


TO: BOARD OF DIRECTORS
REVIEWED: MARIO IGLESIAS 
GENERAL MANAGER
FROM: ELIZABETH VILLANUEVA, E.I.T.
ACTING DISTRICT ENGINEER
DATE: JANUARY 4, 2023

**AGENDA ITEM
D-4
JANUARY 11, 2023**

**CONSIDER REQUEST FOR WATER, SEWER AND
SOLID WASTE SERVICE (INTENT-TO-SERVE LETTER)
FOR A 112-UNIT MULTIFAMILY RESIDENTIAL DEVELOPMENT
LOCATED AT 646 GRANDE AVENUE, NIPOMO**

ITEM

Consider request for water, sewer, and solid waste service (Intent-to-Serve Letter) for a 112-unit multifamily residential development located at 646 Grande Avenue, APN 092-579-002, in Nipomo [RECOMMEND CONSIDER INTENT-TO-SERVE LETTER AND APPROVE WITH CONDITIONS].

BACKGROUND

The District received an application for water, sewer and solid waste service for a multifamily residential development project located at 646 Grande Avenue on September 12, 2022 and the application was deemed complete in December 2022. The applicant, Billy and Dee Morgan Trust, is requesting water, sewer and solid waste service for a 112-unit multifamily residential development.

The project will consist of one hundred twelve (112) multifamily residential units on one (1) existing 4.2-acre parcel. The existing parcel is zoned Residential Multifamily and the District currently provides water service for the parcel.

All residential parcels, existing and planned, will be required to obtain water, sewer and solid waste service in compliance with current District standards. Any existing well(s) on the property will be abandoned prior to providing District services to the parcel.

In accordance with the District's Supplemental Water Accounting Policy, Resolution 2015-1372, water demand for the project will be tracked against the 500 AFY supplemental water project capacity reservation for new development. Based on the preliminary information provided, total water demand for the project is estimated at 8.4 acre-feet per year (AFY). After applying a credit of 0.53 AFY for the existing water service (1 @ 1-inch), the project's supplemental water demand is estimated at 7.9 AFY. Sufficient supplemental water for the project is available.

Sufficient wastewater treatment capacity for the project is available in the District's Southland WWTF.

FISCAL IMPACT

Water and sewer capacity fees will be based on the domestic, fire and irrigation meter sizes requested for the final County approved project, as well as CAL FIRE's fire service requirements. Based on the information provided, the following services are proposed:

- Domestic: 1 @ 4-inch
- Irrigation: 1 @ 1-inch
- Fire: 2 @ 8-inch
- Sewer: 1 service

The estimated fee deposit for the project is \$550,980 based on the current FY 22-23 District fee schedule, including a credit for one (1) 1-inch water service. Fees for Connection shall be calculated and owing as of the date the District accepts the public water and sewer improvements for the project and sets the water meter(s) to serve the affected property, from which the amount of the Deposit shall be deducted.

RECOMMENDATION

Staff recommends that the Board approve the Applicant's request for an Intent-to-Serve letter for the project with the following conditions:

PROJECT-SPECIFIC CONDITIONS

- A sewer and water system master plan/hydraulic model review of project impacts shall be required. Applicant shall mitigate any off-site water and sewer system impacts.
- Applicant shall be required to install all necessary water and sewer facilities adjacent to project. Improvements anticipated include, but are not limited to, upsizing water and sewer lines on Grande Avenue adjacent to the project.
- Applicant shall be required to loop existing dead-end waterline on Kelly Court to water line on Grande Avenue.
- One (1) new 4-inch domestic water meter and appropriate backflow assembly shall be provided for indoor use. Water capacity charges are applicable.
- One (1) separate 1-inch irrigation meter and appropriate backflow assembly shall be provided for outdoor irrigation use. Water capacity charges are applicable.
- Two (2) separate 8-inch fire sprinkler service including appropriate backflow device as required and approved by CAL FIRE of SLO County, shall be provided for fire sprinkler service. Fire capacity charges are applicable.

STANDARD CONDITIONS

- Project shall obtain water, sewer and solid waste service for all parcels.
- CAL FIRE of SLO County must approve the development plans prior to District approval. Fire capacity charges are applicable if dedicated fire service laterals are required.
- Record a restriction, subject to District approval, on the property prohibiting the use of well(s) to provide water service to any parcel within the Project.
- Properly abandon any existing groundwater wells and provide documentation to District.
- Record a restriction, subject to District approval, on all parcels prohibiting use of self-regenerating water softeners.
- Comply with District water conservation program.

- Pay all appropriate District fees associated with this development.
- Applicant shall provide the District with a copy of County application approval and County project conditions of approval.
- Enter into a Plan Check and Inspection Agreement and provide a deposit.
- Submit improvement plans in accordance with the District Standards and Specifications for review and approval. Applicant shall provide plans consistent with current District Standards and based on the proposed lot configuration.
- Any easements required for water and sewer improvements that will be dedicated to the District shall be offered to the District prior to final improvement plan approval.
- Any easements required for private water and sewer laterals shall be recorded prior to final improvement plan approval and shall be subject to District approval.
- All water and sewer improvements to be dedicated to the District shall be bonded for or otherwise secured in the District's name prior to issuance of Will Serve letter.
- A Will-Serve letter for the Project will be issued after improvement plans are approved and signed by the District.
- Applicant shall make a non-refundable deposit ("Deposit") at the time the District issues a Will Serve Letter in an amount equal to the then calculated Fees for Connection.
- Fees for Connection shall be calculated and owing as of the date the District sets the water meter(s) to serve the affected property from which the amount of the Deposit shall be deducted.
- Construct the improvements required and submit the following:
 - Reproducible "As Builts" - A mylar copy and digital format disk (PDF) which includes engineer, developer, tract number and water and sewer improvements
 - Offer of Dedication
 - Engineer's Certification
 - Summary of all water and sewer improvement costs
- Solid waste collection services are mandatory. Applicant shall provide proof that the Project is provided with solid waste removal services in accordance with District regulations.
- The District will set water meter(s) upon proof of a building permit from the County of San Luis Obispo, the District's acceptance of improvements to be dedicated to the District, if applicable, and the final payment of all charges and fees owed to the District.
- This letter is void if land use is other than residential use as defined by the District.
- Intent-to-Serve letters shall automatically terminate three (3) years from date of issuance. However, Applicant shall be entitled to a one-year extension upon the following conditions:
 - Applicant makes written application for the extension prior to the expiration of the Intent-to-Serve Letter.
 - Applicant provides proof of reasonable due diligence in processing the Project.
 - Applicant agrees to revisions of the conditions contained in the Intent-to-Serve letter consistent with then existing District policies.
- This Intent-to-Serve letter shall be subject to the current and future rules, agreements, regulations, fees, resolutions and ordinances of the District.
- This Intent-to-Serve letter may be revoked, or amended, as a result of conditions imposed upon the District by a court or availability of resources, or by a change in ordinance, resolution, rules, fees or regulations adopted by the Board of Directors.
- District service is conditioned on the applicant complying with all terms, conditions, rules, and regulations of other agencies that have jurisdiction over the project.
- This Intent-to-Serve letter shall not be interpreted as the District's Board of Directors endorsement of the project.

- The District reserves the right to revoke this Intent-to-Serve letter at any time.
- The Applicant shall provide a signed copy of the Intent-to-Serve letter within thirty (30) days of issuance.

ATTACHMENTS

- A. Application
- B. Site Plan

JANUARY 11, 2023

ITEM D-4

ATTACHMENT A



NIPOMO COMMUNITY SERVICES DISTRICT

148 SOUTH WILSON STREET
POST OFFICE BOX 326 NIPOMO, CA 93444 - 0326
(805) 929-1133 FAX (805) 929-1932
Website: ncsd.ca.gov

Office use only:
Date and Time
Complete
Application and
fees received:
SEP 12 2022
NIPOMO COMMUNITY
SERVICES DISTRICT

@ 10:10 am

INTENT-TO-SERVE APPLICATION

1. This is an application for: Sewer and Water Service Water Service Only
2. SLO County Planning Department/Tract or Development No.: Mesa Grande Tract - Lot #18
3. Project location: 646 Grande Ave Nipomo CA 93444
4. Assessor's Parcel Number (APN) of parcel(s) to be served: 092-579-002
5. Owner Name: Billy and Dee Morgan Trust
6. Mailing Address: 3600 West Mineral King Suite B Visalia CA 93291
7. Email: Chase@morgan-enterprise.com
8. Phone: 805-308-7394 FAX: _____
9. Agent's Information (Architect or Engineer):
Name: Steve Puglisi, Jeff Bague
Address: 569 Higuera Street, Suite A, San Luis Obispo, CA 93401
Email: spuglisi@pegasus-architecture.com, jbague@pegasus-architecture.com
Phone: 805-595-1962 FAX: _____

10. Type of Project: (check box) (see Page 3 for definitions)

<input type="checkbox"/> Single-family dwelling units	<input checked="" type="checkbox"/> Multi-family dwelling units
<input type="checkbox"/> Commercial	<input type="checkbox"/> Mixed Use (Commercial and Residential)

11. Does this project require a sub-division? Yes No
If yes, number of new lots created _____

12. Site Plan:
For all projects, submit three (3) standard size (24" x 36") and one reduced copy (8½" x 11") of site plans.

Show parcel layout, water and sewer laterals, and general off-site improvements, as applicable. **Note that the District only provides one domestic meter per parcel.**

13. Board Approval:
Board approval is required for the following type of projects:
 - more than four dwelling units
 - property requiring sub-divisions
 - higher than currently permitted housing density
 - commercial developments

14. **RESIDENTIAL SERVICE**

Single Family Residential (SFR)

Number of Parcel's created		Proposed number of SFR	
----------------------------	--	------------------------	--

Multi-Family Residential (MFR)

Number of Parcel's created	1	Proposed number of MFR	4
Number of Domestic Meter(s)	1	Estimated Meter Size(s)	4"
Number of Landscape Meter(s)	1	Estimated Meter Size(s)	1"
Number of Fire System(s)	1	Estimated Meter Size(s)	8-10"

15. **COMMERCIAL AND/OR MIXED USE SERVICE DEMAND ESTIMATES:**

Commercial and Mixed Use

Number of Parcel's created		Proposed number of residential dwellings	
Number of Domestic Meter(s)		Estimated Meter Size(s)	
Number of Landscape Meter(s)		Estimated Meter Size(s)	
Number of Fire System(s)		Estimated Meter Size(s)	

16. Provide an estimate of yearly water (AFY) and sewer (gallons) demand for the project prepared by a licensed Engineer/Architect.

