

**TO:** HONORABLE CHAIRMAN AND PLANNING COMMISSION

**FROM:** RON WHISENAND, COMMUNITY DEVELOPMENT DIRECTOR

**SUBJECT:** PLANNED DEVELOPMENT 05-008 & CONDITIONAL USE PERMIT 06-003 - APN: 009-037-012 (APPLICANT: FRANK ARCIERO – FALLING STAR HOMES)

**DATE:** FEBRUARY 13, 2007

**Needs:** For the Planning Commission to consider an application filed by Pults & Associates on behalf of Frank Arciero of Falling Star Homes, requesting to construct a 55,977 square foot office building.

**Facts:**

1. The site is located at 1344 Oak Street, which is on the southeast corner of Oak Street and 14<sup>th</sup> Street (See attached Vicinity Map).
2. The 56,425 square foot building would consist of the following uses/activities:
  - a. Under ground: Parking (29 spaces)
  - b. Ground level: Parking (20 spaces)/Office Lease Space
  - c. Second Floor: Office Lease Space
  - d. Third Floor: Office Lease Space
3. The 20,995 square foot site is zoned R2-OP (Residential Multi-Family–Apartment, within the Office Professional Overlay), and has a General Plan designation of RMF-8, (Residential Multi-Family, 8-units per acre). The site is also located in the Mixed-Use Overlay area.
4. As a result of being within the Office Professional and Mixed Use Overlay districts, the proposed uses would be permitted with the Planning Commission’s approval of a Development Plan (PD) and a Conditional Use Permit (CUP).
5. This project was originally scheduled for the Planning Commission meeting on March 14, 2006, but was requested to be tabled by the applicant’s until the City had amended the Parking Ordinance in relation to downtown parking and in lieu-fees.
6. On November 7, 2006, the City Council adopted Resolution 06-197 which established an in-lieu parking fee of \$3000 per space (to increase by \$1500 annually), additionally Ordinance No. 924 N.S., was adopted changing the parking ratio for commercial buildings within the downtown parking area to 1 space per 400 square feet of gross floor area.
7. As a result of the amended parking ordinance, this project would be required to provide 88 parking spaces (35,072/400), 49 spaces would be provided for on-site with the construction of the project. The applicant is requesting to pay

in-lieu parking fees for the additional 38 parking spaces. A condition of approval has been added to the project that would require the payment of \$114,000 into the City's In-Lieu Parking Fee program. (Note: this amount assumes implementation of the project in 2007. In lieu parking fees will increase on January 1, 2008 and every year after that.)

8. As allowed by Section 21.20.130, the applicants are also requesting that the Planning Commission allow the building parapet to extend above the 35-foot height limit, to 37-feet 6-inches. The taller parapet is to provide screening to roof equipment.
9. Pursuant to the Statutes and Guidelines of the California Environmental Quality Act (CEQA) and the City's Procedures for Implementing CEQA, an Initial Study was prepared and circulated for public review and comment. Based on the information and analysis contained in the Initial Study, a determination has been made that the Project qualifies for issuance of a Mitigated Negative Declaration.
10. The Development Review Committee (DRC) reviewed this project at their meetings on May, 9, 2005, September 19, 2005 and February 6, 2006. As requested by the DRC, the applicant came back with revised plans with modified architectural elevations, as well as a scaled down project that reduced the amount of parking required. At the meeting of February 6, 2006, the Committee recommended that the Planning Commission approve project as revised.

**Analysis  
and**

**Conclusions:** According to Section 21.18A, Office Professional Overlay District, the district is intended to retain and provide for residential uses as the primary use in accordance with the base residential district (e.g. R-2 or R-3), but to act as a transitional district which could accommodate mixed office and residential uses.

Approval of a conditional use permit is required in order to establish professional or medical office uses (or other related commercial service or retail uses ancillary to office). A conditional use permit may be approved if neighborhood compatibility and preservation of residential character can be demonstrated.

All new activities and new construction/remodeling shall not detract from the existing character of the neighborhood, particularly with regards to design compatibility with buildings listed in the city's inventory of historic structures.

The General Plan, Zoning Ordinance and Economic Strategy support new office professional uses in the downtown area. The question to be answered through the use permit process is whether the proposed use is compatible with the character of the neighborhood. As discussed above, it is the intent of the Office Professional Overlay District to act as a transitional district. In this case the site is

located at the southeast corner of the present R2-OP district. Property immediately to the east is C2. To the south exists Office Professional and C1 zoned property and uses. Therefore the site is located in an area where transitional zoning would be appropriate.

The First United Methodist Church has been located on the site since approximately 1926 (according to the City's Historic Resources Inventory). There are other non-residential uses in this area of the City, such as the existing Church on the west side of Oak and the offices to the south and east.

Although the proposed building will be larger than many buildings in the area, the proposed building will have similar massing that the church has at the corner of 14<sup>th</sup> Street and Oak Street. The bell tower of the church is similar in height that the proposed building would be. Additionally, the Arciero Office request is similar to the Heritage Oaks office buildings that were recently constructed on Vine Street. Although these three story buildings are much taller than other buildings in the area, the new offices seem to be a good fit for that portion of Vine Street. The Commission should make these comparisons and determine whether the requested development exceptions are in keeping with the character of this transition zone or whether compliance with standards would help address compatibility.

It would appear that the proposed office building could be considered an appropriate transition building and use in this downtown setting. In addition the new building appears to meet the intent of the OP Overlay district along with the goals of the Economic Strategy, by generating new investment in the downtown, creating constant pedestrian connections to the downtown, and providing more desired downtown housing.

**Reference:** Paso Robles General Plan and EIR, Paso Robles Zoning Ordinance, Economic Strategy and CEQA.

**Fiscal**

**Impact:** Office professional type uses in the downtown help generate new investment in the downtown by providing office space for professionals who will work and shop in the downtown. Additionally, by requiring the payment of in-lieu parking fees, money will be generated to help fund future parking facilities in the downtown.

**Options:** After opening the public hearing and taking public testimony, the Planning Commission is requested to take one of the actions listed below:

By separate motions:

- a. 1. Adopt the attached Resolution approving a Mitigated Negative Declaration for Planned Development 05-008 & Conditional Use Permit 06-003;
2. Adopt the attached Resolution approving Planned Development 05-008, and allow the building to be 37-feet, 6-inches tall, subject to standard and site specific conditions;
3. Adopt the attached Resolution approving Conditional Use Permit 06-003;
- b. Amend, modify, or reject the above-listed action;

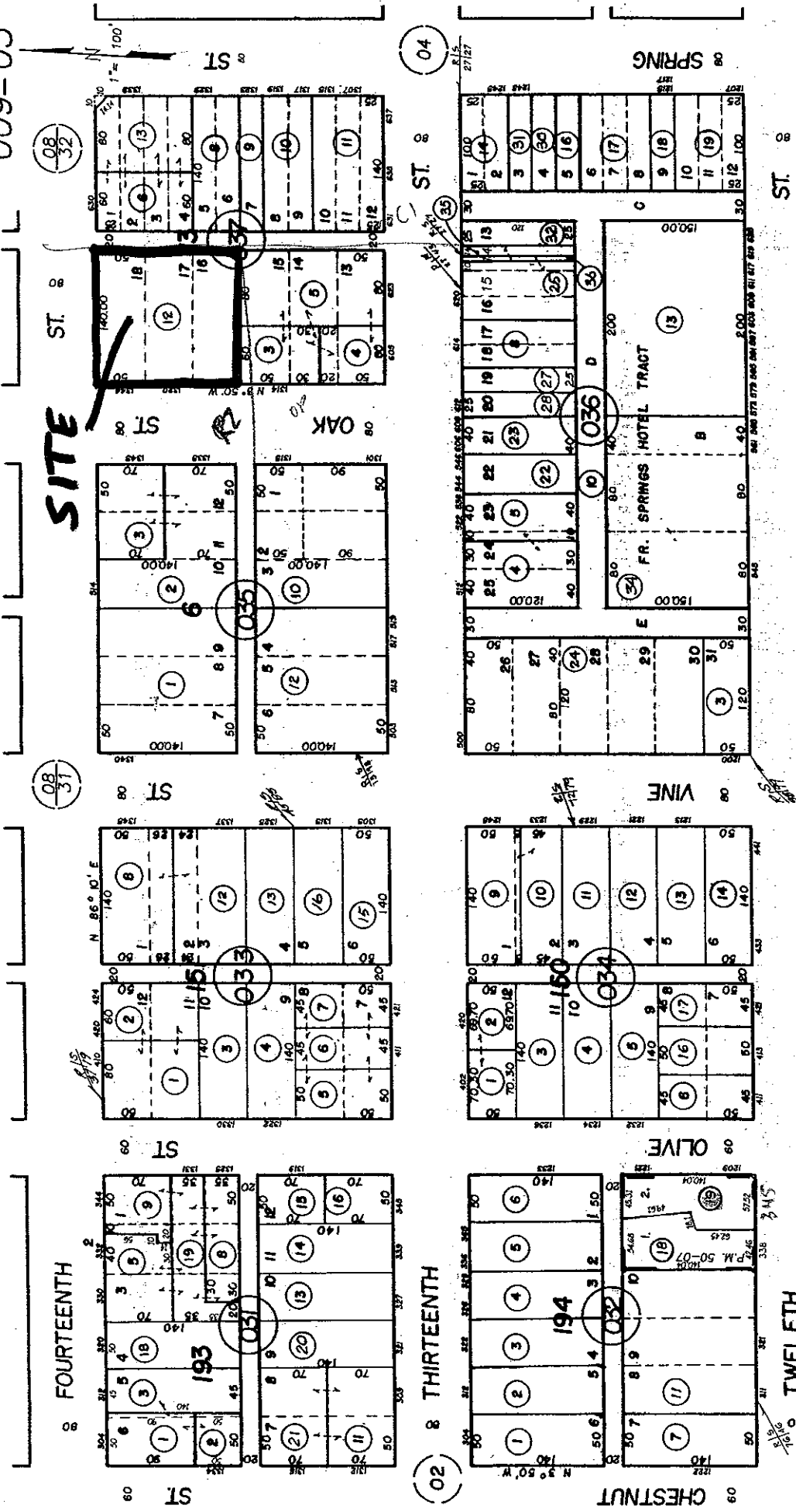
**Attachments:**

1. Vicinity Map
2. Memorandum from City Engineer
3. Resolution to Approve a Mitigated Negative Declaration
4. Resolution to Approve the Planned Development 05-008
5. Resolution to Approve the Conditional Use Permit 06-003
6. Newspaper and Mail Notice Affidavits

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009-03

**SITE**



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08 32

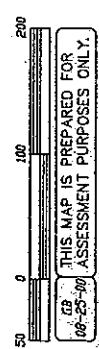
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REVISIONS	
TECH	DATE
CB	08-25-00



THIS MAP IS PREPARED FOR ASSESSMENT PURPOSES ONLY.

Vicinity Map  
 PD 05-008 & CUP 06-003  
 (Arciero)

CITY OF EL PASO DE ROBLES  
 ASSESSOR'S MAP, COUNTY OF  
 SAN LUIS OBISPO, CA  
 BOOK 009 PAGE 03

## MEMORANDUM

**TO:** Darren Nash

**FROM:** John Falkenstien

**SUBJECT:** PD 05-008, Arciero  
1344 Oak Street

**DATE:** March 14, 2006

The subject property fronts on 14<sup>th</sup> Street and Oak Street. 14<sup>th</sup> and Oak Streets are classified as local streets in the Circulation Element of the General Plan. The project takes access from Oak Street and the alley between Oak and Spring Streets.

Existing overhead utilities are located in the alley adjacent to the site.

