A G E N D A

CITY OF SEASIDE
WATER ALLOCATION
COMMITTEE

REGULAR MEETING
Conference Room
440 Harcourt Avenue
Wednesday, January 16, 2019
5:00 PM

PLEASE TURN OFF YOUR CELL PHONES UPON ENTERING THE MEETING

1. CALL TO ORDER

2. ROLL CALL WATER ALLOCATION COMMITTEE

3. PUBLIC COMMENT

4. APPROVAL OF MINUTES

5. BUSINESS ITEMS

A. REQUEST FOR AN ALLOCATION OF 0.024 AF OF WATER (WAC 19-01).DONGJUN CHO APPLICANT, IS REQUESTING 0.024 ACRE-FEET OF WATER TO ALLOW THE ENCLOSURE OF A 340 SQUARE FOOT STORAGE AREA AT A LIQUOR STORE LOCATED AT 1290 BROADWAY AVENUE IN THE MIXED USE (MX) ZONING DISTRICT.

RECOMMENDATION: In accordance with Ordinance 892, the applicant is requesting additional water to allow for the enclosure a 340 square foot outdoor storage area to be included as floor area of an existing liquor store.

B. REQUEST FOR AN ALLOCATION OF 0.125 AF OF WATER (WAC 19-02). HUMBERTO VALENZUELA, APPLICANT, IS REQUESTING 0.125 ACRE-FEET OF WATER TO ALLOW FOR THE CONVERSION OF A 966 SQUARE FOOT RETAIL BUILDING INTO A GROUP II WATER USE LOCATED AT 1450 FREMONT BOULEVARD IN THE COMMUNITY COMERCIAL USE (CC) ZONING DISTRICT.

RECOMMENDATION: In accordance with Ordinance 892, the applicant is requesting additional water for a new business selling fresh juice drinks.

6. STAFF COMMUNICATION

7. ADJOURNMENT

Next Regularly Scheduled Meeting:
Wednesday, February 20, 2019
Seaside City Hall

The City of Seaside is committed to providing accessible facilities and accommodating people with disabilities in all of its services programs and activities. If special considerations are needed by any person to fully participate in this meeting, they are asked to contact the City Clerk at 899-6707 no fewer than two business days prior to the meeting to allow reasonable arrangements. The City Council chamber is equipped with a portable microphone and assisted listening devices are available at all meetings.

City Council Meetings that are held in the City Council Chambers are broadcast live to all Seaside residents on Comcast Channel 25 and U-verse Channel 99. Meetings are also available through live streaming at:
http://cvp.telvue.com/player?id=T01629&video=52314&noplaylistskin=1&width=400&height=300
Videos of past meetings are available on demand through the City's website: http://www.ci.seaside.ca.us

Agenda-related writings or documents provided during public meetings are available for public inspection during the meeting or from the office of the City Clerk. This agenda is posted in compliance with California Government Code Section 54954.2(a) or Section 54956.

CITY OF SEASIDE
STAFF REPORT

Item No.: 5.A.

TO: Water Allocation Committee

BY: Rick Medina, Senior Planner

DATE: January 16, 2019

SUBJECT: **REQUEST FOR AN ALLOCATION OF 0.024 AF OF WATER (WAC 19-01).DONGJUN CHO APPLICANT, IS REQUESTING 0.024 ACRE-FEET OF WATER TO ALLOW THE ENCLOSURE OF A 340 SQUARE FOOT STORAGE AREA AT A LIQUOR STORE LOCATED AT 1290 BROADWAY AVENUE IN THE MIXED USE (MX) ZONING DISTRICT.**

PURPOSE & RECOMMENDATION

In accordance with Ordinance 892, the applicant is requesting additional water to allow for the enclosure a 340 square foot outdoor storage area to be included as floor area of an existing liquor store.

