TO: HONORABLE CHAIRMAN AND PLANNING COMMISSION

FROM: RON WHISENAND, COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: CONDITIONAL USE PERMIT 06-009 (BRUCE WHITE)

- DATE: NOVEMBER 28, 2006
- Needs: For the Planning Commission to consider an application filed by Bruce White for a Conditional Use Permit to convert the existing house (Bldg. A) into a professional office and to remove the existing detached garage/shop building (Bldg. B) and reconstruct a building in its place that would have a professional office on the lower floor and a studio apartment on the second floor.

In conjunction with the Conditional Use Permit, the applicant is requesting that the Planning Commission allow shared parking for two parking spaces and to allow the use of tandem parking for four parking spaces.

Facts:

- 1. The site is located at 1337 Vine Street (see attached Vicinity Map).
- 2. The property is zoned R2,OP (Duplex/Triplex within the Office Professional Overlay) and the General Plan designation is RMF-8,OP (Residential Multi-family, 8 units per acre, within the Office Professional Overlay).
- 3. The project is within the Westside Historic area and is subject to the Westside Historic Guidelines.
- 4. Section 21.18.A of the Municipal Code, Office Professional Overlay District, requires approval of a Conditional Use Permit for the conversion of residences to offices, when the sites are located within the Office Professional Overlay Zone.
- 5. 15 parking spaces are required for this project. 13 spaces for the office uses (2,630sf/200=13 spaces), plus 2 additional parking spaces for the residential unit. The applicant is requesting that two parking spaces be shared between the residential unit and the office within Building B. If the shared parking is approved, 13 spaces would be required to be installed on site.
- 6. Of the 13 parking spaces shown on the proposed site plan, the applicant is requesting that the Planning Commission approve the use of tandem parking for the project. The request is to utilize the existing driveway off of Vine Street for two sets of tandem parking spaces (for a total of 4 spaces). See additional analysis on the tandem parking issue in the Analysis and Conclusions section in this staff report.

- 7. Tentative Parcel Map 05-0302 was approved by the Planning Commission on December 13, 2005, subdividing the 10,360 sf parcel into two lots that would be 6,743 sf and 3,624 sf. The Parcel Map has not recorded, but the applicant intends to record the subdivision so that the Building A would be on a separate parcel from Building B. Reciprocal parking and access easement would be placed over the rear parking lot, so that both buildings could use the parking, access and trash enclosure (as well as any necessary utilities). The tandem parking on the front lot would be specifically for the Building A.
- 8. In order to construct the project, Mr. White is proposing to remove the existing garage (See note 11 on the site plan) as well as removing the existing addition on the rear of Building A. Since both of these buildings are identified along with Building A in the City's Historic Inventory, it will be necessary for the request for the demolition of these two structures to go before the City Council. Demolition is only possible if the Council determines that these structures are not historically significant in accordance with CEQA. Building B is not identified in the inventory; therefore it would not need Council determination for removal.
- 9. There are two oak trees located at the rear of the site along the alley. An Arborist Report was provided at the time of the subdivision, and that report is being used for this project as well. The location of the driveway and parking spaces that were proposed at the time of the parcel map are similar (in relation to proximity to the oak tree) to the current project. The arborist indicates in his report that based on the location of the existing retaining wall and the fact that the wall has been in place for many years, that more than likely a majority of the roots are contained within the retaining wall area, and that impacts to the trees from the proposed driveway and parking area would not have a significant impact on the trees.
- 10. The trash enclosure for the project is proposed to be located within the drip line of the oak trees and shown to be constructed of wood in an attempt to lessen the impact to the oak trees. Since trash enclosures are required to be decorative masonry, the enclosure will need to be moved elsewhere on site.
- 11. The Planning Division staff has determined that this application is Categorically Exempt from environmental review per Section 15303 of the State's Guidelines to Implement CEQA. Note, if the City Council determines that if either demolition will impact a historic resource, then the demolition will be subject to CEQA and would likely trigger an Environmental Impact Report (EIR).

Analysis and

Conclusions: The project was reviewed by the Development Review Committee (DRC) on November 6, 2006. The DRC was excited about the project and concluded that the office conversion would meet the intent of the OP Overly zoning, and that the proposed architecture of the two buildings would comply with the Westside Historic Guidelines. The DRC recommended that the Planning Commission approve the project, but noted that the issue of the tandem parking would need to be discussed further at the Planning Commission level.

Regarding tandem parking, the project requires 15 parking spaces based on the amount of square footage of office and residential uses that the applicant is proposing. While the request to share the two parking spaces for the residential unit, and only require 13 spaces for the project, would seem appropriate and consistent with Planning Commission's actions on other mixed use projects, the request to utilize four tandem parking spaces was a concern that was discussed at the DRC meeting.

The Parking Ordinance does allow the Planning Commission to approve the use of tandem parking, when the Commission can make the finding that the tandem parking is appropriate for the specified use. A majority of tandem parking that the Planning Commission has approved has been for residential uses. In this case, for a professional office use, where you may have employees and customers using the parking, the logistics of having a car parked behind a car that needs to get out of the lot has been discussed in the past by the Planning Commission as not being appropriate.

This parking matter is similar to the Wittstrom office conversion project on Spring Street, where the Commission denied his request to eliminate parking spaces since the need for the parking was self imposed. Without the expansion, the required parking spaces would fit on the site.

In this case, the request is not only to convert the house to an office, but also to convert the existing barn to an office with a residential unit. The project could be scaled back to reduce the number of parking spaces, and therefore, reduce the amount of tandem parking spaces needed.

As discussed above in this staff report, the request to remove the existing garage along with the demolition of the addition off the back of Building A, would need to be reviewed by the Council, since these structures are identified along with Building A in the City's Historic Inventory. While it is necessary for the demolition of these structures to be approved by the Council, it does not appear that these structures have historic significance. The portion proposed for removal from Building A was an addition made to the historic structure in the late 1930's. While meeting the 50 year test, it clearly is an addition and not tied to the historic character of the original dwelling. It is not clear when the detached garage was constructed and whether it was originally built with Building A or not. Prior to the demolition request going to

the City Council, further information regarding the historic significance of the garage will need to be provided by the applicant.

It is clear that Building B, the detached shop/barn, is not historically significant. The building appears to be a C. Dunn barn most likely built in the 1970's.

The proposed modifications will meet the requirements of the Westside Historic Guidelines. The project as designed also appears to meet the development criteria for residential to office conversions as described in Chapter 21.18 and 21.18A of the Zoning Code. Finally, the project would also meet the intent of the General Plan and Economic Strategy by providing areas to serve the City's needs for professional office space.

Policy

Reference: General Plan, Economic Strategy, Zoning Code, Westside Historic Guidelines

Fiscal

Impact: None

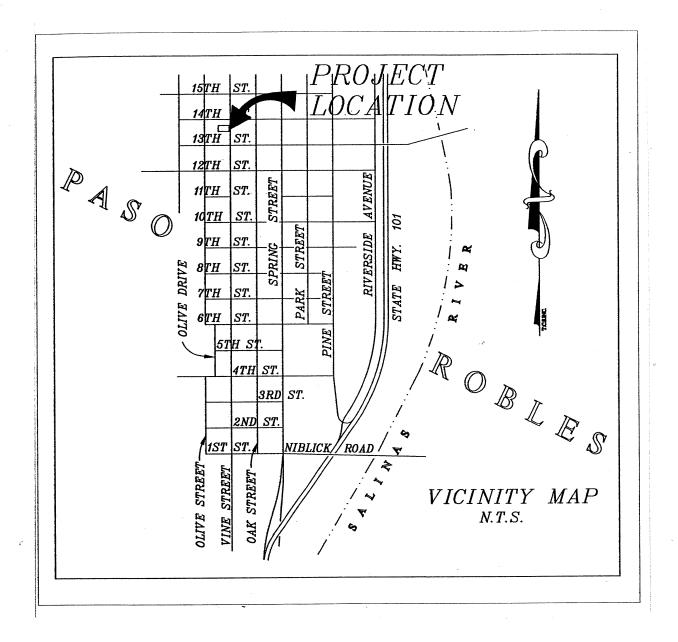
Options: After consideration of any public testimony, the Planning Commission should consider the following options:

- a. Adopt the attached resolution granting approval of Conditional Use Permit 06-009, allowing the shared parking for two spaces between the residential unit and the office professional use, but require that the office square footage be reduced by 400 square feet to 2,230 square feet, so that only 11 spaces are required to be installed on site, thereby eliminating two of the four proposed tandem parking spaces, subject to standard and site specific conditions of approval.
- b. Adopt the attached resolution granting approval of Conditional Use Permit 06-009, allowing the shared parking for two spaces between the residential unit and the office professional use, and allow the use of four tandem parking spaces as shown on the Site Plan, subject to standard and site specific conditions of approval.
- c. Amend, modify or alter the above noted options.

