

TO: BOARD OF DIRECTORS
FROM: BRUCE BUEL *BB*
DATE: MAY 4, 2007

AGENDA ITEM
E-3
MAY 4, 2007

APPLICATION FOR SERVICE - TRACT 2715 – 365 BUTTERFLY LANE

ITEM

Consider Intent-to-Serve Application for water and sewer service at 365 Butterfly Lane (Tract 2715) [RECOMMEND APPROVAL]

BACKGROUND

Your Honorable Board previously approved an Intent-to-Serve Letter for 8 multiple-family units to Greg Nester Construction for this site on June 23, 2004. That Intent-to-Serve Letter will expire on June 23, 2007 and the applicant has already used his one extension (See 2004 Application and 2004 I-T-S Letter attached). Greg Nester Construction has an executed Plan Check and Inspection Agreement and an outstanding Plan Check Deposit on account at NCSD. The project's development plans have been submitted for Plan Check.

The District received the attached new Intent-to-Serve Application from Greg Nester on April 16, 2007. Mr. Nester proposes the project as illustrated by the attached site map. Mr. Nester has confirmed his intent to develop this project in the next year.

Both the phasing and the calculation of the projected water demand are determined by the allocation policy. According to Section 3.05.030(A) in page 2 of the Allocation Policy, the projected "total demand, including landscaping" shall be established as 0.18 AFY per multiple family dwelling. According to Section 3.05.040(A1), a total of thirty-five (10.2) AFY including landscaping is reserved for multiple family dwelling units in any one allocation year. According to Section 3.05.100(A) the District will not allocate more than twenty percent (20%) of the use type allocation to any one project during any one allocation year. Thus, the allocation policy would project the total demand for 8 units at 1.44 AFY (8 times 0.18).

As set forth in the attached Water Allocation Accounting Summary, the District has previously approved 8.0 AF for other multiple family dwelling projects in Allocation Year 2006-07. Your Board is scheduled to consider two other Intent-To-Serve Applications at this meeting. Should either of these applications be approved, then there may not be sufficient water available in the Multi-Family Account to fund this project. The Allocation Policy does, however, allow for transfers between accounts. Your Board could transfer allocation water from either the single family classification or the secondary unit allocation at this meeting or wait until your July 11, 2007 Meeting (the first meeting in the last quarter of the Allocation Year).

RECOMMENDATION

Staff recommends your Honorable Board transfer 1.44 AF of water from another account into the Multi-Family account, direct staff to allocate 1.44 AFY of water to the project in accordance the District's water allocation policy and re-issue the Intent-to-Serve (ITS) letter for the project with the following conditions:

- This project will obtain water and sewer service for all parcels, existing and planned.
- Water Service for the entire parcel (existing and new) shall be served by two meters – a single Master Meter for dwelling units and a separate meter for the landscaping.
- CALFIRE of SLO County must approve the development plans prior to District approval. Fire capacity charges may be applicable.

May 9, 2007

- Submit improvement plans in accordance with the District Standards and Specifications for review and approval.
- Project landscape plan shall incorporate best management water conservation measures and be approved by the District General Manager.
- A Will-Serve letter for the project will be issued after improvement plans are approved and signed by General Manager.
- 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.
- For improvements that will be dedicated to the District, submit the following:
 - Reproducible "As Builts" - A mylar copy and digital format disk (Auto Cad) which includes engineer, developer, tract number and water and sewer improvements
 - Offer of Dedication
 - Engineer's Certification
 - A summary of improvement costs
- The District will set water meter(s) upon proof of a building permit from the County of San Luis Obispo and after the District has accepted improvements to be dedicated to the District, if applicable.
- This letter is void if land use is other than multi-family.
- 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
 - End of allocation phasing period (October 1, 2008). However, applicant shall be entitled to a one-year extension upon proof of reasonable due diligence in processing the project.
- 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.

Should your Honorable Board not wish to approve this intent-to-serve letter, this matter should be continued and policy direction provided to staff regarding the policy changes that the Board wishes to consider before it considers this application.

ATTACHMENT

- Current Application
- Previous Application
- Water Allocation Accounting Summary

T:\BOARD LETTER\BOARD LETTER 2007\SERVICE REQUESTS\SERVICE REQUEST TRACT 2715a.DOC



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:
50⁰⁰

INTENT-TO-SERVE/WILL-SERVE APPLICATION

N.C.S.D. PAID APR 16 PAM

- This is an application for: 8 Sewer and Water Service _____ Water Service Only
- SLO County Planning Department/Tract or Development No.: TR 2715
- 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: 365 Butterfly Lane
- Assessor's Parcel Number (APN) of lot(s) to be served: 092-142-016
- Owner Name: Butterfly Ct LLC
- Mailing Address: PO Box 219 Ag, CA 93421
- Email: Dana@gregnesterhomes.com
- Phone: 481-5182 FAX: 481-2790

- Agent's Information (Architect or Engineer):
Name: LGA / Cannon Assoc.
Address: _____
Email: _____
Phone: _____ FAX: _____

- Type of Project: (circle as applicable)
 Single Family Residence Duplex Secondary (a.k.a Granny) Unit
 Multi-Family (under single roof) Commercial Mixed-Use (commercial & residential)

- Number of Dwelling Units 8 Number of Low Income units _____
- Does this project require a sub-division? yes (yes/no)
If yes, number of new lots created 8

- 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.

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

Provide an estimate of yearly water (AFY) and sewer (MGD) demand for the project.
Please note: All commercial projects are required to use low water use irrigation systems and water conservation best management practices.