BACKGROUND

The project site is located on an 8,000 square-foot parcel and is developed with a 2,380 square foot liquor store. The liquor store has recently been purchased with the new owner of the both the property and business proposing an exterior façade improvement. The floor plan is provided as Attachment 1- Exhibit A. The site location map is provided as Attachment 2. Site photos are provided as Attachment 3. The exterior façade elevations are provided as Attachment 4.

As part of the façade improvements, an open air storage area on the east side of the building would have a roof installed to have this area included as floor area. Per the Monterey Peninsula Water Management District rules, an area of a structure that has been enclosed as new storage area would require a water allocation as a Group I water use.

WATER IMPACT

Existing Use:
The existing outdoor storage area is outlined on the project floor plan provided as Exhibit A to Attachment 1.

Proposed Use:

The proposed use would place a roof over the storage to add this space as part of the enclosed area of the the entire square footage into an 80 seat restaurant as listed below:

Group I – Storage Area 0.00007 x 340 sq. ft. = 0.024 AF

STAFF ANALYSIS

Commercial projects which involve an increase in water use above the water allocation from a previous use are evaluated in accordance with a Point System contained in Ordinance 892. Projects receiving 20 points will be awarded water per the available amount of water from the City's Commercial Water Category. Per the Point Criteria, City staff finds that the proposed project would receive the following points:

Commercial Project Criteria	Determination	Points Received
Revenue Generation Up to $5,000 = 1 point $5,001-$10,000 = 3 points $10,001-$15,000 = 5 points $15,001 or more = 7 points	Total: $8,000 City's Share Property Tax Revenue 0.18% of $ = $1,440.00 City's Share of Sales Tax Revenue 1% of $1,800,000.00 $= $18,000	7
Jobs Creation 1-9 part time = 1 point 10 or more part time = 3 points 1-9 full time = 5 points 10 or more full time = 7 points	The applicant anticipates employing 2 full time employees and four part time employees	6
Projects on Major Thoroughfares All other commercial areas = 1 point Fremont, Broadway, Del Monte = 5 points	The project is located on Broadway Avenue.	5
Removal of Blight Occupied Bldg, remodel existing structure = 1 pt Vacant Bldg, remodel of existing structure = 3 pts Occupied Bldg, full demo & redevelopment = 5 pts Vacant Property, complete redevelopment = 7 pts	The new business will be a remodel of the interior and exterior of an existing vacant commercial structure.	3
Business Retention Seven (7) points will be awarded for projects which, if not approved, would result in the loss of a business which could generate	If water is not granted, the applicant would be forced to relocate his business outside the city which would lead to a loss of services and a growing small business enterprise within the community. The	N/A

revenue for the City and/or significant employment.	project will qualify to receive 7 points.	
Total		**21**

It has been determined that the proposed project would meet the minimum standard of 20 points by providing a combined total of 21 points.

In accordance with the Point System Criteria,City staff recommends that 0.024 AF be allocated for the enclosure of the open air outdoor storage area per the conditions of approval provided as Attachment 1.

ATTACHMENTS

1. Attachment 1 - Conditions of Approval
2. Attachment 1 - Exhibit A Floor Plan
3. Attachment 2 - Location Map
4. Attachment 3 - Street Photo
5. Attschment 4 - Facade Improvements

Conditions of Approval
File No. WAC-19-01
January 16, 2019

Project Specific:

Planning:

1. Except as modified by required conditions of approval, plans submitted for a building permit shall substantially conform to the plans identified as "1290 Broadway Avenue" stamped as received on "January 9, 2019".

2. The water allocation is valid only for the implementation of enclosing a 340 square foot open air storage area as floor area to an existing liquor store. Any change in the land use at this site prior to a Certificate of Occupancy shall cause the water permit to become null and void.

3. Applicant must secure a Building Permit for the improvements within 60-days of the permit being issued.

Standard:

4. Water Allocation approval shall be valid for a period of one (1) year from the date of approval of this project in accordance with S.M.C.S. 17.54.080. Project approval will become null and void if a building permit is not exercised within one (1) year from date of approval.

