

RCVD  
5-21-12  
P. J. J.

Monday

## APPENDIX 18

### VARIANCE REQUEST



## Variance Request Form for Marina Coast Water District

Assigned \_\_\_\_\_  
Reviewed \_\_\_\_\_  
Granted / Denied \_\_\_\_\_  
Account No. \_\_\_\_\_

### PART A – APPLICANT INFORMATION

Requested Variance (include District Code Section) 3.36.030W.36

Date of Submittal of Variance Request 5/18/12

Has applicant applied for the same or similar variance previously? ☐ YES ☒ NO ☐ UNKNOWN

If YES, to above, please provide details \_\_\_\_\_

#### Request:

Name of Applicant (Contact) Kenneth Torgren, Wald, Ruhnke & Post Arch.

Applicant Relationship to Owner Representative

Billing Name (if different from above) Mike Tate

Street/Mailing Address for Variance PO Box 251 City Marina State CA Zip 93933

Street/Mailing Address for Billing (if different) \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Daytime Phone Number 831.320.7914 Fax Number 831.384.8113

### PART B – BASIS OF VARIANCE REQUEST

1. The strict application of the code would result in unfair or unequal treatment, undue hardship, or an emergency condition exists which requires that the variance be granted; and,
2. Granting the variance will not cause a significant adverse effect on the water supply or on service to other persons served by the district; and,
3. The variance is in the best interests of the district.

This variance request may only be based on the above conditions. Please briefly describe the basis of your request and provide documentation of need in Part C. If further space is required in the completion of this form, provide a note of such and attach supporting documentation with application.

See Attached

### PART C – EVIDENCE TO SUPPORT VARIANCE

Provide documentation to support your request. Documentation should concisely prove the need for a variance. Please list documents below and attach copies with your application. Original records will not be returned.

See Attached

### PART D – REQUESTED ACTION

What specific action are you requesting that the Board take?

Allow the property to remain on one water meter as opposed to the multi-meters required due to motel conversion.



*I understand that the application for a variance does not guarantee a variance will be granted.*



*I have contacted the owner and he has given his permission to process this application, or I am the property owner.*

Applicant:

Applicant's Name:

Kenneth Turgen

Applicant's Signature:

[Signature]

Date:

5/18/12

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**PART D – GENERAL MANAGER’S RECOMMENDATION (for internal use by Marina Coast Water District)**

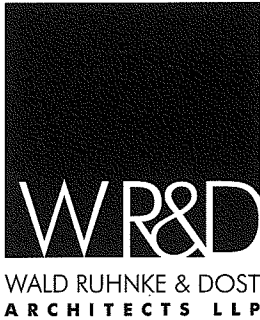
- ☐ Having fully considered the above application for variance, I find that the Application has NOT proven by clear and convincing evidence that the requirements of Section 2.08 Variances have been met. Based on the foregoing, a VARIANCE IS NOT RECOMMENDED.
- ☐ Having fully considered the above application for variance, I find that the Applicant has proven by clear and convincing evidence that the requirements of Section 2.08 Variances have been met. Based on the foregoing, a VARIANCE IS RECOMMENDED.

This request will be on the Marina Coast Water District Board agenda currently scheduled for \_\_\_\_\_. Please call the District to confirm this date.

Explanation \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Signature of District General Manager

\_\_\_\_\_  
Date



2340 Garden Road, Suite 100  
Monterey, CA 93940-5347  
T: (831) 649-4642  
F: (831) 649-3530  
[www.wrdarch.com](http://www.wrdarch.com)

June 15, 2012

Marina Coast Water District  
2840 4th Avenue  
Marina, CA 93933  
P: (831) 384-6131  
F: (831) 883-5995

Project:	Apartment Conversion ( <i>former Marina Lodge</i> )
Site Address:	420 Reservation Road, Marina
Property Owner:	Mike Tate
APN:	032-152-009
Subject:	Water Meter Variance

On February 23, 2012, the Marina Planning Commission approved the Conditional Use Permit (CUP) for the above listed property. The scope and history of the project is:

The property currently is operating under a mixed-use functionality – thirty-eight (38) studio apartments in the existing L-shaped building to the South-West of the site and an eighteen (18) unit motel building to the Easterly portion. With the current economic climate along with the glut of hotel uses in the City of Marina, the property owner has decided to convert the remaining 18 units into one bedroom apartments to be consistent with the majority of the site use. In converting the units, it is necessary to combine the smaller motel units (two each) to create the one bedroom units – therefore reducing the number of units from the existing eighteen (18) to nine (9). The new project would put nine (9) affordable apartment units on the market for the City of Marina therefore bringing revenue and citizens to our City. As a convenience, we have attached portions of the plans which will be submitted to the City of Marina Building Department for permit (Sheets D200, A100 and A200).