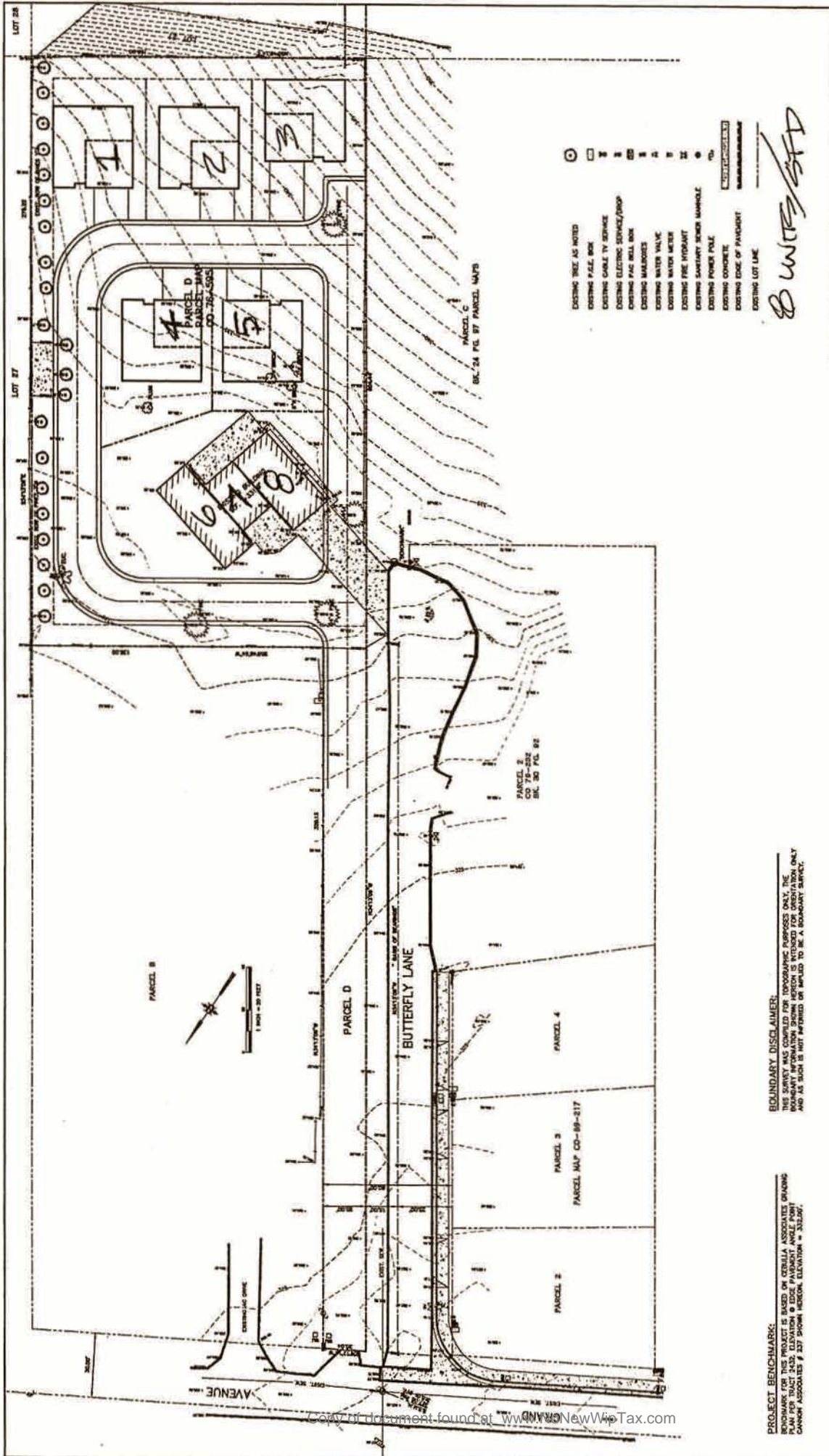
17. **Agreement:**

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..... **\$50.00**
(Non-refundable payment attached to this application)

Date 4.16.07 Signed 
(Must be signed by owner or owner's agent)
Print Name Dana N. Tuohy



Camdon ASSOCIATES
 14141 BAYVIEW AVENUE
 SUITE 100
 BAYVIEW, CA 94026
 (415) 341-1111
 FAX (415) 341-1112

TOPOGRAPHIC SURVEY OF PARCEL D
 365 BUTTERFLY LANE
 PER PARCEL MAP CO 78-585
 FOR GREG NESTER CONSTRUCTION
 TOWN OF IMPICO, CALIFORNIA

DATE	05/14/02	CA JOB NO.	020413
BY	JAZ	SCALE	1" = 20'
CHECKED BY	JAZ	SHEET	1 OF 1

B. Winters

DATE 6/15/04

NIPOMO COMMUNITY SERVICES DISTRICT
APPLICATION FOR
INTENT-TO SERVE LETTER

1. SLO County Planning Department/Tract or Development No.: parcelmap @ 76-595
2. Project's Location: 365 Butterfly Ct.
3. Assessor's Parcel Number (APN) of lot(s) to be served: 092-142-016
4. Total Number of Residential Units: 8
5. Owner Name: Grea Nester / Ron Veltman
6. Business Address: PO Box 219 Arroyo Grande Ca 93421
7. Mailing Address: PO Box 219 Arroyo Grande Ca 93421
8. Phone Number: 805 481 5182
9. Agent's Name (Architect or Engineer): Grea Nester
10. Mailing Address: PO Box 219 Arroyo Grande, Ca 93420
11. Phone Number: 805 481 5182
12. Type of Use:
 - Single Family Residence Duplex Triplex Multi-Family
 - Subdivision
 - Commercial? _____ Type _____
 - Remodel: (Project Description) _____
13. Submit six (6) copies of the tract map and one reduced copy (8½" x 11").
(One for each Board member and the manager.)
14. COMMERCIAL PROJECTS - Please provide the following information:
 - a. An engineer or architect's estimate of yearly water (AFY) and sewer (MGD) demand for the project
Water 2.13 AFY Sewer 00128 MGD
 - b. Landscaping irrigation requirements. 1.0 AFY

TO: BOARD OF DIRECTORS
FROM: DOUG JONES *DJ*
DATE: JUNE 23, 2004



REQUEST FOR SERVICE
365 BUTTERFLY LANE
CO 76-595
NESTER

 COPY

ITEM

Request for water and sewer service for an 8-unit development on Butterfly Lane

BACKGROUND

The District received a request for water and sewer service for an 8-unit development at 365 Butterfly Lane. The estimated water use for this proposed development is approx. 2.5 AFY and will produce approx. 0.00128 MGD. An Intent-to-Serve letter may be issued with the following conditions:

1. Enter into a Plan Check and Inspection Agreement and pay the appropriate fees.
2. Submit two (2) sets of improvement plans showing appropriate District services to the project prepared in accordance with the District Standards and Specifications for review and approval.
3. Pay all appropriate District water, sewer and other fees associated with this development.
4. Construct the improvements required and submit the following prior to receiving services:
 - a. Reproducible "As Builts" - A mylar copy and digital format disk (Auto Cad) which includes engineer, developer, tract number and water and sewer improvements
 - b. Offer of Dedication
 - c. Engineer's Certification
 - d. A summary of all water and sewer improvement costs
5. Install separate fire service if CDF requires on-site fire protection.
6. This Intent-to-Serve Letter will expire two years from date of issuance.

RECOMMENDATION

Staff recommends that your Honorable Board approve an Intent-to-Serve letter for CO 76-595 with the above mentioned conditions.