5. Proposed changes to the approved application(s) must receive approval from the Zoning Administrator.

6. The applicant agrees as a condition and in consideration of the approval of this discretionary permit that it will defend, indemnify and hold harmless the City of Seaside or its agents, officers and employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void or annul this approval. The applicant will reimburse the City for any court costs and attorney's fees, which the City may be required by a court to pay as a result of such action. City may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his obligations under this condition. The City shall promptly notify the applicant of any such claim, action, or proceeding, and the City shall cooperate fully in the defense thereof.

7. The project shall be responsible for all applicable local and/or regional development and/or impact fees including, but not limited to, sewer, water, and traffic fees, which shall be paid prior to building permit issuance.

8. The proposed project shall comply with the applicable requirements of the Monterey Peninsula Water Management District for the installation of new water fixtures and landscape irrigation equipment.

9. The issuance of building permits involving the installation of new water shall be subject to the availability of an adequate supply of water and sewer capacity to serve the project.

10. Water conservation fixtures shall be provided in the proposed project.

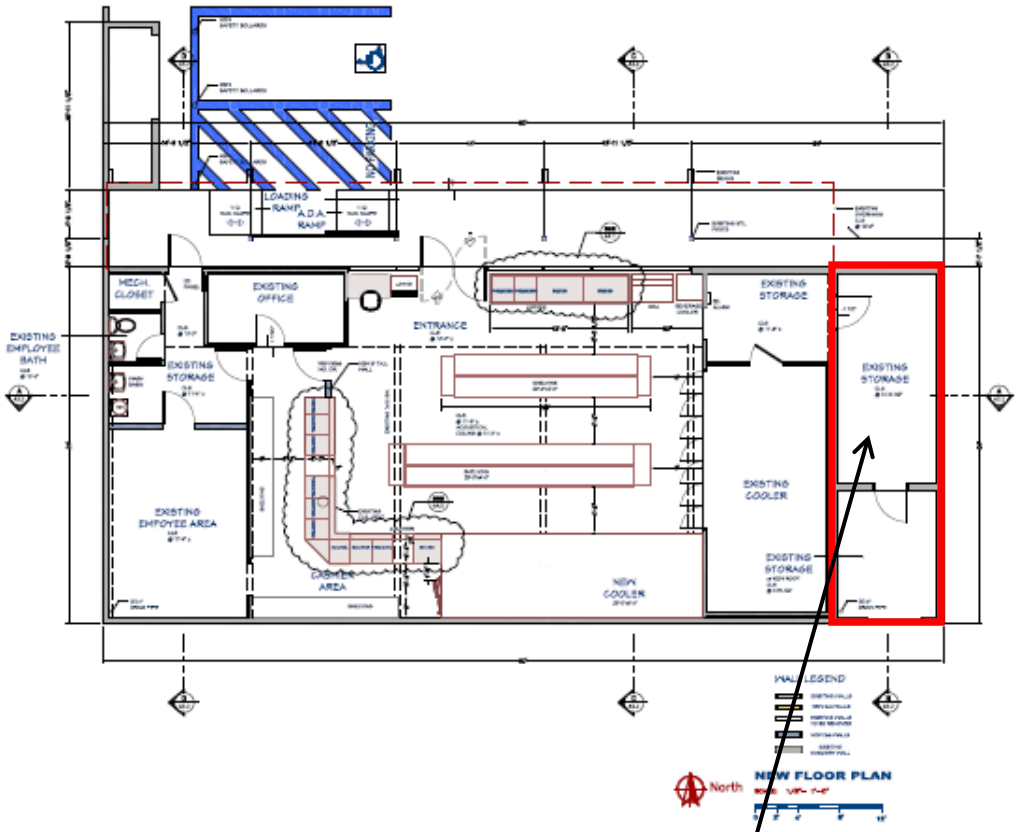
WATER ALLOCATION APPLICATION NO. WAC-19-01

This permit is hereby accepted upon the express terms and conditions hereof, and shall have no force or effect unless and until agreed to, in writing, by the applicant and property owner(s).