Attachments: 1. Vicinity Map

- 2. Project Description
- 3. Resolution Approving CUP 06-009 (Option A)
- 4. Resolution Approving CUP 06-009 (Option B)
- 5. Newspaper notice and mail affidavits

H:/darren/CUP/CUP06-009 Bruce White/Office Conversion/Staff Report



Vicinity Map CUP 06-009 (Bruce White)

KMN ARCHITECT

ARCHITECTURE GRAPHICS DESIGN

610 10th Street, Suite A, Paso Robles, CA 93446 Phone(805)238-5501 Fax(805)239-5853

Date: September 26, 2006

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Paso Robles

To: City of Paso Robles Department of Planning and Building SEP 26 2006

Planning Division

Re: Project Description for The Conversion of an existing Residence into Office (Building A) and the Conversion of an existing Garage/Shop into Office spaces on the lower floor and a Residential Studio on the upper floor (Building B).

Owner: Bruce & Terry White 1337 Vine Street, Paso Robles, CA A.P.N.: 009 – 033 - 012

Project Description

Mr. & Mrs. White are proposing to convert and existing residential property into office spaces and a residential studio located at the above address and a revision of the approved lot split (PM PR 05-0302) dividing the property into two separate parcels.

The revised lot split will divide the front building property from the back building property. The front property will be approximately 6740 square feet and the back property will be approximately 3626 square feet. There will be a shared agreement of the two lots for the back parking lot and the driveway.

The residential Building (Building A) is two-story in the front portion and onestory in the back portion. The Building is approximately 2049 square feet and will be converted into offices. The main (front) portion of this building is considered a "historically significant" building. The back portion of the building was added on at a later time (approximately in the 1940's). The back portion of the building has an existing utility basement for mechanical equipments. We will be demolishing and replacing the back portion because of some severe structural degradation. The replaced portion will again have a basement to house the mechanical equipments. We will also be adding a small amount (approximately 52 square feet) for a tower to the back of the building for "Architectural" reasons.

The existing Garage/Shop Building (Building B) will be converted into a 540 square foot office unit for portion of the lower floor and 756 square foot residential studio for the remaining lower portion and the entire upper portion of the building. We will be removing the existing structure down to the existing foundation. The new building will be constructed on the existing foundation. The Project Engineer and/or Architect will be determining if portion of the existing foundation will need to be updated and/or replace as needed.

There is currently an existing 440 square foot garage that will be demolished and removed in its entirety.

KMN ARCHITECT

ARCHITECTURE GRAPHICS DESIGN

610 10th Street, Suite A, Paso Robles, CA 93446 Phone(805)238-5501 Fax(805)239-5853

At the back of the property along the alleyway, there is a large oak tree with an existing retaining wall surrounding the root ball. We would like to place the enclosed trash enclosure under the oak tree because of ease of access for the trash company. We will be using pavers as the base and a wood fence with a decorative lattice top around the three solid sides. The wood fence post would be less of an impact on the tree than a CMU wall which would require a continuous footing. The gate will be also be made of wood fencing material. The wood fence would match the fencing that will be surrounding portion of the property.

The parking situation required some created designing. The residential studio will be sharing two parking spaces with the office below so we do have the correct number of parking spaces. We would however, like to have two of the spaces be tandem so that we can have the correct number of parking. The area for the tandem parking already exists. The tandem parking will be used strictly for the front office building.

Existing buildings surrounding this project are as follow:

- West side across the alleyway Single family residence
- North side Single family residence
- South Side Offices
- East side across Vine Street Offices

If you have any questions and/or comments, please feel free to contact me.

Respectfully,

Ken M. Nagahara, Architect License No. C24346

RESOLUTION NO: _____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF EL PASO DE ROBLES TO APPROVE CONDITIONAL USE PERMIT 06-009 (Bruce White) APN: 009-033-012

WHEREAS, Section 21.18.A of the Municipal Code of the City of El Paso de Robles requires approval of a Conditional Use Permit for the conversion of residences to professional office uses in the R2,OP zone; and

WHEREAS, Bruce White has submitted a Conditional Use Permit application for the conversion of the property located at 1337 Vine Street; and

WHEREAS, the request for the Conditional Use Permit is to convert the primary house (Building A) into a professional office and to reconstruct the existing shop/barn (Building B) into a two story building where the bottom floor would be professional office and the second story would be a studio apartment; and

WHEREAS, the applicants are requesting that the Planning Commission approve the use of shared parking for two parking spaces between the studio apartment and the office uses; and

WHEREAS, the applicants are requesting that the Planning Commission approve the use of four tandem parking spaces for the use of the front office; and

WHEREAS, a public hearing was conducted by the Planning Commission on November 28, 2006 to consider the facts as presented in the staff report prepared for this project, and to accept public testimony regarding this Conditional Use Permit request; and

WHEREAS, the applicant is requesting to demo a portion of Building A and removal of the existing detached garage, since these structures are listed in the City's Historic Inventory, they will need to be reviewed by the City Council prior issuance of a demolition permit; and

WHEREAS, Building B, the detached barn/shop appears to be a C. Dunn type barn most likely built in the 1970's and would not have historical significance and therefore would not need to go to Council for demolition; and

WHEREAS, this application is Categorically Exempt from environmental review per Section 1503 of the State's Guidelines to Implement CEQA: Note, if the City Council determines that if either of the demolition requests associated with this project will impact a historic resource, then the demolition will be subject to CEQA and would likely trigger an Environmental Impact Report (EIR); and WHEREAS, based upon the facts and analysis presented in the staff report, public testimony received and subject to the conditions of approval listed below, the Planning Commission finds that the establishment, maintenance or operation for the requested use or building applied for, will not, under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort, convenience and general welfare of the persons residing or working in the neighborhood of such proposed use, or be injurious or detrimental to property and improvements in the neighborhood or to the general welfare of the City; and

WHEREAS, as a result of having four tandem parking spaces for an office professional use it would allow the opportunity to be conflict between the parking for the employees and the parking for the customers, and therefore would not be appropriate.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles does hereby approve Conditional Use Permit 06-009 subject to the following conditions:

STANDARD CONDTIONS

1. The project shall be constructed so as to substantially conform with the following listed exhibits and conditions established by this resolution:

EXHIBIT	DESCRIPTION
А	Site Plan
В	Landscape Plan
С	Architectural Elevations (Bldg. A)
D	Floor Plans (Bldg. B)
E	Architectural Elevations (Bldg. B)
F	Arborist Report

- 2. Any condition imposed by the Planning Commission in granting this Conditional Use Permit may be modified or eliminated, or new conditions may be added, provided that the Planning Commission shall first conduct a public hearing in the same manner as required for the granting of the original permit. No such modification shall be made unless the Commission finds that such modification is necessary to protect the public interest and/or neighboring properties, or, in the case of deletion of an existing condition, that such action is necessary to permit reasonable operation and use under the conditional use permit.
- 3. This CUP 06-009 is valid for a period of two (2) years from approval and must be activated within this time frame. Once the CUP is activated, the entitlement shall apply to the property. The Planning Commission may extend this expiration date for an additional three (3) years if a time extension application has been filed with the City along with the fees before the expiration date.
- 4. No underground or aboveground storage of hazardous materials shall be allowed on-site without first obtaining City approval.

- 5. No storage of trash cans or recycling bins shall be permitted within the public right-ofway.
- 6. Use and operation of the business and its appurtenances shall be conducted in compliance with the City's General Performance Standards for all uses (Section 21.21.040 of Chapter 21.21 Performance Standards of the City's Zoning Ordinance).

SITE SPECIFIC CONDTIONS

- 7. This Conditional Use Permit (CUP) authorizes the conversion of the existing residential (Bldg. A) to a professional office and the reconstruction in (Bldg. B) to an office/studio apartment, with associated site improvements such as parking lot and landscaping, subject to the conditions of approval contained in this resolution. This approval also allows sharing two parking spaces between the residential and office uses as well as the use of <u>two</u> tandem parking spaces for Building A.
- 8. The building shall be brought into conformance with all applicable building codes (Title 24) prior to issuance of certificate of occupancy for an office use.
- 9. Prior to the issuance of a Building Permit, the office building square footage will need to be reduced by 400 square feet so that the project can be reduced by two parking spaces.
- 10. Prior to the recordation of Parcel Map PR 05-0302, an easement needs to be provided over the existing sidewalk along the southern side of Building A, or a separate sidewalk needs to be installed within an easement so that people can get from the sidewalk to the rear office building.
- 11. Prior to the recordation of Parcel Map PR 05-0302, a reciprocal parking and access easement needs to be provided over the parking lot and driveway located at the rear of the site off of the alley. The driveway and parking area located on the front of the lot, off of Vine Street, is intended only for the front office (Building A).
- 12. Prior to the issuance of a building permit, the site plan needs to be submitted for staff review, relocating the decorative masonry trash enclosure out of the oak tree drip line.
- 13. Prior to the issuance of a demo permit for the addition of the existing house (Building A) and the detached garage, the applicant will need to submit an application for a demo permit to be reviewed by the City Council.
- 14. Prior to installation, any sign plans for the office shall be submitted via the sign review process to be reviewed and approved by the Development Review Committee. Building permits will be required as necessary.
- 15. Any condition imposed by the Planning Commission in granting this Conditional Use Permit may be modified or eliminated, or new conditions may be added,

provided that the Planning Commission shall first conduct a public hearing in the same manner as required for the granting of the original permit. No such modification shall be made unless the Commission finds that such modification is necessary to protect the public interest and/or neighboring properties, or, in the case of deletion of an existing condition, that such action is necessary to permit reasonable operation and use under the conditional use permit.