Board 2004/Intent Nester CO 76-595

NIPOMO COMMUNITY

BOARD MEMBERS

MICHAEL WINN, PRESIDENT
JUDITH WIRSING, VICE PRESIDENT
ROBERT BLAIR, DIRECTOR
CLIFFORD TROTTER, DIRECTOR
LARRY VIERHEILIG, DIRECTOR



SERVICES DISTRICT

STAFF

DOUGLAS JONES, GENERAL MANAGER
LISA BOGNUDA, ASSISTANT ADMINISTRATOR
JON SEITZ, GENERAL COUNSEL
DAN MIGLIAZZO, UTILITY SUPERVISOR

148 SOUTH WILSON STREET POST OFFICE BOX 326 NIPOMO, CA 93444 - 0326
(805) 929-1133 FAX (805) 929-1932 Email address gm@nipomocsd.com

June 23, 2004

Greg Nester Construction
P O Box 219
Arroyo Grande, CA 93421

This is not a Will Serve letter



COPY

SUBJECT: INTENT-TO-SERVE WATER SERVICE
CO 76-595 365 BUTTERFLY LANE
8 UNIT DEVELOPMENT IN NPOMO

An Intent-to-Serve letter for water and sewer service for CO 76-595, an 8 unit development on Butterfly Lane in Nipomo, is granted subject to the following conditions:

1. Enter into a Plan Check and Inspection Agreement and pay the appropriate fees.
2. Submit improvement plans in accordance with the District Standards and Specifications for review and approval.
3. Pay all appropriate District water, sewer and other fees associated with this development.
4. Construct the improvements required and submit the following:
 - a. Reproducible "As Builts" - A mylar copy and digital format disk (Auto Cad) which includes engineer, developer, tract number and water and sewer improvements
 - b. Offer of Dedication
 - c. Engineer's Certification
 - d. A summary of all water and sewer improvement costs
5. Install and pay fees for separate fire service, if CDF requires on-site fire protection.
6. Comply with District water conservation program.
7. This Intent-to-Serve Letter will expire two years from date of issuance.

As required by Section 19.20.238 Title 19 of the San Luis Obispo County Code, the Nipomo Community Services District certifies that it will provide potable water service to CO 76-595 and that it has sufficient water resources and sewer system capacity to provide such service. Notwithstanding any other language in this letter, the District certifies that (1) it will provide new service to the parcel(s) within the development on the same basis as it provides new service to any other legal parcel within the District's service area; and (2) once new service is established for a parcel(s) within the development, the District will provide service to said parcel on the same basis as it provides service to other customers within the same land use designation.

This is not a Will Serve letter

Greg Nester Construction
CO 76-595
Intent-to-Serve
June 23, 2004
Page Two

Notwithstanding to the above paragraph, notice is provided that Nipomo Community Services District has been made a party to that lawsuit entitled Santa Maria Valley Water Conservation District, et al. v. City of Santa Maria, et al., Santa Clara Superior Court Case No. CV 770214. The case involves competing claims to the right to produce water from and/or store water in the Santa Maria Valley Groundwater Basin, the water source from which Nipomo Community Services District derives the water, which it serves. The District is now unable to predict with any certainty the outcome of the above-referenced litigation. However, the litigation conceivably could result in a limitation on the availability of groundwater for the District's production and/or an increase in the cost of water, which the District serves to its water customers.


The County Planning & Building Department is directed to withhold the building permit until the District's fees have been paid.

This "Intent-to-Serve" letter shall be subject to the current and future rules, regulations, fees, resolutions and ordinances of the Nipomo Community Services District. This "Intent-to-Serve" letter may be revoked 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 for the protection of the health, safety, and welfare of the District. The District reserves the right to revoke this "Intent-to-Serve" letter at any time.

A TWO YEAR EXPIRATION DATE IS IN EFFECT

Sincerely,

NIPOMO COMMUNITY SERVICES DISTRICT


Doug Jones
General Manager

Will-Serve/Intent/ APN 090-384-013 & 014 Nester

Nipomo Community Services District
Water Allocation Accounting Summary


Water Year 2006-2007																
Project	Dwelling units per category					Water allotment (acre-feet)					Total	Tally	Notes:			
	SFR > 10	SFR 4.5 - 10	SFR < 4.5	SEC	MF	Low I	SFR/DUP	SEC	MF	Low I						
Project																
APN 092-083-009/010 - PHASED (year 3 of 4)						11										Low I (low income) pulls from SFR/DUP ar
APN 092-130-043, GRANDE-PHASE (year 2 of 3)						11		4								Board approved 5/25/5
APN 092-130-044 ROOSEVELT apts, Phased 2/4						11		4								BOD approved 10/26/05
Tract 2441, Blume and Grande, Phased 1/2				21												BOD Approved 5/10/06
Kengel Lot Split, West Tefft	3															BOD Approved 10/25/06
Casas Lot Split, Pino Solo Lane	3															GM Approved 11/06
Porter Lot Split, Pino Solo Lane	3															GM Approved 12/06
Tract 2906, Allshouse, 1 Ave De Amigos				0		11										GM Approved 1/07
																BOD Approved 2/14/07
Totals	9	0	21	0	44	8	(11.3)	0.0	(7.9)	(1.4)	(20.6)					
Abbreviations defined:																
SFR = single family residence																
SEC = secondary dwelling (a.k.a. Granny Unit)																
DUP = Duplex																
MF = multi-family development (e.g. mutiple dwelling units sharing a common roof)																
Low I = Low income housing in accordance with County housing definition.																
Phasing Limit Check (Max 50% of annual allocation or 25.5 AF)																
Phased allocation =													7.4			

Nipomo Community Services District
Water Allocation Accounting Summary

WATER YEAR 2007-2008													
Project	Dwelling units per category					Water allotment (acre-feet)					Tally	Notes:	
	SFR > 10	SFR 4.5 - 10	SFR < 4.5	SEC	MF	Low I	SFR/DUP	SEC	MF	Low I			Total
							32.5	5	10.2	3.3		51	
APN 092-083-009/010 - PHASED (year 4 of 4)					11		0.0	0.0	(2.0)	0.0	(2.0)	49.0	Low I (low income) pulls from SFR/DUP ar Board approved 5/25/5
APN 092-130-043, GRANDE-PHASE (year 3 of 3)					10		0.0	0.0	(1.8)	0.0	(1.8)	47.2	BOD approved 10/26/05
APN 092-130-044 ROOSEVELT apts, Phased 3/4					11	4	0.0	0.0	(2.0)	(0.7)	(2.7)	44.5	BOD Approved 5/10/06
Tract 2441, Blume&Grande, Phased 2/2			17				(5.1)	0.0	0.0	0.0	(5.1)	39.4	BOD Approved 10/25/06
Tract 2906, Allshouse, 1 Ave De Amigos					11		0.0	0.0	(2.0)	0.0	(2.0)	37.4	BOD Approved 2/28/07
							0.0	0.0	0.0	0.0	0.0	37.4	
							0.0	0.0	0.0	0.0	0.0	37.4	
							0.0	0.0	0.0	0.0	0.0	37.4	
							0.0	0.0	0.0	0.0	0.0	37.4	
Totals	0	0	17	0	43	4	(5.1)	0.0	(7.7)	(0.7)	(13.6)		
Abbreviations defined:													
SFR = single family residence													
SEC = secondary dwelling (a.k.a. Granny Unit)													
DUP = Duplex													
MF = multi-family development (e.g. multiple dwelling units sharing a common roof)													
Low I = Low income housing in accordance with County housing definition.													
Phasing Limit Check (Max 50% of annual allocation or 25.5 AF)													
Phased allocation = 6.5													