The undersigned hereby acknowledge the approved terms and conditions and agree to fully conform to, and comply with, said terms and conditions within the time frames approved by the City of Seaside Water Allocation Committee.

_____ _____
Applicant's Signature Date

_____ _____
Property Owner's Signature Date



Outdoor Storage Area being enclosed

MANDURRAGO & ASSOCIATES

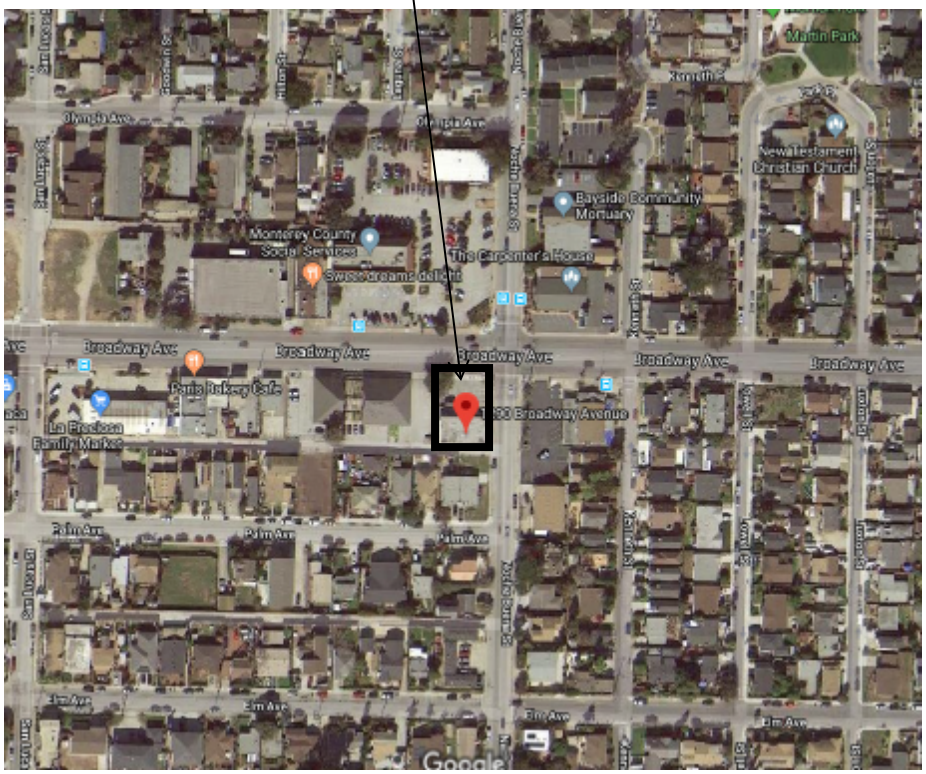
1290 BROADWAY AVE.