The physical scope of the project will include the combination of the units to create the one-bedroom apartments – resulting in four (4) downstairs units and four (4) upstairs units as well as one (1) two story unit at the end of the building. On sheet D200 (Demolition Floor Plan) it shows the existing conditions of the building and sheet A200 shows the proposed new floor plans – in order to achieve the scope of the project as well as the owners ability to offer the apartments at an affordable price, we have demolished only one (1) bathroom within the combined units and utilizing the existing bathroom in the other (see A200 for the new layout). By keeping the existing bathroom cores we are also able to keep the existing hot water system for this building (100 gallon water heater with an expansion tank and recirculation pump) that has been recently replaced. We will be adding a kitchen in each of the new one-bedroom units. The kitchen will consist of a sink only without a disposal and no dishwasher will be provided.

**Monterey**  
Clovis/Fresno  
Santa Cruz

It is the owner's wish to keep the site as affordable housing and by keeping the existing water infrastructure will definitely allow the project to deliver that for the City of Marina.

### Variance Request and Reasoning

MCWD Code § 3.36.030W.3b regarding metering states that conversion of existing structures, specifically motel/hotel units converted into multifamily units, require individual metering. It is from this portion of the MCWD Code that we are requesting a variance.

- Undue Hardship:

The current condition at the site is a single meter serving the site where the property owner pays the bills and maintenance required to the supplied water. As a matter of conservation and maintenance the owner has one (1) water heater that provides hot water to the existing units (one in each building) as well as the proposed converted units (47 total) – which is also connected to the single meter. By the MCWD requiring this project to install nine (9) new meters it would create an undue financial hardship thusly:

1. All of the existing concealed supply plumbing, while scheduled to remain, would need to be re-plumbed. This also triggers the removal and waste of existing gypsum wall board which is not currently scheduled to be removed. We estimate the cost for this work would be in the \$30-40,000.
2. With the single-meter connection, the owner can keep the existing system of hot water and distribution. With the multi-meter set up, individual 40-gallon water heaters would need to be installed in each unit essentially doubling the hot water use in those units. We are estimating the cost for this work would be in the \$20-25,000.
3. The new water heaters would also require the resizing and installation of a new gas meter service by PG&E. The pass-through cost for engineering and installation is estimated at \$40,000.
4. The street opening, associated permits, setting the meters and general distribution piping would cost in the range of \$75,000.
5. The cost associated with the above would result in increasing the total cost of the project by approximately 40%.

- Water Usage and the benefit of the project to MCWD:

The new project would provide a **decreased** load on the water system as calculated using the assigned water use factors provided in table in Appendix 'C' of the Marina Coast Water District (MCWD) Code:

#### **Existing Use**

Type of Use	Basis	Use Rate	Total Use per Annum
Hotel/Motel	Per unit	18 x 0.17	3.06 acre-feet
Residence	Per unit	38 x 0.25	9.5 acre-feet
Swimming Pool	Per 100sf of area	4.05 x 0.020	0.081 acre-feet
<b>Total</b>			<b>12.641 acre feet</b>

#### **Proposed Use**

Type of Use	Basis	Use Rate	Total Use per Annum
Residence	Per unit	47 x 0.25	11.75 acre-feet
<b>Total</b>			<b>11.75 acre feet</b>

The projects' decreased impact on the water supply, per MCWD's calculations, would then total of **0.891 acre-feet per year**.

Along with the MCWD calculations, we also would like to compare the **before** and **after** conditions to assess water conservation and gas conservation based on the intended scope of the remodel. While water conservation is important, overall energy consumption is also a factor. The calculations are based on the latest versions of the ASHRAE Handbooks (2009 Fundamentals and 2011 Applications), the 2010 CPC (California Plumbing Code) and 2010 CMC (California Mechanical Code). Estimated water usages were gathered from a variety of web sites (such as usgs.gov, dgs.ca.gov and drinktap.org) and fit well within the norms for hotels on the central coast of California (please see **Figure 1** attached showing calculations to support the values given).