Nipomo Community Services District Water Allocation Accounting Summary

Water Year 2008-2009															
	NUMBER OF UNITS					ACRE-FEET OF ALLOTTED WATER							Notes:		
	SFR > 10	SFR 4.5 - 10	SFR < 4.5/DUP SEC	MF	Low I	SFR/DUP	SEC	MF	Low I	Total	Tally				
Project						32.5	5	10.2	3.3		51				
APN 092-130-044 ROOSEVELT apts, Phased 4/4					7	0.0	0.0	(1.3)	0.0	(1.3)	49.7	Low I (low income) pulls from SFR/DUP an BOD Proposed 5/10/06			
						0.0	0.0	0.0	0.0	0.0	49.7				
						0.0	0.0	0.0	0.0	0.0	49.7				
						0.0	0.0	0.0	0.0	0.0	49.7				
						0.0	0.0	0.0	0.0	0.0	49.7				
						0.0	0.0	0.0	0.0	0.0	49.7				
						0.0	0.0	0.0	0.0	0.0	49.7				
						0.0	0.0	0.0	0.0	0.0	49.7				
						0.0	0.0	0.0	0.0	0.0	49.7				
						0.0	0.0	0.0	0.0	0.0	49.7				
						0.0	0.0	0.0	0.0	0.0	49.7				
						0.0	0.0	0.0	0.0	0.0	49.7				
						0.0	0.0	0.0	0.0	0.0	49.7				
Totals	0	0	0	0	7	0	0.0	0.0	(1.3)	0.0	(1.3)				
					Percent of annual allotment:	0.0%	0.0%	12.4%	0.0%	2.5%					
Phasing Limit Check (Max 50% of annual allocation or 25.5 AF)															
Phased allocation = 1.3					Updated:										
					Percent Water-Year over:										
Abbreviations:															
SFR = single family residence															
SEC = secondary dwelling (a.k.a. Granny Unit)															
DUP = Duplex															
MF = multi-family development (e.g. mutiple dwelling units sharing a common roof)															

TO: BOARD OF DIRECTORS
FROM: BRUCE BUEL 
DATE: MAY 4, 2007

AGENDA ITEM
E-4
MAY 4, 2007

APPLICATION FOR SERVICE - TRACT 2688 – CHESTNUT VILLAS (166/186 THOMPSON)

ITEM

Consider Intent-to-Serve Application for water and sewer service at 166 & 186 Thompson Avenue (Tract 2688) [RECOMMEND APPROVAL]

BACKGROUND

Your Honorable Board previously approved an Intent-to-Serve Letter for Mixed Use Project (10 multiple family units and commercial) to Greg Nester Construction for this site on June 23, 2004. That Intent-to-Serve Letter will expire on June 23, 2007 and the applicant has already used his one extension (See 2004 Application and 2004 I-T-S Letter attached). Greg Nester Construction has an executed Plan Check and Inspection Agreement and an outstanding Plan Check Deposit on account at NCSD. The project's development plans have been submitted for Plan Check.

The District received the attached new Intent to Serve Application from Greg Nester on April 16, 2007. Mr. Nester proposes the project as illustrated by the attached site map. Mr. Nester has confirmed his intent to develop this project in the next year.

Both the phasing and the calculation of the projected water demand are determined by the allocation policy. According to Section 3.05.030(A) in page 2 of the Allocation Policy, the projected "total demand, including landscaping" shall be established as 0.18 AFY per multiple family dwelling. According to Section 3.05.040(A1), a total of thirty-five (10.2) AFY including landscaping is reserved for multiple family dwelling units in any one allocation year. According to Section 3.05.100(A) the District will not allocate more than twenty percent (20%) of the use type allocation to any one project during any one allocation year. Thus, the allocation policy would project the total demand for 10 units at 1.8 AFY (10 times 0.18).

As set forth in the attached Water Allocation Accounting Summary, the District has previously approved 8.0 AF for other multiple family dwelling projects in Allocation Year 2006-07. Your Board is scheduled to consider two other Intent-To-Serve Applications at this meeting. Should either of these applications be approved, then there may not be sufficient water available in the Multi-Family Account to fund this project. The Allocation Policy does, however, allow for transfers between accounts. Your Board could transfer allocation water from either the single family classification or the secondary unit allocation at this meeting or wait until your July 11, 2007 Meeting (the first meeting in the last quarter of the Allocation Year).

RECOMMENDATION

Staff recommends your Honorable Board transfer 1.8 AF of water from another account into the Multi-Family account, direct staff to allocate 1.8 AFY of water to the project in accordance the District's water allocation policy and re-issue the Intent-to-Serve (ITS) letter for the project with the following conditions:

- This project will obtain water and sewer service for all parcels, existing and planned.
- Water Service for the entire parcel (existing and new) shall be served by two meters – a single Master Meter for dwelling units and a separate meter for the landscaping.
- CALFIRE of SLO County must approve the development plans prior to District approval. Fire capacity charges may be applicable.

May 9, 2007

- Submit improvement plans in accordance with the District Standards and Specifications for review and approval.
- Project landscape plan shall incorporate best management water conservation measures and be approved by the District General Manager.
- A Will-Serve letter for the project will be issued after improvement plans are approved and signed by General Manager.
- 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.
- For improvements that will be dedicated to the District, submit the following:
 - Reproducible "As Builts" - A mylar copy and digital format disk (Auto Cad) which includes engineer, developer, tract number and water and sewer improvements
 - Offer of Dedication
 - Engineer's Certification
 - A summary of improvement costs
- The District will set water meter(s) upon proof of a building permit from the County of San Luis Obispo and after the District has accepted improvements to be dedicated to the District, if applicable.
- This letter is void if land use is other than multi-family.
- 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
 - End of allocation phasing period (October 1, 2008). However, applicant shall be entitled to a one-year extension upon proof of reasonable due diligence in processing the project.
- 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.

Should your Honorable Board not wish to approve this intent-to-serve letter, this matter should be continued and policy direction provided to staff regarding the policy changes that the Board wishes to consider before it considers this application.

ATTACHMENT

- Current Application
- Previous Application
- Water Allocation Accounting Summary

T:\BOARD LETTER\BOARD LETTER 2007\SERVICE REQUESTS\SERVICE REQUEST TRACT 2688a.DOC



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:
50⁰⁰

INTENT-TO-SERVE/WILL-SERVE APPLICATION

N.C.S.D. PAID APR 16 PAID

- This is an application for: 16 Sewer and Water Service _____ Water Service Only
- SLO County Planning Department/Tract or Development No.: TR 2688
- 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: 166 : 186 N. Thompson Ave
- Assessor's Parcel Number (APN) of lot(s) to be served: 0710-384-013 : 014
- Owner Name: Chestnut Villas LLC
- Mailing Address: PO Box 219 Ag, CA 93421
- Email: Dana@gregnesterhomes.com
- Phone: 461-8182 FAX: 481-2790

- Agent's Information (Architect or Engineer):
Name: LGA / Cannon Assoc
Address: _____
Email: _____
Phone: _____ FAX: _____

- Type of Project: (circle as applicable)
Single Family Residence Duplex Secondary (a.k.a Granny) Unit
Multi-Family (under single roof) Commercial Mixed-Use (commercial & residential)

- Number of Dwelling Units 10 Number of Low Income units _____

- Does this project require a sub-division? yes (yes/no)
If yes, number of new lots created 16 airspace

- 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.