A2.2

Attachment 2

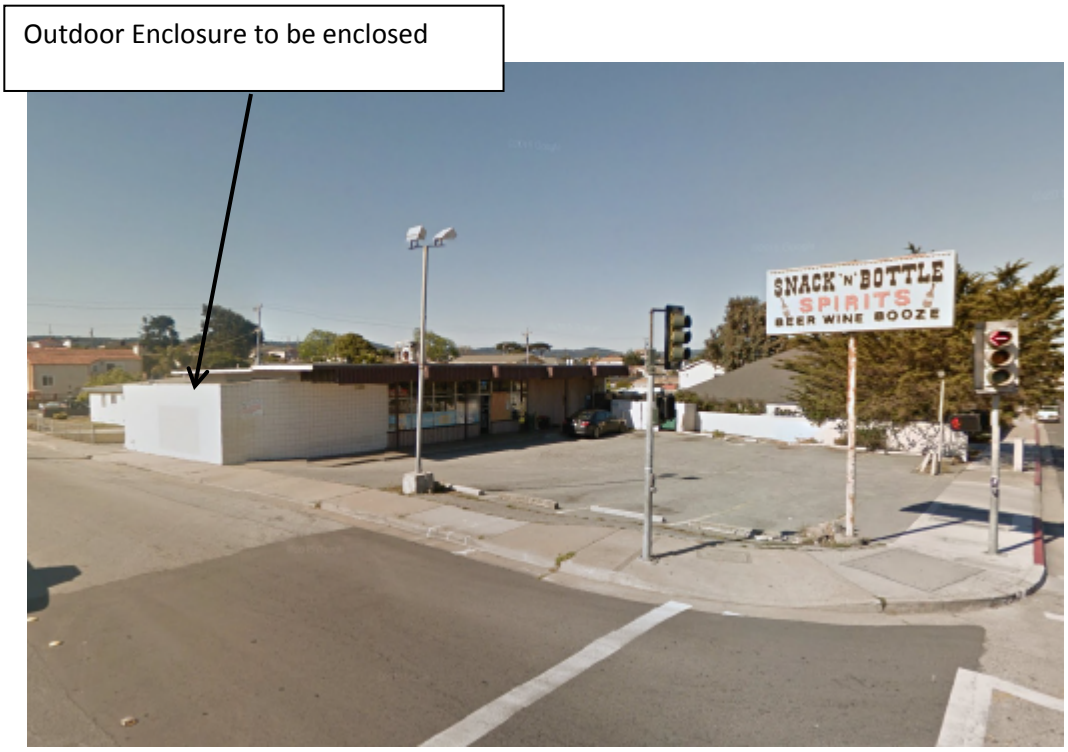
Location Map

Project Site: 1290 Broadway Avenue



Attachment 3

Street View



Attachment 4
Façade Improvements

CITY OF SEASIDE
STAFF REPORT

Item No.: 5.B.

TO: Water Allocation Committee

BY: Rick Medina, Senior Planner

DATE: January 16, 2019

SUBJECT: **REQUEST FOR AN ALLOCATION OF 0.125 AF OF WATER (WAC 19-02). HUMBERTO VALENZUELA, APPLICANT, IS REQUESTING 0.125 ACRE-FEET OF WATER TO ALLOW FOR THE CONVERSION OF A 966 SQUARE FOOT RETAIL BUILDING INTO A GROUP II WATER USE LOCATED AT 1450 FREMONT BOULEVARD IN THE COMMUNITY COMERCIAL USE (CC) ZONING DISTRICT.**

PURPOSE & RECOMMENDATION

In accordance with Ordinance 892, the applicant is requesting additional water for a new business selling fresh juice drinks.

BACKGROUND

WATER IMPACT

Existing Use:

The existing water credit for the tenant space previously consisted of a Group I water credit that was assigned to a retail produce store (Farmer Joe's Produce) as listed below:

Group I – Retail 0.00007 X 966 sq. ft. = 0.068 AF

The produce store closed in 2016.

Proposed Use:

The proposed use would convert the entire square footage into a Retail store serving juice drinks as listed below:

Group II – Deli 0.0002 x 966 = 0.193 AF

Water Allocation:

Total water allocation for change in use from retail produce store to a retail store serving juice

drinks:

0.193 (Proposed Use) AF – 0.068 (Existing Water Credit) AF= 0.125 AF

STAFF ANALYSIS

Commercial projects which involve an increase in water use above the water allocation from a previous use are evaluated in accordance with a Point System contained in Ordinance 892. Projects receiving 20 points will be awarded water per the available amount of water from the City's Commercial Water Category. Per the Point Criteria, City staff finds that the proposed project would receive the following points:

Commercial Project Criteria	Determination	Points Received
Revenue Generation Up to $5,000 = 1 point $5,001-$10,000 = 3 points $10,001-$15,000 = 5 points $15,001 or more = 7 points	Total: $ City's Share Property Tax Revenue 0.18% of $ = $.00 City's Share of Sales Tax Revenue 1% of $500,000.00 $= $5,000	1
Jobs Creation 1-9 part time = 1 point 10 or more part time = 3 points 1-9 full time = 5 points 10 or more full time = 7 points	The applicant anticipates employing 3 full time employees and eight part time employees.	6
Projects on Major Thoroughfares All other commercial areas = 1 point Fremont, Broadway, Del Monte = 5 points	The project is located on Fremont Boulevard.	5
Removal of Blight Occupied Bldg, remodel existing structure = 1 pt Vacant Bldg, remodel of existing structure = 3 pts Occupied Bldg, full demo & redevelopment = 5 pts Vacant Property, complete redevelopment = 7 pts	The new business will remodel an existing vacant commercial structure.	3

Business Retention Seven (7) points will be awarded for projects which, if not approved, would result in the loss of a business which could generate revenue for the City and/or significant employment.	If water is not granted, the project site would remain vacant and the applicant would be forced to relocate his business outside the city which would lead to a loss of services and the filling if a vacant commercial building with a growing small business enterprise within a primary commercial arterial of the community. The project will qualify to receive 7 points.	7
Total		**22**

It has been determined that the proposed project would meet the minimum standard of 20 points by providing a combined total of 22 points.

In accordance with the Point System Criteria, City staff recommends that 0.125 AF be allocated for the change in use per the conditions of approval provided as Attachment 1. The floor plan is provided as Attachment 1- Exhibit A. The site plan and site location are provided as Attachment 2. Site photos are provided as Attachment 3.

ATTACHMENTS

1. Attachment 1 - Conditions of Approval
2. Attachment 1 - Exhibit A
3. Attachment 2 - Site Map
4. Attachment 3 Site Photos

Conditions of Approval
File No. WAC-19-02
January 16, 2019

Project Specific:

Planning:

1. Except as modified by required conditions of approval, plans submitted for a building permit shall substantially conform to the plans identified as "1450 Fremont Boulevard" stamped as received on "January 16, 2019".

2. The water allocation is valid only for the implementation of a retail store serving juice drinks and ancillary packaged food products that comply with the Monterey Peninsula Water Management District Group II Water Use Regulations. Any change in the land use at this site prior to a Certificate of Occupancy shall cause the water permit to become null and void.

3. Applicant must secure a Building Permit for the improvements within 60-days of the permit being issued.

Standard:

4. Water Allocation approval shall be valid for a period of one (1) year from the date of approval of this project in accordance with S.M.C.S. 17.54.080. Project approval will become null and void if a building permit is not exercised within one (1) year from date of approval.

5. Proposed changes to the approved application(s) must receive approval from the Zoning Administrator.

6. The applicant agrees as a condition and in consideration of the approval of this discretionary permit that it will defend, indemnify and hold harmless the City of Seaside or its agents, officers and employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void or annul this approval. The applicant will reimburse the City for any court costs and attorney's fees, which the City may be required by a court to pay as a result of such action. City may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his obligations under this condition. The City shall promptly notify the applicant of any such claim, action, or proceeding, and the City shall cooperate fully in the defense thereof.

7. The project shall be responsible for all applicable local and/or regional development and/or impact fees including, but not limited to, sewer, water, and traffic fees, which shall be paid prior to building permit issuance.

8. The proposed project shall comply with the applicable requirements of the Monterey Peninsula Water Management District for the installation of new water fixtures and landscape irrigation equipment.

9. The issuance of building permits involving the installation of new water shall be subject to the availability of an adequate supply of water and sewer capacity to serve the project.

10. Water conservation fixtures shall be provided in the proposed project.

WATER ALLOCATION APPLICATION NO. WAC-19-02

This permit is hereby accepted upon the express terms and conditions hereof, and shall have no force or effect unless and until agreed to, in writing, by the applicant and property owner(s).