Agreement:

The Applicant agrees that in accordance with generally accepted construction practices, Applicant shall assume sole and complete responsibility for the condition of the job site during the course of the project, including the safety of persons and property; that this requirement shall apply continuously and not be limited to normal working hours; and the Applicant shall defend, indemnify, and hold the District and District's agents, employees and consultants harmless from any and all claims, demands, damages, costs, expenses (including attorney's fees) judgments or liabilities arising out of the performance or attempted performance of the work on this project; except those claims, demands, damages, costs, expenses (including attorney's fees) judgments or liabilities resulting from the negligence or willful misconduct of the District.

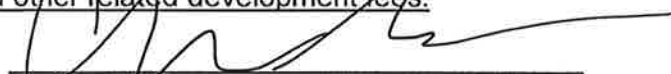
Nothing in the foregoing indemnity provision shall be construed to require Applicant to indemnify District against any responsibility or liability or contravention of Civil Code §2782

Application Processing Fee.....See Attached Fee Schedule on Page 3

The District will only accept cashier's check or bank wire for the payment of Water Capacity, Sewer Capacity and other related development fees.

Date 1/3/2023

Signed


 (Must be signed by owner or owner's agent)

Print Name Chase morgan

DEFINITIONS

(Please note – these definitions do NOT reconcile with standard SLO County Planning Department definitions)

Single-family dwelling unit – means a building designed for or used to house not more than one family.

Accessory (Secondary) dwelling units – means an attached or detached secondary residential dwelling unit on the same parcel as an existing single-family (primary) dwelling. A secondary unit provides for complete independent living facilities for one or more persons.

Multi-family dwelling unit – means a building or portion thereof designed and used as a residence for three or more families living independently of each other under a common roof, including apartment houses, apartment hotels and flats, but not including automobile courts, or boardinghouses.

Two-family dwelling units (duplex) – means a building with a common roof containing not more than two kitchens, designed and/or used to house not more than two families living independently of each other.

Commercial – all non-residential and mixed-use projects.

APPLICATION FEES AND CHARGES
EFFECTIVE July 1, 2021

PROJECT SIZE/TYPE	TOTAL AMOUNT DUE AT TIME OF APPLICATION**
Residential <4 units	\$1,381.98
Residential 4-20 units	\$1,898.27
Residential > 20 units	\$2,234.99
Commercial <1 acre	\$1,898.27
Commercial 1-3 acres	\$2,234.99
Commercial > 3 acres	\$3,087.96
Mixed Use with less than 4 Dwelling Units	\$2,234.99
Mixed Use with four or more Dwelling Units	\$3,087.96
*Outside Consulting and Legal fees will be billed to the Applicant at direct rate.	

**Commencing on July 1, 2008 and each year thereafter the Application Fees shall be adjusted by a Consumer Price Index formula.

NCS D FEE DEPOSIT CALCULATION

Owner Name/Project: Billy and Dee Morgan Trust
 Address/APN: 646 Grande Ave/092-579-002
 Date: 1/4/2023

WATER SERVICES	SIZE	QTY		UNIT COST	TOTAL COST
Domestic Service	4 inches	1	X	\$ 58,169.00 =	\$ 58,169.00
Supplemental Water Fee	4 inches	1	X	\$ 150,735.00 =	\$ 150,735.00
Domestic Service	1.5 inches	0	X	\$ 11,634.00 =	\$ -
Supplemental Water Fee	1.5 inches	0	X	\$ 30,147.00 =	\$ -
Irrigation Service	1 inch	1	X	\$ 3,878.00 =	\$ 3,878.00
Supplemental Water Fee	1 inch	1	X	\$ 10,049.00 =	\$ 10,049.00
Fire Service	8 inches	2	X	\$ 23,268.00 =	\$ 46,536.00
Supplemental Water Fee	8 inches	2	X	\$ 60,294.00 =	\$ 120,588.00

SEWER SERVICES	SIZE	QTY		UNIT COST	TOTAL COST
Sewer Capacity Fee - Water meter size:	4 inches	1	X	\$ 169,768.00 =	\$ 169,768.00
Sewer Capacity Fee - Water meter size:	1.5 inches	0	X	\$ 33,954.00 =	\$ -

OTHER	SIZE	QTY		UNIT COST	TOTAL COST
Meter Fee	4 inches	1	X	\$ 4,500.00 =	\$ 4,500.00
Meter Fee	1 inch	1	X	\$ 600.00 =	\$ 600.00
Inspection Fee		0	X	\$ 115.00 =	\$ -
Account Setup Fees		2	X	\$ 42.00 =	\$ 84.00
Reimbursement Agreement		0	X	\$ 7,043.75 =	\$ -

CREDITS	SIZE	QTY		UNIT COST	TOTAL COST
Domestic Service	1 inch	1	X	\$ (3,878.00) =	\$ (3,878.00)
Supplemental Water Fee	1 inch	1	X	\$ (10,049.00) =	\$ (10,049.00)
Sewer Capacity Fee - Water meter size:	1.5 inches	0	X	\$ (33,954.00) =	\$ -
		0	X	=	\$ -

AMOUNT DUE = \$ 550,980.00

Calculation Completed By EV
 Calculation Reviewed By _____

Date 1/4/2023
 Date _____

NOTE: FEE DETERMINATION EFFECTIVE THROUGH 6/30/2023 AND SUBJECT TO CHANGE BY THE BOARD OF DIRECTORS PRIOR TO THE ACCEPTANCE OF THE PROJECT.

VERIFICATION OF WATER/SEWER SERVICE

APPLICATION CHECKLIST

APN 092-579-002, Lot # 18

<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	Application Fee collected	
<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	Active Water Service (Water Class and Meter Size)	1" SFR
<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input checked="" type="checkbox"/> N/A	Meter set, but locked (Meter Size)	
<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input checked="" type="checkbox"/> N/A	Irrigation Meter (Meter Size)	
<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input checked="" type="checkbox"/> N/A	Fire System (Meter Size)	
<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> N/A	Connected to sewer (Sewer Class and Multiplier) (Sewer Strength if Mixed-use)	
<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input checked="" type="checkbox"/> N/A	If sewer is available, Volunteer or Non-Volunteer	
<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	Water Capacity Fee previously paid	FOR 1 SFR
<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> N/A	Sewer Capacity Fee previously paid	
<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	Meter Fee previously paid	
<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	Account Set Up Fee previously paid	
<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> N/A	Subject to Reimbursement Agreement	
<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> N/A	NCSD Front Footage Fee	
<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input checked="" type="checkbox"/> N/A	Blacklake Assessment District • Subject to In-Lieu Fee	
<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input checked="" type="checkbox"/> N/A	GALAXY PARK, CSA 1, PSSH • Volunteer • Non-Volunteer • Replacement Mobile Home	

OTHER INFORMATION/COMMENTS:

fees paid for 1 SFR, no sewer

Completed by WAZ
Date 9/16/22



NIPOMO COMMUNITY SERVICES DISTRICT

148 SOUTH WILSON STREET
POST OFFICE BOX 326 NIPOMO, CA 93444 - 0326
(805) 929-1133 FAX (805) 929-1932
Website: ncsd.ca.gov

Office use only:
Date and Time
Complete
Application and
fees received:
SEP 12 2022

NIPOMO COMMUNITY
SERVICES DISTRICT

@ 10:10 am

INTENT-TO-SERVE APPLICATION

- This is an application for: Sewer and Water Service Water Service Only
- SLO County Planning Department/Tract or Development No.: Mesa Grande Tract - Lot #18
- Project location: 646 Grande Ave Nipomo CA 93444
- Assessor's Parcel Number (APN) of parcel(s) to be served: 092-579-002
- Owner Name: Billy and Dee Morgan Trust
- Mailing Address: 3600 West Mineral King Suite B Visalia CA 93291
- Email: Chase@morgan-enterprise.com
- Phone: 805-308-7394 FAX: _____
- Agent's Information (Architect or Engineer):
Name: Steve Puglisi, Jeff Bague
Address: 569 Higuera Street, Suite A, San Luis Obispo, CA 93401
Email: spuglisi@pegasus-architecture.com, jbage@pegasus-architecture.com
Phone: 805-595-1962 FAX: _____
- Type of Project: (check box) (see Page 3 for definitions)

<input type="checkbox"/> Single-family dwelling units	<input checked="" type="checkbox"/> Multi-family dwelling units
<input type="checkbox"/> Commercial	<input type="checkbox"/> Mixed Use (Commercial and Residential)

11. Does this project require a sub-division? Yes No

If yes, number of new lots created _____



Cashier's Check

No. 3556002242

Notice to Purchaser - In the event that this check is lost, misplaced or stolen, a sworn statement and 90-day waiting period will be required prior to replacement. This check should be negotiated within 90 days.