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

Provide an estimate of yearly water (AFY) and sewer (MGD) demand for the project.
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..... **\$50.00**
(Non-refundable payment attached to this application)

Date 4.16.07 Signed 
(Must be signed by owner or owner's agent)
Print Name Dana D. Tuohy

Thompson-Chestnut Mixed-Use North Thompson Avenue Nipomo, California

PROJECT INFORMATION

PROPERTY OWNER/APPLICANT:

K. Bergman Group
11150 East Orange Blvd Suite 900
Los Angeles, CA 90024
310-476-2007

Heater Construction
1117 Nelson Street
Angies Grove, CA 93421
805-461-5191

REPRESENTATIVE:

Leonard Grant Architect (LGA)
130 J Street, Corcoran
330 Jones Way, Suite 200
Pismo Beach, California 93449
ph 805-773-7113 ext.14 fax 805-773-7115

PROJECT DESCRIPTION:

This 18,132 S.F. three story Mixed-Use building consists of two 4,500 S.F. commercial elements on the lower floor. The upper floor is a series of one and two story, two and three bedroom condominiums.

PROJECT ADDRESS:

Lots 2-8 on the corner of Thompson Street and Chestnut Street in Nipomo, California

ASSESSOR PARCEL NUMBER:

APN: 050-143-003-7-5

LEGAL DESCRIPTION:

BEING A ONE LOT SUBDIVISION FOR CONDOMINIUM PURPOSES OF LOTS 2-8 INCLUSIVE IN BLOCK 3 OF FAIRMONT TRACT, TOWN OF NIPOMO, STATE OF CALIFORNIA, ACCORDING TO THAT MAP FILED FOR RECORD JULY 19, 1987 IN BOOK A, PAGE 68 OF MAPS IN THE OFFICE OF SAO COUNTY.

LAND USE

ZONING: Mixed-Use - Residential/Professional Office (CR)

LOT INFORMATION

TOTAL LOT AREA 8,934 sq

BUILDING INFO.

Dwelling Units

Occupancy: Group R, Div. 1
Construction Type: V-A (SPRINKLERED)
PER CBC SECTION 508 SUBSTITUTION APPROVED
FIRE SPRINKLER SYSTEM FOR REQUIRED
ONE-HOUR CONSTRUCTION THROUGHOUT.
Approved Automatic Fire Sprinkler System to meet NFPA 13 standards
Building to comply with California Title 24 Energy Conservation Guidelines

COMMERCIAL INFO.

Occupancy: Group B & M
Construction Type: V-A (SPRINKLERED)
PER CBC SECTION 508 SUBSTITUTION APPROVED
FIRE SPRINKLER SYSTEM FOR REQUIRED
ONE-HOUR CONSTRUCTION THROUGHOUT.
Approved Automatic Fire Sprinkler System to meet NFPA 13 standards
Building to comply with California Title 24 Energy Conservation Guidelines

PARKING INFO.

Occupancy: Group S, Div. 3
Construction Type: V-A (SPRINKLERED)
Approved Automatic Fire Sprinkler System to meet NFPA 13 STANDARDS
Building to comply with California Title 24 Energy Conservation Guidelines

FINISH MATERIALS

Roofing: Composition Asphalt and Standing Seam Metal
Siding: 3 Coat, Stucco Siding, Corrugated Metal Siding, Stone Veneer.
Rating: Ball wood panel with Wood Balustrade, and Stainless Steel Cable Rail

EXTERIOR LIGHTING

All exterior lighting shall comply with San Luis Obispo County Standards

BUILDING AREA:

Residential:	Percentage of Total Area
Plan 1	1155 SF
Plan 2,3,4	1301 SF
Plan 4,7	2055 SF
Plan 5,6	2012 SF
Plan 8	1825 SF
Plan 10	1523 SF
TOTAL:	9871 SF

Commercial:	
Lease Space A:	4230 SF
Lease Space B:	4931 SF
TOTAL:	9161 SF

SITE COVERAGE

Total Floor Coverage:	28,836 SF
Lot Area:	11,280 SF
Ground Floor Footprint:	1,812 SF
Covered Pavement:	3,543 SF
Parking:	15,221 SF
Total Site Coverage:	19,576 SF

UTILITIES:

Water	Nipomo Community Services District (Existing)
sewer	Nipomo Community Services District (Existing)
Gas	The Gas Company (Existing)
Electricity	PG&E (Existing)
Cable	Sonic (Existing)
Telephone	Pacific Bell (Existing)

SETBACKS:

Front (Done Street):	0'-0"
Side:	0'-0"
Rear:	0'-0"

ALTERNATE MIXED-USE PERCENTAGE CALCULATION:

Residential Occupancy	Percentage of Total Occupancy
SF / 300 = Occupancy	X
9871 / 300 = 33	28%
Commercial Occupancy:	
SF / 100 = Occupancy	
9161 / 100 = 92	74%
TOTAL = 122	100%

PARKING REQUIREMENTS: Residential

Requirement:
(1) 1 Space per one bedroom or studio unit.
(1.5) Spaces per two bedroom unit.
(1) Space for every 200 SF of Commercial
Covered Parking: (1) space, plus (1) for each 4 units, or fraction thereof beyond the first four. 8'-6" clear interior dimension

parking adjustment to the required number of spaces per the land use ordinance section 22.04.1.02b. The following calculations are consistent with our meeting on September 2, 2008 at the county office conference room. If you would like more detail please let me know.

Lower floor (8059 sf)
Fast food use: 2 restaurants @ 1200 sf = 10 spaces
Covered carports: 8559 sf = 16 spaces
Upper floors
(10) 3 bedroom residences: 2 x 10 = 20 spaces
Total = 55 spaces
Proposed reduction = 55 x .8 = 44 spaces

Provided:
(6) Covered Spaces, 8'x18' clear
(14) Garage Spaces, 10'x20' clear
(18) Uncovered Spaces, 8'x10' clear
(2) Handicap Spaces, 8'x10' clear w/ (1) 2'x10' aisle.
(2) Motorcycle Spaces, 7'x9' clear

ARCHITECTURAL CHARACTER:

Side town Rowing a combination of traditional, colonial styles infused with a native rural aesthetic. A variety of stucco, wood, stone and brick veneer, and metal will be on the exterior. Roofing will consist of a combination of composition asphalt shingle and standing seam metal roofing.

