for Variance from Separate Water Meter Requirement for Multi-Family Housing Project at 1193 Broadway, Seaside (APNS: 012-191-001, 002, 003, 004, 013, 016, 017, 021, 022, 023, 024, 025, 028, and 029)

Variance Application Summary

- West End Partners, LLC is requesting a variance to allow permanent submetering of a mixed use project in Seaside
- 106 residential units located in ten buildings + commercial space
- Installation of approximately 110 water meters (and utility boxes) along the project perimeter is not feasible and would conflict with other utilities
- Variance would allow a master meter at each building with submeters for tenants, common area, and landscaping



Rule 23

- District Rule 23-A-1-i-(5) allows the Board to consider a variance when the installation of separate water meters is not feasible due to “Special Circumstances.”
- Special Circumstances are defined in Rule 11 as “unusual, uncommon, peculiar, unique or rare situations that require Board consideration.”
- In considering a variance, the Board shall determine if another type of Water Measuring Device is appropriate (e.g., submeters)
- Reporting of consumption must be a condition of approval



Accountability

- The proposed action to submeter (with conditions) supports the District's goal to make water users accountable
- Staff supports submetering as an alternative to requiring a large number of water meters located in the right-of-way for large multi-family housing/mixed use projects
 - Submetering technology is consistent with District goal
 - Individual tenants receive consumption feedback
- Previous variances have been granted for submetering mixed use

Recommendation

- Staff has proposed Conditions of Approval (Exhibit 10-C)
- Conditions include an indemnification agreement and consumption reporting to District & tenants
- New information:
 - Property has transferred ownership
 - Conditions must be revised to reflect change
 - Recommend 3 party indemnification agreement
 - Agreement of new ownership and City of Seaside to indemnify MPWMD

Recommendation

- Staff recommends the Board approve the variance
 - Adopt the Conditions of Approval (Exhibit 10-C) to be revised for new ownership and 3-party indemnification agreement
 - Adopt the Findings of Approval (Exhibit 10-D)
- Variance shall expire if construction has not commenced within 2 years

For More Information

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 after the meeting