The **before** condition includes eighteen (18) hotel rooms, each with a lavatory, toilet and a shower. These fixtures are served by a single gas-fired water heater that contains 100 gallons and has a 199 KBH burner. The **before** condition also includes a 15,000 gallon swimming pool that is drained twice a year for cleaning and pool maintenance. The evaporation of the pool surface water assumes an unheated pool that is crossed by a 30 FPS average wind velocity, about one-third of a mile per hour. We have taken an average annual air temperature of 55.8°F and an average pool water temperature that matches the annual average ground temperature of 52.6°F

The **after** condition assumes nine (9) residential units with a lavatory, toilet, shower and kitchen sink each. These would need to be served by separate gas fired water heaters if we go with separate metering. The **after** condition would eliminate the swimming pool.

Discussion:

In this comparison, I am not using the same average usages in the "Before" and **after** conditions. **Before** averages used equate to hotel/motel usage and the **after** usages are appropriate for one-bedroom apartment usages. Both the **before** and the **after** water usages assume that about half the water use is hot water and the other half is cold water for fixtures with both hot and cold water service to them.

The existing lavatory faucets provide 3 GPM of water and the average hotel user runs such faucets about 8 minutes per day. The new faucets will use 1.5 GPM of water and apartment dwellers in one bedroom apartments run their sink faucets about 12 minutes per day.

The existing showers provide 4 GPM of water and the average hotel user runs the shower about 15 minutes per day. The new showers will use 2.5 GPM of water and run about 15 minutes per day.

The existing toilets use 4 GPF of cold water. The new toilets will use 1.3 GPF. The average American flushes their toilet five times per day so we will assume seven times per day per double occupancy.

The new kitchen sinks will use 2.2 GPM and will run about 10 minutes per day. The new kitchens do not have dishwashers.

Gas usage is based on a ground water temperature of 55°F. The  $\Delta T$  of the water temperature is based on raising the domestic water to 120°F delivery temperature.

Analysis:

The **before** hot and cold water consumption is a little over 810,000 gallons annually, about half of which hot and half cold water. The **after** hot and cold water consumption is about 406,000 gallons annually. *This is a savings of about 50% in total water consumed annually.*

The **before** gas usage is about 138,000 CF of natural gas annually. The **after** gas usage is about 85,000 CF of natural gas annually. *This is a savings of more than 38% in total gas consumed.*