There are 4-inch water mains in Oak Street and in the alley. There is a 10-inch water main in 14<sup>th</sup> Street. A fire hydrant is available to serve the project at the northwest corner of 14<sup>th</sup> and Oak Streets.

Sewer is available to the project from Oak Street, 14<sup>th</sup> Street and the alley.

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### **Recommended Site Specific Conditions**

1. Prior to occupancy, the applicant shall reconstruct any broken or deficient curb, gutter and sidewalk on Oak and 14<sup>th</sup> Streets adjacent to the frontage of the project, as required by the City Engineer.
2. Prior to occupancy, the applicant shall improve the alley along the east side of the project from 14<sup>th</sup> Street to the south project boundary. Alley improvements shall be constructed in accordance with City Standard A-17 with an alley approach constructed per City Standard B-6 at 14<sup>th</sup> Street.
3. All utilities to the project shall be placed underground. Prior to occupancy, the applicant shall enter into an agreement not to protest the formation of an assessment district to relocate all utility lines in the block underground.



**EXHIBIT A**  
**ENVIRONMENTAL INITIAL STUDY CHECKLIST FORM**  
**CITY OF PASO ROBLES**  
**PLANNING DIVISION**

- 1. PROJECT TITLE:** Planned Development PD 05-008 & CUP 06-003
- Concurrent Entitlements:** None
- 2. LEAD AGENCY:** City of Paso Robles  
1000 Spring Street  
Paso Robles, CA 93446
- Contact:** Darren R. Nash, Associate Planner  
**Phone:** (805) 237-3970
- 3. PROJECT LOCATION:** **1344 Oak Street** - Southeast corner of Oak Street and 14<sup>th</sup>  
(025-421-005 & 005)
- 4. PROJECT PROPONENT:** Frank Arciero c/o Falling Star Homes
- Contact Person:** Frank Arciero  
**Phone:** (805) 237-7934
- 5. GENERAL PLAN DESIGNATION:** Residential Multi-Family, 8-units per acre (RMF-8)
- 6. ZONING:** Residential Multi Family – Apartment, within the Office Professional Overlay (R2-OP)
- 7. PROJECT DESCRIPTION:** Development Plan application, filed by Pults & Associates on behalf of Frank Arciero – Falling Star Homes, Inc., to construct an approximate 55,977 square foot, three-story office building with underground parking at 1344 Oak Street. Of the 56,000 square feet, approximately 30,000 square feet would be office uses and 26,000 square feet would be covered parking.
- 8. ENVIRONMENTAL SETTING:**



The approximate 21,000 square foot site has been the site of the First United Methodist Church for many years. The Church was damaged as a result of the December 22, 2003 earthquake as well as having significant termite damage.

Neighboring Properties: The properties on all corners of the intersection of 14<sup>th</sup> Street and Oak are zoned R2, OP Overlay. There is another church located on the southwest corner of the intersection. Multi-family residential is located to the north, existing Office uses to the east and to the south.

**9. RELATED ENVIRONMENTAL DOCUMENTATION:**

This area is included in the City's 2003 General Plan Update for which an Environmental Impact Report (EIR) was certified by the City Council. A Mitigated Negative Declaration was approved for the related demolition of the existing church, See attached Resolution 05-079.

**10. PERSONS PARTICIPATING IN THE PREPARATION OF THE INITIAL STUDY:**

Darren Nash: Associate Planner, John Falkenstien: City Engineer.

**11. CONTEXT OF ENVIRONMENTAL ANALYSIS FOR PROJECT:**

This environmental initial study will study the associated impacts that may occur with the construction of the 56,425 square foot office building.

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a “Potentially Significant Impact” or is “Potentially Significant Unless Mitigated,” as indicated by the checklist on the following pages.

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> Land Use & Planning  | <input checked="" type="checkbox"/> Transportation/Circulation | <input type="checkbox"/> Public Services             |
| <input type="checkbox"/> Population & Housing | <input checked="" type="checkbox"/> Biological Resources       | <input type="checkbox"/> Utilities & Service Systems |
| <input type="checkbox"/> Geological Problems  | <input type="checkbox"/> Energy & Mineral Resources            | <input type="checkbox"/> Aesthetics                  |
| <input type="checkbox"/> Water                | <input type="checkbox"/> Hazards                               | <input type="checkbox"/> Cultural Resources          |
| <input type="checkbox"/> Air Quality          | <input type="checkbox"/> Noise                                 | <input type="checkbox"/> Recreation                  |
|   | <input type="checkbox"/> Mandatory Findings of Significance    |  |

**DETERMINATION**

(To be completed by the Lead Agency)

On the basis of this initial evaluation:

I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.

I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. **A MITIGATED NEGATIVE DECLARATION** will be prepared.

I find that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.

I find that the proposed project **MAY** have a significant effect(s) on the environment, but one or more effects (1) have been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) have been addressed by mitigation measures based on the earlier analysis as described on attached sheets, if the effect is a “potentially significant impact” or is “potentially significant unless mitigated.” An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effect(s) that remain to be addressed.

\_\_\_\_\_  
Signature

Darren R. Nash  
\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Date

Associate Planner  
\_\_\_\_\_  
Title

**EVALUATION OF ENVIRONMENTAL IMPACTS:**

1. A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to the project. A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards.
2. All answers must take account of the whole action involved. Answers should address off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. “Potentially Significant Impact” is appropriate, if an effect is significant or potentially significant, or if the lead agency lacks information to make a finding of insignificance. If there are one or more “Potentially Significant Impact” entries when the determination is made, preparation of an Environmental Impact Report is warranted.
4. Potentially Significant Impact Unless Mitigated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, “Earlier Analyses,” may be cross-referenced).
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). Earlier analyses are discussed in Section XVII at the end of the checklist.
6. References to information sources for potential impacts (e.g., general plans, zoning ordinances) have been incorporated into the checklist. A source list has been provided in Section XVII. Other sources used or individuals contacted have been cited in the respective discussions.
7. The following checklist has been formatted after Appendix I of Chapter 3, Title 14, California Code of Regulations, but has been augmented to reflect the needs and requirements of the City of Paso Robles.

(Note: Standard Conditions of Approval - The City imposes standard conditions of approval on projects which are considered to be components of or modifications to the project, some of these standard conditions also result in reducing or minimizing environmental impacts to a level of insignificance. However, because they are considered part of the project, they have not been identified as mitigation measures. For the readers’ information, a list of applicable standard conditions identified in the discussions has been provided as an attachment to this document.)\_

**SAMPLE QUESTION:**

<i>ISSUES (and Supporting Information Sources):</i>	<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
<i>Would the proposal result in or expose people to potential impacts involving:</i>				
<i>Landslides or Mud flows? (Sources: 1, 6)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i>Discussion: The attached source list explains that 1 is the Paso Robles General Plan and 6 is a topographical map of the area which show that the area is located in a flat area. (Note: This response probably would not require further explanation).</i>				

**I. LAND USE AND PLANNING.** Would the Proposal:

- a) Conflict with general plan designation or zoning? (Source: 1,2)

Discussion: The General Plan and Zoning designations for the property are Multi-family residential within the Office Professional Overlay and the Mixed Use Overlay. The Zoning Code requires the approval of a Development Plan and a Conditional Use Permit.

- b) Conflict with applicable environmental plans or policies adopted by agencies with jurisdiction over the project?

Discussion: There are no other environmental plans or policies by other agencies besides the City of Paso Robles.

- c) Be incompatible with existing land use in the vicinity? (Source: 1,2)

Discussion: The surrounding properties are also located within the R2-OP district and the Mixed Use Overlay area.

- d) Affect agricultural resources or operations (e.g., impacts to soils or farmlands, or impacts from incompatible uses)?

Discussion: The development of the subject project would not have an impact on agricultural resources.

- e) Disrupt or divide the physical arrangement of an established community (including a low-income or minority community)?

Discussion: N/A

**II. POPULATION AND HOUSING.** Would the proposal:

- a) Cumulatively exceed official regional or local population projections? (Source: Paso Robles General Plan.)

Discussion: There are no residential units proposed with this project.

- b) Induce substantial growth in an area either directly or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)?

Discussion: The proposed project would be considered an infill project. The proposed building would replace a church building.

- c) Displace existing housing, especially affordable housing?

Discussion: The project would not displace existing housing.

**III. GEOLOGIC PROBLEMS.** Would the proposal result in or expose people to potential impacts involving:

- a) Fault rupture?

Discussion: This portion of San Luis Obispo County (generally the Paso Robles area) is located at the far southerly end of the Salinas Valley which also extends up into Monterey County. There are two known fault zones on either side of this valley. The San Marco-Rinconada Fault system runs on the west side of the valley. The San Andreas Fault is on the east side of the valley and runs through the community of Parkfield east of Paso Robles. The City of Paso Robles recognizes these geologic influences in the application of the Uniform Building Code to all new development within the City. Soils reports and structural engineering in accordance with local seismic influences would be applied in conjunction with any new development proposal. Based on standardly applied conditions of approval, the potential for fault rupture and exposure of persons or property to seismic hazards is not considered significant.

- b) Seismic ground shaking?

Discussion: See the response to Section III(a). Based on that response, the potential for exposure of persons or property to seismic hazards is not considered significant.

- c) Seismic ground failure, including liquefaction?

Discussion: The City's General Plan contains public safety policies that would require special attention to projects with potential for liquefaction. Also, see the response to Section III(a). Based on the above discussion, the potential for exposure of persons or property to seismic hazards, including liquefaction is not considered significant.

- d) Seiche, tsunami, or volcanic hazard?

Discussion: The project site is not located in an area identified at risk for seiche, tsunami, or volcanic hazards.

- e) Landslides or Mud flows?

Discussion: See discussion for III (f).

- f) Erosion, changes in topography or unstable soil conditions from excavation, grading, or fill?

Discussion: See the discussion in Section III(a). In addition to standard erosion control measures being part of a future development, all grading would be subject to standard conditions of approval ensuring that soils conditions are suitable for the proposed structures and improvements. As such, no significant impacts are anticipated.

- g) Subsidence of the land?

Discussion: See the discussion in Sections III (a) and (f) above. No significant adverse impacts are anticipated.

- h) Expansive soils?

Discussion: See the discussion in Sections III (a) and (f) above. No significant adverse impacts are anticipated.

- i) Unique geologic or physical features?

Discussion: N/A

**IV. WATER.** Would the proposal result in:

- a) Changes in absorption rates, drainage patterns, or the rate and amount of surface runoff? (Source: 6,9, 20)

Discussion: The site has historically been developed with a church building and ancillary parking. Replacing the existing impervious surfaces with the proposed building would not increase surface run-off. The project will be required to provide a drainage plan and meet the requirements for proper drainage as approved by the City Engineer.

- b) Exposure of people or property to water related hazards such as flooding?

Discussion: This area of town is not considered a high flood area. No impacts are anticipated.

- c) Discharge into surface waters or other alteration of surface water quality (e.g. temperature, dissolved oxygen, turbidity)?

Discussion: N/A

- d) Changes in the amount of surface water in any water body?

Discussion: See Sec. IV a, discussion

- e) Changes in currents, or the course or direction of water movement?

Discussion: N/A

- f) Change in the quantity of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations or through substantial loss of groundwater recharge capability?

Discussion: N/A

- g) Altered direction or rate of flow of groundwater?

Discussion: N/A

- h) Impacts to groundwater quality?

Discussion: N/A

- i) Substantial reduction in the amount of groundwater otherwise available for public water supplies?

Discussion: N/A

**V. AIR QUALITY.** Would the proposal:

- a) Violate any air quality standard or contribute to an existing or projected air quality violation? (Source: 10,13, 18, 20)

Discussion: The San Luis Obispo County area is a non-attainment area for the State standards for ozone and suspended particulate matter. The SLO County Air Pollution Control District (APCD) administers a permit system to ensure that stationary sources do not collectively create emissions which would cause local and state standards to be exceeded. The potential for future project development to create adverse air quality impacts falls generally into two categories: Short term and Long term impacts.

