

TO: MICHAEL S. LEBRUN *MSL*
GENERAL MANAGER

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

DATE: SEPTEMBER 4, 2014

AGENDA ITEM
E-3
SEPTEMBER 10, 2014

SERVICE REQUEST – 549 HILL STREET
APN 092-579-004
HOME 2 SUITES HOTEL

ITEM

Consider request for water, sewer and solid waste service (Intent-to-Serve Letter) for an 83-room hotel (commercial business) on 549 Hill Street [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 May 30, 2014. The Owner/Applicant is Rob Marinai, who is represented by his Agent, Robert Winslow, P.E., of Civil Design Studio. Staff reviewed the application, which staff determined was incomplete, and requested additional information from the applicant's agent on June 17, 2014. The applicant's agent subsequently provided an updated application and supporting documentation on July 29, 2014.

The application is for an 83-room hotel (commercial business) on an existing 1.08-acre parcel zoned for commercial use. The property was previously served with District water and has a capacity credit for a single one-inch water meter. The District previously issued an Intent-to-Serve application for the project in 2008 but the Intent-to-Serve letter has since expired.

A water and sewer demand analysis for the hotel was included with the revised application. The applicant estimates water demand to be 9.13 acre-feet per year (AFY) and sewer demand to be 5,400 gallons per day. Water demand for the project will be tracked against the District's 500 AFY supplemental water project allocation that has been reserved for new development within the District's existing boundaries.

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.

FISCAL IMPACT

Water and sewer capacity fees will be based on the domestic meter size and irrigation meter size requested for the final County approved project as well as CAL FIRE's fire service requirements. Assuming a 2-inch water service, a 1-inch irrigation water service, and a 6-inch fire service as well as taking into account the capacity credit for the existing 1-inch water service, the estimated fee deposit for the project is \$208,000 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 shall obtain solid waste, sewer and water service for the parcel.
- The parcel shall be served by a single appropriately sized meter and backflow assembly for indoor use. Domestic meter capacity charges will be applicable.
- A separate one (1) inch irrigation meter shall be provided for the parcel. Irrigation meter capacity charges will be applicable.
- A single separate appropriately sized fire service and backflow assembly as required by CAL FIRE of SLO County shall be provided for the parcel. CAL FIRE of SLO County must approve the development plans prior to District approval. Fire service capacity charges will be applicable.
- 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. A water and sewer master plan review of project impacts may be required by the District.
- Project landscape plan shall incorporate best management water conservation measures and be approved by the District General Manager.
- 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 commercial 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. Water and Sewer Demand Analysis
- C. Preliminary Utility Plan

September 10, 2014

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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:

INTENT-TO-SERVE APPLICATION

- This is an application for: Sewer and Water Service Water Service Only
- SLO County Planning Department/Tract or Development No.: _____
- 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: 549 Hill Street, Nipomo, CA
- Assessor's Parcel Number (APN) of lot(s) to be served: 092-579-004
- Owner Name: Rob Marinai
- Mailing Address: 337 17th Street, Suite 200, Oakland, CA 94612
- Email: robmarinai@gmail.com
- Phone: (510) 326-7131 FAX: _____

- Agent's Information (Architect or Engineer):
Name: Robert Winslow, P.E.
Address: 9700 El Camino Real, Suite 300, Atascadero, CA 93422
Email: robert@civil-studio.com
Phone: 805-706-0401 FAX: _____

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

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

- Total Number of Dwelling Units 0 Number of Low Income Units 0
- Does this project require a sub-division? Yes No
If yes, number of new lots created _____

14. 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 7-29-14

Signed



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

Print Name

ROBERT WINSLOW, PE

September 10, 2014

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ATTACHMENT B

July 28, 2014

Nipomo Community Services District
P.O. Box 326
Nipomo, CA 93444

Attn: Peter Sevcik

Re: Water Demand for Nipomo Hotel Project – Hill Street

Peter,

The above referenced project is proposed as an 83 room "Home 2 Suites" Hotel, to be located at APN 092-130-053, on Hill Street in Nipomo. The updated APN and address are 092-579-004 and 549 Hill Street respectively.