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Mitigation

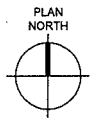
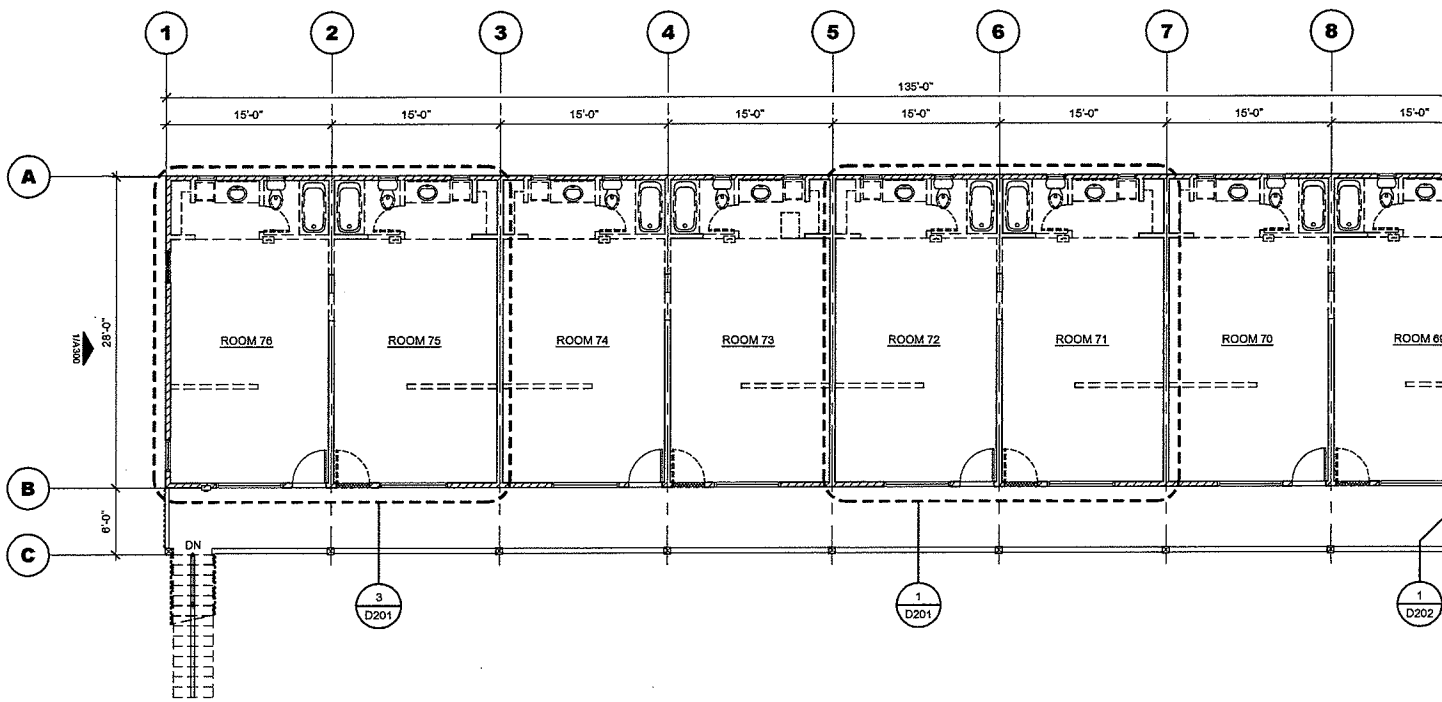
While it is our intent to receive a full variance from the MCWD Code § 3.36.030W.3b, we are prepared to work with MCWD and install and conduct the following:

- Remove the existing hot water system from the building where the change of use will occur.
- Install nine (9) sub-meters attached to the main water feed that is currently on California Avenue.
- Existing site "master" water meter shall remain in its existing location along California Avenue.
- Install nine (9) new hot water heaters in each new apartment unit.
- Property owner will continue to pay MCWD for all water usage at the site.
- Residents in the change-of-use area of the site will be billed by Property owner on a pro-rata basis for actual water use.
- Property owner is willing to put deed restrictions on the property prohibiting the change of use to individual condominium use.
- Property owner is willing to enter into an agreement with MCWD per MCWD Code § 3.08.020 *Special Contracts* to ensure the proper issuance and billing for sub-metering of the water on the site.