The project was compared to Table 1-1 of the SLOAPCD Air Quality Handbook. Based on the project providing

approximately 30,000 square foot of office, it would appear that the project would be within the 10-14 lbs per day where the standard mitigation measures for construction will be applied. Although the Handbook recommends that additional mitigation be added to the project, in this case, since the office building would be located in the downtown area, where employees will be able to walk to the various downtown businesses for lunch, banking and other services, it is not anticipated that the project will have a significant impact to Air Quality.

- b) Expose sensitive receptors to pollutants? (Source: 10,13)

Discussion: N/A

- c) Alter air movement, moisture, or temperature? (Source: 10,13)

Discussion: N/A.

- d) Create objectionable odors? (Source: 10)

Discussion: N/A

**VI. TRANSPORTATION/CIRCULATION.** Would the proposal result in:

- a) Increased vehicle trips or traffic congestion? (Source: 13)

Discussion: The project would construct approximately 30,000 square feet of office space. The rest of the area would be parking area and other non-leasable space.

Regarding the 30,000 square feet of office space, the ITE Manual indicates that an office would generate approximately 11 weekday trips per day per 1,000 gross square feet. Based on the 30,000 square feet being proposed, the project would generate approximately 330 average daily trips (weekday).

The project is located on the corner of two local streets, Oak Street and 14<sup>th</sup> Street, which are currently operating at Level of Service A. Since proposed project can be accessed from many different directions such as from Spring Street and Vine Street, there would not appear to be a direct concentration of traffic to and from the project.

Since the project is within the Office Professional Overlay area which anticipates office professional uses, and since the project will create professional office uses in the downtown area, where employees will be able to walk to various uses such as banks and restaurants, which intern will reduce traffic trips, it is not anticipated that the project will have a significant impact related to traffic.

- b) Hazards to safety from design features (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (Source: 16)

Discussion: N/A

- c) Inadequate emergency access or inadequate access to nearby uses? (Source: 16)

Discussion: Access will be adequate for emergency access.

- d) Insufficient parking capacity on-site or off-site?

The project would require 88 parking spaces 49 spaces would be provided on site within a parking garage

underneath the building. The applicant is requesting to pay in-lieu fees for the remaining 37 spaces. Since the project is in the Downtown Parking District, the Zoning Code allows the applicant the option of paying in lieu-fees. The parking would meet the zoning Code requirements for projects within the Downtown Parking District, and therefore parking impacts created by this project will be mitigated through providing parking on site and the payment of in-lieu parking fees, where the money will be spent on future parking facilities and programs.

- e) Hazards or barriers for pedestrians or bicyclists?

Discussion: N/A.

- f) Conflicts with adopted policies supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

Discussion: N/A.

- g) Rail, waterborne or air traffic impacts?

Discussion: N/A

**VII. BIOLOGICAL RESOURCES.** Would the proposal result in impacts to:

- a) Endangered, threatened or rare species or their habitats (including but not limited to: plants, fish, insects, animals, and birds)? (Source: 14)

Discussion: The site has been developed with buildings and parking areas for many years. There will be no impact to threatened or rare species.

- b) Locally designated species (e.g., heritage trees)? (Source: 13)

Discussion: There is one oak tree located on site. It appears that the proposed building will not impact the existing oak tree more that it has already been impacted by the existing Church building.

The church building has been on site since 1922 and is approximately 5-feet away from the oak tree. An arborist report will be required to be submitted by the applicant with submittal of the building permits.

Based on the existing church building being approximately 5-feet from the trunk of the tree and the proposed building being setback at least 15-feet away from the tree, it is not anticipated that the proposed building will have a significant impact on the tree.

- c) Locally designated natural communities (e.g., oak forest, coastal habitat, etc.)?

Discussion: N/A

- d) Wetland habitat (e.g., marsh, riparian and vernal pool)?

Discussion: There is no evidence of wetland habitat on this site.

- e) Wildlife dispersal or migration corridors?



Discussion: N/A

**VIII. ENERGY AND MINERAL RESOURCES.** Would the proposal:

- a) Conflict with adopted energy conservation plans?

Discussion: N/A

- b) Use non-renewable resource in a wasteful and inefficient manner?

Discussion: N/A

- c) Result in the loss of availability of a known mineral resource that would be of future value to the region and the residents of the State?

Discussion: N/A

**IX. HAZARDS.** Would the proposal involve:

- a) A risk of accidental explosion or release of hazardous substances (including, but not limited to: oil, pesticides, chemicals or radiation)?

Discussion: The chemicals will be stored on site within containment areas as required by the County Environmental Health Department. Prior to the issuance of a Certificate of Occupancy, the applicants will be required to fill out a Hazardous Materials Questionnaire with the County.

- b) Possible interference with an emergency response plan or emergency evacuation plan?

Discussion: N/A

- c) The creation of any health hazard or potential hazards?

Discussion: N/A

- d) Increased fire hazard in areas with flammable brush, grass, or trees?

Discussion: N/A

**X. NOISE.** Would the proposal result in:

- a) Increases in existing noise levels? (Source 1, 19)

Discussion: Besides the initial construction of the project, existing noise levels would not be significantly increased.

- b) Exposure of people to severe noise levels? (Source 1)

Discussion: There would be construction noise during the construction phase of the project, but would still be within the allowable tolerances as required by Chapter 17, the Building Code. For a industrial project in a industrial zone, it is

not anticipated that there would be any severe noise levels.

**XI. PUBLIC SERVICES.** Would the proposal have an effect upon, or result in a need for new or altered government services in any of the following areas:

- a) Fire protection?

Discussion: The Emergency Services Department has reviewed the development and has provided the necessary conditions of approval to adequately address fire protection concerns.

- b) Police Protection?

Discussion: N/A

- c) Schools?

Discussion: N/A

- d) Maintenance of public facilities, including roads?

Discussion: N/A

- e) Other governmental services?

Discussion: N/A

**XII. UTILITIES AND SERVICE SYSTEMS.** Would the proposal result in a need for new systems or supplies, or substantial alterations to the following utilities:

- a) Power or natural gas?

Discussion: Southern California Gas Company provides service to the Paso Robles area. The project is not anticipated to interfere with gas services or create an unmet demand.

- b) Communication systems?

Discussion: The Pacific Bell Company provides service to the Paso Robles and County areas. The project is not anticipated to interfere with phone/communication services.

- c) Local or regional water treatment or distribution facilities?

Discussion: N/A

- d) Sewer or septic tanks? (Source: 7)

Discussion: The project will be required to hook up to City sewer services.

- e) Storm water drainage? (Source: 6)

Discussion: See Section IVa.

- f) Solid waste disposal?

Discussion: A trash enclosure is required for this project and is shown on the site plan. The enclosure shall be constructed out of decorative masonry block and have metal “view obscuring” doors.

- g) Local or regional water supplies?

Discussion: N/A

**XIII.AESTHETICS.** Would the proposal:

- a) Affect a scenic vista or scenic highway? (Source: 1,9)

Discussion: The project is not located on a scenic vista or scenic highway.

- b) Have a demonstrable negative aesthetic effect? (Source: 1,9)

Discussion: The building has been reviewed by the City’s Development Review Committee (DRC) multiple times, where the Committee has recommended changes to the exterior elevations of the building. The Committee has recommended that the Planning Commission approve the revised architectural elevations, and has determined that the design will not result in a demonstrable negative aesthetic effects.

Additionally the request to extend the parapet above the 35-foot height limit in the R2 zone would seem appropriate, since it would allow for the full screening off roof mounted equipment. The fact the equipment would be screened would increase the aesthetics of the building.

- c) Create light or glare? (Source: 1,9)

Discussion: The project is required to be have a non-reflective finish.

**XIV.CULTURAL RESOURCES.** Would the proposal:

- a) Disturb paleontological resources?

Discussion: N/A

- b) Disturb archaeological resources?

Discussion: The Paso Robles area has been classified as territory occupied by the Migueleno Salinan and the Obispeno Chumash Native California populations. Past community populations have been evidenced at several sites within the Paso Robles area and unincorporated portions of the surrounding County.

If, during any future construction excavation, any buried or isolated cultural materials are unearthed, work in the affected area should stop until these materials can be examined by a qualified Archeologist and appropriate recommendations made regarding their treatment and/or disposition. Such examination should be conducted under the coordination of the City of Paso Robles.

- c) Affect historical resources?

Discussion: The existing church building is identified with the City Historic Inventory. The applicant proposed that the building be demolished. The City Council, on April 19, 2005, approved Resolution 05-079, approving a Negative Declaration and thereby making the finding that the subject structure is not of architectural significance and that it would be appropriate to process a demolition permit for the structure, in accordance with the California Environmental Quality Act.

- d) Have the potential to cause a physical change which would affect unique ethnic cultural values?

Discussion: N/A.

- e) Restrict existing religious or sacred uses within the potential impact area?

Discussion: N/A

**XV.RECREATION.** Would the proposal:

- a) Increase the demand for neighborhood or regional parks or other recreational facilities?

Discussion: N/A.

- b) Affect existing recreational opportunities?

Discussion: N/A.

**XVI.MANDATORY FINDINGS OF SIGNIFICANCE.**

- a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

Discussion: N/A

- b) Does the project have the potential to achieve short-term, to the disadvantage of long-term environmental goals?

Discussion: N/A

- c) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)

Discussion: N/A

- d) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

Discussion: N/A

## EARLIER ANALYSIS AND BACKGROUND MATERIALS.

Earlier analyses may be used where, pursuant to tiering, program EIR, or other CEQA process, one or more effects have been adequately analyzed in an earlier EIR or negative declaration. Section 15063 (c)(3)(D).

Earlier Documents Prepared and Utilized in this Analysis and Background / Explanatory Materials

<u>Reference #</u>	<u>Document Title</u>	<u>Available for Review at:</u>
1	City of Paso Robles General Plan	City of Paso Robles Community Development Department 1000 Spring Street Paso Robles, CA 93446
2	City of Paso Robles Zoning Code	Same as above
3	City of Paso Robles Environmental Impact Report for General Plan Update	Same as above
4	1977 Airport Land Use Plan	Same as above
5	City of Paso Robles Municipal Code	Same as above
6	City of Paso Robles Water Master Plan	Same as above
7	City of Paso Robles Sewer Master Plan	Same as above
8	City of Paso Robles Housing Element	Same as above
9	City of Paso Robles Standard Conditions of Approval for New Development	Same as above
10	San Luis Obispo County Air Pollution Control District Guidelines for Impact Thresholds	APCD 3433 Roberto Court San Luis Obispo, CA 93401
11	San Luis Obispo County – Land Use Element	San Luis Obispo County Department of Planning County Government Center San Luis Obispo, CA 93408
12	USDA, Soils Conservation Service,	Soil Conservation Offices Paso Robles, Ca 93446

13

Soil Survey of San Luis Obispo County,  
Paso Robles Area, 1983  
Institute of Transportation Engineers (ITE) Trip  
Generation (6<sup>th</sup> Edition)

On-file in the Community Development  
Department.

## **Summary of Mitigation Measures**

### **Description of Impact**

Traffic (Parking)

Biological

### **Mitigation Measure**

Applicant will be required to pay in-lieu parking fees. See condition No. 7 of the PD Resolution.

Oak tree preservation during construction. See condition No. 9 of the PD Resolution.