- 16. Prior to occupancy of the building permit for Building A or B, the alley must be improved in accordance with City Standard A-17 from the south boundary of the property north to 14th Street. A standard alley approach is required at 14th Street.
- 17. Prior to occupancy of the building permit for Building A or B, the applicant shall reconstruct the existing sidewalk adjacent to the property on Vine Street.
- 18. Prior to occupancy of the building permit for Building A or B, the applicant shall enter into an agreement not to protest the formation of an assessment district to underground existing overhead utilities in the block.

PASSED AND ADOPTED THIS 28th day of November 2006, by the following roll call vote:

AYES:

NOES:

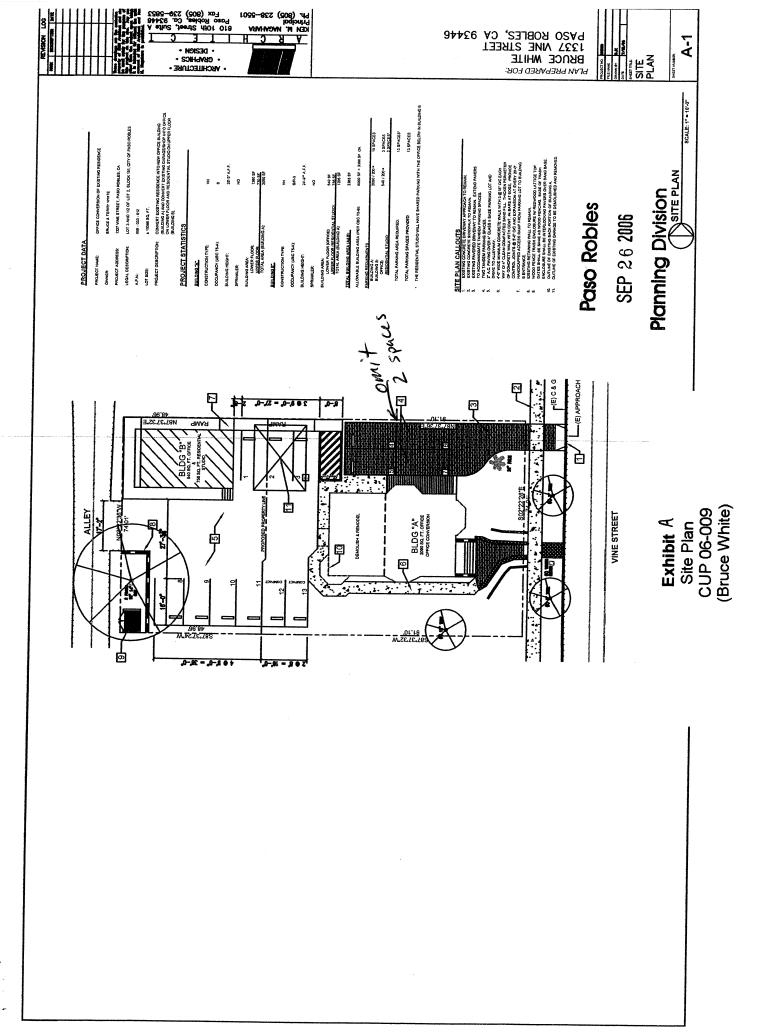
ABSENT:

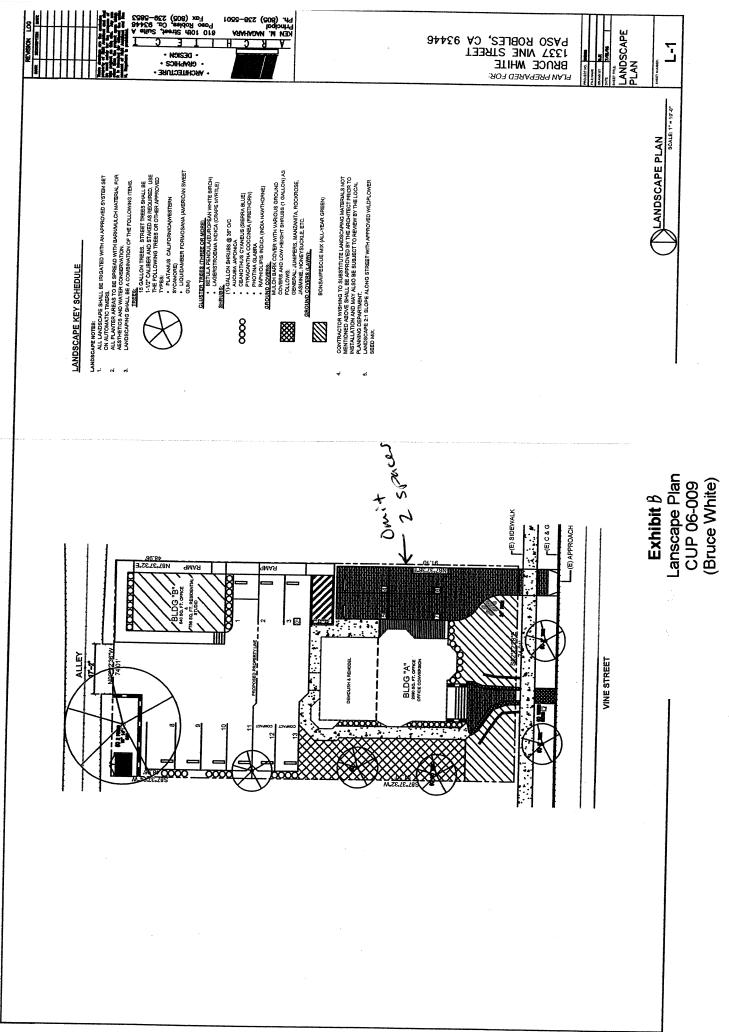
ABSTAIN:

ATTEST:

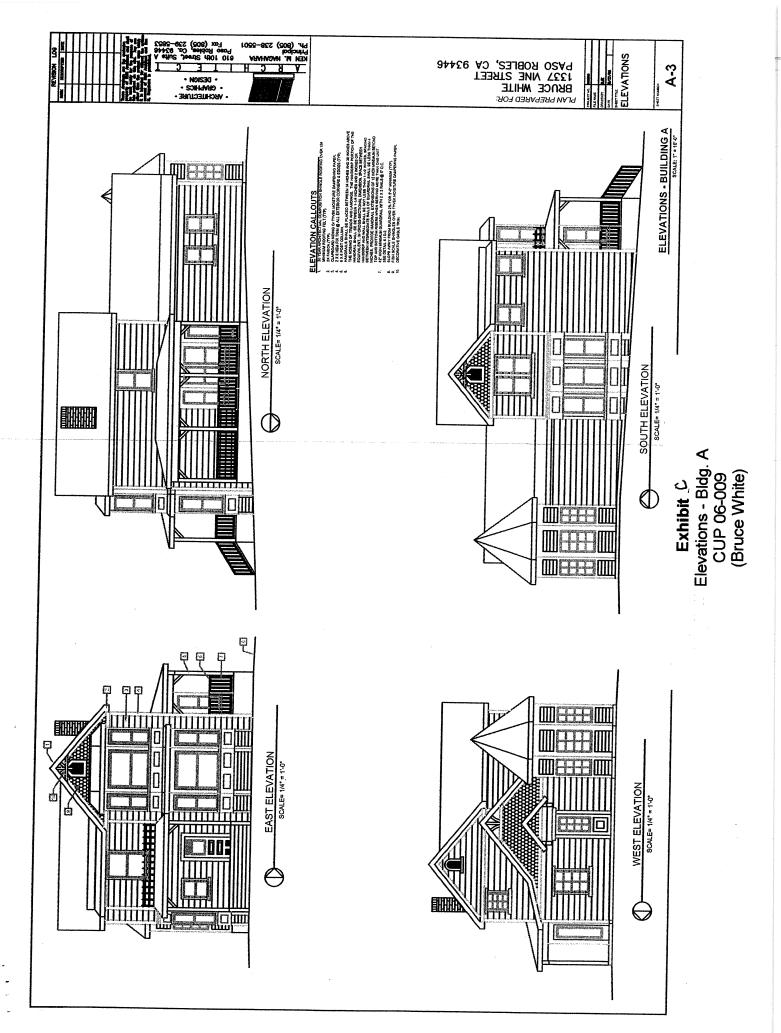
CHAIRMAN JOHN HAMON

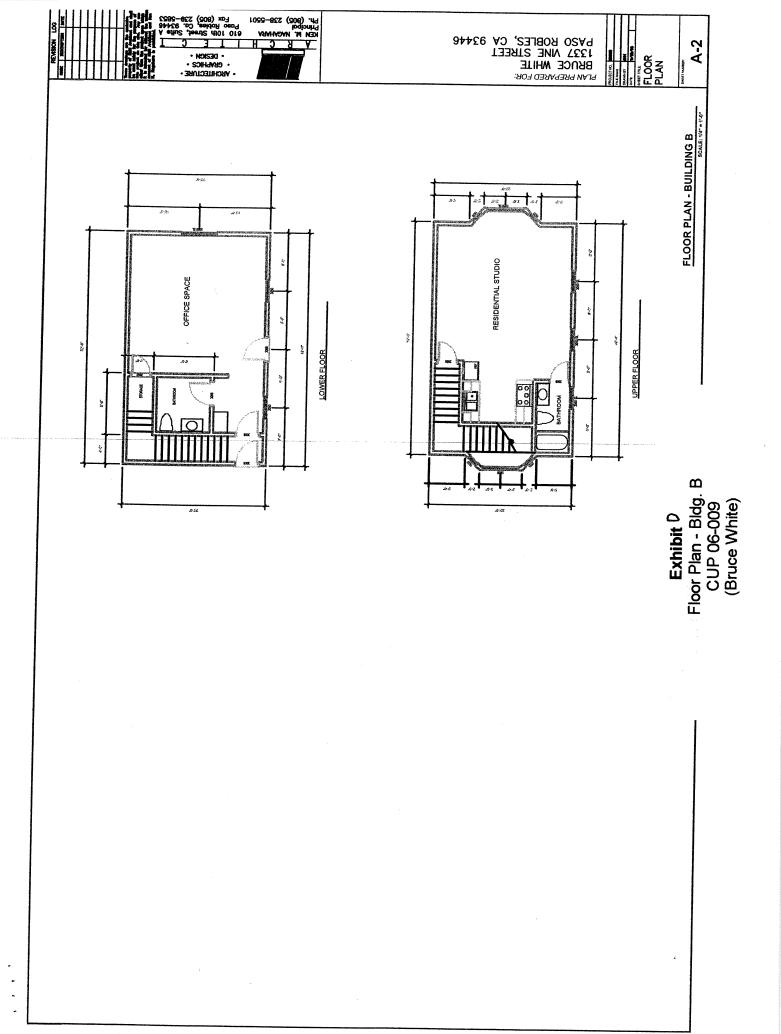
RON WHISENAND, PLANNING COMMISSION SECRETARY

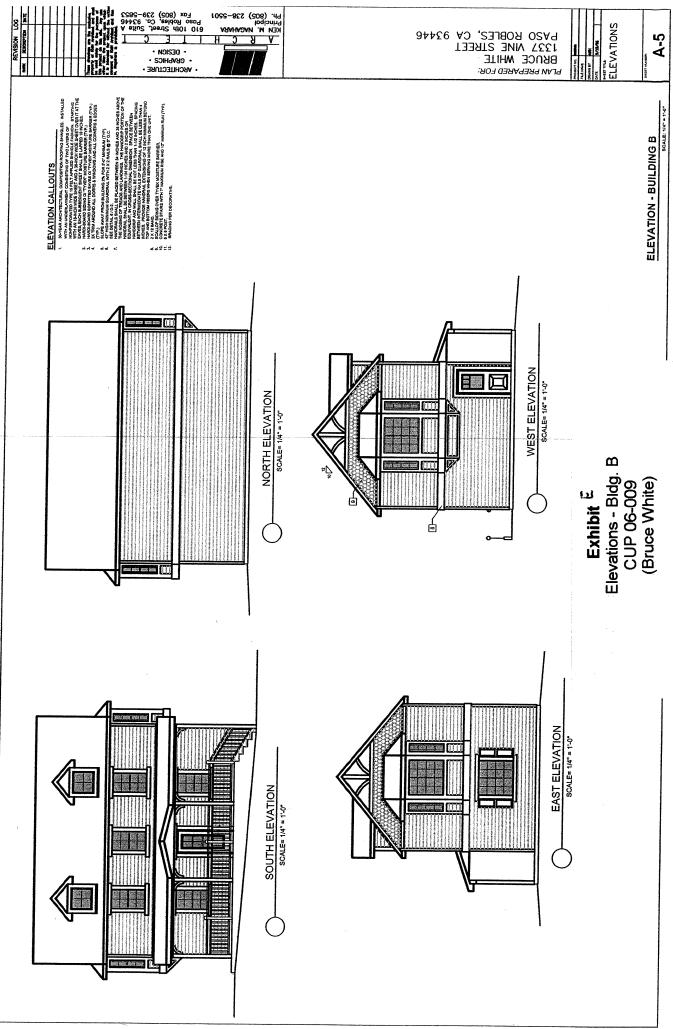




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A & T ARBORISTS

P.O. BOX 1311 TEMPLETON, CA 93465 (805) 434-0131

Tree Preservation Plan For 1337 Vine Street Paso Robles, CA

RECEIVE NOV 1 0 2005 Community Davase

11-07-05

Prepared by A & T Arborists and Vegetation Management

Chip Tamagni Certified Arborist #WE 6436-A

Steven Alvarez Certified Arborist #WE 511-A

Tentative Parcel Map PR #05-0302

PD#

Building Permit #____

Exhibit F Arborist Report CUP 06-009 (Bruce White) Project Description: This project involves the upgrading of an existing garage into living quarters. Two parking spaces will be added to fulfill off street parking requirements. There is one coast live oak (*Quercus agrifolia*) on the property and one valley oak (*Quercus lobata*) on the property to the south.

Specific Mitigations Pertaining to the Project: Tree #1 is shown on the spreadsheet to have a 15% crz impact. This tree is located within an existing wall. The wall appears to have a footing approximately one foot deep. The majority of the roots are most likely within the confines of the wall and under the alley asphalt. Although the plans show pavers, they are not necessary for this project other than for aesthetic purposes. Tree #1 may require some minor pruning for driveway clearance. Tree #2 is located on the property to the south. The only impact to this tree is 5% grading impact to the out reaches of the crz.

The term "critical root zone" or CRZ is an imaginary circle around each tree. The radius of this circle (in feet) is equal to the diameter (in inches) of the tree. For example, a 10 inch diameter tree has a critical root zone with a ten foot radius from the tree. Working within the CRZ usually requires mitigations and/or monitoring by a certified arborist.

All trees potentially impacted by this project are numbered and identified on both the grading plan and the spreadsheet. Trees are numbered on the grading plans and in the field with an aluminum tag. Tree protection fencing is shown on the grading plan. In the field oak trees to be saved have yellow tape and trees to be removed have red tape attached to the tag (none for this project). Both critical root zones and drip lines are outlined on the plans.

If pruning is necessary for building, road or driveway clearance, removal of limbs larger than 6 inches in diameter will require a city approved permit along with a deposit paid in advance (to the City of Paso Robles). The city will send out a representative to approve or deny the permit. Only 25% of the live crown may be removed. Some minor canopy raising may be necessary for this project. Tree #1 may require some canopy raising for the driveway clearance.

Tree Rating System

A rating system of 1-10 was used for visually establishing the general health and condition of each tree on the spreadsheet. The rating system is defined as follows:

<u>Rating</u>	Condition	
0	Deceased	
1	Evidence of massive past failures, extreme disease and is in decline.	severe
2	May be saved with attention to class 4 pruning, insect/pest eradication and future monitoring.	:

3	Some past failures, some pests or structural defects that may be mitigated by class IV pruning.
4	May have had minor past failures, excessive deadwood or minor
•	structural defects that can be mitigated with pruning.
5	Relatively healthy tree with little visual, structural and/or pest defects and problems.
6	Healthy tree that probably can be left in its natural state.
7-9	Has had proper arboricultural pruning and attention or have no apparent structural defects.
10	Specimen tree with perfect shape, structure and foliage in a protected setting (i.e. park, arboretum).

Aesthetic quality on the spreadsheet is defined as follows:

• **poor** - tree has little visual quality either due to severe suppression from other trees, past pruning practices, location or sparse foliage

• fair - visual quality has been jeopardized by utility pruning/obstructions or partial suppression and overall symmetry is average

• **good** - tree has good structure and symmetry either naturally or from prior pruning events and is located in an area that benefits from the trees position

• excellent - tree has great structure, symmetry and foliage and is located in a premier location. Tree is not necessarily over mature.

The following mitigation measures/methods must be fully understood and followed by anyone working within the critical root zone of any native tree. Any necessary clarification will be provided by us (the arborists) upon request.

1. It is the responsibility of the **owner or project manager** to provide a copy of this tree protection plan to any and all contractors and subcontractors that work within the critical root zone of any native tree and confirm they are trained in maintaining fencing, protecting root zones and conforming to all tree protection goals. It is highly recommended that each contractor sign and acknowledge this tree protection plan.

2. Any future changes (within the critical root zone) in the project will need Project Arborist review and implementation of potential mitigation measures before any said changes can proceed.

3. Fencing: The proposed fencing shall be shown in orange ink on the grading plan. It must be a minimum of 4' high chain link, snow or safety fence staked (with t posts 8 feet on center) at the edge of the critical root zone or line of encroachment for each tree or group of trees. The fence shall be up before any construction or earth moving begins. The owner shall be responsible for maintaining an erect fence throughout the construction period. The arborist(s), upon notification, will inspect the fence placement once it is erected. After this time, fencing shall not be moved without arborist inspection/approval. If the orange plastic fencing is used, a minimum of four zip ties shall be used on each stake to secure the fence. All efforts shall be made to maximize the distance from each saved tree. Weather proof signs shall be permanently posted on the fences every 50 feet, with the following information:

Tree Protection Zone No personnel, equipment, materials, and vehicles are allowed Do not remove or re-position this fence without calling: A & T Arborists 434-0131

4. Soil Aeration Methods: Soils within the critical root zone that have been compacted by heavy equipment and/or construction activities must be returned to their original state before all work is completed. Methods include water jetting, adding organic matter, and boring small holes with an auger (18" deep, 2-3' apart with a 2-4" auger) and the application of moderate amounts of nitrogen fertilizer. The arborist(s) shall advise.

