

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: JUNE 12, 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 14,756 square foot office building.

Facts:

1. The site is located at 1344 Oak Street, which is on the southeast corner of Oak Street and 14th Street (See attached Vicinity Map).
2. On February 27, 2007 the Planning Commission tabled the previous 56,000 square foot office project in order to allow the applicants the opportunity to redesign the project to address the Commission's concerns related to traffic/parking and neighborhood compatibility.
3. In an effort to address the neighbor's and Planning Commission's concerns with the previous project, Mr. Arciero scaled down the size of the building to a 14,756 square foot two-story office building.
4. 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.
5. As a result of being within the Office Professional and Mixed Use Overlay districts, the proposed office use would be permitted with the Planning Commission's approval of a Development Plan (PD) and a Conditional Use Permit (CUP). The project is not required to have a mixed use (residential) component.
6. On April 19, 2005, the City Council approved Resolution 05-079, allowing the demolition of the First United Methodist Church building as a result of damage from the earthquake and severe termite damage. At this time, the church building has not yet been removed.
7. The Development Review Committee (DRC) reviewed this project at their meeting on May 14, 2007, where they concluded that the proposed redesigned building would address the previous concerns by the Planning Commission, and recommended that the Planning Commission approve the project as revised.

8. The project is within the Downtown Parking Area, where the parking requirement is 1 parking space per 400 square feet gross floor area. For this building, 37 parking spaces are required. The project has been designed to provide 22 on-site parking spaces, therefore the applicants are requesting to pay in-lieu parking fees for the additional 15 parking spaces. The option to pay in-lieu fees is not a discretionary decision and is consistent with the adopted policy.
9. This application is Categorically Exempt from environmental review per Section 15332 of the State's Guidelines to Implement the California Environmental Quality Act (CEQA).

**Analysis
and**

Conclusions: The General Plan, Zoning Ordinance and Economic Strategy support new office professional uses in the downtown area. The intent of providing Office Professional Overlay Zoning is to retain and provide for residential uses as the primary use in accordance with the base residential district, and to provide a transitional district which could accommodate mixed office and residential uses.

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.

It would appear that the proposed office building would meet the intent of the OP Overlay district along with the goals of the Economic Strategy, by generating new investment in the downtown and creating constant pedestrian connections to the downtown.

Reference: Paso Robles General Plan and EIR, Paso Robles Zoning Ordinance, 1998 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:

- a. By separate motions:
 1. Adopt the attached Resolution approving Planned Development 05-008, subject to standard and site specific conditions;
 2. 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 the Planned Development 05-008
4. Resolution to Approve the Planned Development 06-003
5. Newspaper and Mail Notice Affidavits

H:\darren\pd\ArcieroOffice\PCReport

MEMORANDUM

TO: Darren Nash

FROM: John Falkenstien

SUBJECT: PD 05-008, Arciero
1344 Oak Street

DATE: June 12, 2007

The subject property fronts on 14th Street and Oak Street. 14th 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 14th Street. A fire hydrant is available to serve the project at the northwest corner of 14th and Oak Streets.

Sewer is available to the project from Oak Street, 14th Street and the alley.

Recommended Site Specific Conditions

1. Prior to occupancy, the applicant shall reconstruct any broken or deficient curb, gutter and sidewalk on Oak and 14th 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 14th 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 14th 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.

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 that 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 resubmitted by Pults & Associates on behalf of Frank Arciero of Falling Star Homes to construct a 14,756 square foot office building; and

WHEREAS, the project is located at 1344 Oak Street, the southeast corner of Oak Street and 14th 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 June 12, 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, this application is Categorically Exempt from environmental review per Section 15332 of the State's Guidelines to Implement the California Environmental Quality Act (CEQA); 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;