RESOLUTION NO.:

A RESOLUTION OF THE PLANNING COMMISSION  
OF THE CITY OF EL PASO DE ROBLES APPROVING  
PLANNED DEVELOPMENT 05-008  
(ARCIERO OFFICE BUILDING)  
APN: 009-037-012

WHEREAS, Section 21.23B, Development Review, requires Commercial, Industrial and Institutional buildings when 10,000 or more gross square feet, shall be subject to Planning Commission approval of a development plan (PD); and

WHEREAS, Planned Development 05-008 has been filed by Pults & Associates on behalf of Frank Arciero of Falling Star Homes to construct a 55,977 square foot office building; and

WHEREAS, the three story building would include underground parking, additional parking on the ground level with office space on the second and third levels; and

WHEREAS, the project is located at 1344 Oak Street, the southeast corner of Oak Street and 14<sup>th</sup> Street; and

WHEREAS, the General Plan land use designation of the site is Residential Multi-family, 8-units per acre, within the Office Professional Overlay district (RMF-8, OP), and the Zoning is R2-OP (Residential Multi-Family- Apartment, Office Professional Overlay); and

WHEREAS, the site is also located in the Mixed-Use Overlay district; and

WHEREAS, in conjunction with PD 05-008, the applicant has submitted Conditional Use Permit 06-003 as required by Chapter 21.18A of the Zoning Code related to professional office uses in the Office Professional Overlay District; and

WHEREAS, at its February 13, 2007 meeting, the Planning Commission held a duly noticed public hearing on the Project, to accept public testimony on the proposal including Planned Development 05-008 and related applications; and

WHEREAS, pursuant to the Statutes and Guidelines of the California Environmental Quality Act (CEQA), and the City's Procedures for Implementing CEQA, an Initial Study was prepared and circulated for public review and comment; and

WHEREAS, based on the information and analysis contained in the Initial Study, a determination has been made that the proposed Project qualifies for adoption of a Mitigated Negative Declaration; and

WHEREAS, based upon the facts and analysis presented in the staff report and the attachments thereto, the public testimony received, and subject to the Conditions of Approval listed below, the Planning Commission makes the following findings:

1. The proposed Project will not be detrimental to the City's efforts to revitalize Downtown Paso Robles since the Project is consistent with the City's Economic Strategy, by providing investment into the downtown as well as providing professional office space in the downtown.

2. The proposed Planned Development is consistent with the purpose, intent and regulations set forth in Chapter 21.23B.050 (Findings for approval of development plans) as follows:
  - A. The design and intensity (density) of the proposed development plan is consistent with the following:
    1. The goals and policies established by the general plan;
    2. The policies and development standards established by any applicable specific plan;
    3. The zoning code, particularly the purpose and intent of the zoning district in which a development project is located;
    4. All other adopted codes, policies, standards, and plans of the city;
  - B. The proposed development plan will not be detrimental to the health, safety, morals, comfort, convenience and general welfare of the person residing or working in the neighborhood, or be injurious or detrimental to property and improvements in the neighborhood or to the general welfare of the city;
  - C. The proposed development plan accommodates the aesthetic quality of the city as a whole, especially where development will be visible from gateways to the city and scenic corridors;
  - D. The proposed development plan is compatible with, and is not detrimental to, surrounding land uses and improvements, provides appropriate visual appearance, and contributes to the mitigation of any environmental and social (e.g., privacy) impacts;
  - E. The proposed development plan is compatible with existing scenic and environmental resources such as hillsides, stress courses, oak trees, vistas, historic buildings and structure;
  - F. The proposed development plan contributes to the orderly development of the city as a whole;
  - G. The request to construct the building to a 37-foot, 6-inch height are in keeping with the character of the transitional zone, since the taller parapet would add additional architectural interest to the building as well as effectively screen roof mounted equipment.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles does hereby approve Planned Development 05-008, subject to the following conditions:

**STANDARD CONDITIONS:**

1. The Project shall comply with all Conditions of Approval and Exhibits contained in this Resolution and the associated Resolutions for the above-referenced Conditional Use Permit 06-003.



**PLANNING SITE SPECIFIC CONDITIONS:**

NOTE: In the event of conflict or duplication between standard and site-specific conditions, the site-specific condition shall supersede the standard condition.

- 2. The Project shall be constructed in substantial conformance with the Conditions of Approval established by this Resolution and it shall be constructed in substantial conformance with the following Exhibits:

EXHIBIT	DESCRIPTION
A	Title Sheet
B	Site Plan
C	Grading Plan
D	Underground Parking Plan
E	First Floor Plan
F	Second Floor Plan
G	Third Floor Plan
H	Exterior Elevations – North & South
I	Exterior Elevations – East & West
J	Color and Materials Board (on file in the Community Development Dept.)

- 3. This Development Plan for PD 05-008, together with the application for Conditional Use Permit 06-003 allows for development and operation of the 55,977 square foot office building (See Project Summary on Project Title Sheet – Exhibit A).
- 4. The Planning Commission with the approval of PD 05-008 authorizes the building to extend beyond the 35 foot height limit to 37-feet, 6-inches, in order to provide for a taller parapet to sufficiently screen the roof equipment. The approval of the height exception would be consistent with Section 21.20.130 of the Zoning Code which allows mechanical appurtenances be permitted in excess of the height limits specified in the zoning district.
- 5. This project approval shall expire on February 13, 2009 unless a time extension request is filed with the Community Development Department prior to expiration.
- 6. In conjunction with the submittal of the building plans, exterior light cut-sheets shall be provided for Staff review, to insure adequate shielding.
- 7. Prior to the issuance of a building permit, the applicant shall pay in-lieu fees for 37 spaces at a rate established by Council Resolution. In-lieu fees are calculated and paid at the time of Building Permit issuance.
- 8. Prior to the issuance of a building permit, the footprint of the building shall be revised to comply with the setbacks required in the Office Professional District (Section 21.18) as follows:
  - Front (14<sup>th</sup> St) – 15-feet
  - Street Side (Oak St.)- 10-feet
  - Alley Side 5-feet
  - Rear 10-feet
- 9. In conjunction with the submittal of the plans for a building permit, an Arborist Report shall be submitted indicating that there will be no impact to the existing oak tree, based on the new

building being no closer to the tree than the existing church building has been. The Arborist shall include in the report preservation measures during construction and a monitoring program.

10. The applicant shall submit a sign program that shall be reviewed by the DRC. The applicant shall obtain required building permits for the signs prior to installation.
11. Prior to the issuance of a building permit, a landscape plan shall be submitted that shows the required landscaping and irrigation for the parkways on both street frontages. The plans will need to be approved by the Streets Supervisor.
12. Prior to the issuance of a building permit, the applicant shall work with Planning Staff and Emergency Services Staff to develop an address plan for the project.
13. All roof mounted equipment shall be fully screened.

**ENGINEERING SITE SPECIFIC CONDITIONS:**

14. Prior to occupancy, the applicant shall reconstruct any broken or deficient curb, gutter and sidewalk on Oak and 14<sup>th</sup> Streets adjacent to the frontage of the project, as required by the City Engineer.
15. Prior to occupancy, the applicant shall improve the alley along the east side of the project from 14<sup>th</sup> Street to the south project boundary. Alley improvements shall be constructed in accordance with City Standard A-17 with an alley approach constructed per City Standard B-6 at 14<sup>th</sup> Street.
16. All utilities to the project shall be placed underground. Prior to occupancy, the applicant shall enter into an agreement not to protest the formation of an assessment district to relocate all utility lines in the block underground.

**EMERGENCY SERVICES SITE SPECIFIC CONDITIONS:**

17. Provide fire sprinkler systems for residential, commercial, and industrial buildings.
18. Upgrade existing fire hydrants to the specifications determined by the City Engineer.
19. Prior to the start of construction, documentation shall be submitted to Emergency Services showing that required fire flows can be provided to meet all project demands.
20. Fire hydrants shall be installed at intervals as required by the Fire Chief and City Engineer. The maximum spacing for single family residential shall be 500 feet. The maximum spacing for multi-family and commercial/residential shall be 300 feet. On-site hydrants shall be placed as required by the Fire Chief.
21. Building permits shall not be issued until the water system, including hydrants, has been tested and accepted and a based access road installed sufficient to support the City's fire apparatus (HS-20 Truck Loading). The access road shall be kept clear to a minimum of 24 feet at all times and shall be extended to each lot and shall be maintained to provide all weather driving conditions.

22. No building shall be occupied until all improvements are completed and accepted by the City for maintenance.

23. Provisions shall be made to update Emergency Service's Run Book.

PASSED AND ADOPTED THIS 13<sup>th</sup> day of February, 2007 by the following Roll Call Vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

---

CHAIRMAN MARGARET HOLSTINE

ATTEST:

---

RON WHISENAND, PLANNING COMMISSION SECRETARY

h:darren/PD/ArcieroOfficePDRes

Architects, Planners & Engineers  
 1344 Oak Street, Suite 206  
 Paso Robles, California 93441  
 (805) 238-2006  
 (805) 238-2007  
 Fax: (805) 238-2008

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**PROJECT:**  
**ARCIERO PROFESSIONAL OFFICE BUILDING**

**CLIENT:**  
 1344 OAK STREET  
 PASO ROBLES  
 CA 93441

**Client:**  
**FRANK ARCIERO  
 FALLINGSTAR HOMES**

**825 RIVERSIDE AVENUE,  
 PASO ROBLES  
 CA 93448  
 (805) 237-7894**

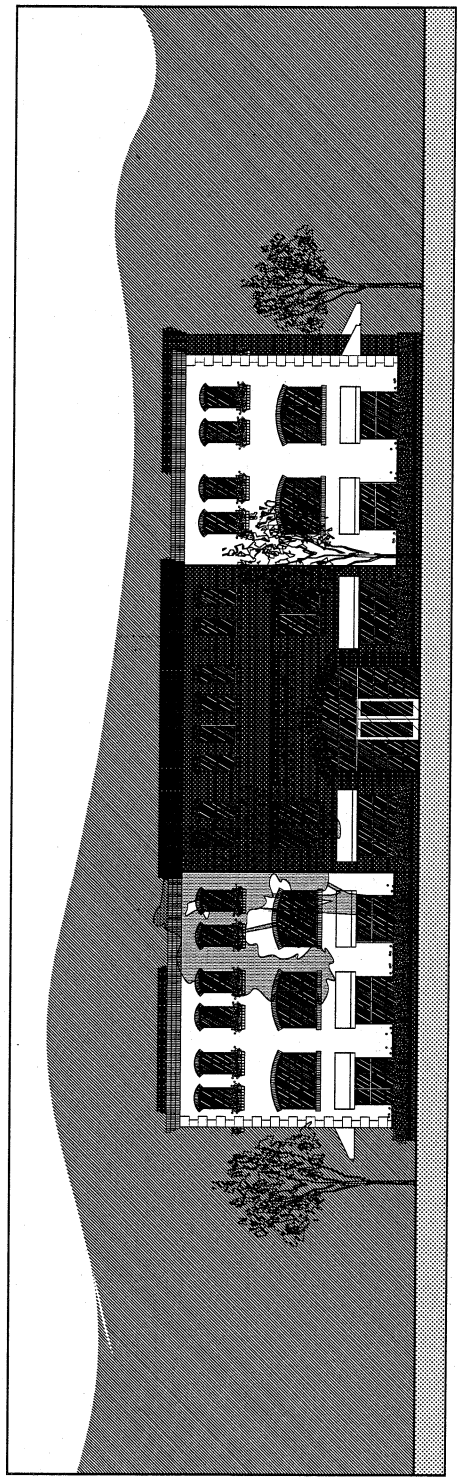
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**TITLE SHEET**