GARDEN WALLS

All garden walls to be brick veneer finish & color to match the building base color w/ decorative cap.

MAX. BLDG. HEIGHT

Allowed: Above the natural grade 40'
Proposed: 35'

Project Information



LEONARD GRANT ARCHITECT
130 J STREET, CORCORAN
PISMO BEACH, CALIFORNIA 93449
PH 805-773-7113 FAX 805-773-7115



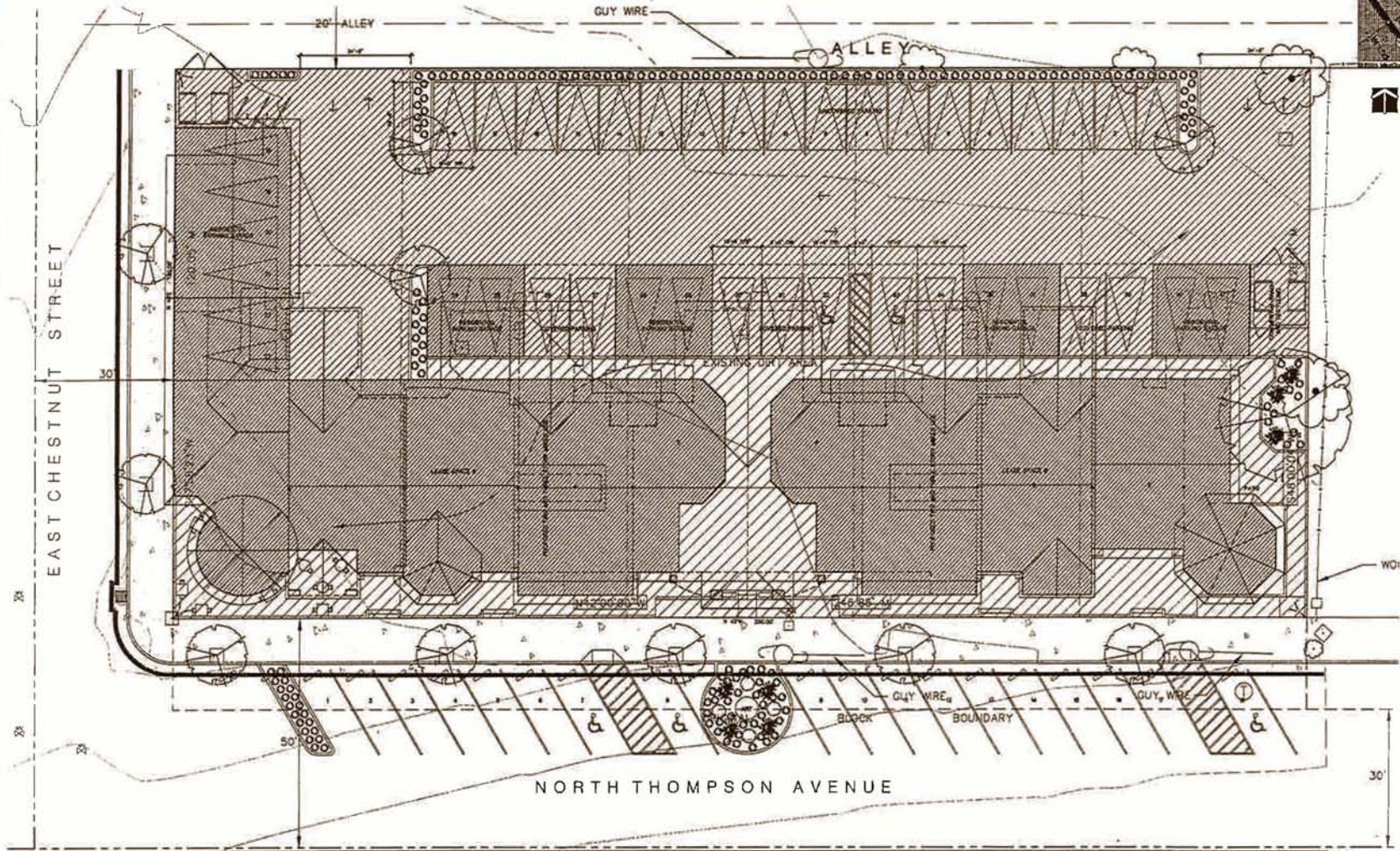
P.O.

Draw October 2008

Thompson-Chestnut Mixed-Use North Thompson Avenue Nipomo, California



VICINITY MAP



Site Plan

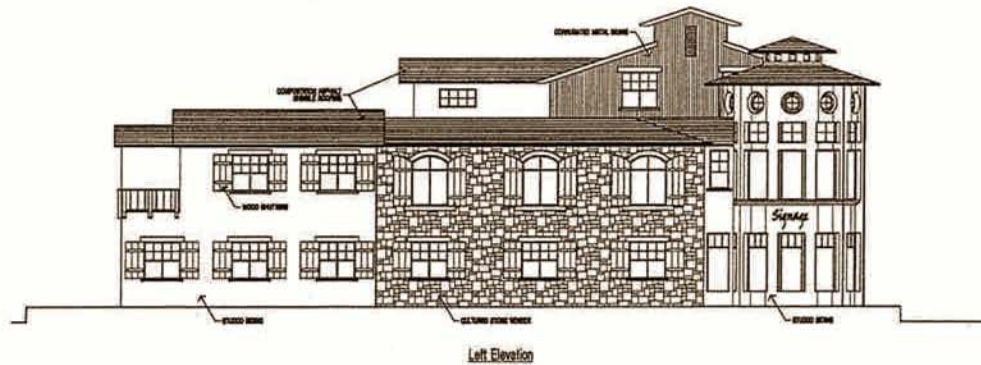
LEGA
LEONARD QUANT, ARCHITECT
400 WEST 10TH STREET, SUITE 200
NIPOMO, CALIFORNIA 93450
TEL: 805.778.2116 FAX: 805.778.7100

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P.1
Scale 3/32" = 1'-0"
Date October 2004

Thompson-Chestnut Mixed-Use North Thompson Avenue Nipomo, California

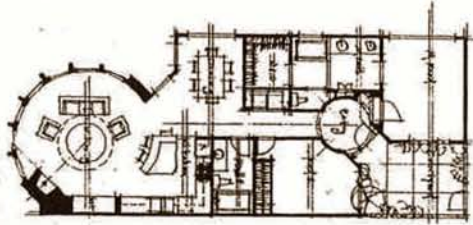


Elevations

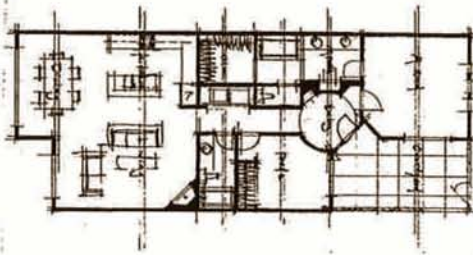
LEGA
LEONARD & RANT, ARCHITECT
11700 W. AVENUE, SUITE 100
P.O. BOX 100, P.O. BOX 100
P.O. BOX 100, P.O. BOX 100