The subject parcel was previously issued an Intent to Serve letter as a Hotel site, however that Intent to Serve has expired.

The following calculations were prepared using data from "Details of Commercial and Industrial Assumptions, by End Use" by the Pacific Institute, for Hotel Water Use and verified against an existing, similar hotel project:

Water Usage					
	Quantity	Measurement	Units (GPD)	GPY	AFY
Hotel	83	Rooms	94	2,847,730.00	
Office	3	Persons	20	21,900.00	
Pool	83	Rooms	0.5	15,147.50	
Laundries	83	Rooms	2.5	75,737.50	
Landscape(from ETWU)				15,040.00	
			Total	2,975,555.00	9.13

The following calculations were prepared using data from Metcalf and Eddie, *Wastewater Engineering Treatment and Reuse* (2003).

Wastewater Engineering: Sewer					
Unit	Range	GPD/unit	GPD	GPY	AFY
Guest	75	70	5,250.00	1,916,250.00	5.88
Employee	5	10	150.00	54,750.00	0.16
		Total	5,400.00	1,971,000.00	6.05

Please contact me if further information is required regarding the estimated demand of the proposed project.

Regards,

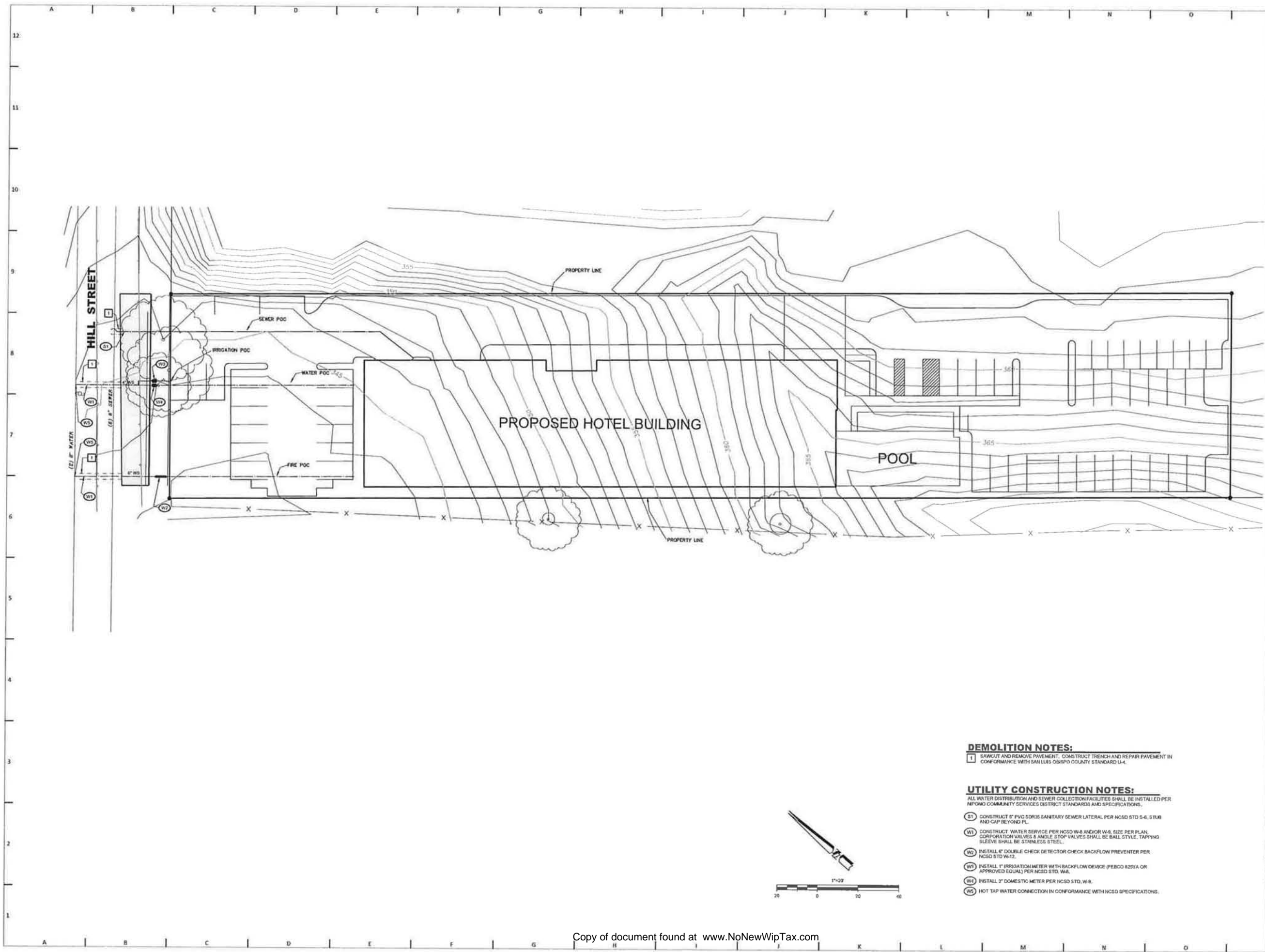


Robert Winslow, PE
Civil Design Studio, Inc.

September 10, 2014

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ATTACHMENT C



PLAN PREPARED BY:
CIVIL DESIGN STUDIO