**Date:** 24 MAR 05  
**Revised:** 11 NOV 05

**Job No.:** 0510

**Sheet:** T1.1  
**No. of:** 9



VIEW FROM 14TH STREET

# ARCIERO PROFESSIONAL OFFICE BUILDING

## 1344 OAK STREET, PASO ROBLES, CA

VICINITY MAP	PROJECT SUMMARY	PROJECT DESCRIPTION	SHEET INDEX
	<p><b>CURRENT LANDOWNER:</b>                  FORTHBY METHODIST CHURCH OF PASO ROBLES                  1344 OAK STREET                  PASO ROBLES, CA 93446                  (805) 238-2006</p> <p><b>FUTURE LANDOWNER:</b>                  FALLINGSTAR HOMES                  825 RIVERSIDE AVENUE, SUITE 8                  PASO ROBLES, CA 93448                  (805) 237-7894</p> <p><b>ARCHITECT:</b>                  STEVEN D. PULITS, A.I.A. &amp; ASSOCIATES                  1344 OAK STREET, SUITE 106                  PASO ROBLES, CA 93441                  (805) 238-2006</p> <p><b>LANDSCAPE ARCHITECT:</b>                  FIRMA                  840 MONTEREY STREET, SUITE 206                  PASO ROBLES, CA 93441                  (805) 238-2006</p>	<p>THIS PROPOSED PROJECT CONSISTS OF A 6,877 SF THREE FLOOR COMMERCIAL OFFICE BUILDING WITH UNDERGROUND PARKING BELOW.</p>	<p>T1.1 TITLE SHEET                  AC1.1 SITE PLAN                  AC1.2 GRADING PLAN                  AL10 UNDERGROUND PARKING PLAN                  AL11 FIRST FLOOR PLAN                  AL12 SECOND FLOOR PLAN                  AL21 EXTERIOR ELEVATIONS                  AL22 EXTERIOR ELEVATIONS                  TOTAL 9 - SHEETS</p>
	<p><b>ZONING:</b> RA1-B                  OFFICE PROFESSIONAL OVERLAY</p> <p><b>APN:</b> 096-027-012</p> <p><b>SITE:</b> 20,991 SF</p> <p><b>LOT COVERAGE:</b> 69%</p> <p><b>LEASABLE SPACE:</b> FIRST FLOOR: 4,264 SF                  SECOND FLOOR: 13,182 SF                  UNDERGROUND PARKING: 30,633 SF                  SUB TOTAL: 48,080 SF</p> <p><b>NON-LEASABLE SPACE:</b> UNDERGROUND PARKING: 13,903 SF                  LOBBIES: 6,983 SF                  MECHANICAL: 2,418 SF                  ARCHITECTURAL: 464 SF                  ELECTRICAL: 466 SF                  STAIRS: 614 SF                  STORAGE: 200 SF                  ELEVATOR EQUIPMENT: 46 SF                  SUB TOTAL: 25,044 SF</p> <p><b>TOTAL BUILDING SF:</b> 65,977 SF                  (BASED ON 30,633 SF/400)</p> <p><b>PARKING:</b> 77 SPACES                  STANDARD: 39 SPACES                  COMPACT: 7 SPACES                  ACCESSIBLE: 3 SPACES                  TOTAL PROVIDED: 49 SPACES                  IN-LEEN SPACES PROPOSED: 28 SPACES                  MOTORCYCLE: 5 SPACES                  BICYCLE: 16 SPACES</p> <p><b>MAX HEIGHT:</b> 35' 0" BUILDING                  37' 0" MECHANICAL PARAPET</p>		

**Exhibit A**  
 Title Sheet  
 PD 05-008 & CUP 06-003  
 (Arciero)

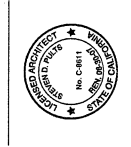
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**Project:**  
**ARCIERO PROFESSIONAL OFFICE BUILDING**

**Client:**  
**FRANK ARCIERO FALLINGSTAR HOMES**

1344 OAK STREET  
 PASO ROBLES  
 CA 93446

855 RIVERSIDE AVENUE,  
 PASO ROBLES  
 CA 93446  
 (805) 237-7894

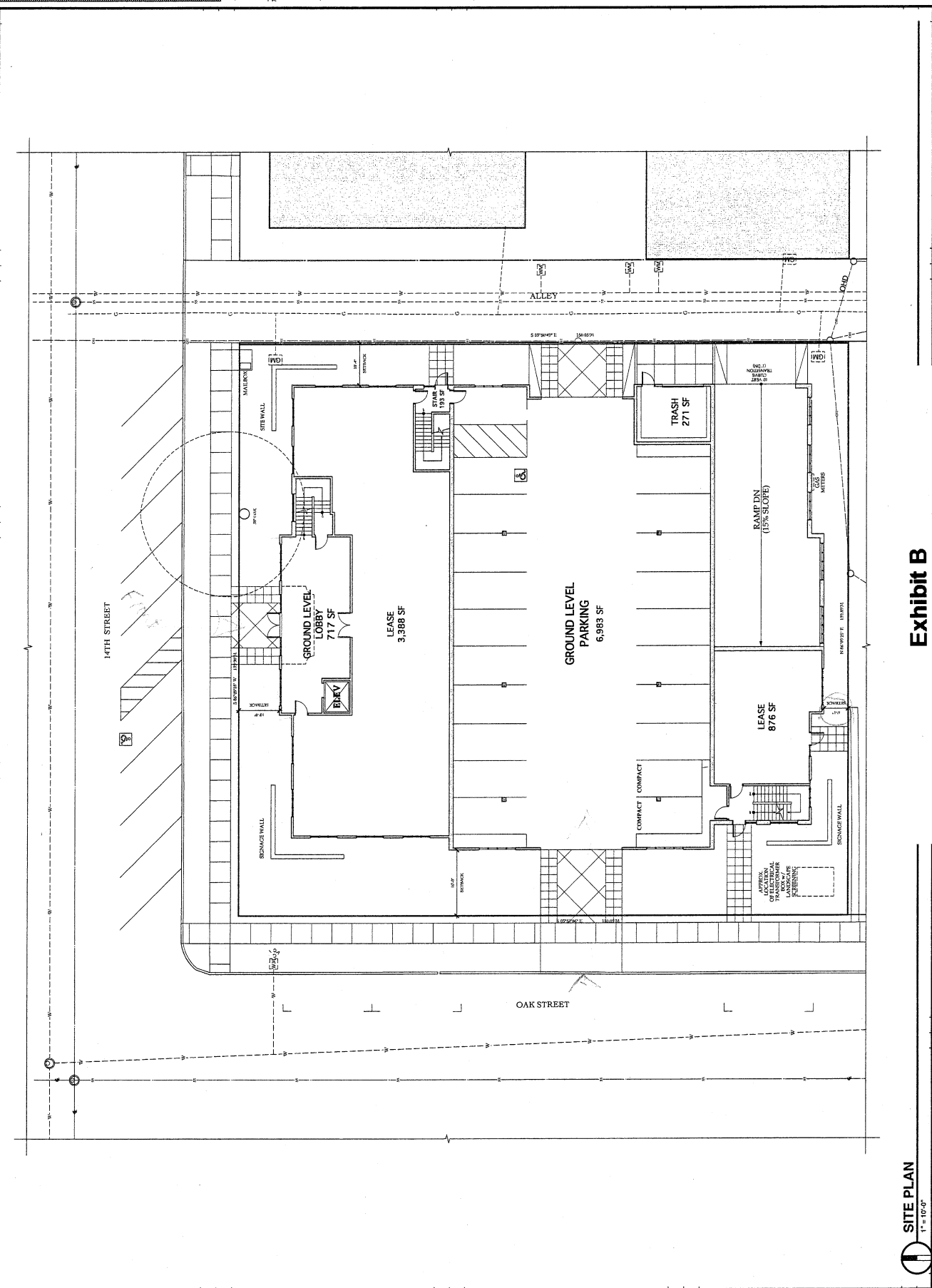


**Site Plan**

Date: 24 MAR 05  
 Printed: 11 NOV 05

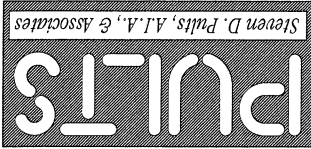
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Sheet: **AC1.1**  
 of 01



**Exhibit B**  
 Site Plan  
 PD 05-008 & CUP 06-003  
 (Arciero)

**SITE PLAN**  
 1" = 10'-0"



Architecture, Planning & Graphics  
3149 Broadway Street, Suite 106  
San Luis Obispo, California 93401  
805/491-3271 Fax  
805/491-3271 Cell

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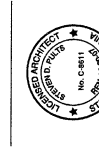
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Client:  
**ARCIERO  
PROFESSIONAL  
OFFICE  
BUILDING**

1344 OAK STREET  
PASO ROBLES  
CA 93446

Client:  
**FRANK ARCIERO  
FALLINGSTAR HOMES**

825 RIVERSIDE AVENUE,  
PASO ROBLES  
CA 93446

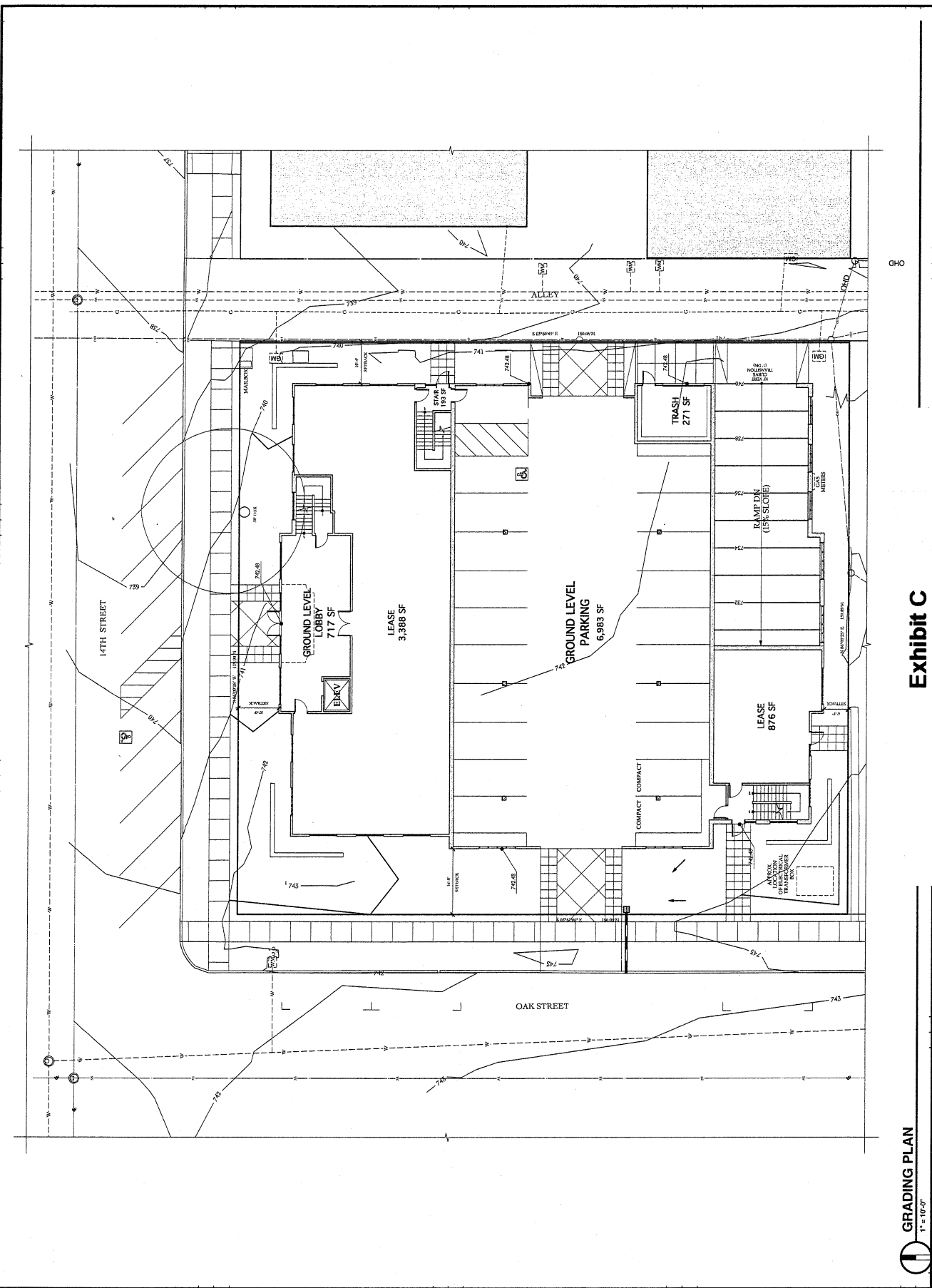
(805) 237-7924  
Site/Concept:  
**GRADING PLAN**