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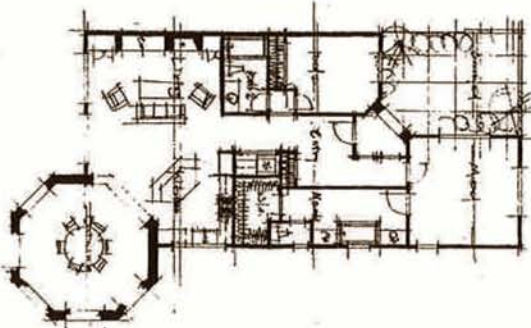
Thompson-Chestnut Mixed-Use North Thompson Avenue Nipomo, California



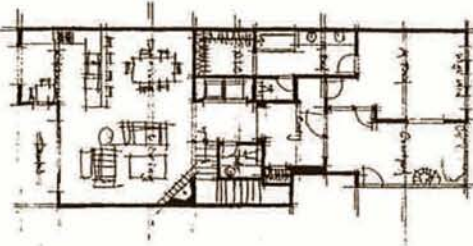
Plan 1 Main Floor



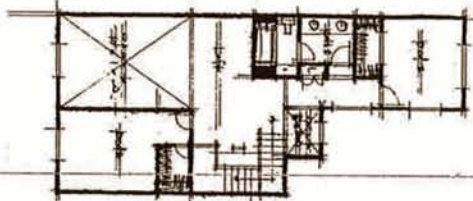
Plan 2, 3 & 8 Main Floor



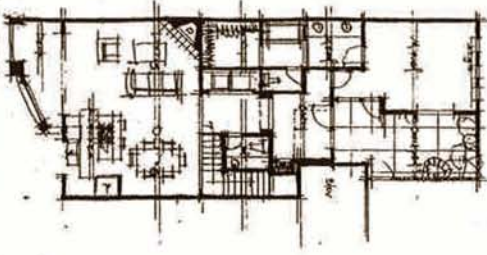
Plan 8 Upper Floor



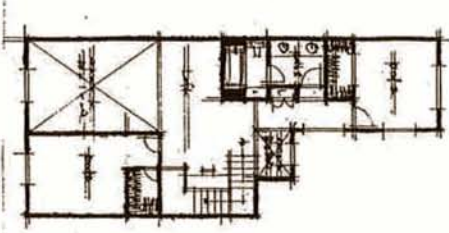
Plan 4 & 7 Main Floor



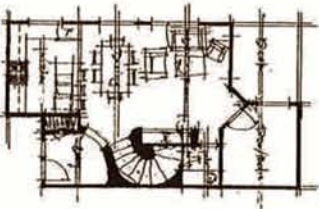
Plan 4 & 7 Upper Floor



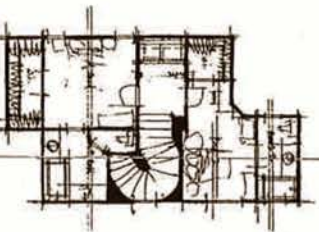
Plan 5 & 9 Main Floor



Plan 5 & 9 Upper Floor



Plan 10 Main Floor



Plan 10 Upper Floor

Floor Plans



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Ryan

DATE 6/15/04

**NIPOMO COMMUNITY SERVICES DISTRICT
APPLICATION FOR
INTENT-TO SERVE LETTER**



COPY

1. SLO County Planning Department/Tract or Development No.: _____
2. Project's Location: 116 & 1816 N. Thompson Ave.
3. Assessor's Parcel Number (APN) of lot(s) to be served: 090-384-013 + 014
4. Total Number of Residential Units: 10 Condos
5. Owner Name: Chestnut Villas LLC
6. Business Address: 111 Nelson St.
7. Mailing Address: P.O. Box 219, A.G. 93421
8. Phone Number: 481-5182
9. Agent's Name (Architect or Engineer): Greg Nester Construction
10. Mailing Address: P.O. Box 219, A.G. 93421
11. Phone Number: 481-5182
12. Type of Use:
 - Single Family Residence Duplex Triplex Multi-Family
 - Subdivision
 - Commercial? _____ Type _____
 - Remodel: (Project Description) _____
13. Submit six (6) copies of the tract map and one reduced copy (8 1/2" x 11").
(One for each Board member and the manager.)
14. **COMMERCIAL PROJECTS - Please provide the following information:**
 - a. An engineer or architect's estimate of yearly water (AFY) and sewer (MGD) demand for the project
Water 2.79 AFY Sewer 0.0016 MGD
 - b. Landscaping Irrigation requirements. 0.7 AFY

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**NIPOMO COMMUNITY SERVICES DISTRICT
APPLICATION FOR
INTENT-TO SERVE LETTER
PAGE TWO**

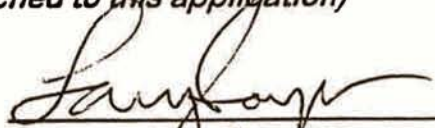
15. The Applicant agrees that in accordance with generally accepted construction practices, Applicant shall assume sole and complete responsibility for the condition of the job site during the course of the project, including the safety of persons and property; that this requirement shall apply continuously 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) judgements 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) judgements 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.

16. The undersigned acknowledges receipt of the Nipomo Community Services District Application for District Service Policy and Guidelines (attached).

17. **APPLICATION FEES:**
Intent to Serve Application Processing Fee.....\$ 50.00
(Non-refundable payment attached to this application)

Date _____



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

Lanny Souza
Print name

FOR DISTRICT OFFICE USE:

AMOUNT PAID _____ DATE: _____ RECEIPT _____

TO: BOARD OF DIRECTORS
FROM: DOUG JONES *DJ*
DATE: JUNE 23, 2004



REQUEST FOR SERVICE
166 & 186 N. THOMPSON AVENUE
APN 090-384-013 & 014
NESTER

ITEM

Request for water and sewer service for a mixed-use development on N. Thompson at Chestnut

BACKGROUND

The District received a request for water and sewer service for a mixed-use development fronting N. Thompson Avenue at intersection of Chestnut. The proposed development is planned to have commercial on the first floor with residential on the upper floors. The development is proposed to have ten (10) condo units. The estimated water use is 2.79 AFY and sewer demand will be approx. 0.0016 MGD. An Intent-to-Serve letter may be issued with the following conditions:

1. Enter into a Plan Check and Inspection Agreement and pay the appropriate fees.
2. Submit two (2) sets of improvement plans showing appropriate District services to the project prepared in accordance with the District Standards and Specifications for review and approval.
3. Pay all appropriate District water, sewer and other fees associated with this development.
4. Construct the improvements required and submit the following prior to receiving services:
 - a. Reproducible "As Builts" - A mylar copy and digital format disk (Auto Cad) which includes engineer, developer, tract number and water and sewer improvements
 - b. Offer of Dedication
 - c. Engineer's Certification
 - d. A summary of all water and sewer improvement costs
5. This Intent-to-Serve Letter will expire two years from date of issuance.
6. Install separate fire service if CDF requires on-site fire protection.