Void After 90 Days: 91-170/1221 Date 09/12/22 09:33:39 AM

SAN LUIS OBISPO
715 0000061 025

Pay **BANK OF AMERICA** **NINE NINE**

****\$2,334.99****

Two Thousand Three Hundred Thirty Four and 99/100 Dollars

To The Order Of **NIPOMO COMMUNITY SERVICES DISTRICT**

Remitter (Purchased By): **CHASE MORGAN**

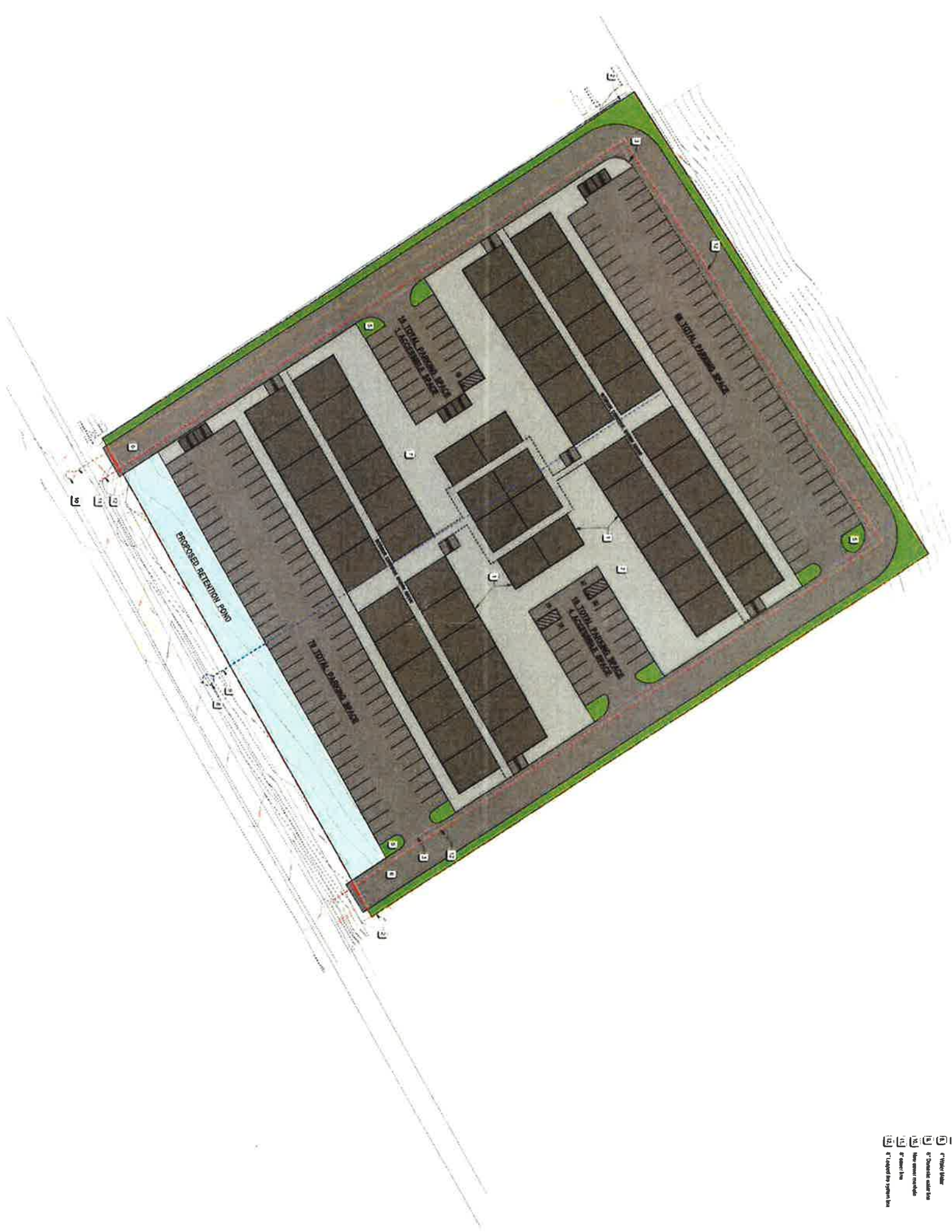
Bank of America, N.A.
PHOENIX, AZ

AUTHORIZED SIGNATURE

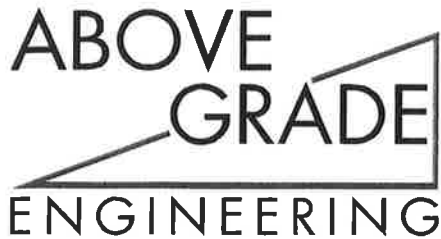
JANUARY 11, 2023

ITEM D-4

ATTACHMENT B



- (A) Project Name
- (B) Project Number
- (C) Date of Issue
- (D) Drawing Title
- (E) Drawing Scale
- (F) Drawing Status
- (G) Drawing Author
- (H) Drawing Checker
- (I) Drawing Approver
- (J) Drawing Date
- (K) Drawing Location
- (L) Drawing Project
- (M) Drawing Client
- (N) Drawing Consultant
- (O) Drawing Contractor
- (P) Drawing Subcontractor
- (Q) Drawing Supplier
- (R) Drawing Distributor
- (S) Drawing Retailer
- (T) Drawing Wholesaler
- (U) Drawing Manufacturer
- (V) Drawing Importer
- (W) Drawing Exporter
- (X) Drawing Shipper
- (Y) Drawing Receiver
- (Z) Drawing Destination



address: 245 Higuera Street
San Luis Obispo, CA 93401
phone: (805) 540-5115
web: www.abovegradeengineering.com

Chase Morgan
Nipomo Multi-Family
646 Grande Ave
Nipomo, CA

October 29, 2022

RE: Preliminary Utility Sizing

Dear Chase,

Per your request, we have prepared calculations for the utility sizes for your project. **In summary, your project requires a 4" water meter, (2) 6" or (1) 8" sewer connection and would be best served in the current layout with an 8" fire service looped around the project.**

Calculations are as follows:

Water Sizing (2022 CPC, 610.3 & A103.1) & Wastewater Sizing (2022 CPC, 702.1 & 703.2)

An assumed unit is comprised of the following:

1 Bath Unit			2 Bath Unit		
Fixture	WSFU	DFU	Fixture	WSFU	DFU
Clothes Washer	4	3	Clothes Washer	4	3
Laundry Sink	1.5	2	Laundry Sink	1.5	2
Hose Bibb	2.5		Hose Bibb	2.5	
Kitchen Sink	1.5	2	Kitchen Sink	1.5	2
Lavatory	1	1	Lavatory	1	1
Tub/Shower	4	2	Tub/Shower	4	2
Water Closet	2.5	3	Water Closet	2.5	3
	17	13	Lavatory	1	1
			Shower	2	2
			Water Closet	2.5	3
				22.5	19

As the unit mix is unknown at this time, a range of unit mixes were evaluated, from (112) 2-bath units to (32) 2-bath units and (80) 1-bath units. The range of fixture units is as follows:

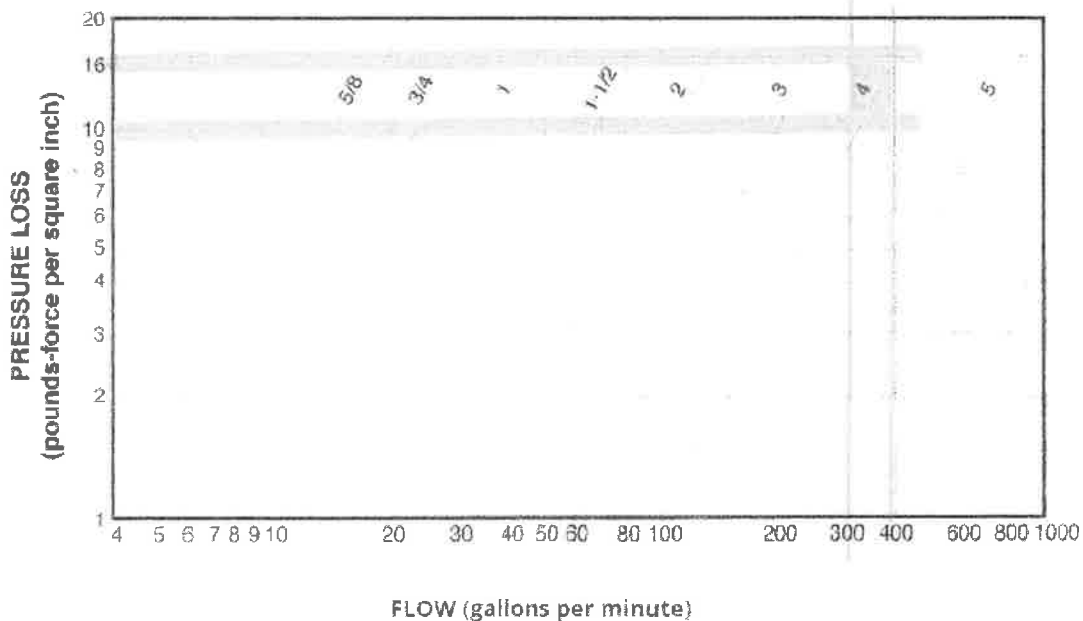
	WSFU	DFU
(112) 2-Bath Units (0) 1-Bath Unit	2520	2128
(80) 2-Bath Units (32) 1-Bath Unit	2344	1936
(32) 2-Bath Units (80) 1-Bath Unit	2080	1648

For water flow, CPC chart A103.1 is used to evaluate the maximum flow through a domestic meter. A 4" domestic meter would handle the calculated ranges at roughly 16psi of pressure drop in the system.

A102.2 Water Meter

Where the building supply is to be metered, obtain information regarding friction loss relative to the rate of flow of meters in the range of sizes likely to be used. Friction-loss data is capable of being obtained from most manufacturers of water meters. Friction losses for disk-type meters shall be permitted to be obtained from Chart A102.2.

CHART A102.2
FRICTION LOSSES FOR DISK-TYPE WATER METERS



For SI units: 1 inch = 25 mm, 1 pound-force per square inch = 6.8947 kPa, 1 gallon per minute = 0.06 L/s

For sewage flow, table 703.2 is used to evaluate the number of drainage fixture units through site plumbing. A 6" pipe is not sufficient to handle the entirety of the project alone and an 8" would be required. With the current layout, either a 6" on either driveway or an 8" pipe at the lower side of the project would be sufficient.

703.2 Maximum Number of Fixture Units

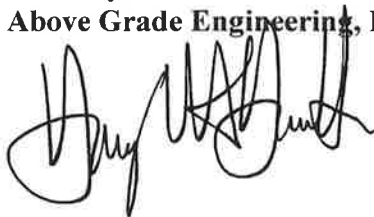
Table 703.2 shows the maximum number of fixture units allowed on a vertical or horizontal drainage pipe, building drain, or building sewer of a given size; the maximum number of fixture units allowed on a branch interval of a given size; and the maximum length (in feet and meters) of a vertical drainage pipe of a given size.

