

TO: MICHAEL S. LEBRUN *MSL*
GENERAL MANAGER

FROM: PETER V. SEVCIK, P.E. *P.V.S.*
DIRECTOR OF ENGINEERING
AND OPERATIONS

DATE: May 20, 2015

**AGENDA ITEM
E-2
MAY 27, 2015**

**SERVICE REQUEST – TRACT 2558
15-LOT RESIDENTIAL DEVELOPMENT**

ITEM

Consider request for water, sewer and solid waste service (Intent-to-Serve Letter) for Tract 2558, a 15-lot residential development on the south west corner of Magenta Lane and Primrose Lane [RECOMMEND CONSIDER INTENT TO SERVE LETTER AND APPROVE WITH CONDITIONS].

BACKGROUND

The District received an application for water, sewer and solid waste service for the project on March 16, 2015. The Owner/Applicant is Oak Terrace, LP. The Board had previously approved an Intent-to-Serve Letter for the project, but it has since expired.

The project will consist of 15 residential lots. The existing 3.18 acre parcel, APN 092-572-053, is zoned Residential Single Family/Commercial Retail and the District does not currently provide water, sewer or solid waste service for the parcel.

All 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 not be utilized to provide domestic water service to any part of the project.

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 supplemental water demand for the project is estimated at 7.92 acre-feet per year (AFY).

Based on all projects approved since January 25, 2008, the quantity of water *reserved* for new development (Will-Serve issued) as well as the quantity of water *assigned* to new development (Intent-to-Serve Letter Issued but subject to expiration), including this project assuming the Board approves the Intent-to-Serve letter, is as follows:

Available Supplemental Water	500 AFY
Supplemental Water Reserved (Will-Serve Letter Issued)	-5.8 AFY
Subtotal Net Available Supplemental Water	494.2 AFY
Supplemental Water Assigned (Intent-to-Serve Issued, Subject to Expiration)	-205.3 AFY
Total Remaining Supplemental Water	288.9 AFY

FISCAL IMPACT

Water and sewer capacity fees will be based on the domestic 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: 15 @ 1 inch
- Sewer: 15 services

The estimated fee deposit for the project is \$291,000 based on the current District fee schedule.

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

- Project shall obtain solid waste, sewer and water service for all parcels.
- Each new parcel shall be served by a single one (1) inch meter and backflow assembly for indoor use and fire sprinkler service, if approved by CAL FIRE of SLO County.
- All existing water and sewer improvements shall be inspected, tested and brought into compliance with current District standards prior to District's acceptance of the project.
- Applicant shall install a gravity sewer system, in accordance with District standards, in Mary Street.
- A sewer and water master plan review of project impacts will be required. The applicant may be required to install a replacement sewer line in Juniper Street from the east side of Mary Street to the junction of Juniper Street with Frontage Road.

STANDARD CONDITIONS

- 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.
- 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 (AutoCAD) 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 on the first to occur:
 - Failure of the Applicant to provide District with written verification that County application for the Project has been deemed complete within two hundred forty (240) calendar days of the date the Intent-to-Serve Letter is issued; or
 - 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.
- 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

May 27, 2015

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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
MAR 16 2015

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.: 2558
- Attach a copy of SLO County application.

Note: District Intent-to-Serve letters expire eight (8) months from date of issue, unless the project's County application is deemed complete.

- Project location: Southwest corner, Magenta & Primrose
- Assessor's Parcel Number (APN) of lot(s) to be served: 092-572-053
- Owner Name: Oak Terrace, LP
- Mailing Address: P.O. Box 691; Nipomo, CA; 93444
- Email: gnewman9716@sbcglobal.net
- Phone: 805-406-6215 FAX: None
- Agent's Information (Architect or Engineer):
Name: Wayne Scott
Address: P.O. Box 827; Visalia, CA; 93279
Email: Waynescott.scott@gmail.com
Phone: 559-300-3709 FAX: 559-732-4111
- Type of Project: (check box) (see Page 3 for definitions)

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

- Total Number of Dwelling Units 14 Number of Low Income Units 0

- Does this project require a sub-division? Yes No
If yes, number of new lots created 15 Lot #2 is Fire Dept turn around

- Site Plan:

For projects requiring Board approval, submit six (6) standard size (24" x 36") copies and one reduced copy (8½" x 11"). Board approval is needed for the following:

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

All other projects, submit three (3) standard size (24" x 36") and one reduced copy (8½" x 11").

Show parcel layout, water and sewer laterals, and general off-site improvements, as applicable.

15. **Water Demand Certification:**

A completed Water Demand Certification, signed by project engineer/architect, must be included for all residential and the residential portion of mixed-use projects.

16. **Commercial Projects Service Demand Estimates:**

Provide an estimate of yearly water (AFY) and sewer (gallons) demand for the project prepared by a licensed Engineer/Architect. **Please note:** All commercial projects are required to use low water use irrigation systems and water conservation best management practices.