RECOMMENDATION

Staff recommends that your Honorable Board approve an Intent-to-Serve letter for APN 090-384-013 & 014 with the above mentioned conditions.

Nipomo Community Services District Water Allocation Accounting Summary

Water Year 2006-2007												
Project	Dwelling units per category				Water allotment (acre-feet)				Total	Tally	Notes:	
	SFR > 10	SFR 4.5 - 10	SFR < 4.5	SEC	MF	Low I	SFR/DUP	SEC				MF
Project						32.5	5	10.2	3.3		51	Low I (low income) pulls from SFR/DUP ar
APN 092-083-009/010 - PHASED (year 3 of 4)					11	0.0	0.0	(2.0)	0.0	(2.0)	49.0	Board approved 5/25/5
APN 092-130-043, GRANDE-PHASE (year 2 of 3)					11	4	0.0	0.0	(2.0)	(0.7)	46.3	BOD approved 10/26/05
APN 092-130-044 ROOSEVELT apts, Phased 2/4					11	4	0.0	0.0	(2.0)	(0.7)	43.6	BOD Approved 5/10/06
Tract 2441, Blume and Grande, Phased 1/2			21			(6.3)	0.0	0.0	0.0	(6.3)	37.3	BOD Approved 10/25/06
Kengel Lot Split, West Tefft	3					(1.7)	0.0	0.0	0.0	(1.7)	35.7	GM Approved 11/06
Casas Lot Split, Pino Solo Lane	3					(1.7)	0.0	0.0	0.0	(1.7)	34.0	Gm Approved 12/06
Porter Lot Split, Pino Solo Lane	3					(1.7)	0.0	0.0	0.0	(1.7)	32.4	GM Approved 1/07
Tract 2906, Allshouse, 1 Ave De Amigos			0		11	0.0	0.0	(2.0)	0.0	(2.0)	30.4	BOD Approved 2/14/07
						0.0	0.0	0.0	0.0	0.0	30.4	
Totals	9	0	21	0	44	8	(11.3)	0.0	(7.9)	(1.4)	(20.6)	
Abbreviations defined:												
SFR = single family residence												
SEC = secondary dwelling (a.k.a. Granny Unit)												
DUP = Duplex												
MF = multi-family development (e.g. multiple dwelling units sharing a common roof)												
Low I = Low income housing in accordance with County housing definition.												
Phasing Limit Check (Max 50% of annual allocation or 25.5 AF)												
Phased allocation = 7.4												

Nipomo Community Services District
Water Allocation Accounting Summary

WATER YEAR 2007-2008														
Project	Dwelling units per category					Water allotment (acre-feet)					Total	Tally	Notes:	
	SFR > 10	SFR 4.5 - 1	SFR <	SEC	MF	Low I	SFR/DUP	SEC	MF	Low I				
						32.5	5	10.2	3.3			51		Low I (low income) pulls from SFR/DUP ar
APN 092-083-009/010 - PHASED (year 4 of 4)					11	0.0	0.0	(2.0)	0.0	(2.0)	49.0		Board approved 5/25/5	
APN 092-130-043, GRANDE-PHASE (year 3 of 3)					10	0.0	0.0	(1.8)	0.0	(1.8)	47.2		BOD approved 10/26/05	
APN 092-130-044 ROOSEVELT apts, Phased 3/4					11	4	0.0	0.0	(2.0)	(0.7)	44.5		BOD Approved 5/10/06	
Tract 2441, Blume&Grande, Phased 2/2			17			(5.1)	0.0	0.0	0.0	(5.1)	39.4		BOD Approved 10/25/06	
Tract 2906, Allshouse, 1 Ave De Amigos					11	0.0	0.0	(2.0)	0.0	(2.0)	37.4		BOD Approved 2/28/07	
						0.0	0.0	0.0	0.0	0.0	37.4			
						0.0	0.0	0.0	0.0	0.0	37.4			
						0.0	0.0	0.0	0.0	0.0	37.4			
						0.0	0.0	0.0	0.0	0.0	37.4			
Totals	0	0	17	0	43	4	(5.1)	0.0	(7.7)	(0.7)	(13.6)			
Abbreviations defined:														
SFR = single family residence														
SEC = secondary dwelling (a.k.a. Granny Unit)														
DUP = Duplex														
MF = multi-family development (e.g. mutiple dwelling units sharing a common roof)														
Low I = Low income housing in accordance with County housing definition.														
Phasing Limit Check (Max 50% of annual allocation or 25.5 AF)														
Phased allocation = 6.5														

Nipomo Community Services District Water Allocation Accounting Summary

Water Year 2008-2009																															
														NUMBER OF UNITS				ACRE-FEET OF ALLOTTED WATER								Notes:					
														SFR > 10	SFR 4.5 - 10	SFR < 4.5/DUP	SEC	MF	Low I	SFR/DUP	SEC	MF	Low I	Total	Tally						
Project																				32.5	5	10.2	3.3		51	Low I (low income) pulls from SFR/DUP an					
APN 092-130-044 ROOSEVELT apts, Phased 4/4																		7		0.0	0.0	(1.3)	0.0	(1.3)	49.7	BOD Proposed 5/10/06					
																				0.0	0.0	0.0	0.0	0.0	49.7						
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																				0.0	0.0	0.0	0.0	0.0	49.7						
																				0.0	0.0	0.0	0.0	0.0	49.7						
																				0.0	0.0	0.0	0.0	0.0	49.7						
																				0.0	0.0	0.0	0.0	0.0	49.7						
																				0.0	0.0	0.0	0.0	0.0	49.7						
																				0.0	0.0	0.0	0.0	0.0	49.7						
																				0.0	0.0	0.0	0.0	0.0	49.7						
																				0.0	0.0	0.0	0.0	0.0	49.7						
																				0.0	0.0	0.0	0.0	0.0	49.7						
																				0.0	0.0	0.0	0.0	0.0	49.7						
																				0.0	0.0	0.0	0.0	0.0	49.7						
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																				0.0	0.0	0.0	0.0	0.0	49.7						
																				0.0	0.0	0.0	0.0	0.0	49.7						
																				0.0	0.0	0.0	0.0	0.0	49.7						
																				0.0	0.0	0.0	0.0	0.0	49.7						
																				0.0	0.0	0.0	0.0	0.0	49.7						
																				0.0	0.0	0.0	0.0	0.0	49.7						
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																				0.0	0.0	0.0	0.0	0.0	49.7						
																				0.0	0.0	0.0	0.0	0.0	49.7						
																				0.0	0.0	0.0	0.0	0.0	49.7						
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