Date: 24 MAR 05  
Revised: 11 NOV 05

Job No: 0618  
Sheet:

**AC1.2**  
of



**Exhibit C**  
**Grading Plan**  
**PD 05-008 & CUP 06-003**  
**(Arciero)**



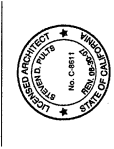
**Client:**  
ARCIERO  
PROFESSIONAL  
OFFICE  
BUILDING

**Address:**  
1344 OAK STREET  
PASO ROBLES  
CA 93446

**Client:**  
FRANK ARCIERO  
FALLINGSTAR HOMES

825 RIVERSIDE AVENUE,  
PASO ROBLES  
CA 93446  
(805) 237-7934

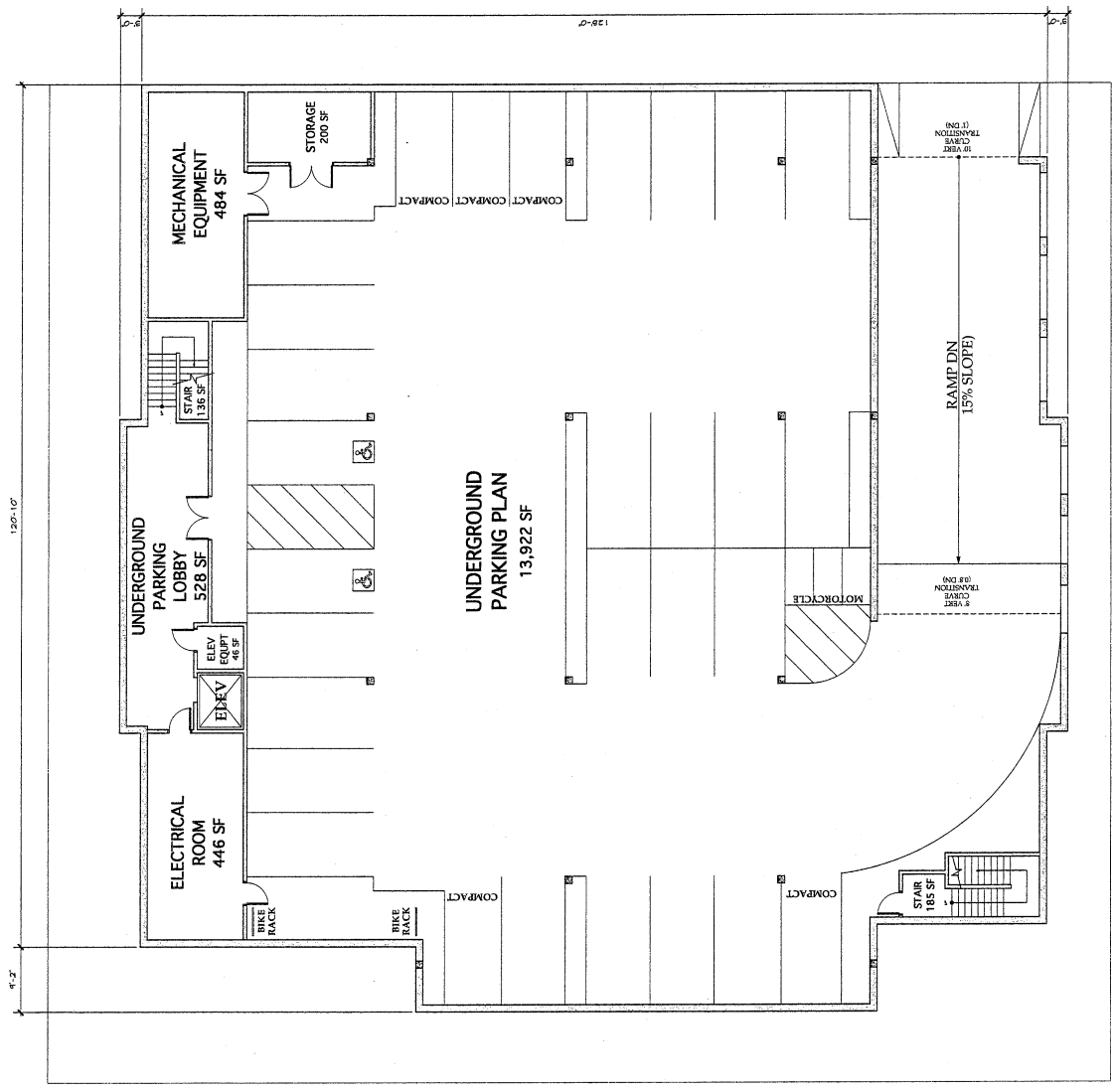
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UNDERGROUND PARKING  
PLAN



**Date:** 24 MAR 05  
**Revision:** 11 NOV 05

**Job No:** 0618  
**Sheet:**

**A1.0**  
of



**Exhibit D**  
**Underground Parking Plan**  
**PD 05-008 & CUP 06-003**  
**(Arciero)**

**UNDERGROUND PARKING PLAN**  
1/8" = 1'-0"

**Project:**  
 ARCIERO  
 PROFESSIONAL  
 OFFICE  
 BUILDING

**Client:**  
 FRANK ARCIERO  
 FALLINGSTAR HOMES

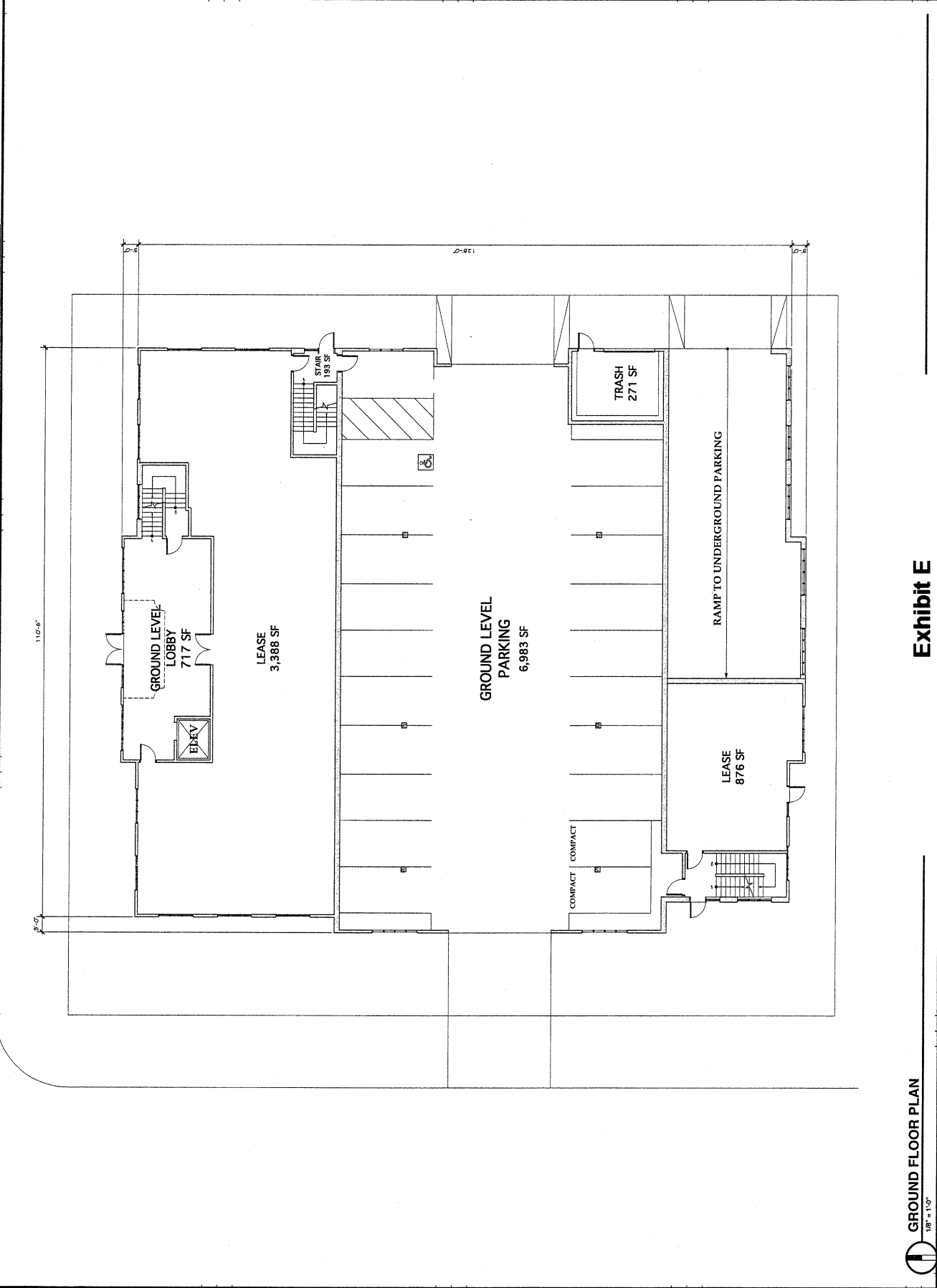
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 SUITE 8  
 PASO ROBLES  
 CA 93446

**Sheet:**  
 GROUND FLOOR  
 PLAN



**Date:** 24 MAR 05  
**Revised:** 11 NOV 05  
**Job No:** 0518  
**Sheet:** 0518

**No. of:**  
**A1.1**



**Exhibit E**  
 First Floor Plan  
 PD 05-008 & CUP 06-003  
 (Arciero)

**GROUND FLOOR PLAN**  
 1/8" = 1'-0"



*Architecture, Planning & Graphics*  
 10000 Wilshire Blvd., Suite 1000  
 Los Angeles, California 90024  
 (818) 551-5004 voice  
 (818) 551-5317 fax

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Project:

**ARCIERO  
 PROFESSIONAL  
 OFFICE  
 BUILDING**

134 OAK STREET  
 FALLING STAR  
 CA 93446

Client:  
**FRANK ARCIERO  
 FALLING STAR HOMES**

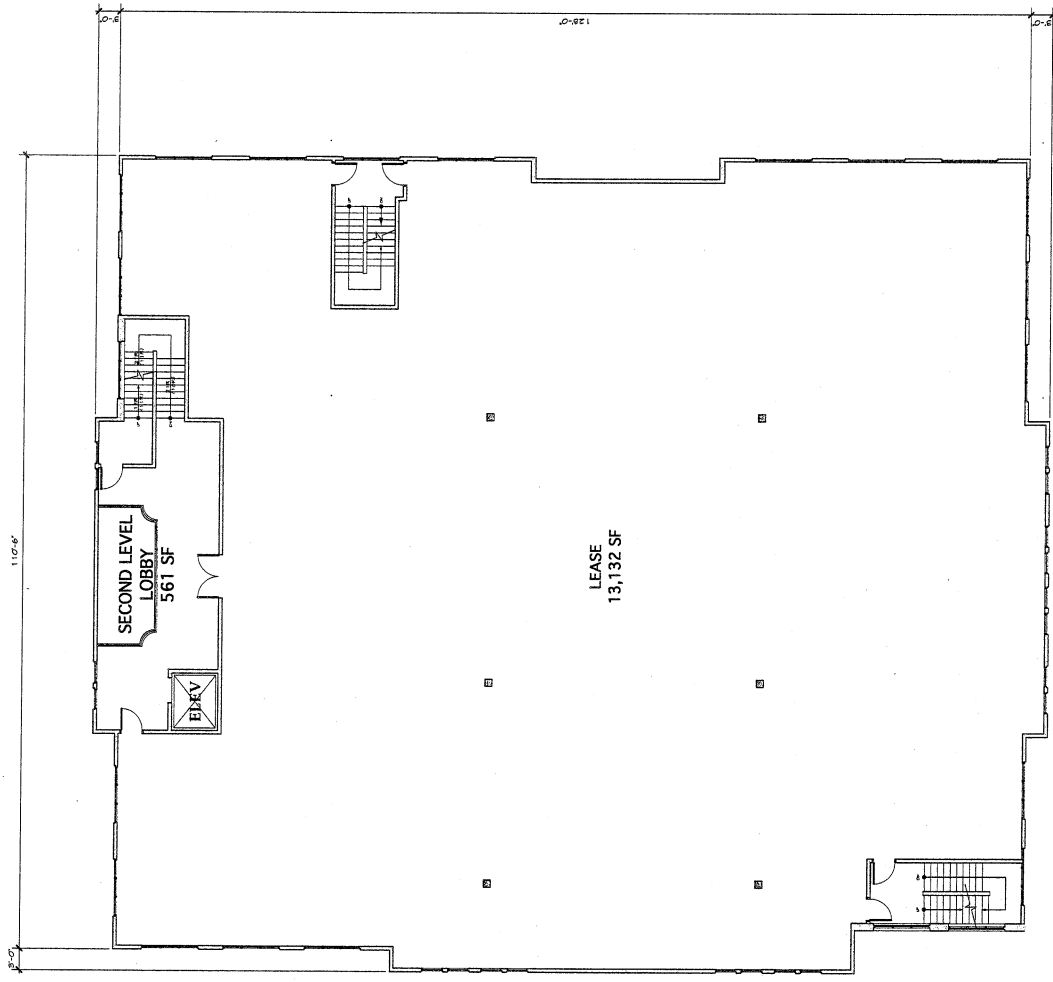
825 RIVERSIDE AVENUE,  
 SUITE B  
 FALLING STAR HOMES  
 CA 93446  
 (818) 237-7934

Sheet Contents:  
**SECOND FLOOR  
 PLAN**



Date: 21 MAR 05  
 Revises: 11 NOV 05

Proj No: 0518  
 Sheet: A1.2 of 1



**SECOND FLOOR PLAN**  
 1/8" = 1'-0"

**Exhibit F**  
**Second Floor Plan**  
**PD 05-008 & CUP 06-003**  
**(Arciero)**

Architecture, Planning & Graphics  
 10000 Wilshire Boulevard, Suite 1000  
 Los Angeles, California 90024  
 800-591-5608 voice  
 310-201-1437 fax

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Project:

**ARCIERO  
 PROFESSIONAL  
 OFFICE  
 BUILDING**

134 OAK STREET  
 FALLING STAR  
 CA 93446

Client:

**FRANK ARCIERO  
 FALLINGSTAR HOMES**

825 RIVERSIDE AVENUE,  
 SUITE 8  
 FALLING STAR HOMES  
 CA 93446  
 (805) 237-7934

Sheet Contents:

THIRD FLOOR  
 PLAN



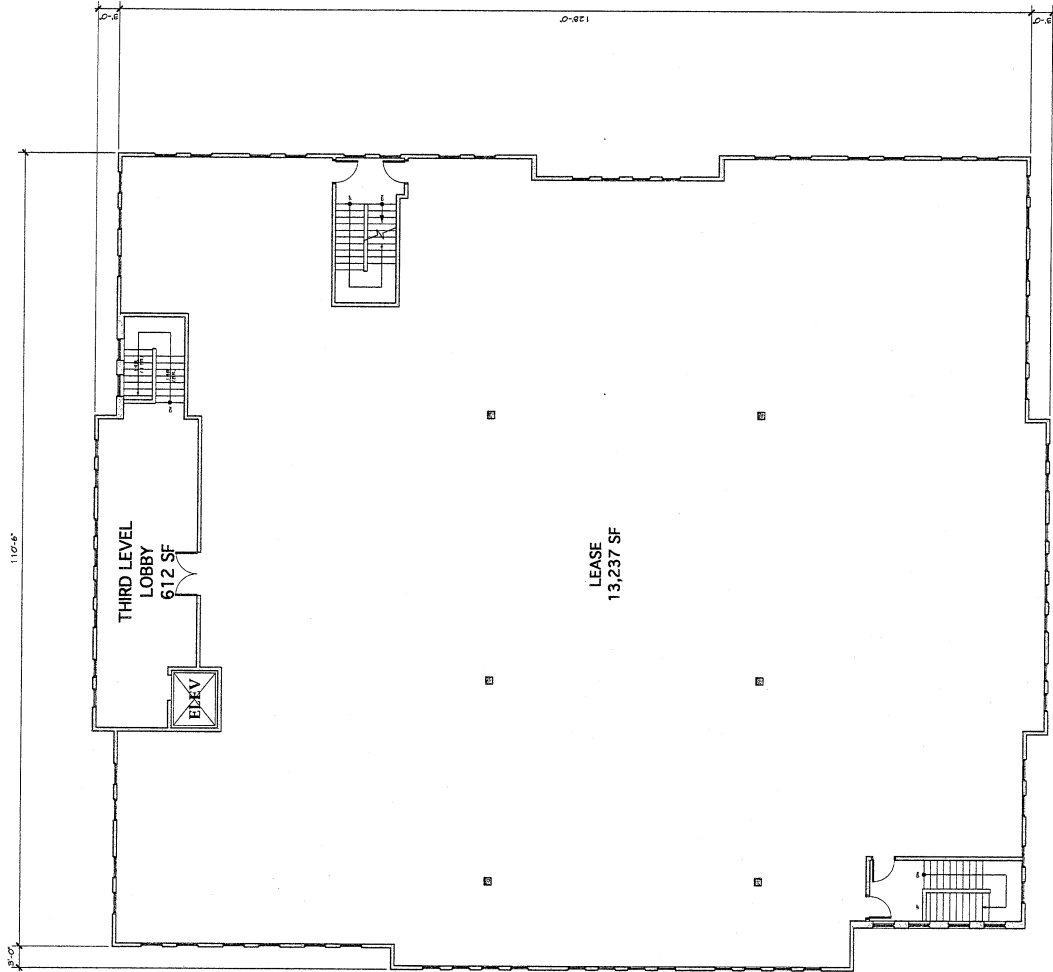
Date: 24 MAR 05

Revised: 11 NOV 05

Job No: 0518

Sheet:

**A1.3**  
 of



**THIRD FLOOR PLAN**  
 1/8" = 1'-0"

**Exhibit G**  
 Third Floor Plan  
 PD 05-008 & CUP 06-003  
 (Arciero)

Architecture, Planning & Graphics  
15250 E. 15th Avenue, Suite 100  
Denver, Colorado 80231  
800.941.5094  
800.941.2571 Fax

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Project:

**ARCIERO  
PROFESSIONAL  
OFFICE  
BUILDING**

1940 K STREET  
1940 K STREET  
DENVER, CO  
80202

Client:

**FRANK ARCIERO  
FALLINGSTAR HOMES**

825 RIVERSIDE AVENUE,  
SUITE 8  
DENVER, CO  
80246

(805) 237-7934

Shaw Contract:

**EXTERIOR ELEVATIONS**



Date: 29 MAR 05

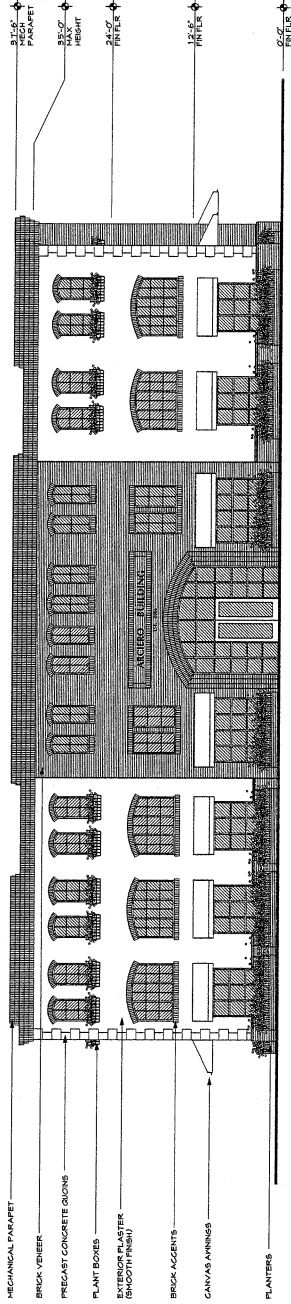
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Job No: 0618

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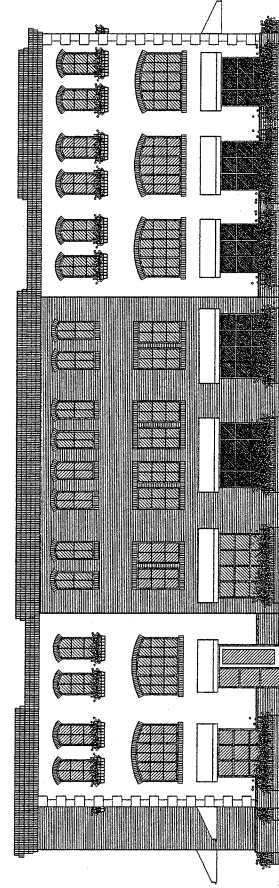
**A2.1**

No. of



**NORTH ELEVATION (VIEW FROM 14TH STREET)**

1/8" = 1'-0"



**SOUTH ELEVATION**

1/8" = 1'-0"

**Exhibit H**  
**Exterior Elevations - North & South**  
**PD 05-008 & CUP 06-003**  
**(Arciero)**

**ARCIERO PROFESSIONAL OFFICE BUILDING**  
 1544 OAK STREET  
 PASO ROBLES  
 CA 94646

**FRANK ARCIERO FALLINGSTAR HOMES**  
 825 RIVERSIDE AVENUE,  
 SUITE 8  
 PASO ROBLES  
 CA 94646  
 (805) 237-7934

Client:  
 1544 OAK STREET  
 PASO ROBLES  
 CA 94646

Client:  
 FRANK ARCIERO  
 FALLINGSTAR HOMES

Sheet Contents:  
 EXTERIOR ELEVATIONS

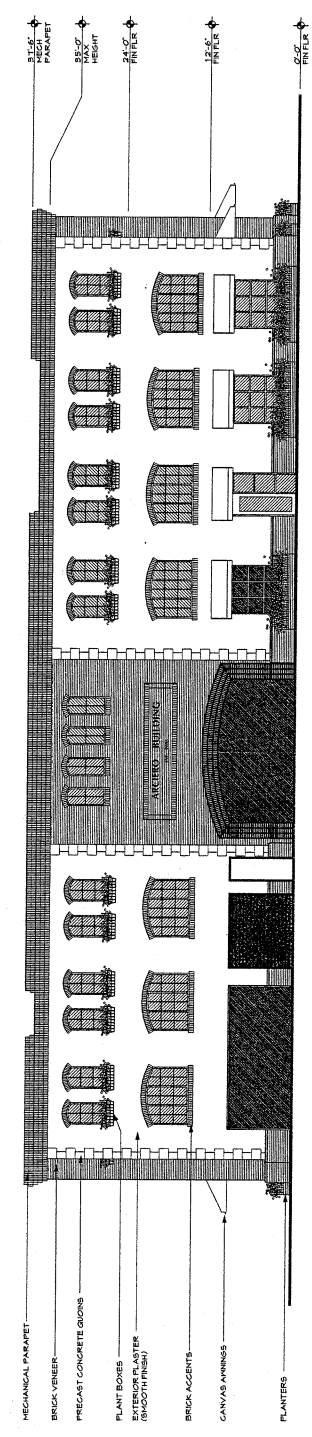
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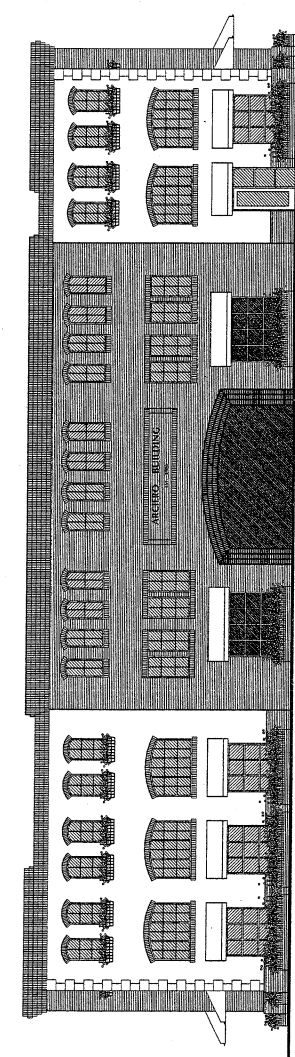
Date: 24 MAR 05  
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Job No: 0618  
 Sheet: 0618