5. Chip Mulch: All areas within the critical root zone of the trees that can be fenced shall receive a 4-6" layer of chip mulch to retain moisture, soil structure and reduce the effects of soil compaction.

6. Trenching Within Critical Root Rone: All trenching within the critical root zone of native trees shall be hand dug. All major roots shall be avoided whenever possible. All exposed roots larger than 1" in diameter shall be clean cut with sharp pruning tools and not left ragged. A Mandatory meeting between the arborists and grading contractor(s) must take place prior to work start.

Grading Within The Critical Root Zone: Grading should not encroach within the critical root zone unless authorized. Grading should not disrupt the normal drainage pattern around the trees. Fills should not create a ponding condition and excavations should not leave the tree on a rapidly draining mound.

8. Exposed Roots: Any exposed roots shall be re-covered the same day they were exposed. If they cannot, they must be covered with burlap or another suitable material and wetted down 2x per day until re-buried.

9. Paving Within The Critical Root Zone: Pervious surfacing is preferred within the critical root zone of any native tree if the arborists feel there will be minimal impact to the surface roots during installation. If pavers are required, the areas are outlined on the grading plans. Pavers must be interlocking with a minimum of 10% void space backfilled with pea gravel. Geo textile fabric shall be permeable. Depending on use within the CRZ, pavers may or may not be required. Vertical perforated tubing with drainage grates may be required instead. The arborists feel that pavers are not necessary for this project as the existing wall has prevented roots from occupying the proposed driveway area.

10. Equipment Operation: Vehicles and all heavy equipment shall not be driven under the trees, as this will contribute to soil compaction. Also there is to be no parking of equipment or personal vehicles in these areas. All areas behind fencing are off limits unless pre-approved by the arborist.

11. Existing Surfaces: The existing ground surface within the critical root zone of all oak trees shall not be cut, filled, compacted or pared, unless shown on the grading plans and approved by the arborist.

12. Construction Materials And Waste: No liquid or solid construction waste shall be dumped on the ground within the critical root zone of any native tree. The critical root zone areas are not for storage of materials either.

13. Arborist Monitoring: An arborist shall be present for selected activities (trees identified on spreadsheet and items bulleted below). The monitoring does not necessarily have to be continuous but observational at times during these activities. It is the responsibility of the **owner(s) or their designee** to inform us prior to these events so we can make arrangements to be present. All monitoring will be documented on the field report form which will be forwarded to the project manager and the City of Paso Robles Planning Department.

- pre-construction fence placement inspection
- all grading and trenching identified on the spreadsheet
- any other encroachment the arborist feels necessary

14. **Pre-Construction Meeting:** An on-site pre-construction meeting with the Arborist(s), Owner(s), Planning Staff, and the earth moving team shall be required for this project. Prior to final occupancy, a letter from the arborist(s) shall be required verifying the health/condition of all impacted trees and providing any recommendations for any additional mitigation. The letter shall verify that the arborist(s) were on site for all grading and/or trenching activity that encroached into the critical root zone of the selected native trees, and that all work done in these areas was completed to the standards set forth above.

15. **Pruning** Class 4 pruning includes-Crown reduction pruning shall consist of reduction of tops, sides or individual limbs. A trained arborist shall perform all pruning. No pruning shall take more than 25% of the live crown of any native tree. Any trees that may need pruning for road/home clearance shall be pruned **prior** to any grading activities to avoid any branch tearing.

16. Landscape: All landscape within the critical root zone shall consist of drought tolerant or native varieties. Lawns shall be avoided. All irrigation trenching shall be routed around critical root zones, otherwise above ground drip-irrigation shall be used. It is the owner's responsibility to notify the landscape contractor regarding this mitigation.

17. Utility Placement: All utilities, sewer and storm drains shall be placed down the roads and driveways and when possible outside of the critical root zones. The arborist shall supervise trenching within the critical root zone. All trenches in these areas shall be exposed by air spade or hand dug with utilities routed under/over roots larger than 3 inches in diameter.

18. Fertilization and Cultural Practices: As the project moves toward completion, the arborist(s) may suggest either fertilization and/or mycorrhiza applications

that will benefit tree health. Mycorrhiza offers several benefits to the host plant, including faster growth, improved nutrition, greater drought resistance, and protection from pathogens.

The included spreadsheet includes trees listed by number, species and multiple stems if applicable, scientific name, diameter and breast height (4.5'), condition (scale from poor to excellent), status (avoided, impacted, removed, exempt), percent of critical root zone impacted, mitigation required (fencing, root pruning, monitoring), construction impact (trenching, grading), recommended pruning, aesthetic value and individual tree notes along with canopy spread.

If all the above mitigation measures are followed, we feel there will be no long-term significant impacts to the native trees.

Please let us know if we can be of any future assistance to you for this project.

Steven G. Alvarez Certified Arborist #WC 0511

Chip Tamagni Certified Arborist #WE 6436-A

TREE PROTECTION SPREAD SHEET

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11/7/2005

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RESOLUTION NO: _____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF EL PASO DE ROBLES TO APPROVE CONDITIONAL USE PERMIT 06-009 (Bruce White) APN: 009-033-012

WHEREAS, Section 21.18.A of the Municipal Code of the City of El Paso de Robles requires approval of a Conditional Use Permit for the conversion of residences to professional office uses in the R2,OP zone; and

WHEREAS, Bruce White has submitted a Conditional Use Permit application for the conversion of the property located at 1337 Vine Street; and

WHEREAS, the request for the Conditional Use Permit is to convert the primary house (Building A) into a professional office and to reconstruct the existing shop/barn (Building B) into a two story building where the bottom floor would be professional office and the second story would be a studio apartment; and

WHEREAS, the applicants are requesting that the Planning Commission approve the use of shared parking for two parking spaces between the studio apartment and the office uses; and

WHEREAS, the applicants are requesting that the Planning Commission approve the use of four tandem parking spaces for the use of the front office; and

WHEREAS, a public hearing was conducted by the Planning Commission on November 28, 2006 to consider the facts as presented in the staff report prepared for this project, and to accept public testimony regarding this Conditional Use Permit request; and

WHEREAS, the applicant is requesting to demo a portion of Building A and removal of the existing detached garage, since these structures are listed in the City's Historic Inventory, they will need to be reviewed by the City Council prior issuance of a demolition permit; and

WHEREAS, Building B, the detached barn/shop appears to be a C. Dunn type barn most likely built in the 1970's and would not have historical significance and therefore would not need to go to Council for demolition; and

WHEREAS, this application is Categorically Exempt from environmental review per Section 1503 of the State's Guidelines to Implement CEQA: Note, if the City Council determines that if either of the demolition requests associated with this project will impact a historic resource, then the demolition will be subject to CEQA and would likely trigger an Environmental Impact Report (EIR); and WHEREAS, based upon the facts and analysis presented in the staff report, public testimony received and subject to the conditions of approval listed below, the Planning Commission finds that the establishment, maintenance or operation for the requested use or building applied for, will not, under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort, convenience and general welfare of the persons residing or working in the neighborhood of such proposed use, or be injurious or detrimental to property and improvements in the neighborhood or to the general welfare of the City.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles does hereby approve Conditional Use Permit 06-009 subject to the following conditions:

STANDARD CONDTIONS

1. The project shall be constructed so as to substantially conform with the following listed exhibits and conditions established by this resolution:

EXHIBIT	DESCRIPTION
А	Site Plan
В	Landscape Plan
С	Architectural Elevations (Bldg. A)
D	Floor Plans (Bldg. B)
E	Architectural Elevations (Bldg. B)
F	Arborist Report

- 2. Any condition imposed by the Planning Commission in granting this Conditional Use Permit may be modified or eliminated, or new conditions may be added, provided that the Planning Commission shall first conduct a public hearing in the same manner as required for the granting of the original permit. No such modification shall be made unless the Commission finds that such modification is necessary to protect the public interest and/or neighboring properties, or, in the case of deletion of an existing condition, that such action is necessary to permit reasonable operation and use under the conditional use permit.
- 3. This CUP 06-009 is valid for a period of two (2) years from approval and must be activated within this time frame. Once the CUP is activated, the entitlement shall apply to the property. The Planning Commission may extend this expiration date for an additional three (3) years if a time extension application has been filed with the City along with the fees before the expiration date.
- 4. No underground or aboveground storage of hazardous materials shall be allowed on-site without first obtaining City approval.
- 5. No storage of trash cans or recycling bins shall be permitted within the public right-ofway.

6. Use and operation of the business and its appurtenances shall be conducted in compliance with the City's General Performance Standards for all uses (Section 21.21.040 of Chapter 21.21 Performance Standards of the City's Zoning Ordinance).