**TABLE 703.2
MAXIMUM UNIT LOADING AND MAXIMUM LENGTH OF DRAINAGE AND VENT PIPING**


SIZE OF PIPE (inches)	1 ^{1/4}	1 ^{1/2}	2	3	4	5	6	8	10	12
Maximum Units										
Drainage Piping ¹										
Vertical	1	2 ²	16 ³	48 ⁴	256	600	1380	3600	5600	8400
Horizontal	1 ¹	1	8 ³	35 ⁴	216 ⁵	428 ⁵	720 ⁵	2640 ⁵	4680 ⁵	8200 ⁵

Fire flow is much more difficult to calculate without more information on unit and construction type. Assuming a typical 4" standpipe would flow sufficiently per building, an 8" pipe would provide flow sufficient for (4) 4" pipes. With any high-flow system, a looped system has lower pressure losses.

Sincerely,
Above Grade Engineering, Inc.



Harry Hamilton
Vice-President

TO: BOARD OF DIRECTORS
REVIEWED: MARIO IGLESIAS 
GENERAL MANAGER
FROM: ELIZABETH VILLANUEVA, E.I.T.
ACTING DISTRICT ENGINEER
DATE: JANUARY 4, 2023

**AGENDA ITEM
D-5
JANUARY 11, 2023**

**CONSIDER REQUEST FOR WATER, SEWER AND
SOLID WASTE SERVICE (INTENT-TO-SERVE LETTER)
FOR A 72-UNIT MULTIFAMILY RESIDENTIAL DEVELOPMENT
LOCATED AT 170 MAGENTA LANE, NIPOMO**

ITEM

Consider request for water, sewer, and solid waste service (Intent-to-Serve Letter) for a 72-unit multifamily residential development located at 170 Magenta Lane, APN 092-572-025, in Nipomo [RECOMMEND CONSIDER INTENT-TO-SERVE LETTER AND APPROVE WITH CONDITIONS].

BACKGROUND

The District received an application for water, sewer and solid waste service for a multifamily residential development project located at 170 Magenta Lane on November 14, 2022 and the application was deemed complete in December 2022. The applicant, Mary and John Mussell, Trustees of The John L. Mussell Revocable Trust, is requesting water, sewer and solid waste service for a 72-unit multifamily residential development.

The project will consist of seventy-two (72) multifamily residential units on one (1) existing 2.6-acre parcel. The District does not currently provide services for the parcel.

All residential parcels, existing and planned, will be required to obtain water, sewer and solid waste service in compliance with current District standards. Any existing well(s) on the property will be abandoned prior to providing District services to the parcel.

In accordance with the District's Supplemental Water Accounting Policy, Resolution 2015-1372, water demand for the project will be tracked against the 500 AFY supplemental water project capacity reservation for new development. Based on the preliminary information provided, total water demand for the project is estimated at 9.5 acre-feet per year (AFY). After applying a credit of 0.53 AFY for reserved capacity (1 @ 1-inch), the project's supplemental water demand is estimated at 9 AFY. Sufficient supplemental water for the project is available.

Sufficient wastewater treatment capacity for the project is available in the District's Southland WWTF.

FISCAL IMPACT

Water and sewer capacity fees will be based on the domestic, fire and irrigation meter sizes requested for the final County approved project, as well as CAL FIRE's fire service requirements. Based on the information provided, the following services are proposed:

- Domestic: 1 @ 4-inch
- Irrigation: 1 @ 1.5-inch
- Fire: 1 @ 8-inch
- Sewer: 1 service

The estimated fee deposit for the project is \$496,672 based on the current FY 22-23 District fee schedule, including a credit for one (1) 1-inch water service. Fees for Connection shall be calculated and owing as of the date the District accepts the public water and sewer improvements for the project and sets the water meter(s) to serve the affected property, from which the amount of the Deposit shall be deducted.

RECOMMENDATION

Staff recommends that the Board approve the Applicant's request for an Intent-to-Serve letter for the project with the following conditions:

PROJECT-SPECIFIC CONDITIONS

- A sewer and water system master plan/hydraulic model review of project impacts shall be required. Applicant shall mitigate any off-site water and sewer system impacts.
- One (1) new 4-inch domestic water meter and appropriate backflow assembly shall be provided for indoor use. Water capacity charges are applicable.
- One (1) separate 1.5-inch irrigation meter and appropriate backflow assembly shall be provided for outdoor irrigation use. Water capacity charges are applicable.
- One (1) separate 8-inch fire sprinkler service including appropriate backflow device as required and approved by CAL FIRE of SLO County, shall be provided for fire sprinkler service. Fire capacity charges are applicable.

STANDARD CONDITIONS

- Project shall obtain water, sewer and solid waste service for all parcels.
- CAL FIRE of SLO County must approve the development plans prior to District approval. Fire capacity charges are applicable if dedicated fire service laterals are required.
- Record a restriction, subject to District approval, on the property prohibiting the use of well(s) to provide water service to any parcel within the Project.
- Properly abandon any existing groundwater wells and provide documentation to District.
- Record a restriction, subject to District approval, on all parcels prohibiting use of self-regenerating water softeners.
- Comply with District water conservation program.
- Pay all appropriate District fees associated with this development.
- Applicant shall provide the District with a copy of County application approval and County project conditions of approval.
- Enter into a Plan Check and Inspection Agreement and provide a deposit.

- Submit improvement plans in accordance with the District Standards and Specifications for review and approval. Applicant shall provide plans consistent with current District Standards and based on the proposed lot configuration.
- Any easements required for water and sewer improvements that will be dedicated to the District shall be offered to the District prior to final improvement plan approval.
- Any easements required for private water and sewer laterals shall be recorded prior to final improvement plan approval and shall be subject to District approval.
- All water and sewer improvements to be dedicated to the District shall be bonded for or otherwise secured in the District's name prior to issuance of Will Serve letter.
- A Will-Serve letter for the Project will be issued after improvement plans are approved and signed by the District.
- Applicant shall make a non-refundable deposit ("Deposit") at the time the District issues a Will Serve Letter in an amount equal to the then calculated Fees for Connection.
- Fees for Connection shall be calculated and owing as of the date the District sets the water meter(s) to serve the affected property from which the amount of the Deposit shall be deducted.
- Construct the improvements required and submit the following:
 - Reproducible "As Builts" - A mylar copy and digital format disk (PDF) which includes engineer, developer, tract number and water and sewer improvements
 - Offer of Dedication
 - Engineer's Certification
 - Summary of all water and sewer improvement costs
- Solid waste collection services are mandatory. Applicant shall provide proof that the Project is provided with solid waste removal services in accordance with District regulations.
- The District will set water meter(s) upon proof of a building permit from the County of San Luis Obispo, the District's acceptance of improvements to be dedicated to the District, if applicable, and the final payment of all charges and fees owed to the District.
- This letter is void if land use is other than residential use as defined by the District.
- Intent-to-Serve letters shall automatically terminate three (3) years from date of issuance. However, Applicant shall be entitled to a one-year extension upon the following conditions:
 - Applicant makes written application for the extension prior to the expiration of the Intent-to-Serve Letter.
 - Applicant provides proof of reasonable due diligence in processing the Project.
 - Applicant agrees to revisions of the conditions contained in the Intent-to-Serve letter consistent with then existing District policies.
- This Intent-to-Serve letter shall be subject to the current and future rules, agreements, regulations, fees, resolutions and ordinances of the District.
- This Intent-to-Serve letter may be revoked, or amended, as a result of conditions imposed upon the District by a court or availability of resources, or by a change in ordinance, resolution, rules, fees or regulations adopted by the Board of Directors.
- District service is conditioned on the applicant complying with all terms, conditions, rules, and regulations of other agencies that have jurisdiction over the project.
- This Intent-to-Serve letter shall not be interpreted as the District's Board of Directors endorsement of the project.
- The District reserves the right to revoke this Intent-to-Serve letter at any time.
- The Applicant shall provide a signed copy of the Intent-to-Serve letter within thirty (30) days of issuance.

ATTACHMENTS

- A. Application
- B. Site Plan

JANUARY 11, 2023

ITEM D-5

ATTACHMENT A

NCS D FEE DEPOSIT CALCULATION

Owner Name/Project: Mary and John Mussell, Trustees of the John L. Mussell Trust
 Address/APN: 170 Magenta Ln/092-572-025
 Date: 1/4/2023

WATER SERVICES	SIZE	QTY		UNIT COST	TOTAL COST
Domestic Service	4 inches	1	X	\$ 58,169.00 =	\$ 58,169.00
Supplemental Water Fee	4 inches	1	X	\$ 150,735.00 =	\$ 150,735.00
Domestic Service	1.5 inches	0	X	\$ 11,634.00 =	\$ -
Supplemental Water Fee	1.5 inches	0	X	\$ 30,147.00 =	\$ -
Irrigation Service	1.5 inches	1	X	\$ 11,634.00 =	\$ 11,634.00
Supplemental Water Fee	1.5 inches	1	X	\$ 30,147.00 =	\$ 30,147.00
Fire Service	8 inches	1	X	\$ 23,268.00 =	\$ 23,268.00
Supplemental Water Fee	8 inches	1	X	\$ 60,294.00 =	\$ 60,294.00

SEWER SERVICES

Sewer Capacity Fee - Water meter size:	4 inches	1	X	\$ 169,768.00 =	\$ 169,768.00
Sewer Capacity Fee - Water meter size:	1.5 inches	0	X	\$ 33,954.00 =	\$ -

OTHER

Meter Fee	4 inches	1	X	\$ 4,500.00 =	\$ 4,500.00
Meter Fee	1.5 inches	1	X	\$ 2,000.00 =	\$ 2,000.00
Inspection Fee		0	X	\$ 115.00 =	\$ -
Account Setup Fees		2	X	\$ 42.00 =	\$ 84.00
Reimbursement Agreement		0	X	\$ 7,043.75 =	\$ -

CREDITS

Domestic Service	1 inch	1	X	\$ (3,878.00) =	\$ (3,878.00)
Supplemental Water Fee	1 inch	1	X	\$ (10,049.00) =	\$ (10,049.00)
Sewer Capacity Fee - Water meter size:	1.5 inches	0	X	\$ (33,954.00) =	\$ -
		0	X	=	\$ -

AMOUNT DUE = \$ 496,672.00

Calculation Completed By EV
 Calculation Reviewed By _____

Date 1/4/2023
 Date _____

NOTE: FEE DETERMINATION EFFECTIVE THROUGH 6/30/2023
BOARD OF DIRECTORS PRIOR TO THE ACCEPTANCE OF THE PROJECT.