# FIGURE 1

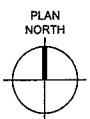
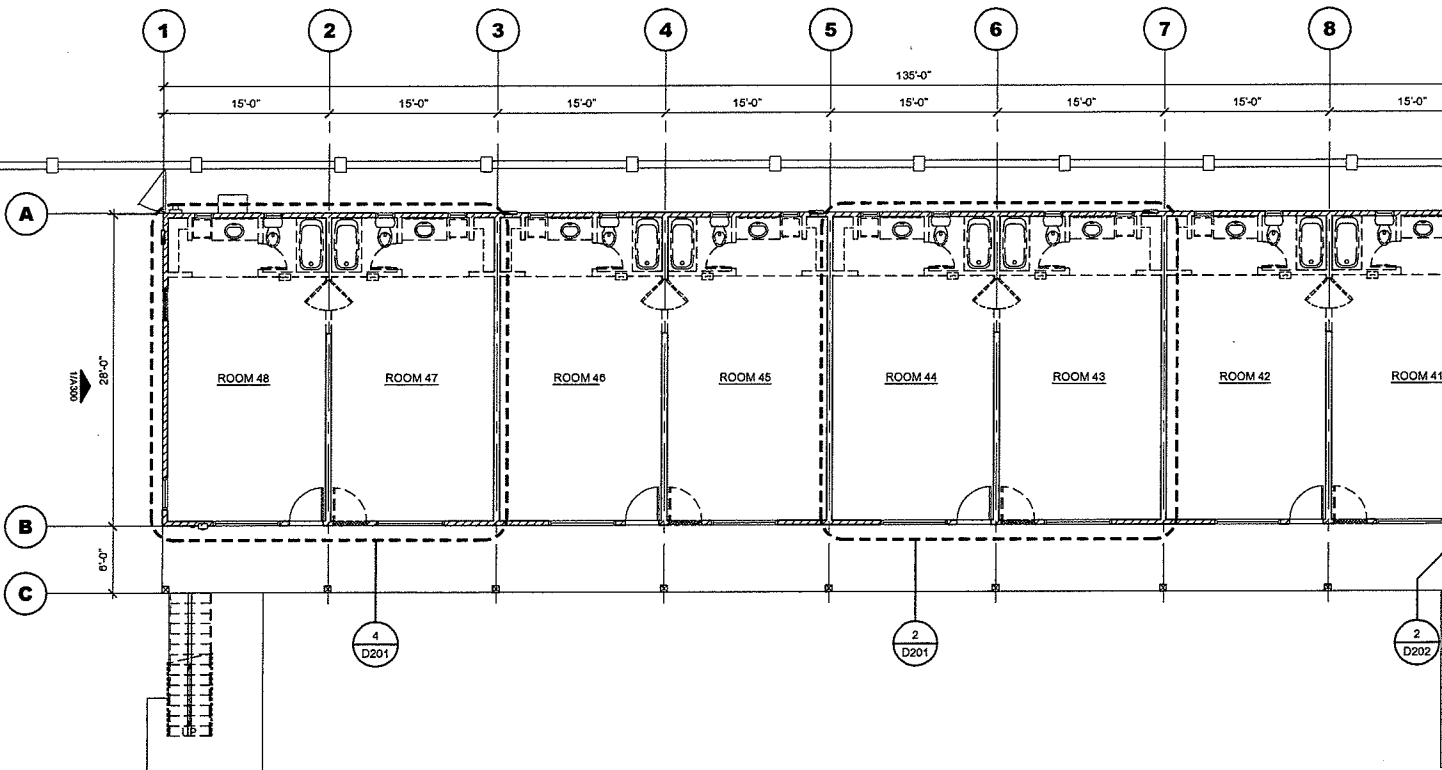
<b>Before</b>	Lavs	Lav GPM	Avg Mins/D	G/D	G/Y	Hot Use	Cold Use	Sum Total
Units Each	18	3	8	432	157,784	78,892	78,892	157,784
	Shwrs	Shwr GPM	Avg Mins/D	G/D	G/Y	Hot Use	Cold Use	
	18	4	15	1080	394,459	197,230	197,230	394,459
	WCs	WC GPF	Avg F/D	G/D	G/Y	Hot Use	Cold Use	
	18	4	7	504	184,081	0	184,081	184,081
	Annual Domestic Gallons =					276,121		736,324
Pool	Pools	SF	Y btu/lb	Pw, in Hg	Pa, in Hg	Vel FPM		
	1	405	1000	0.4631	0.0032	30		
	$Wp = (A/Y) \times (Pw - Pa) \times (95 + 0.425V) =$					70	or 8	gal/hr evap
	Annual evap in gallons =						73,992	
	Total Annual Gallons Consumed =					350,113	460,202	<b>810,315</b>
Gas use Domestic	Gal/Yr	delta T	Lbs/ Gal	Q BTUs	Where Q = Gallons x Temp Rise x Lbs/Gal			
	276,121	60	8.33	138,005,496				
						Total Gas BTUs =		<b>138,005,496</b>
<b>After</b>	Lavs	Lav GPM	Avg Mins/D	G/D	G/Y	Hot Use	Cold Use	
	9	3	12	324	118,338	59,169	59,169	118,338
	Shwrs	Shwr GPM	Avg Mins/D	G/D	G/Y	Hot Use	Cold Use	
	9	2.5	15	337.5	123,269	61,634	61,634	123,269
	WCs	WC GPF	Avg F/D	G/D	G/Y	Hot Use	Cold Use	
	9	4	7	252	92,040	0	92,040	92,040
	Kit Sinks	KS GPM	Avg Mins/D	G/D	G/Y	Hot Use	Cold Use	
	9	2.2	10	198	72,318	36,159	36,159	72,318
	Annual Gallons Totals =					156,962	249,002	<b>405,964</b>
Gas use Domestic	Gal/Yr	delta T	Lbs/ Gal	Q BTUs	Where Q = Gallons x Temp Rise x Lbs/Gal			
	156,962	65	8.33	84,987,015				
						Total Gas BTUs =		<b>84,987,015</b>