17. **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

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 3-13-15

Signed


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

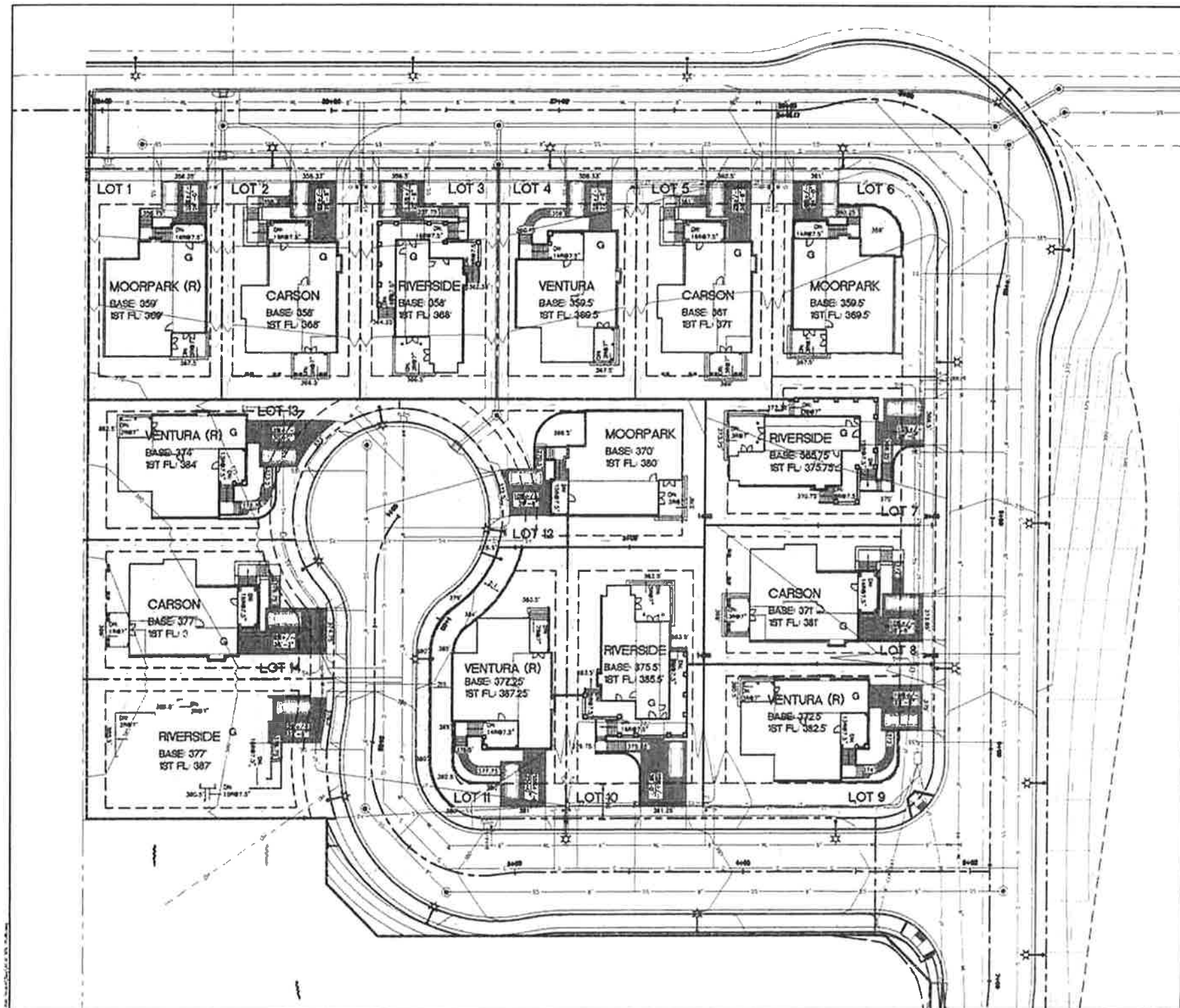
Print Name

Wayne Scott

May 27, 2015

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ATTACHMENT B



MASTER SITE PLAN

NOTES
NOTES

SCALE:
1/2" = 1'-0"

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NOTES

SCALE:
1/2" = 1'-0"

NOTES
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SCALE:
1/2" = 1'-0"

SCALE:
1" = 20'-0"

NOTES
NOTES

SCALE:
1/2" = 1'-0"



RA & ASSOCIATES
ARCHITECTURE/ENGINEERING

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3209 LIGONING STREET
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1371 PACIFIC AVENUE
SAN LUIS OBISPO, CA 93404
(805) 786-4399 FAX 786-4792

SANTA BARBARA OFFICE
P.O. BOX 92054
SANTA BARBARA, CA 93190
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REVISIONS



PROJECT
OAK TERRACE
PALMDALE, CALIFORNIA
PALMDALE, CA

SHEET TITLE
MASTER SITE PLAN

OWNER
GEORGE NEWMAN
PO BOX 608
PALMDALE, CA 93544

DATE: SEPTEMBER 7, 2007

BY: RA

DATE: SEPTEMBER 7, 2007

BY: RA

SHEET NUMBER
A10