

**TO: HONORABLE CHAIRMAN AND PLANNING COMMISSION**  
**FROM: RON WHISENAND, COMMUNITY DEVELOPMENT DIRECTOR**  
**SUBJECT: CONDITIONAL USE PERMIT 06-003 - APN: 009-037-012**  
**(APPLICANT: FRANK ARCIERO – FALLING STAR HOMES)**

**DATE: FEBRUARY 27, 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. At the Planning Commission meeting on February 13, 2007, the Commission unanimously directed Staff to continue this item to the meeting on February 27, 2007, and to bring back a resolution to deny the project.
3. The Commission discussed that the project was too large and the impacts of the project, including traffic, parking and scale of the building would not be compatible with the scale and character of the neighborhood and therefore would not meet the intent of the Office Professional Overlay District.
4. A resolution outlining findings for denial is attached to this staff report.

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

**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. Adopt the attached Resolution denying Conditional Use Permit 06-003;
- b. Amend, modify, or reject the above-listed action;

**Attachments:**

1. Resolution to Deny the Conditional Use Permit 06-003

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

A RESOLUTION OF THE PLANNING COMMISSION  
OF THE CITY OF EL PASO DE ROBLES  
TO DENY 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, the Planning Commission unanimously directed staff to continue this item to the February 27, 2007 Planning Commission meeting, and bring back a resolution for denial; and

WHEREAS, based upon the facts and analysis presented in the staff report and the attachments thereto, and public testimony received, the Planning Commission makes the following findings:

1. That the proposed use is located at the edge of the downtown core and with its proposed scale and character is not compatible with the neighborhood;
2. That the proposed office building is not an appropriate transition building in this downtown setting, and would not meet the intent of the OP Overlay district which calls for the area to retain its residential character;

3. That the proposed office building is not appropriate since there would be impacts to the surrounding neighborhood as a result of the increased traffic and parking.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles does hereby deny Conditional Use Permit 06-003.

PASSED AND ADOPTED THIS 27<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

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