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	First Floor Plan
D	Second Floor Plan
E	Roof Plan
F	Exterior Elevations
G	Monument Sign Plan
H	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 14,756 square foot office building.
4. This project approval shall expire on June 12, 2009 unless a time extension request is filed with the Community Development Department prior to expiration.
5. In conjunction with the submittal of the building plans, exterior light cut-sheets shall be provided for Staff review, to insure adequate shielding.
6. Prior to the issuance of a building permit, the applicant shall pay in-lieu fees for 15 spaces at a rate established by Council Resolution. In-lieu fees are calculated and paid at the time of Building Permit issuance.
7. 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.
8. The monument sign is approved with this resolution (see Exhibit G). The rest of the signs for the project shall be reviewed by the DRC. The applicant shall obtain any required building permits for the signs prior to installation.
9. 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.
10. 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.
11. All roof mounted equipment shall be fully screened.
12. All equipment such as but not limited to transformers and back-flow devices shall be fully screened. This equipment shall be shown on the final landscaping plan and be reviewed by the DRC to insure proper screening.

ENGINEERING SITE SPECIFIC CONDITIONS:

13. Prior to occupancy, the applicant shall reconstruct any broken or deficient curb, gutter and sidewalk on Oak and 14th Streets adjacent to the frontage of the project, as required by the City Engineer.
14. Prior to occupancy, the applicant shall improve the alley along the east side of the project from 14th 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 14th Street.
15. 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:

16. Provide fire sprinkler systems for residential, commercial, and industrial buildings.
17. Upgrade existing fire hydrants to the specifications determined by the City Engineer.
18. 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.
19. 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.
20. 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.
21. No building shall be occupied until all improvements are completed and accepted by the City for maintenance.
22. Provisions shall be made to update Emergency Service's Run Book.

PASSED AND ADOPTED THIS 12th day of June, 2007 by the following Roll Call Vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

CHAIRMAN MARGARET HOLSTINE

ATTEST:

RON WHISENAND, PLANNING COMMISSION SECRETARY

h:darren/PD/ArcieroOfficePDRes

Project:
 ARCIERO PROFESSIONAL OFFICE BUILDING

Client:
 FRANK ARCIERO
 FALLINGSTAR HOMES

1940 N. STREET
 PASO ROBLES
 CA 93446

825 RIVERSIDE AVENUE
 PASO ROBLES
 CA 93446
 (805) 237-7984

Title Sheet

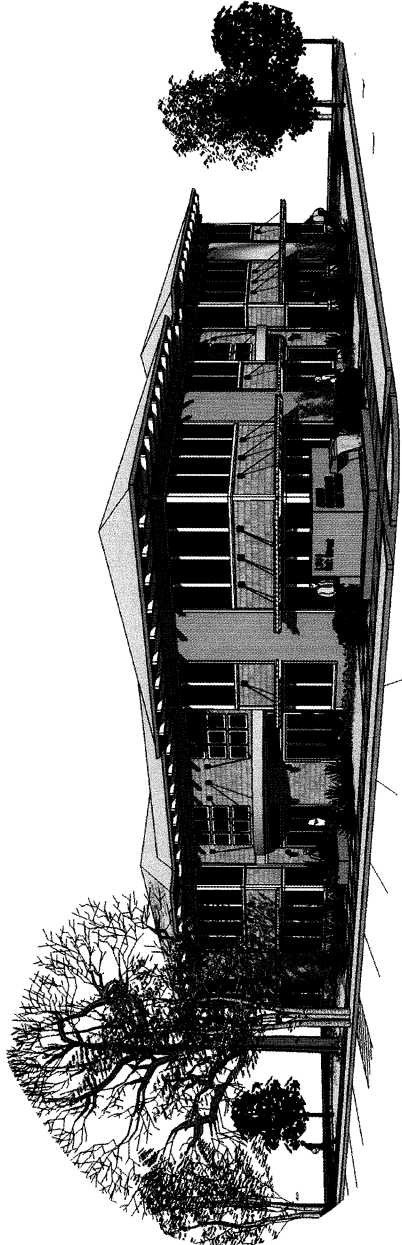


Date: 6 MAY 01
 Revised:

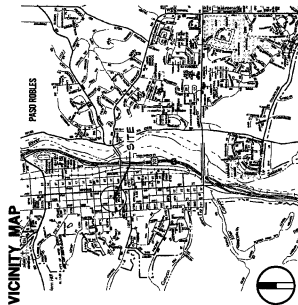
Sheet No: 0618

Sheet: T-1

No. of



ARCIERO PROFESSIONAL PASO ROBLES, CA



DIRECTORY
LASOPRES
 FRANK ARCIERO
 FALLINGSTAR HOMES
 1940 N. STREET, SUITE 106
 PASO ROBLES, CA 93446
 (805) 237-7984

ARCITECT
 STEVEN D. PULLITS, AIA & ASSOCIATES
 3170 GRAND STREET, SUITE 106
 SAN FRANCISCO, CA 94110
 (415) 774-5500

CIVIL ENGINEER
 NORTH COAST ENGINEERS
 125 CRESTON ROAD
 PASO ROBLES, CA 93446
 (805) 237-1211

LANDSCAPE ARCHITECT
 PINKA
 841 MONTEREY STREET, SUITE 209
 PASO ROBLES, CA 93401
 (805) 731-1800

PROJECT SUMMARY

LEGAL:	LOTS 16-18, BLOCK 13 CITY OF PASO ROBLES	APPL:	RFP-9 OFFICE PROFESSIONAL OVERLAY CUP-23-10-12
ZONING:	20-4R1-5F	LOT COVERABLE:	36 %
LEASABLE SPACE:	FIRST FLOOR: 6,841 SF SUB-TOTAL LEASABLE: 12,824 SF	NON-LEASABLE SPACE:	LOBBIES: 614 SF ELECTRICAL: 115 SF STAIRS: 245 SF ELEVATOR EQUIPMENT: 61 SF SUB-TOTAL NON-LEASABLE: 1,235 SF
PARKING:	TOTAL BUILDING SP: 14,211 SF STANDARD: 20 SPACES ACCESSIBLE: 2 SPACES TOTAL PROVIDED: 22 SPACES	MAX HEIGHT:	32 SPACES FOR CURRENT ORDINANCE FOR DOWNTOWN CORE, (BASED ON 1 SPACE/ 400 SF OF SITE) BICYCLE: 4 SPACES 195'-6" BUILDING

PROJECT DESCRIPTION

THIS PROPOSED PROJECT CONSISTS OF A 14,156 SF TWO FLOOR PROFESSIONAL OFFICE BUILDING WITH NEW PARKING LOT, DRIVEWAY, ENTRY PLAZAS, 865N MALL AND POINTAN.

SHEET INDEX

- T-1 TITLE SHEET
- ALPHABETICAL
- C-1 OVERALL SITE PLAN
- A-1 FIRST FLOOR PLAN
- A-2 SECOND FLOOR PLAN
- A-3 ROOF PLAN
- A-4 EXTERIOR ELEVATIONS

TOTAL 6 SHEETS

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

Architect: Planning & Graphics
15005M 5095047E
San Francisco, California 94603
415-774-1804 ext. 100
415-774-1811, fax
415-774-1812, cell
All drawings are the property of Steven D. Putts, AIA & Associates, LLP. No part of this drawing may be reproduced or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of Steven D. Putts, AIA & Associates, LLP.
Project:

ARCIERO PERSONAL OFFICE BUILDING

144 OAK STREET
PALO ALTO, CA 94301

Client:
FRANK ARCIERO FALLINGSTAR TREES

825 RIVERSIDE AVENUE
PALO ALTO, CA 94301
(650) 297-7394

Lead Architect:
OTBALL STEPHAN



Date: 6 MAY 07
Revision:

Job No: 018
Sheet:

C-1
of

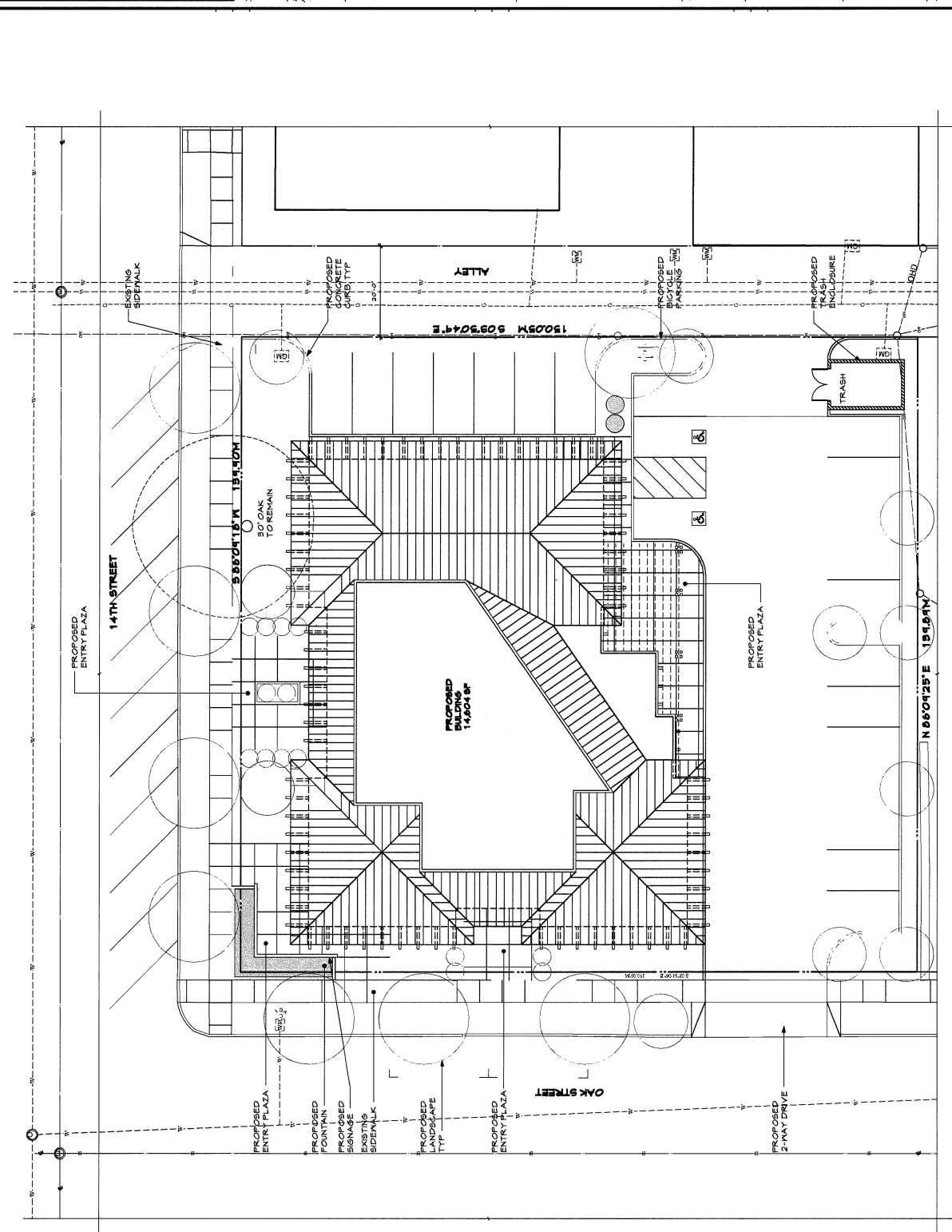