 CIVIL ENGINEERING | PLANNING | PERMITTING
 CIVIL ENGINEER (No. 00000000) | ARCHITECT (No. 00000000) | www.cdstudio.com

ENGINEER OF RECORD:

PROJECT NAME:
HOME 2 SUITES BY HILTON, AT VINE HILL

PROJECT LOCATION:
 HILL STREET
 NIPOMO, CA 93444
 APN: 092-579-004

ELEVATION 77 OPPORTUNITY FUND, LLC
 570 CHORRO WAY
 NIPOMO, CA 93444

REVISIONS:

REVIEWED BY: RDW
 PREPARED BY: BLE
 DATE: JULY 24, 2014
 SCALE: AS SHOWN
 CBS JOB #: 13-123

**PRELIMINARY
 UTILITY PLAN**

SHEET 1 OF 1 SHEETS

- DEMOLITION NOTES:**
- 1 SAWCUT AND REMOVE PAVEMENT, CONSTRUCT TRENCH AND REPAIR PAVEMENT IN CONFORMANCE WITH SAN LUIS OBISPO COUNTY STANDARD U-4.
- UTILITY CONSTRUCTION NOTES:**
- (S1) CONSTRUCT 8" PVC SDR35 SANITARY SEWER LATERAL PER NCSO STD 5-6, 5" STUB AND CAP BEYOND PL.
 - (W1) CONSTRUCT WATER SERVICE PER NCSO W-8 AND/OR W-6, SIZE PER PLAN, CORPORATION VALVES & ANGLE STOP VALVES SHALL BE BALL STYLE, TAPPING SLEEVE SHALL BE STAINLESS STEEL.
 - (W2) INSTALL 6" DOUBLE CHECK DETECTOR CHECK BACKFLOW PREVENTER PER NCSO STD W-12.
 - (W3) INSTALL 1" IRRIGATION METER WITH BACKFLOW DEVICE (FEBCO 825YA OR APPROVED EQUAL) PER NCSO STD. W-4.
 - (W4) INSTALL 2" DOMESTIC METER PER NCSO STD. W-8.
 - (W5) HOT TAP WATER CONNECTION IN CONFORMANCE WITH NCSO SPECIFICATIONS.