AND SUBJECT TO CHANGE BY THE

VERIFICATION OF WATER/SEWER SERVICE

APPLICATION CHECKLIST

APN 092-572-025, 170 MAGENTA

<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	Application Fee collected	ITS APP FEE FOR RES >20 UNITS
<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> N/A	Active Water Service (Water Class and Meter Size)	
<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input checked="" type="checkbox"/> N/A	Meter set, but locked (Meter Size)	
<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input checked="" type="checkbox"/> N/A	Irrigation Meter (Meter Size)	
<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input checked="" type="checkbox"/> N/A	Fire System (Meter Size)	
<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input checked="" type="checkbox"/> N/A	Connected to sewer (Sewer Class and Multiplier) (Sewer Strength if Mixed-use)	
<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input checked="" type="checkbox"/> N/A	If sewer is available, Volunteer or Non-Volunteer	NON-VOLUNTEER
<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	Water Capacity Fee previously paid	PAID CAPACITY FOR 1 - 1" METER
<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> N/A	Sewer Capacity Fee previously paid	
<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input checked="" type="checkbox"/> N/A	Meter Fee previously paid	
<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input checked="" type="checkbox"/> N/A	Account Set Up Fee previously paid	
<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input checked="" type="checkbox"/> N/A	Subject to Reimbursement Agreement	
<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input checked="" type="checkbox"/> N/A	NCSD Front Footage Fee	
<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input checked="" type="checkbox"/> N/A	Blacklake Assessment District • Subject to In-Lieu Fee	
<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input checked="" type="checkbox"/> N/A	GALAXY PARK, CSA 1, PSSH • Volunteer • Non-Volunteer • Replacement Mobile Home	

OTHER INFORMATION/COMMENTS:

**ON RESERVED CAPACITY FOR 1 - 1" METER, NO SEWER

**PER INCODE PARCEL DATA, THREE RECORDED EASEMENTS

Completed by VA
Date 11/14/22



NIPOMO COMMUNITY SERVICES DISTRICT

148 SOUTH WILSON STREET
POST OFFICE BOX 326 NIPOMO, CA 93444 - 0326
(805) 929-1133 FAX (805) 929-1932
Website: ncsd.ca.gov

Office use only:
Date and Time
Complete
Application and
fees received:
RECEIVED

NOV 14 2022
NIPOMO COMMUNITY
SERVICES DISTRICT

INTENT-TO-SERVE APPLICATION

1. This is an application for: Sewer and Water Service Water Service Only
2. SLO County Planning Department/Tract or Development No.: PRE 2022-00289
3. Project location: 170 Magenta Ln. Nipomo CA
4. Assessor's Parcel Number (APN) of parcel(s) to be served: 092-572-025
5. Owner Name: Mary and John Mussel trustees of the The John L. Mussell Revocable Trust
6. Mailing Address: Dino Adelfio of Dawson Holdings, 3911 Harrison St #100B Oakland CA 94611
7. Email: DA@d-h-i.net
8. Phone: 808-294-2542 FAX: _____
9. Agent's Information (Architect or Engineer):
 Name: Trevor Lauridsen
 Address: 2624 Airpark Dr, Santa Maria, CA 93455
 Email: trevor@dbaengineers.com
 Phone: 805-621-4250 FAX: _____

10. Type of Project: (check box) (see Page 3 for definitions)

<input type="checkbox"/> Single-family dwelling units	<input checked="" type="checkbox"/> Multi-family dwelling units
<input type="checkbox"/> Commercial	<input type="checkbox"/> Mixed Use (Commercial and Residential)

11. Does this project require a sub-division? Yes No

If yes, number of new lots created _____

12. Site Plan:

For all projects, submit three (3) standard size (24" x 36") and one reduced copy (8½" x 11") of site plans.

Show parcel layout, water and sewer laterals, and general off-site improvements, as applicable. **Note that the District only provides one domestic meter per parcel.**

13. Board Approval:

Board approval is required for the following type of projects:

- more than four dwelling units
- property requiring sub-divisions
- higher than currently permitted housing density
- commercial developments

14. **RESIDENTIAL SERVICE**

Single Family Residential (SFR)

Number of Parcel's created		Proposed number of SFR	
----------------------------	--	------------------------	--

Multi-Family Residential (MFR)

Number of Parcel's created	0	Proposed number of MFR	72
Number of Domestic Meter(s)	1	Estimated Meter Size(s)	4"
Number of Landscape Meter(s)	1	Estimated Meter Size(s)	1.5"
Number of Fire System(s)	1	Estimated Meter Size(s)	8"

15. **COMMERCIAL AND/OR MIXED USE SERVICE DEMAND ESTIMATES:**

Commercial and Mixed Use

Number of Parcel's created		Proposed number of residential dwellings	
Number of Domestic Meter(s)		Estimated Meter Size(s)	
Number of Landscape Meter(s)		Estimated Meter Size(s)	
Number of Fire System(s)		Estimated Meter Size(s)	

16. Provide an estimate of yearly water (AFY) and sewer (gallons) demand for the project prepared by a licensed Engineer/Architect.

Agreement:

The Applicant agrees that in accordance with generally accepted construction practices, Applicant shall assume sole and complete responsibility for the condition of the job site during the course of the project, including the safety of persons and property; that this requirement shall apply continuously and not be limited to normal working hours; and the Applicant shall defend, indemnify, and hold the District and District's agents, employees and consultants harmless from any and all claims, demands, damages, costs, expenses (including attorney's fees) judgments or liabilities arising out of the performance or attempted performance of the work on this project; except those claims, demands, damages, costs, expenses (including attorney's fees) judgments or liabilities resulting from the negligence or willful misconduct of the District.

Nothing in the foregoing indemnity provision shall be construed to require Applicant to indemnify District against any responsibility or liability or contravention of Civil Code §2782

Application Processing Fee.....See Attached Fee Schedule on Page 3

The District will only accept cashier's check or bank wire for the payment of Water Capacity, Sewer Capacity and other related development fees.

Date 11/07/2022

Signed

John L. Mussell
 (Must be signed by owner or owner's agent)

Print Name John L. Mussell

DEFINITIONS

(Please note – these definitions do NOT reconcile with standard SLO County Planning Department definitions)

Single-family dwelling unit – means a building designed for or used to house not more than one family.

Accessory (Secondary) dwelling units – means an attached or detached secondary residential dwelling unit on the same parcel as an existing single-family (primary) dwelling. A secondary unit provides for complete independent living facilities for one or more persons.

Multi-family dwelling unit – means a building or portion thereof designed and used as a residence for three or more families living independently of each other under a common roof, including apartment houses, apartment hotels and flats, but not including automobile courts, or boardinghouses.

Two-family dwelling units (duplex) – means a building with a common roof containing not more than two kitchens, designed and/or used to house not more than two families living independently of each other.

Commercial – all non-residential and mixed-use projects.

APPLICATION FEES AND CHARGES
EFFECTIVE July 1, 2021

PROJECT SIZE/TYPE	TOTAL AMOUNT DUE AT TIME OF APPLICATION**
Residential <4 units	\$1,381.98
Residential 4-20 units	\$1,898.27
Residential > 20 units	\$2,234.99
Commercial <1 acre	\$1,898.27
Commercial 1-3 acres	\$2,234.99
Commercial > 3 acres	\$3,087.96
Mixed Use with less than 4 Dwelling Units	\$2,234.99
Mixed Use with four or more Dwelling Units	\$3,087.96
*Outside Consulting and Legal fees will be billed to the Applicant at direct rate.	

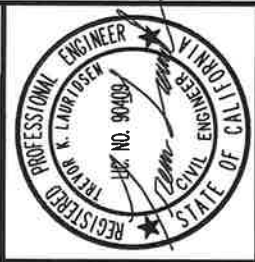
Dawson Holdings will be remitting payment of \$2,234.99 at the time of application. Any other fees associated with this ITS will be the responsibility of Dawson Holdings.

**Commencing on July 1, 2008 and each year thereafter the Application Fees shall be adjusted by a Consumer Price Index formula.