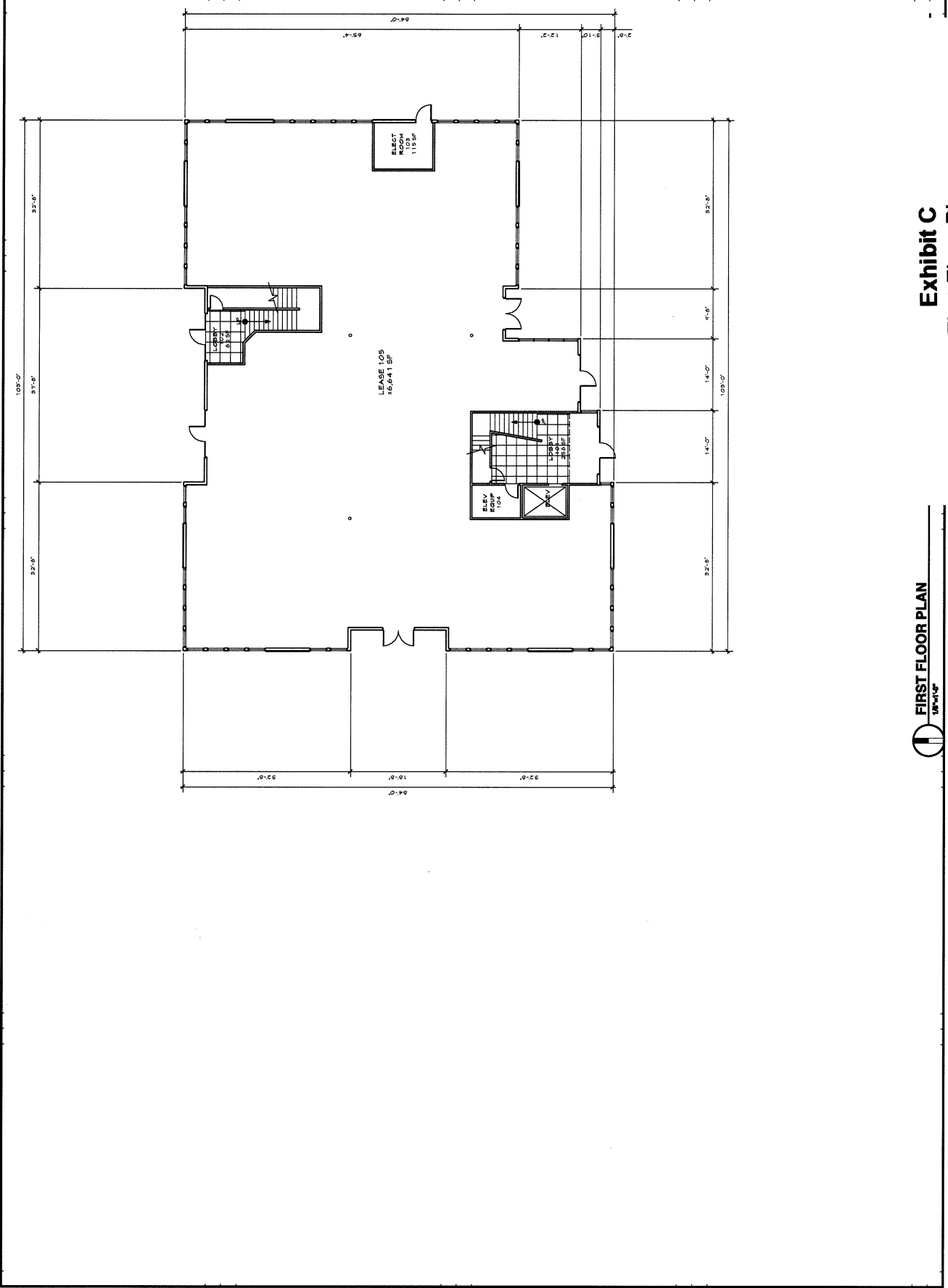
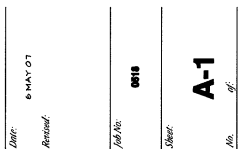