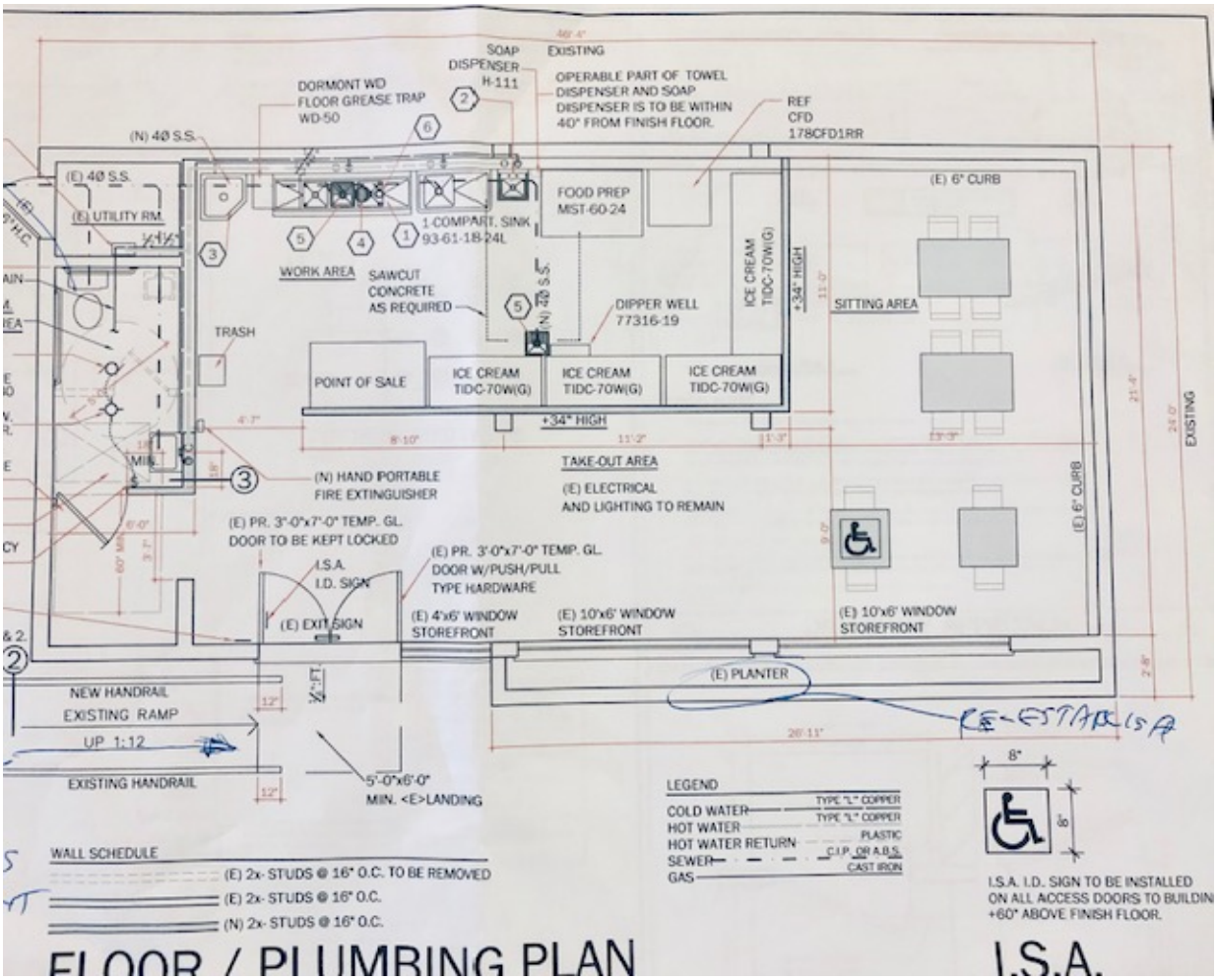
The undersigned hereby acknowledge the approved terms and conditions and agree to fully conform to, and comply with, said terms and conditions within the time frames approved by the City of Seaside Water Allocation Committee.