2

## DEMOLITION SECOND FLOOR PLAN

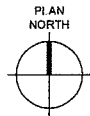
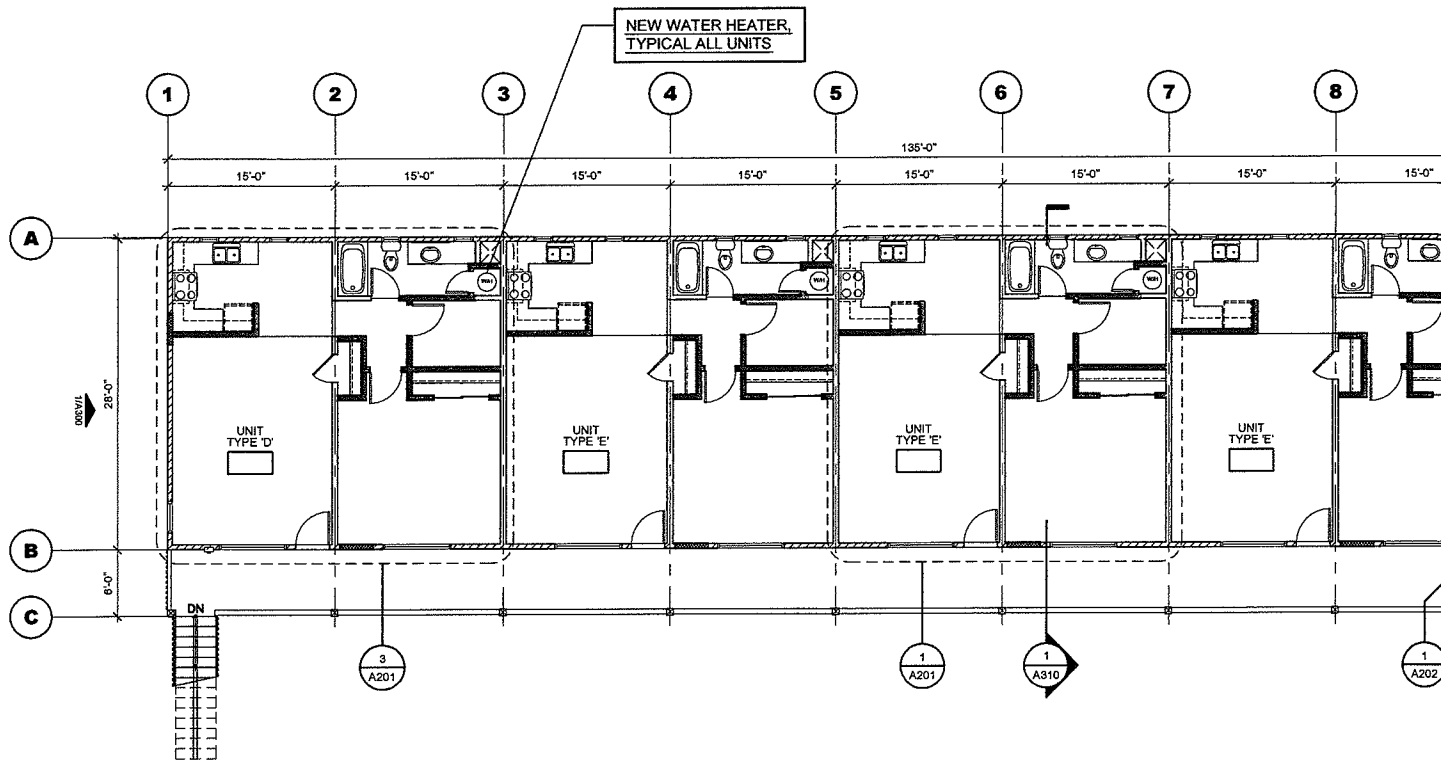
SCALE: 1/8" = 1'-0"