JANUARY 11, 2023

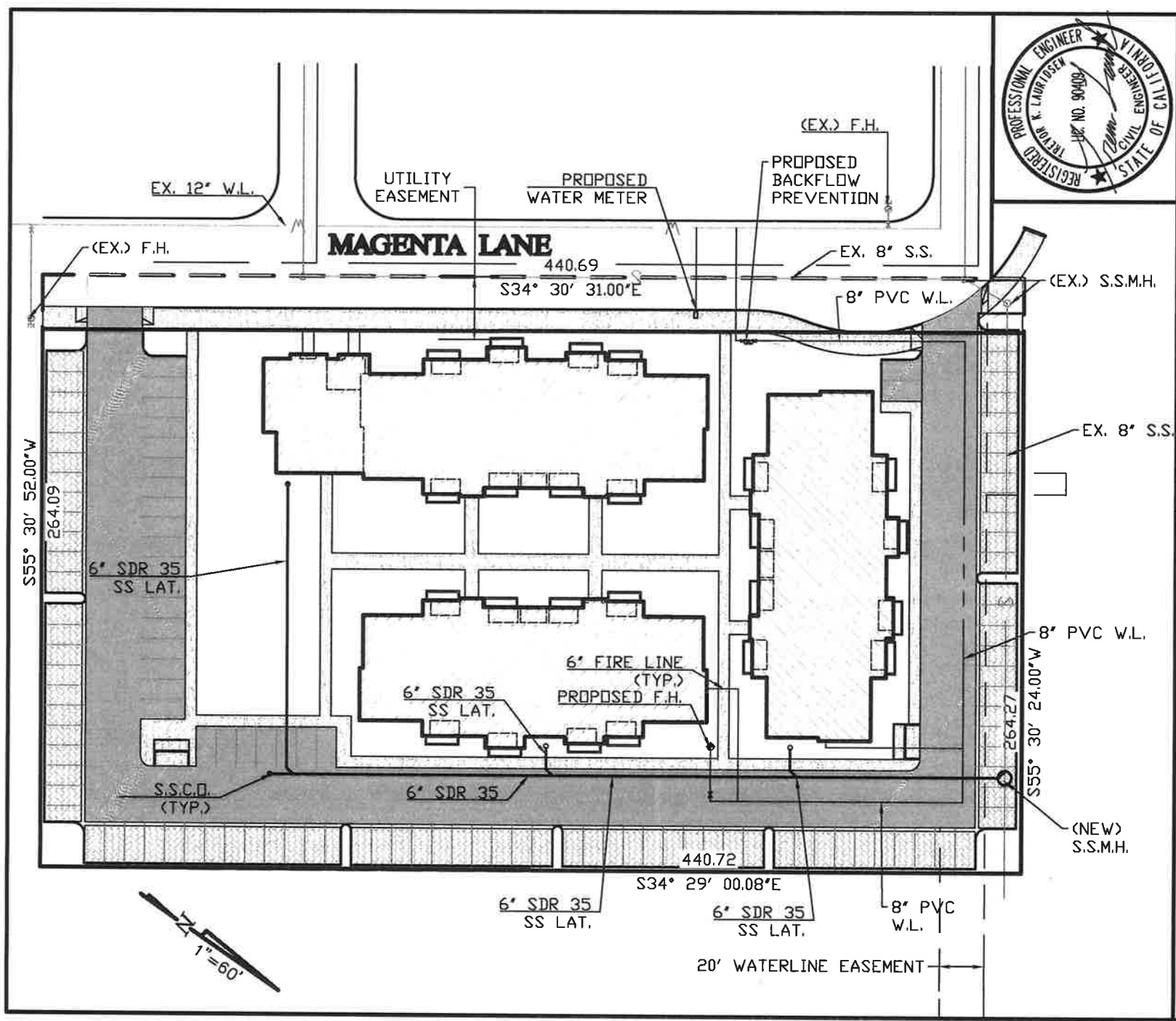
ITEM D-5

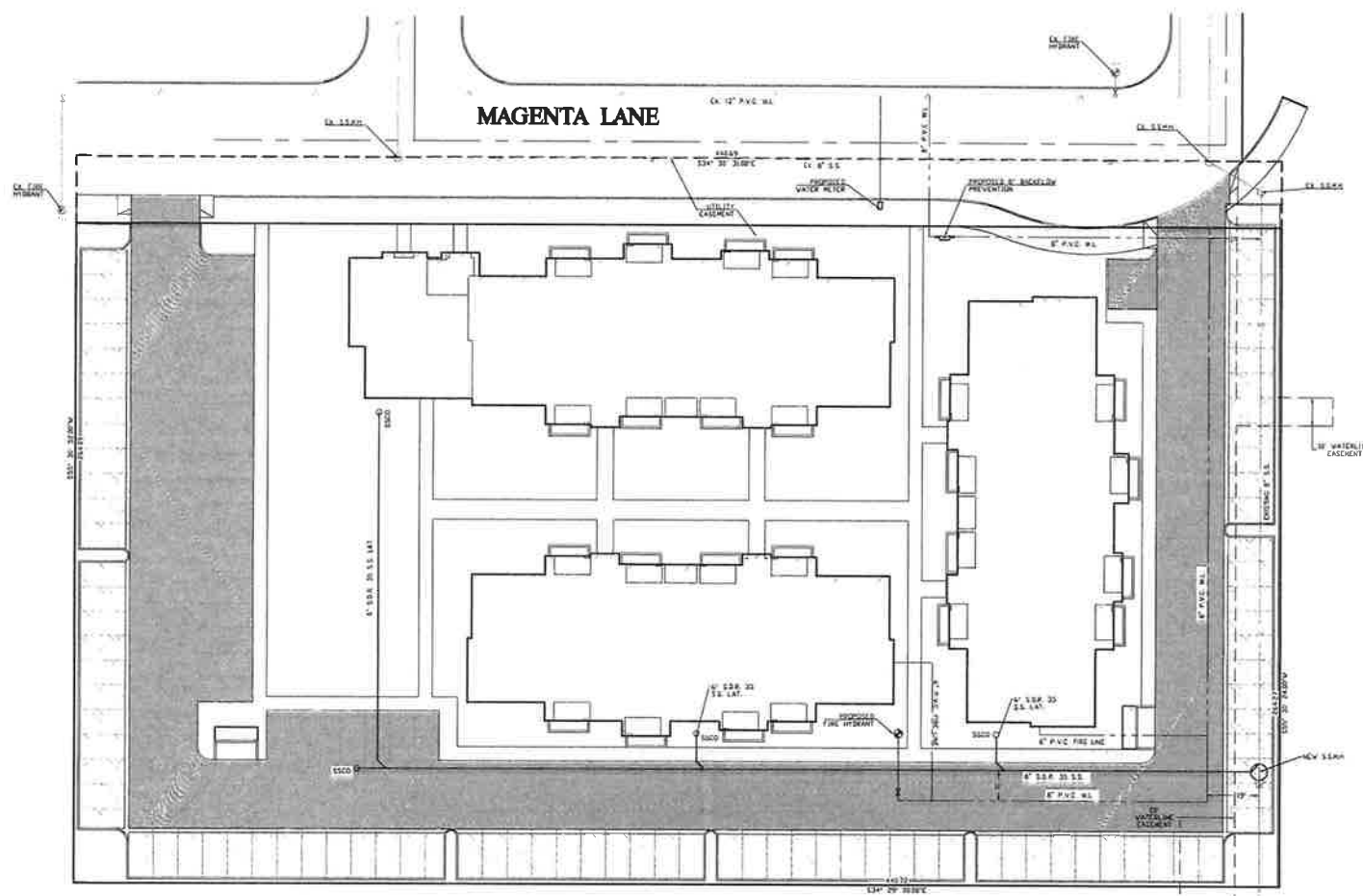
ATTACHMENT B



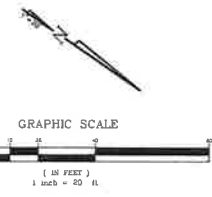
2624 Airpark Drive, Santa Maria CA 93455
Ph: (805) 934-5767 Fax (805) 934-3448

APN: 051 091 001
MAGENTA LANE
NIPOMO, CALIFORNIA 93444
PRELIMINARY UTILITY EXHIBIT
DATE PLOTTED: 12/14/22





MAGENTA LANE



BETHEL
 ENGINEERING & ARCHITECTURE
 2824 Arroyo Dr
 Suite 1000, Colton, CA 95315
 (505) 834-5787


MAGENTA LANE APARTMENTS
 PRELIMINARY UTILITY PLAN

PROJECT NO.	COUNTY PLAN CHECKS	APPROVED FOR COUNTY SUBMITTAL
JOB NO.	COUNTY P.L. NO.	DATE
DATE OF SUBMITTAL	COUNTY PLAN NO.	DATE

1 OF 1

12-14-22

DAWSON HOLDINGS INC.
300 TURNEY STREET, 2ND FLOOR
SAUSALITO, CA 94965

 **FIRST REPUBLIC BANK**
111 PINE STREET
SAN FRANCISCO, CA 94111
11-8166/3210

4420

8/31/2022

PAY TO THE ORDER OF Nipomo Community Services District

\$ **2,234.99

Two Thousand Two Hundred Thirty-Four and 99/100 ***** DOLLARS

Nipomo Community Services District
148 South Wilson Street
PO Box 326
Nipomo, CA 93444



AUTHORIZED SIGNATURE



MEMO

Magenta 170

THIS DOCUMENT.COM

NIPOMO COMMUNITY SERVICES DISTRICT
148 S. WILSON
NIPOMO, CA 93444

DATE : 11/14/2022 2:58 PM
OPER : C1
TKBY : LAC
TERM : 1
REC# : R00162108

APPLICATION Application Fee 2234.99
ITS APP APN 092-572-025, 170 MAGENTA
22

Paid By: DAWSON HOLDINGS INC
2-CHECK 2234.99 REF: 4420

APPLIED 2234.99
TENDERED 2234.99
CHANGE 0.00

November 14, 2022

To: Nipomo Community Services District
148 South Wilson Street
Nipomo, CA 93444

Re: Yearly Water and Sewer Demand Estimate
170 Magenta Lane, Nipomo, CA 93444
APN: 092-572-025

The purpose of this memo is to provide and estimate for the yearly water and sewer demand. Since the Nipomo Community Services District has an agreement with the City of Santa Maria to provide water to the District we have used the City of Santa Maria Utilities Capacity Study to assist our estimate for the Magenta Lane Apartments project.

Using Table 3-7 Zoning Demand Factors the water demand for R-3 High-Density Residential is 5,000 (gpd/acre) or 5.6 AFY/acre. Using Table 5-9 Current sewer flows by zoning and zoning flow factors the Sewer demand is 4,400 (gpd/acre).

The property is 2.67 acres, which results in a water demand of 14.95 APY and a sewer demand of 4,288,000 gal./year.


Respectfully,



Trevor Lauridsen, P.E.



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TO: BOARD OF DIRECTORS
REVIEWED: MARIO IGLESIAS
GENERAL MANAGER 
FROM: ELIZABETH VILLANUEVA, E.I.T.
ACTING DISTRICT ENGINEER
DATE: JANUARY 4, 2023

**AGENDA ITEM
D-6
JANUARY 11, 2023**

**CONSIDER REQUEST FOR WATER, SEWER AND
SOLID WASTE SERVICE (INTENT-TO-SERVE LETTER) FOR
315 UNIT MULTIFAMILY RESIDENTIAL DEVELOPMENT LOCATED
AT 222 S. FRONTAGE ROAD, NIPOMO**

ITEM

Consider request for water, sewer, and solid waste service (Intent-to-Serve Letter) for a 230-unit multifamily residential development located at 222 S. Frontage Road in Nipomo, APN's 092-579-005, 092-579-006, 092-579-007, 092-579-008, and 092-579-009 [RECOMMEND CONSIDER INTENT-TO-SERVE LETTER AND APPROVE WITH CONDITIONS].