SITE SPECIFIC CONDTIONS

- 7. This Conditional Use Permit (CUP) authorizes the conversion of the existing residential (Bldg. A) to a professional office and the reconstruction in (Bldg. B) to an office/studio apartment, with associated site improvements such as parking lot and landscaping, subject to the conditions of approval contained in this resolution. This approval also allows sharing two parking spaces between the residential and office uses as well as the use of **four** tandem parking spaces for Building A.
- 8. The building shall be brought into conformance with all applicable building codes (Title 24) prior to issuance of certificate of occupancy for an office use.
- 9. Prior to the recordation of Parcel Map PR 05-0302, an easement needs to be provided over the existing sidewalk along the southern side of Building A, or a separate sidewalk needs to be installed within an easement so that people can get from the sidewalk to the rear office building.
- 10. Prior to the recordation of Parcel Map PR 05-0302, a reciprocal parking and access easement needs to be provided over the parking lot and driveway located at the rear of the site off of the alley. The driveway and parking area located on the front of the lot, off of Vine Street, is intended only for the front office (Building A).
- 11. Prior to the issuance of a building permit, the site plan needs to be submitted for staff review, relocating the decorative masonry trash enclosure out of the oak tree drip line.
- 12. Prior to the issuance of a demo permit for the addition of the existing house (Building A) and the detached garage, the applicant will need to submit an application for a demo permit to be reviewed by the City Council.
- 13. Prior to installation, any sign plans for the office shall be submitted via the sign review process to be reviewed and approved by the Development Review Committee. Building permits will be required as necessary.
- 14. Any condition imposed by the Planning Commission in granting this Conditional Use Permit may be modified or eliminated, or new conditions may be added, provided that the Planning Commission shall first conduct a public hearing in the same manner as required for the granting of the original permit. No such modification shall be made unless the Commission finds that such modification is necessary to protect the public interest and/or neighboring properties, or, in the case of deletion of an existing condition, that such action is necessary to permit reasonable operation and use under the conditional use permit.

- 15. Prior to occupancy of the building permit for Building A or B, the alley must be improved in accordance with City Standard A-17 from the south boundary of the property north to 14th Street. A standard alley approach is required at 14th Street.
- 16. Prior to occupancy of the building permit for Building A or B, the applicant shall reconstruct the existing sidewalk adjacent to the property on Vine Street.
- 17. Prior to occupancy of the building permit for Building A or B, the applicant shall enter into an agreement not to protest the formation of an assessment district to underground existing overhead utilities in the block.

PASSED AND ADOPTED THIS 28th day of November 2006, by the following roll call vote:

AYES:

NOES:

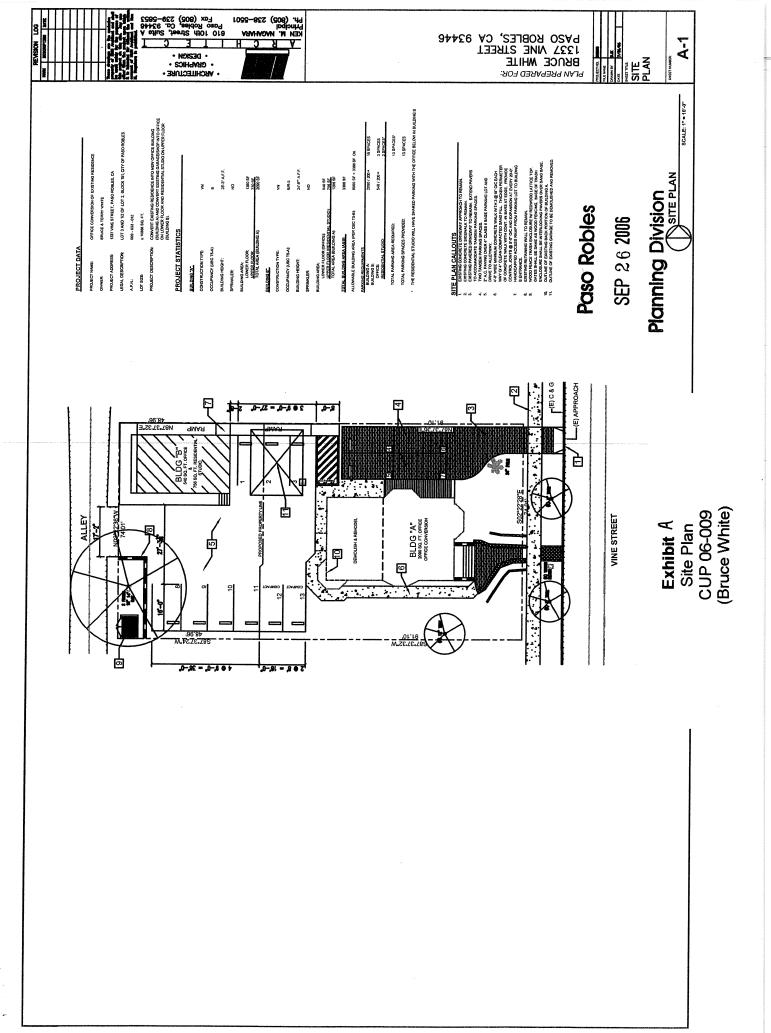
ABSENT:

ABSTAIN:

CHAIRMAN JOHN HAMON

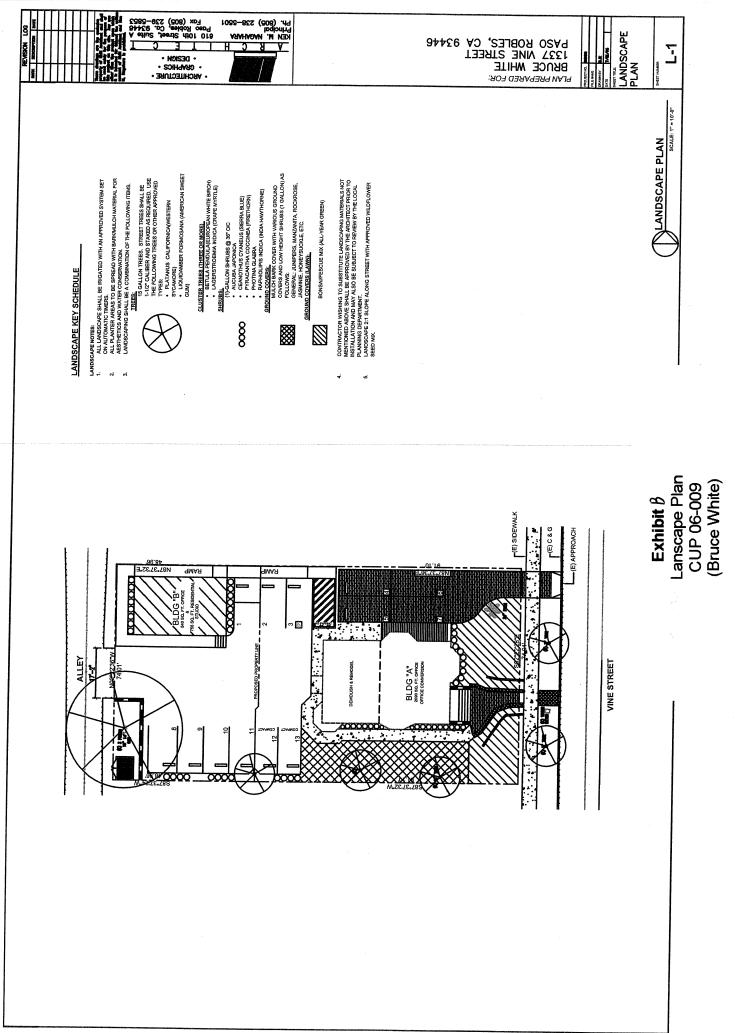
ATTEST:

RON WHISENAND, PLANNING COMMISSION SECRETARY

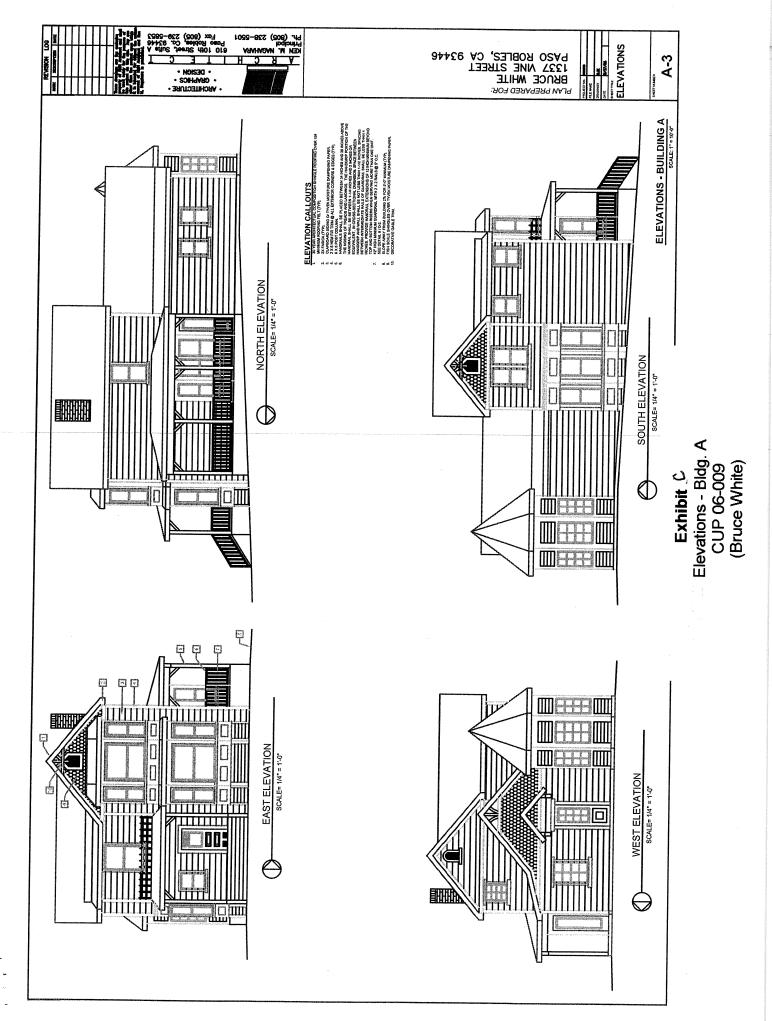


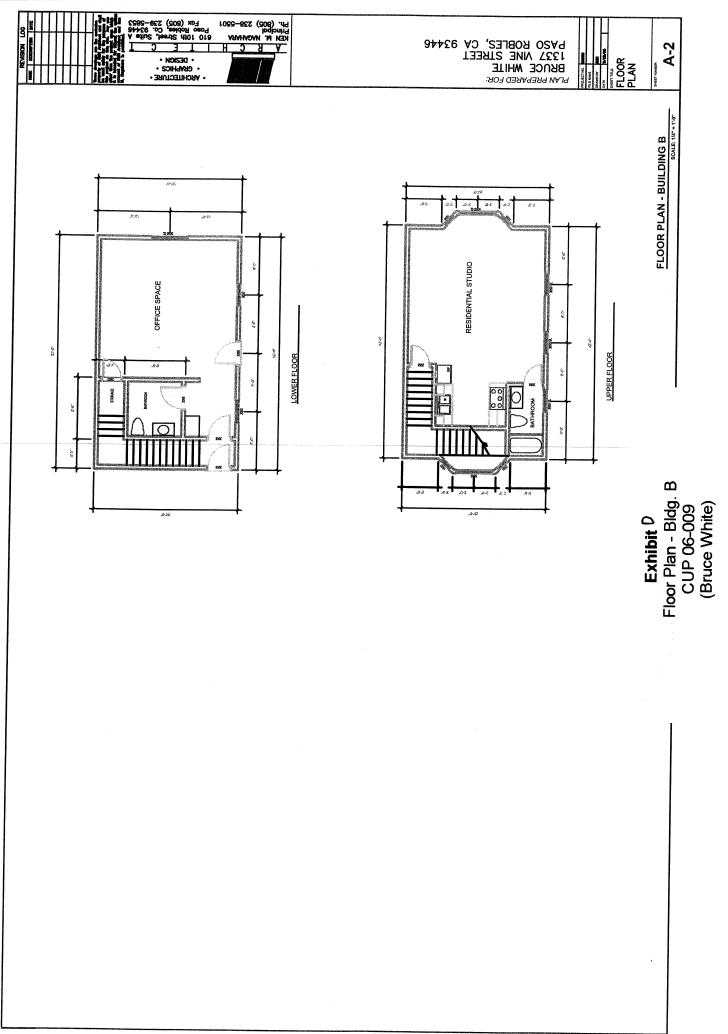
Agenda Item No. 6 - Page 29 of 42

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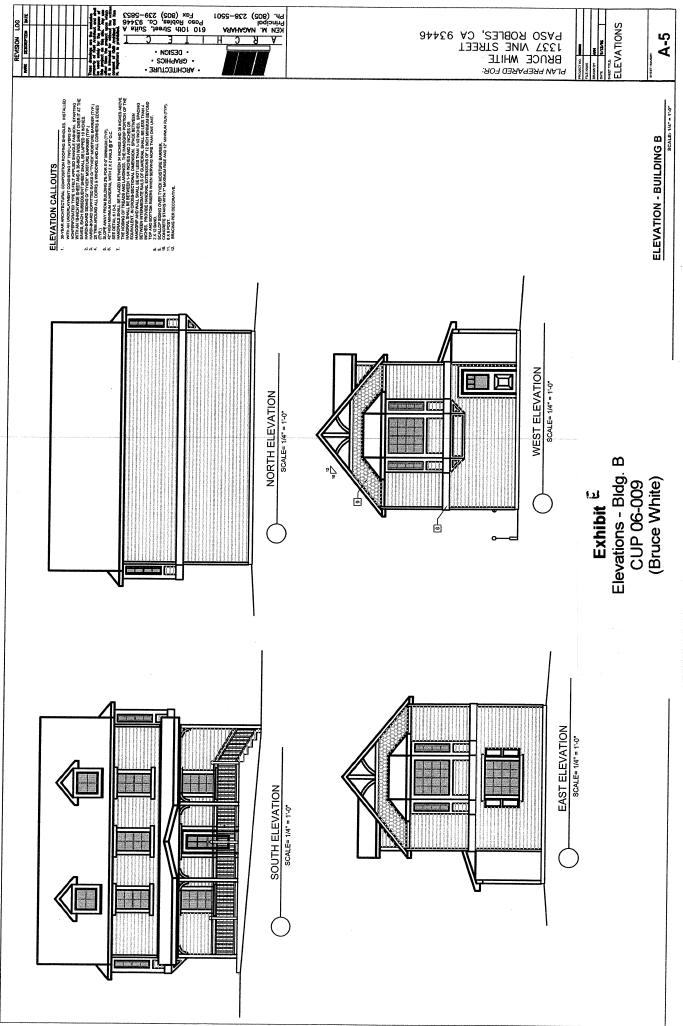


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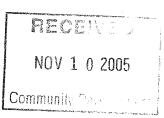
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A & T ARBORISTS

P.O. BOX 1311 TEMPLETON, CA 93465 (805) 434-0131

Tree Preservation Plan For 1337 Vine Street Paso Robles, CA



11-07-05

Prepared by A & T Arborists and Vegetation Management

Chip Tamagni Certified Arborist #WE 6436-A

Steven Alvarez Certified Arborist #WE 511-A

Tentative Parcel Map PR #05-0302

PD #

Building Permit #____

Exhibit F Arborist Report CUP 06-009 (Bruce White) Project Description: This project involves the upgrading of an existing garage into living quarters. Two parking spaces will be added to fulfill off street parking requirements. There is one coast live oak (*Quercus agrifolia*) on the property and one valley oak (*Quercus lobata*) on the property to the south.

Specific Mitigations Pertaining to the Project: Tree #1 is shown on the spreadsheet to have a 15% crz impact. This tree is located within an existing wall. The wall appears to have a footing approximately one foot deep. The majority of the roots are most likely within the confines of the wall and under the alley asphalt. Although the plans show pavers, they are not necessary for this project other than for aesthetic purposes. Tree #1 may require some minor pruning for driveway clearance. Tree #2 is located on the property to the south. The only impact to this tree is 5% grading impact to the out reaches of the crz.

The term "critical root zone" or CRZ is an imaginary circle around each tree. The radius of this circle (in feet) is equal to the diameter (in inches) of the tree. For example, a 10 inch diameter tree has a critical root zone with a ten foot radius from the tree. Working within the CRZ usually requires mitigations and/or monitoring by a certified arborist.

All trees potentially impacted by this project are numbered and identified on both the grading plan and the spreadsheet. Trees are numbered on the grading plans and in the field with an aluminum tag. Tree protection fencing is shown on the grading plan. In the field oak trees to be saved have yellow tape and trees to be removed have red tape attached to the tag (none for this project). Both critical root zones and drip lines are outlined on the plans.

If pruning is necessary for building, road or driveway clearance, removal of limbs larger than 6 inches in diameter will require a city approved permit along with a deposit paid in advance (to the City of Paso Robles). The city will send out a representative to approve or deny the permit. Only 25% of the live crown may be removed. Some minor canopy raising may be necessary for this project. Tree #1 may require some canopy raising for the driveway clearance.

Tree Rating System

A rating system of 1-10 was used for visually establishing the general health and condition of each tree on the spreadsheet. The rating system is defined as follows:

<u>Rating</u>	Condition	
0	Deceased	
1	Evidence of massive past failures, extreme disease and is in decline.	severe
2	May be saved with attention to class 4 pruning, insect/pest eradication and future monitoring.	:

3	Some past failures, some pests or structural defects that may be mitigated by class IV pruning.
4	May have had minor past failures, excessive deadwood or minor structural defects that can be mitigated with pruning.
5	Relatively healthy tree with little visual, structural and/or pest defects and problems.
6	Healthy tree that probably can be left in its natural state.
7-9	Has had proper arboricultural pruning and attention or have no apparent structural defects.
10	Specimen tree with perfect shape, structure and foliage in a protected setting (i.e. park, arboretum).

Aesthetic quality on the spreadsheet is defined as follows:

• **poor** - tree has little visual quality either due to severe suppression from other trees, past pruning practices, location or sparse foliage

• fair - visual quality has been jeopardized by utility pruning/obstructions or partial suppression and overall symmetry is average

• **good** - tree has good structure and symmetry either naturally or from prior pruning events and is located in an area that benefits from the trees position

• excellent - tree has great structure, symmetry and foliage and is located in a premier location. Tree is not necessarily over mature.