1

## DEMOLITION FIRST FLOOR PLAN

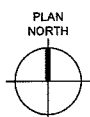
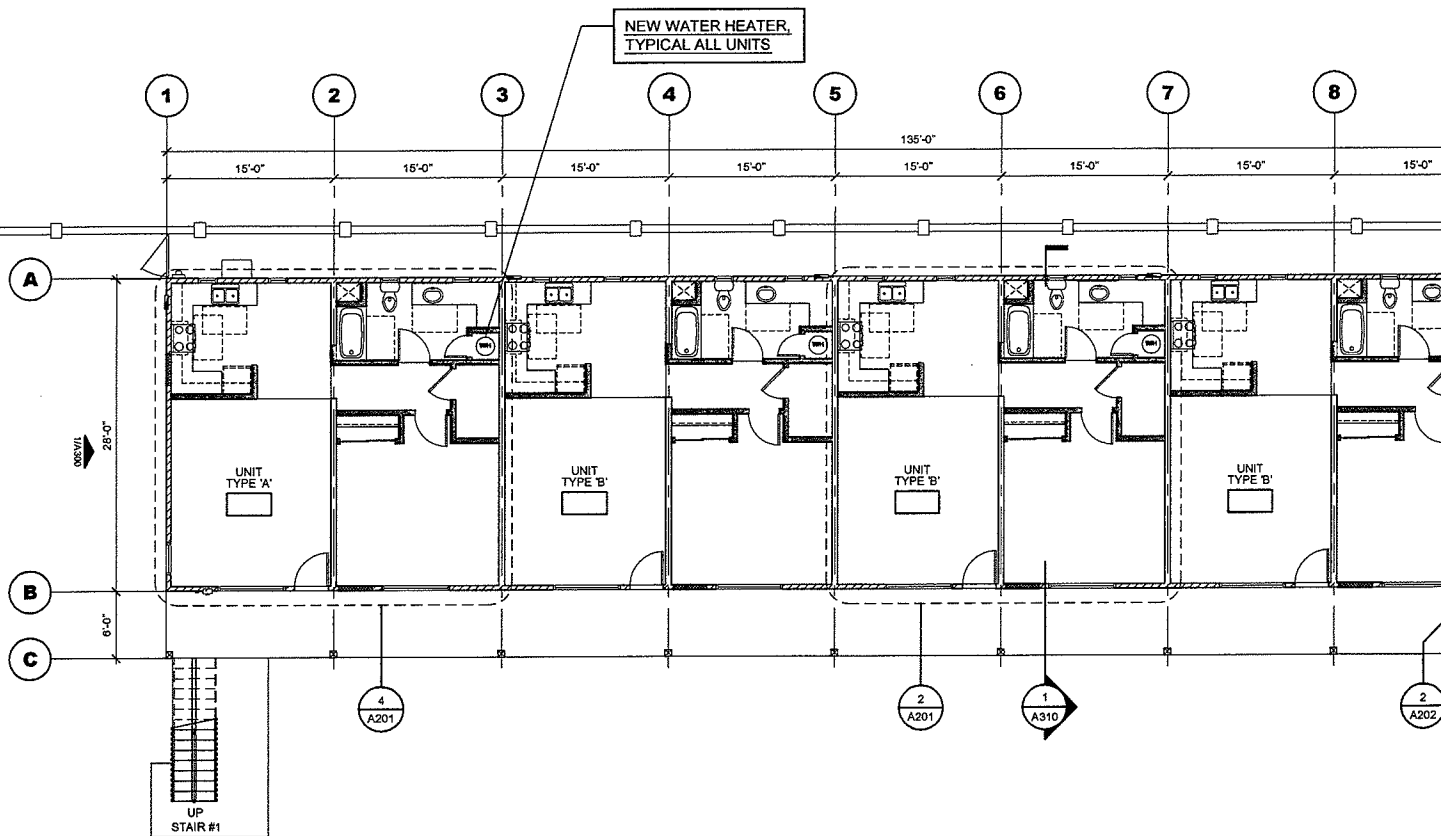
SCALE: 1/8" = 1'-0"



2

## NEW SECOND FLOOR PLAN

SCALE: 1/8" = 1'-0"



1

## NEW FIRST FLOOR PLAN

SCALE: 1/8" = 1'-0"