BACKGROUND

The District received an application for water, sewer and solid waste service for a project located at 222 South Frontage Road (APN's 092-579-005, 092-579-006, 092-579-007, 092-579-008, and 092-579-009) on November 17, 2022. The applicant, Nipomo Properties, LLC, is requesting water, sewer and solid waste service for a 315-unit multifamily residential development. The applicant is represented by Abbott | Reed, Inc.

The District previously issued a Will Serve letter for the project in 2003, however, the project was never constructed. In April 2020, the scope of the project changed from the original design and the District issued an Intent-to-Serve letter for a seventy-one (71) parcel mixed use development. In August 2022, the District issued an Intent-to-Serve letter for a two hundred thirty (230) multifamily residential development that is still in effect and rescinded the April 2020 Intent-to-Serve letter. The applicant is proposing increasing the number of multifamily residential units from 230 to 315. The current Intent-to-Serve letter for the project, dated August 10, 2022, will be replaced with a new Intent-to-Serve letter.

The project will consist of 315 multifamily dwelling units and a clubhouse on three parcels. The existing 11.6-acre project area is made up of five parcels and is zoned commercial retail. The District does not currently provide water, sewer or solid waste service for the parcels.

All residential parcels, existing and planned, will be required to obtain water, sewer and solid waste service in compliance with current District standards. Any existing well(s) on the property will be abandoned prior to providing District services to the parcel.

In accordance with the District's Supplemental Water Accounting Policy, Resolution 2015-1372, water demand for new projects is to be tracked against the 500 AFY supplemental water project capacity reservation for new development. Since the project fee deposit was paid prior to the January 25, 2008 groundwater litigation judgement date and thus the project is on the District's

reserved capacity list, only the portion of water required over and above the initially approved project is to be counted towards the District's Supplemental Water Accounting Policy. Based on the preliminary information provided, total water demand for the project is estimated at 24 acre-feet per year (AFY). However, the previous project, on the reserve capacity list, had an estimated demand of 36.6 AFY, so none of the proposed project water demand will be tracked towards the District's Supplemental Water Accounting Policy.

Sufficient wastewater treatment capacity for the project is available in the District's Southland WWTF.

FISCAL IMPACT

Water and sewer capacity fees will be based on the domestic, fire and irrigation meter sizes requested for the final County approved project, as well as CAL FIRE's fire service requirements. Based on the information provided, the following services are proposed:

- Domestic: 1 @ 6-inch
- Domestic 2 @ 2-inch
- Irrigation: 1 @ 2-inch
- Irrigation: 2 @ 1-inch
- Fire: 2 @ 8-inch
- Sewer: 3 services

The net estimated fee deposit for the project is \$762,915 based on the current FY 22-23 District fee schedule, and considering the \$510,731.10 deposit that was paid in 2003. Fees for Connection shall be calculated and owing as of the date the District accepts the public water and sewer improvements for the project and sets the water meter(s) to serve the affected property, from which the amount of the Deposit shall be deducted.

RECOMMENDATION

Staff recommends that the Board approve the Applicant's request for an Intent-to-Serve letter for a 315 multi-family unit project located on 3 parcels with the following conditions:

PROJECT-SPECIFIC CONDITIONS

- The previously issued Intent-to-Serve letter for the property, dated August 10, 2022, is rescinded and void.
- A sewer and water system master plan/hydraulic model review of project impacts shall be required. Applicant shall mitigate any off-site water and sewer system impacts.
- Applicant shall be required to install all necessary water and sewer facilities adjacent to project. Improvements anticipated include, but are not limited to, extending and /or upsizing water and sewer lines on Frontage Road, Grande Avenue, and Hill Street adjacent to the project.
- A review to assess impact of the proposed County realignment of South Frontage Road to existing water and sewer lines may be required. Relocation of existing water and/or sewer lines may be required.
- One (1) 6-inch water meter and appropriate backflow assembly for indoor water use for one parcel. Water capacity charges are applicable.

- Two (2) 2-inch water meters and appropriate backflow assembly for indoor water use for two separate parcels. Water capacity charges are applicable.
- One (1) separate 2-inch irrigation meters and appropriate backflow assemblies shall be provided for outdoor irrigation use for one parcel. Water capacity charges are applicable.
- Two (2) separate 1-inch irrigation meters and appropriate backflow assemblies, for two separate parcels, shall be provided for outdoor irrigation use. Water capacity charges are applicable.
- Two (2) separate 8-inch fire sprinkler services including appropriate backflow devices as required and approved by CAL FIRE of SLO County, shall be provided for fire sprinkler service. Fire capacity charges are applicable.
- Recorded Covenants, Conditions, and Restrictions (CC&R's), acceptable to the District, that include provisions for maintenance of common areas including, but not limited to, common parcel sanitary sewer lines and for payment of all costs related to common parcel irrigation meter, are required.

STANDARD CONDITIONS

- Project shall obtain water, sewer and solid waste service for all parcels.
- CAL FIRE of SLO County must approve the development plans prior to District approval. Fire capacity charges are applicable if dedicated fire service laterals are required.
- Record a restriction, subject to District approval, on the property prohibiting the use of well(s) to provide water service to any parcel within the Project.
- Properly abandon any existing groundwater wells and provide documentation to District.
- Record a restriction, subject to District approval, on all parcels prohibiting use of self-regenerating water softeners.
- Comply with District water conservation program.
- Pay all appropriate District fees associated with this development.
- Applicant shall provide the District with a copy of County application approval and County project conditions of approval.
- Enter into a Plan Check and Inspection Agreement and provide a deposit.
- Submit improvement plans in accordance with the District Standards and Specifications for review and approval. Applicant shall provide plans consistent with current District Standards and based on the proposed lot configuration.
- Any easements required for water and sewer improvements that will be dedicated to the District shall be offered to the District prior to final improvement plan approval.
- Any easements required for private water and sewer laterals shall be recorded prior to final improvement plan approval and shall be subject to District approval.
- All water and sewer improvements to be dedicated to the District shall be bonded for or otherwise secured in the District's name prior to issuance of Will Serve letter.
- A Will-Serve letter for the Project will be issued after improvement plans are approved and signed by the District.
- Applicant shall make a non-refundable deposit ("Deposit") at the time the District issues a Will Serve Letter in an amount equal to the then calculated Fees for Connection.
- Fees for Connection shall be calculated and owing as of the date the District sets the water meter(s) to serve the affected property, from which the amount of the Deposit shall be deducted.
- Construct the improvements required and submit the following:

- Reproducible "As Builts" - A mylar copy and digital format disk (PDF) which includes engineer, developer, tract number and water and sewer improvements
- Offer of Dedication
- Engineer's Certification
- Summary of all water and sewer improvement costs
- Copy of recorded Covenants, Conditions, and Restrictions (CC&R's), acceptable to the District, that include provisions for maintenance of common areas and for payment of all costs related to common fire service.
- Solid waste collection services are mandatory. Applicant shall provide proof that the Project is provided with solid waste removal services in accordance with District regulations.
- The District will set water meter(s) upon proof of a building permit from the County of San Luis Obispo, the District's acceptance of improvements to be dedicated to the District, if applicable, and the final payment of all charges and fees owed to the District.
- This letter is void if land use is other than multifamily residential use as defined by the District.
- Intent-to-Serve letters shall automatically terminate three (3) years from date of issuance. However, Applicant shall be entitled to a one-year extension upon the following conditions:
 - Applicant makes written application for the extension prior to the expiration of the Intent-to-Serve Letter.
 - Applicant provides proof of reasonable due diligence in processing the Project.
 - Applicant agrees to revisions of the conditions contained in the Intent-to-Serve letter consistent with then existing District policies.
- This Intent-to-Serve letter shall be subject to the current and future rules, agreements, regulations, fees, resolutions and ordinances of the District.
- This Intent-to-Serve letter may be revoked, or amended, as a result of conditions imposed upon the District by a court or availability of resources, or by a change in ordinance, resolution, rules, fees or regulations adopted by the Board of Directors.
- District service is conditioned on the applicant complying with all terms, conditions, rules, and regulations of other agencies that have jurisdiction over the project.
- This Intent-to-Serve letter shall not be interpreted as the District's Board of Directors endorsement of the project.
- The District reserves the right to revoke this Intent-to-Serve letter at any time.
- The Applicant shall provide a signed copy of the Intent-to-Serve letter within thirty (30) days of issuance.

ATTACHMENTS

- A. Application
- B. Site Plan
- C. Agent Agreement

JANUARY 11, 2023

ITEM D-6

ATTACHMENT A



NIPOMO COMMUNITY SERVICES DISTRICT

148 SOUTH WILSON STREET
POST OFFICE BOX 326 NIPOMO, CA 93444 - 0326
(805) 929-1133 FAX (805) 929-1932
Website: ncsd.ca.gov

Office use only:
Date and Time
Complete
Application and
fees received:

RECEIVED

NOV 17 2022

NIPOMO COMMUNITY
SERVICES DISTRICT

INTENT-TO-SERVE APPLICATION

- This is an application for: Sewer and Water Service Water Service Only
- SLO County Planning Department/Tract or Development No.: _____
- Project location: 222 S. FRONTAGE ROAD, NIPOMO, CA 93444
- Assessor's Parcel Number (APN) of parcel(s) to be served: 092-579-005, 006, 007, 008, 009
- Owner Name: NIPOMO PROPERTIES LLC (JOHN KING)
- Mailing Address: 205 BRIDGE STREET, SAN LUIS OBISPO, CA 93401
- Email: JKING@KINGVENTURES.NET
- Phone: 805-544-4444 FAX: N/A

9. Agent's Information (Architect or Engineer):

OWNER'S AUTHORIZED
AGENT:

Name: TRISHA WALL - WALSH ENGINEERING

Address: 1108 GARDEN STREET, SUITE 202-204, SAN LUIS OBISPO, CA 93401

Email: TRISHA@WALSHENGINEERING.NET

Phone: 805-319-4948 EXT. 108 FAX: N/A

MYLER@CARBOTT
READING.COM

10. Type of Project: (check box) (see Page 3 for definitions)

<input type="checkbox"/> Single-family dwelling units	<input checked="" type="checkbox"/> Multi-family dwelling units
<input type="checkbox"/> Commercial	<input type="checkbox"/> Mixed Use (Commercial and Residential)

11. Does this project require a sub-division? Yes No

If yes, number of new lots created _____

12. Site Plan:

For all projects, submit three (3) standard size (24" x 36") and one reduced copy (8½" x 11") of site plans.