Sheet: **A2.2**  
 of 96



**EAST ELEVATION**  
 1/8" = 1'-0"



**WEST ELEVATION (VIEW FROM OAK STREET)**  
 1/8" = 1'-0"

**Exhibit I**  
**Exterior Elevations - East & West**  
**PD 05-008 & CUP 06-003**  
**(Arciero)**

RESOLUTION NO: \_\_\_\_\_

A RESOLUTION OF THE PLANNING COMMISSION  
OF THE CITY OF EL PASO DE ROBLES  
TO APPROVE CONDITIONAL USE PERMIT 06-003  
(ARCIERO OFFICE BUILDING)  
APN: 009-037-012

WHEREAS, Pults & Associates on behalf of Falling Star Homes (Arciero) has submitted Conditional Use Permit 06-003, as required by Chapter 21.18A of the Zoning Code related to professional office uses in the Office Professional Overlay District; and

WHEREAS, the project consists of the construct of a new 55,977 square foot three story office building; and

WHEREAS, the three story building would include underground parking, additional parking on the ground level with office space on the second and third levels; and

WHEREAS, the project is located at 1344 Oak Street, the southeast corner of Oak Street and 14<sup>th</sup> Street; and

WHEREAS, the General Plan land use designation of the site is Residential Multi-family, 8-units per acre, within the Office Professional Overlay district (RMF-8, OP), and the Zoning is R2-OP (Residential Multi-Family- Apartment, Office Professional Overlay); and

WHEREAS, the site is located within the Mixed-Use Overlay District; and

WHEREAS, at its February 13, 2007 meeting, the Planning Commission held a duly noticed public hearing on the Project, to accept public testimony on the proposal including Conditional Use Permit 06-003 and related applications; and

WHEREAS, an Initial Study was prepared for this project in accordance with the California Environmental Quality Act (CEQA) and a mitigated Negative Declaration was approved by the Planning Commission on February 13, 2007; and

WHEREAS, based upon the facts and analysis presented in the staff report and the attachments thereto, the public testimony received, and subject to the Conditions of Approval listed below, the Planning Commission makes the following findings:

1. That the proposed use is compatible with the character of the neighborhood, in which there are other non-residential uses including churches and offices;
2. That the proposed office building is an appropriate transition building and use in this downtown setting, and would meet the intent of the OP Overlay district along with the goals of the Economic Strategy, by generating new investment in the downtown, connecting constant pedestrian connections to the downtown;

3. That the establishment, maintenance or operation of the requested uses 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 06-003 subject to the following conditions:

STANDARD CONDITIONS

1. The applicant shall comply with all those standard and site specific conditions which are contained in the Resolution and its exhibits approving Planned Development 05-008.

SITE SPECIFIC CONDITIONS

2. This project approval shall expire on February 13, 2009 unless a time extension request is filed with the Community Development Department prior to expiration.
3. This Development Plan for PD 05-008, together with the application for Conditional Use Permit 06-003 allows for development and operation of the 55,977 square foot professional office building (See Project Summary on Project Title Sheet – Exhibit A of the PD Resolution).
4. 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.
5. All on-site operations shall be in conformance with the City's performance standards contained in Section 21.21.040 and as listed below:
  - a. Fire and Explosion Hazards. All activities involving, and all storage of, inflammable and explosive materials shall be provided with adequate safety devices against the hazard of fire and explosion and adequate firefighting and fire-suppression equipment and devices standard in industry and as approved by the fire department. All incineration is prohibited.
  - b. Radioactivity or Electrical Disturbance. Devices that radiate radio-frequency energy shall be so operated as not to cause interference with any activity carried on beyond the boundary line of the property upon which the device is located. Further, no radiation of any kind shall be emitted which is dangerous to humans. All radio transmissions shall occur in full compliance with Federal Communications Commission (FCC) and other applicable regulations.

- c. Noise. No land use shall increase the ambient noise level as measured at the nearest residentially zoned property line to a level that constitutes a public nuisance.
- d. Vibration. No vibrations shall be permitted so as to cause a noticeable tremor measurable without instruments at the lot line.
- e. Smoke. Except for fireplaces and barbecues, no emission shall be permitted at any point from any chimney which would constitute a violation of standards established by the San Luis Obispo County Air Pollution Control District (APCD).
- f. Odors. Except for fireplaces and barbecues, no emission shall be permitted of odorous gases or other odorous matter in such quantities as to constitute a public nuisance.
- g. Fly Ash, Dust, Fumes, Vapors, Gases and Other Forms of Air Pollution. No emission shall be permitted which can cause damage to health, animals, vegetations or other forms of property, or which can cause any excessive soiling at any point. No emissions shall be permitted in excess of the standards established by the San Luis Obispo County Air Pollution Control District (APCD).
- h. Glare. No direct glare, whether produced by floodlight, high-temperature processes such as combustion or welding or other processes, so as to be visible from any boundary line of the property on which the same is produced shall be permitted. Sky-reflected glare from buildings or portions thereof shall be so controlled by reasonable means as are practical to the end that said sky-reflected glare will not inconvenience or annoy persons or interfere with the use and enjoyment of property in and about the area where it occurs.
- i. Liquid or Solid Wastes. No discharge shall be permitted at any point into any public sewer, private sewage disposal system or stream, or into the ground, of any materials of such nature or temperature as can contaminate any water supply, interfere with bacterial processes in sewage treatment, or otherwise cause the emission of dangerous or offensive elements, except in accord with standards approved by the California Department of Health or such other governmental agency as shall have jurisdiction over such activities. Manufacturing, processing, treatment and other activities involving use of toxic or hazardous materials shall be designed to incorporate the best available control technologies and wherever technically feasible shall employ a "closed loop" system of containment.
- j. Transportation Systems Impacts. Vehicular, bikeway and/or pedestrian traffic, directly attributable to the proposed land use, shall not increase to a significant extent without implementation of adequate mitigation measures in a form to be approved by the city engineer. In determining significance of impacts, consideration shall be given to cumulative (projected build-out) capacity of streets and highways serving the land use. Mitigation measures required may include but not be limited to curb, gutter, sidewalk, street and/or alley, bikeway, transit related improvements and traffic signalization. Mitigation may be required as pursuant to the California Environmental Quality Act

(CEQA), or as a condition of a discretionary review. (Ord. 665 N.S. § 28, 1993: (Ord. 405 N.S. § 2 (part), 1977)

PASSED AND ADOPTED THIS 13<sup>th</sup> day of February, 2007, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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CHAIRMAN MARGARET HOLSTINE

ATTEST:

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RON WHISENAND, PLANNING COMMISSION SECRETARY

darren/pd/PD 05-008ArcieroOffice/CUP Reso



PROOF OF PUBLICATION

LEGAL NEWSPAPER NOTICES

PLANNING COMMISSION/CITY COUNCIL  
PROJECT NOTICING

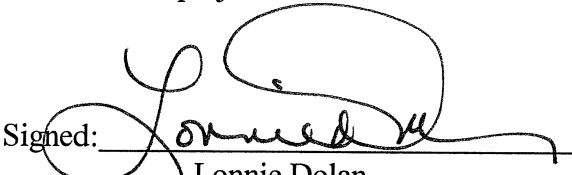
Newspaper: Tribune

Date of Publication: January 24, 2007

Meeting Date: February 13, 2007  
(Planning Commission)

Project: Planned Development 05-008  
and Conditional Use Permit  
06-003 (Arciero-1344 Oak St)

I, Lonnie Dolan, 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

CITY OF EL PASO DE ROBLES  
NOTICE OF PUBLIC HEARING  
AND  
NOTICE OF INTENT TO ADOPT A  
MITIGATED NEGATIVE DECLARATION

NOTICE IS HEREBY GIVEN that the Planning Commission of the City of El Paso de Robles will hold a Public Hearing to consider approval of a Planned Development and Conditional Use Permit and adoption of a Mitigated Negative Declaration (statement that there will be no significant environmental effects because of the required mitigation measures) in accordance with the provisions of the California Environmental Quality Act (CEQA), for the following project:

**Planned Development 05-008 & Conditional Use Permit 06-003:** applications, filed by Putts & Associates on behalf of Frank Arciero - Falling Star Homes, Inc., to construct an approximate 56,000 square foot, three-story office building with residential units and underground parking at 1344 Oak Street. Of the 56,000 square feet, approximately 30,000 square feet would be office/residential uses and 26,000 square feet would be covered parking.

The public review period for the Draft Mitigated Negative Declaration commences on January 24, 2007, and ends at the Public Hearing, which is scheduled for the Planning Commission on Tuesday, February 13, 2007.

The meeting will begin at the hour of 7:30 pm in the Conference Center (First Floor) at the Paso Robles Library/City Hall, 1000 Spring Street, Paso Robles, California. All interested parties may appear and be heard at this hearing.

The proposed Mitigated Negative Declarations may be reviewed at the Community Development Department, 1000 Spring Street, Paso Robles, California. Copies may be purchased for the cost of reproduction.

Written comments on the proposed development plan and mitigated negative declaration 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 public hearing. Oral comments may be made at the hearing. Should you have any questions regarding this application, please call Darren Nash at (805) 237-3970.

If you challenge the development plan or mitigated negative declaration 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.

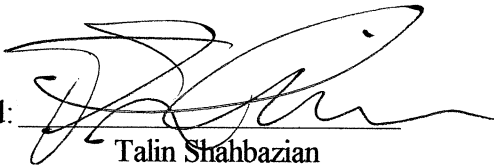
Darren Nash, Associate Planner  
January 24, 2007 6526436

**AFFIDAVIT**  
**OF MAIL NOTICES**  
**PLANNING COMMISSION/CITY COUNCIL PROJECT NOTICING**

I, Talin Shahbazian, employee of the City of El Paso de Robles, California, do hereby certify that the mail notices have been processed as required for Planned Development PD 05-008 & Conditional Use Permit CUP 06-003, proposal to construct an approximate 56,000 square foot, three-story office building with underground parking, (Applicant: Pults & Associates on behalf on Frank Arciero-Falling Star Homes) on this 31<sup>st</sup> day of January, 2007.

City of El Paso de Robles  
Community Development Department  
Planning Division

Signed: \_\_\_\_\_

  
Talin Shahbazian

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