_____ _____
Applicant's Signature Date

_____ _____
Property Owner's Signature Date

Attachment 1 – Exhibit A

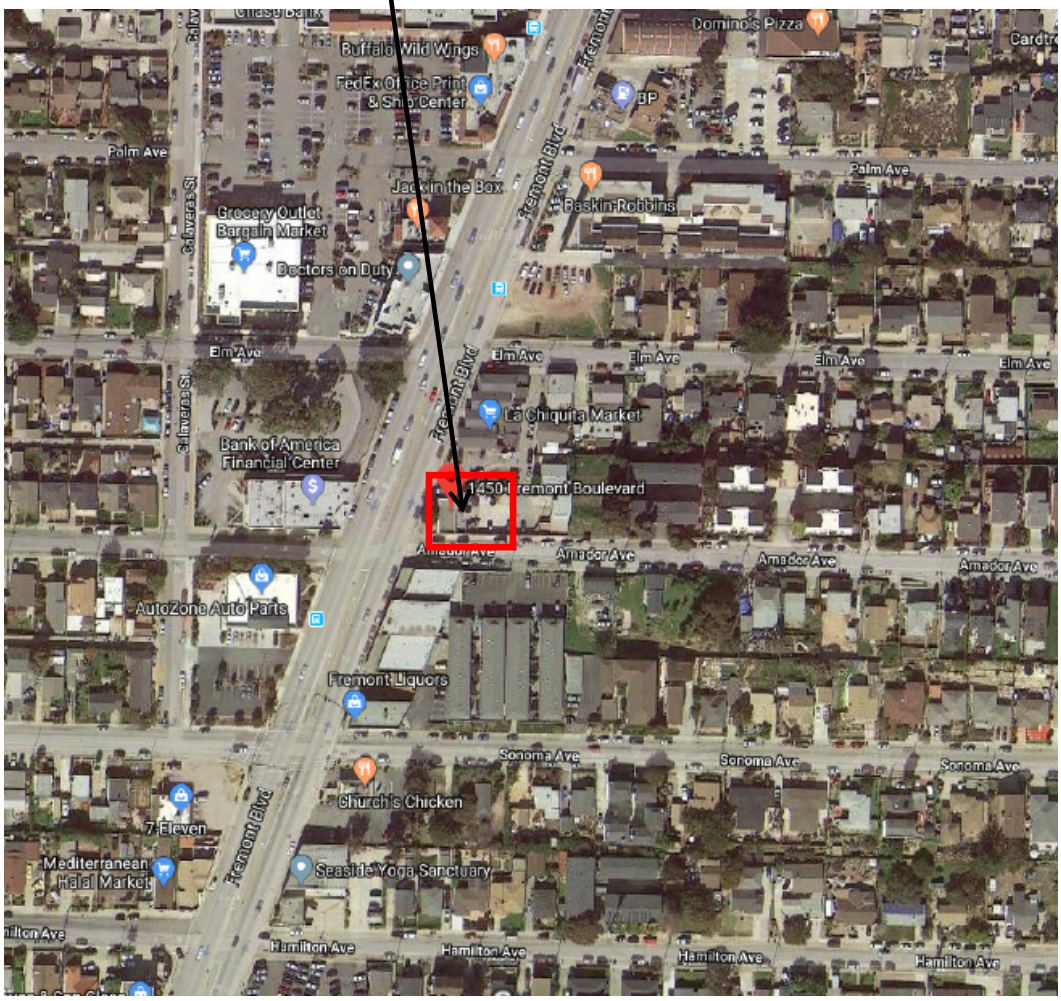
Floor Plan



Attachment 2

Site Plan

Project Site: 1450 Fremont Boulevard



Attachment 3

Site Photo

View of Front Façade from Fremont Boulevard