The following mitigation measures/methods must be fully understood and followed by anyone working within the critical root zone of any native tree. Any necessary clarification will be provided by us (the arborists) upon request.

1. It is the responsibility of the **owner or project manager** to provide a copy of this tree protection plan to any and all contractors and subcontractors that work within the critical root zone of any native tree and confirm they are trained in maintaining fencing, protecting root zones and conforming to all tree protection goals. It is highly recommended that each contractor sign and acknowledge this tree protection plan.

2. Any future changes (within the critical root zone) in the project will need Project Arborist review and implementation of potential mitigation measures before any said changes can proceed.

3. Fencing: The proposed fencing shall be shown in orange ink on the grading plan. It must be a minimum of 4' high chain link, snow or safety fence staked (with t posts 8 feet on center) at the edge of the critical root zone or line of encroachment for each tree or group of trees. The fence shall be up before any construction or earth moving begins. The owner shall be responsible for maintaining an erect fence throughout the construction period. The arborist(s), upon notification, will inspect the fence placement once it is erected. After this time, fencing shall not be moved without arborist inspection/approval. If the orange plastic fencing is used, a minimum of four zip ties shall be used on each stake to secure the fence. All efforts shall be made to maximize the distance from each saved tree. Weather proof signs shall be permanently posted on the fences every 50 feet, with the following information:

Tree Protection Zone No personnel, equipment, materials, and vehicles are allowed Do not remove or re-position this fence without calling: A & T Arborists 434-0131

4. Soil Aeration Methods: Soils within the critical root zone that have been compacted by heavy equipment and/or construction activities must be returned to their original state before all work is completed. Methods include water jetting, adding organic matter, and boring small holes with an auger (18" deep, 2-3' apart with a 2-4" auger) and the application of moderate amounts of nitrogen fertilizer. The arborist(s) shall advise.

5. Chip Mulch: All areas within the critical root zone of the trees that can be fenced shall receive a 4-6" layer of chip mulch to retain moisture, soil structure and reduce the effects of soil compaction.

6. Trenching Within Critical Root Rone: All trenching within the critical root zone of native trees shall be hand dug. All major roots shall be avoided whenever possible. All exposed roots larger than 1" in diameter shall be clean cut with sharp pruning tools and not left ragged. A Mandatory meeting between the arborists and grading contractor(s) must take place prior to work start.

7. Grading Within The Critical Root Zone: Grading should not encroach within the critical root zone unless authorized. Grading should not disrupt the normal drainage pattern around the trees. Fills should not create a ponding condition and excavations should not leave the tree on a rapidly draining mound.

8. Exposed Roots: Any exposed roots shall be re-covered the same day they were exposed. If they cannot, they must be covered with burlap or another suitable material and wetted down 2x per day until re-buried.

9. Paving Within The Critical Root Zone: Pervious surfacing is preferred within the critical root zone of any native tree if the arborists feel there will be minimal impact to the surface roots during installation. If pavers are required, the areas are outlined on the grading plans. Pavers must be interlocking with a minimum of 10% void space backfilled with pea gravel. Geo textile fabric shall be permeable. Depending on use within the CRZ, pavers may or may not be required. Vertical perforated tubing with drainage grates may be required instead. The arborists feel that pavers are not necessary for this project as the existing wall has prevented roots from occupying the proposed driveway area.

10. Equipment Operation: Vehicles and all heavy equipment shall not be driven under the trees, as this will contribute to soil compaction. Also there is to be no parking of equipment or personal vehicles in these areas. All areas behind fencing are off limits unless pre-approved by the arborist.

11. Existing Surfaces: The existing ground surface within the critical root zone of all oak trees shall not be cut, filled, compacted or pared, unless shown on the grading plans and approved by the arborist.

12. Construction Materials And Waste: No liquid or solid construction waste shall be dumped on the ground within the critical root zone of any native tree. The critical root zone areas are not for storage of materials either.

13. Arborist Monitoring: An arborist shall be present for selected activities (trees identified on spreadsheet and items bulleted below). The monitoring does not necessarily have to be continuous but observational at times during these activities. It is the responsibility of the **owner(s) or their designee** to inform us prior to these events so we can make arrangements to be present. All monitoring will be documented on the field report form which will be forwarded to the project manager and the City of Paso Robles Planning Department.

- pre-construction fence placement inspection
- all grading and trenching identified on the spreadsheet
- any other encroachment the arborist feels necessary

14. **Pre-Construction Meeting:** An on-site pre-construction meeting with the Arborist(s), Owner(s), Planning Staff, and the earth moving team shall be required for this project. Prior to final occupancy, a letter from the arborist(s) shall be required verifying the health/condition of all impacted trees and providing any recommendations for any additional mitigation. The letter shall verify that the arborist(s) were on site for all grading and/or trenching activity that encroached into the critical root zone of the selected native trees, and that all work done in these areas was completed to the standards set forth above.

15. Pruning Class 4 pruning includes-Crown reduction pruning shall consist of reduction of tops, sides or individual limbs. A trained arborist shall perform all pruning. No pruning shall take more than 25% of the live crown of any native tree. Any trees that may need pruning for road/home clearance shall be pruned **prior** to any grading activities to avoid any branch tearing.

16. Landscape: All landscape within the critical root zone shall consist of drought tolerant or native varieties. Lawns shall be avoided. All irrigation trenching shall be routed around critical root zones, otherwise above ground drip-irrigation shall be used. It is the owner's responsibility to notify the landscape contractor regarding this mitigation.

17. Utility Placement: All utilities, sewer and storm drains shall be placed down the roads and driveways and when possible outside of the critical root zones. The arborist shall supervise trenching within the critical root zone. All trenches in these areas shall be exposed by air spade or hand dug with utilities routed under/over roots larger than 3 inches in diameter.

18. Fertilization and Cultural Practices: As the project moves toward completion, the arborist(s) may suggest either fertilization and/or mycorrhiza applications

that will benefit tree health. Mycorrhiza offers several benefits to the host plant, including faster growth, improved nutrition, greater drought resistance, and protection from pathogens.

The included spreadsheet includes trees listed by number, species and multiple stems if applicable, scientific name, diameter and breast height (4.5'), condition (scale from poor to excellent), status (avoided, impacted, removed, exempt), percent of critical root zone impacted, mitigation required (fencing, root pruning, monitoring), construction impact (trenching, grading), recommended pruning, aesthetic value and individual tree notes along with canopy spread.

If all the above mitigation measures are followed, we feel there will be no long-term significant impacts to the native trees.

Please let us know if we can be of any future assistance to you for this project.

Steven G. Alvarez Certified Arborist #WC 0511

Chip Tamagni Certified Arborist #WE 6436-A

TREE PROTECTION SPREAD SHEET

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11/7/2005

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PROOF OF PUBLICATION

LEGAL NEWSPAPER NOTICES

PLANNING COMMISSION/CITY COUNCIL PROJECT NOTICING

Newspaper:

Tribune

Date of Publication:

November 15, 2006

Meeting Date:

November 28, 2006 (Planning Commission)

Project:

<u>Conditional Use Permit 06-009</u> (White – 1337 Vine Street)

I, <u>Lonnie Dolan</u>, employee of the Community Development Department, Planning Division, of the City of El Paso de Robles, do hereby certify that this notice is a true copy of a published legal newspaper notice for the above named project.

Signed: Lonnie Dolan

forms\newsaffi.691

NOTICE IS HEREBY GIVEN that the Planning Commission of the City of El Paso de Robles will hold a Public Hearing to consider Conditional Use Permit 06-009, a request filed by Bruce White requesting to convert an existing residence to a professional office with the request to use tandem parking. The site is located at 1337 Vine Street. This hearing will take place in the City Hall/ Library Conference Room, 1000 Spring Street, Paso Robles, California, at the hour of 7:30 PM on Tuesday, November 28, 2006, at which time all interested parties may appear and be heard. This application is Categorically Exempt from environmental review per Section 15303 of the State's Guidelines to Implement the California Environmental Quality Act (CEQA). Comments on the proposed Conditional Use Permit may be mailed to the Community Development Department, 1000 Spring Street, Paso Robles, CA 93446 provided that such comments are received prior to the time of the hearing.

NOTICE OF PUBLIC HEARING

If you challenge the Conditional Use Permit application in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing.

Darren R. Nash, Associate Planner November 15, 2006 6490025

AFFIDAVIT

OF MAIL NOTICES

PLANNING COMMISSION/CITY COUNCIL PROJECT NOTICING

I, <u>Gevorg Nazaryan</u>, employee of the City of El Paso de Robles, California, do hereby certify that the mail notices have been processed as required for <u>Conditional Use Permit 06-009</u>, <u>A request to</u> <u>convert an existing residence and garage to a professional office with he request to use tandem parking</u> (<u>Applicant: Bruce White</u>) <u>APN: 009-033-012</u>, on this 14th day of November, 2006.

City of El Paso de Robles Community Development Department Planning Division

Signed Gevorg Nazaryan

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