Show parcel layout, water and sewer laterals, and general off-site improvements, as applicable. **Note that the District only provides one domestic meter per parcel.**

13. Board Approval:

Board approval is required for the following type of projects:

- more than four dwelling units
- property requiring sub-divisions
- higher than currently permitted housing density
- commercial developments

14. RESIDENTIAL SERVICE

Single Family Residential (SFR)

Number of Parcel's created		Proposed number of SFR	
----------------------------	--	------------------------	--

Multi-Family Residential (MFR)

Number of Parcel's created	0	Proposed number of MFR	315 + 1 cubic house
Number of Domestic Meter(s)	3	Estimated Meter Size(s)	(1) x 6" + (2) x 2"
Number of Landscape Meter(s)	3	Estimated Meter Size(s)	(1) x 2" + (2) x 1"
Number of Fire System(s)	2	Estimated Meter Size(s)	(2) x 8"

15. COMMERCIAL AND/OR MIXED USE SERVICE DEMAND ESTIMATES:

Commercial and Mixed Use

Number of Parcel's created		Proposed number of residential dwellings	
Number of Domestic Meter(s)		Estimated Meter Size(s)	
Number of Landscape Meter(s)		Estimated Meter Size(s)	
Number of Fire System(s)		Estimated Meter Size(s)	

16. Provide an estimate of yearly water (AFY) and sewer (gallons) demand for the project prepared by a licensed Engineer/Architect.

Agreement:

The Applicant agrees that in accordance with generally accepted construction practices, Applicant shall assume sole and complete responsibility for the condition of the job site during the course of the project, including the safety of persons and property; that this requirement shall apply continuously and not be limited to normal working hours; and the Applicant shall defend, indemnify, and hold the District and District's agents, employees and consultants harmless from any and all claims, demands, damages, costs, expenses (including attorney's fees) judgments or liabilities arising out of the performance or attempted performance of the work on this project; except those claims, demands, damages, costs, expenses (including attorney's fees) judgments or liabilities resulting from the negligence or willful misconduct of the District.

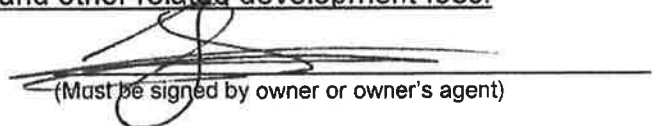
Nothing in the foregoing indemnity provision shall be construed to require Applicant to indemnify District against any responsibility or liability or contravention of Civil Code §2782

Application Processing Fee.....See Attached Fee Schedule on Page 3

The District will only accept cashier's check or bank wire for the payment of Water Capacity, Sewer Capacity and other related development fees.

Date 11/17/2022

Signed



(Must be signed by owner or owner's agent)

Print Name TAYLOR SIMPSON

DEFINITIONS

(Please note – these definitions do NOT reconcile with standard SLO County Planning Department definitions)

Single-family dwelling unit – means a building designed for or used to house not more than one family.

Accessory (Secondary) dwelling units – means an attached or detached secondary residential dwelling unit on the same parcel as an existing single-family (primary) dwelling. A secondary unit provides for complete independent living facilities for one or more persons.

Multi-family dwelling unit – means a building or portion thereof designed and used as a residence for three or more families living independently of each other under a common roof, including apartment houses, apartment hotels and flats, but not including automobile courts, or boardinghouses.

Two-family dwelling units (duplex) – means a building with a common roof containing not more than two kitchens, designed and/or used to house not more than two families living independently of each other.

Commercial – all non-residential and mixed-use projects.

APPLICATION FEES AND CHARGES
EFFECTIVE July 1, 2021

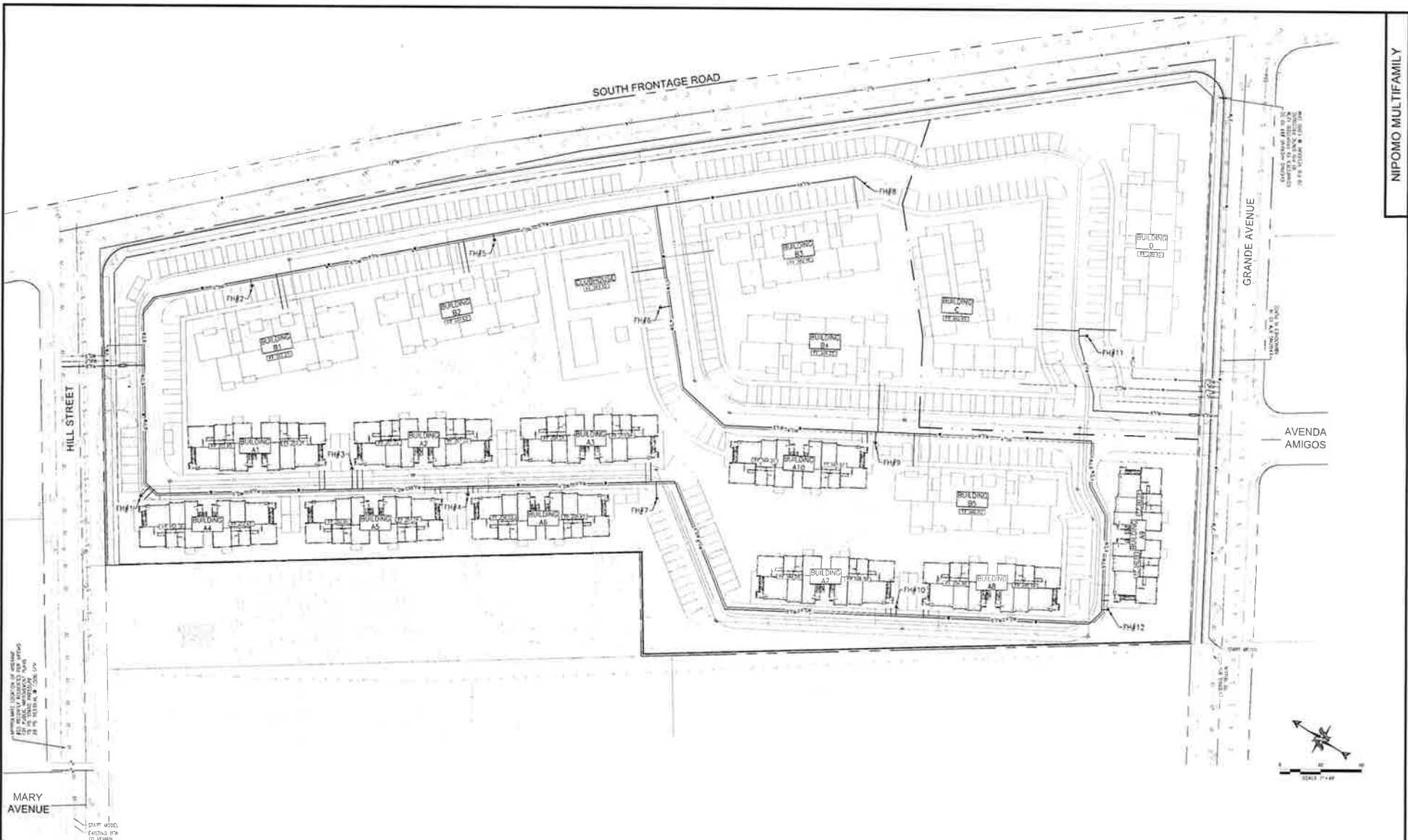
PROJECT SIZE/TYPE	TOTAL AMOUNT DUE AT TIME OF APPLICATION**
Residential <4 units	\$1,381.98
Residential 4-20 units	\$1,898.27
Residential > 20 units	\$2,234.99
Commercial <1 acre	\$1,898.27
Commercial 1-3 acres	\$2,234.99
Commercial > 3 acres	\$3,087.96
Mixed Use with less than 4 Dwelling Units	\$2,234.99
Mixed Use with four or more Dwelling Units	\$3,087.96
*Outside Consulting and Legal fees will be billed to the Applicant at direct rate.	

**Commencing on July 1, 2008 and each year thereafter the Application Fees shall be adjusted by a Consumer Price Index formula.

JANUARY 11, 2023

ITEM D-6

ATTACHMENT B



NO.	DATE	REVISION

WE WALSH
ENGINEERING

WALSHENGINEERING.NET (805) 319-4948
1006 GARDEN STREET, SUITE 200-304 SAN LUIS OBISPO, CA 93401

ABBOTT | REED
NIPOMO MULTIFAMILY DEVELOPMENT
222 S. FRONTAGE ROAD, NIPOMO



DESIGNED BY	TR
CHECKED BY	TR
DATE	11/19/2021

PRELIMINARY
UTILITY
EXHIBIT

JANUARY 11, 2023

ITEM D-6

ATTACHMENT C

July 6, 2022

Property Owner Authorization to Act as Agent

I, John King, who has signing authority on behalf of Nipomo Properties LLC who is the current owner of 222 N. Frontage Road, Nipomo CA (APN's: 092-579-005, 06, 07, 08, 09), authorize Tayler Simpson of Abbott | Reed Inc., to be listed and act as Agent for all matters necessary to process the Intent-to-Serve Application and eventual Will Serve Application for 222 N. Frontage Road, Nipomo CA (APN's: 092-579-005, 06, 07, 08, 09) submitted to Nipomo Community Services District (NCSD) on June 29, 2022.

Sincerely,


John King

Nipomo Properties LLC

Title: member

Address: 285 Bridge St
San Luis Obispo, Ca 93401

Phone: (805) 544-7444

Email: jking@kingventures.net