Exhibit B
Site Plan
PD 05-008 & CUP 06-003
(Arciero)





FIRST FLOOR PLAN
 1/8"=1'-0"

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



Steven D. Pults, AIA & Associates, LLP
 Architects, Planning & Graphics
 150 Grand Street, Suite 200
 San Francisco, CA 94102
 Tel: 415.774.8900
 Fax: 415.774.8901
 800.541.9804
 800.541.4171
 www.pults.com

ARCERO PROFESSIONAL BUILDING
 154 MARKET STREET
 PASADENA, CA 92448

FRANK ARCERO FALLINGSTAR HOMES

825 RIVERSIDE AVENUE,
 SUITE 100
 PASADENA, CA 92448
 (651) 237-7894

SECOND FLOOR FLOOR PLAN

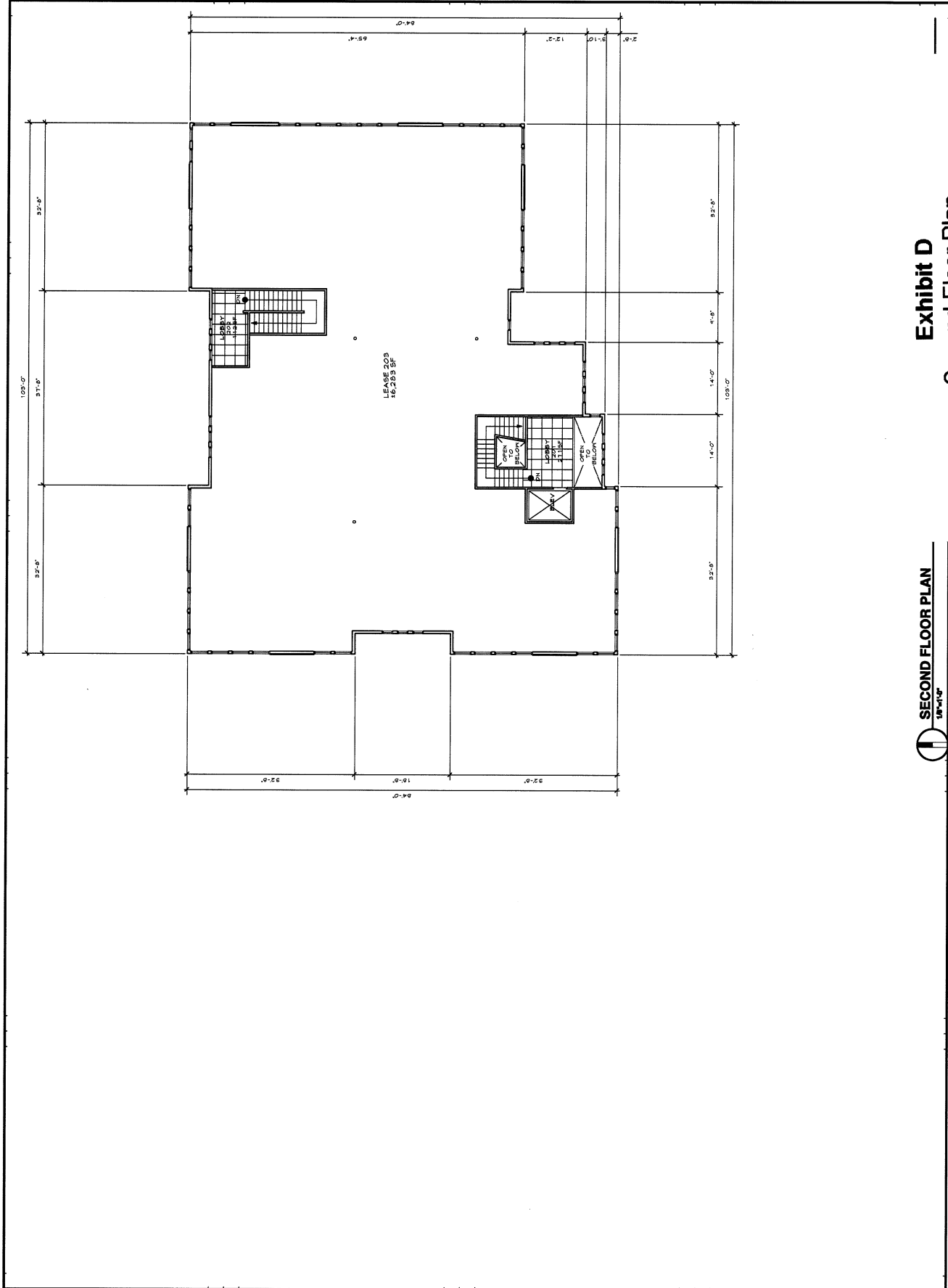


Date: 6 MAY 03
 Revised:

Scale: 0/110

Sheet: A-2

of



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

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

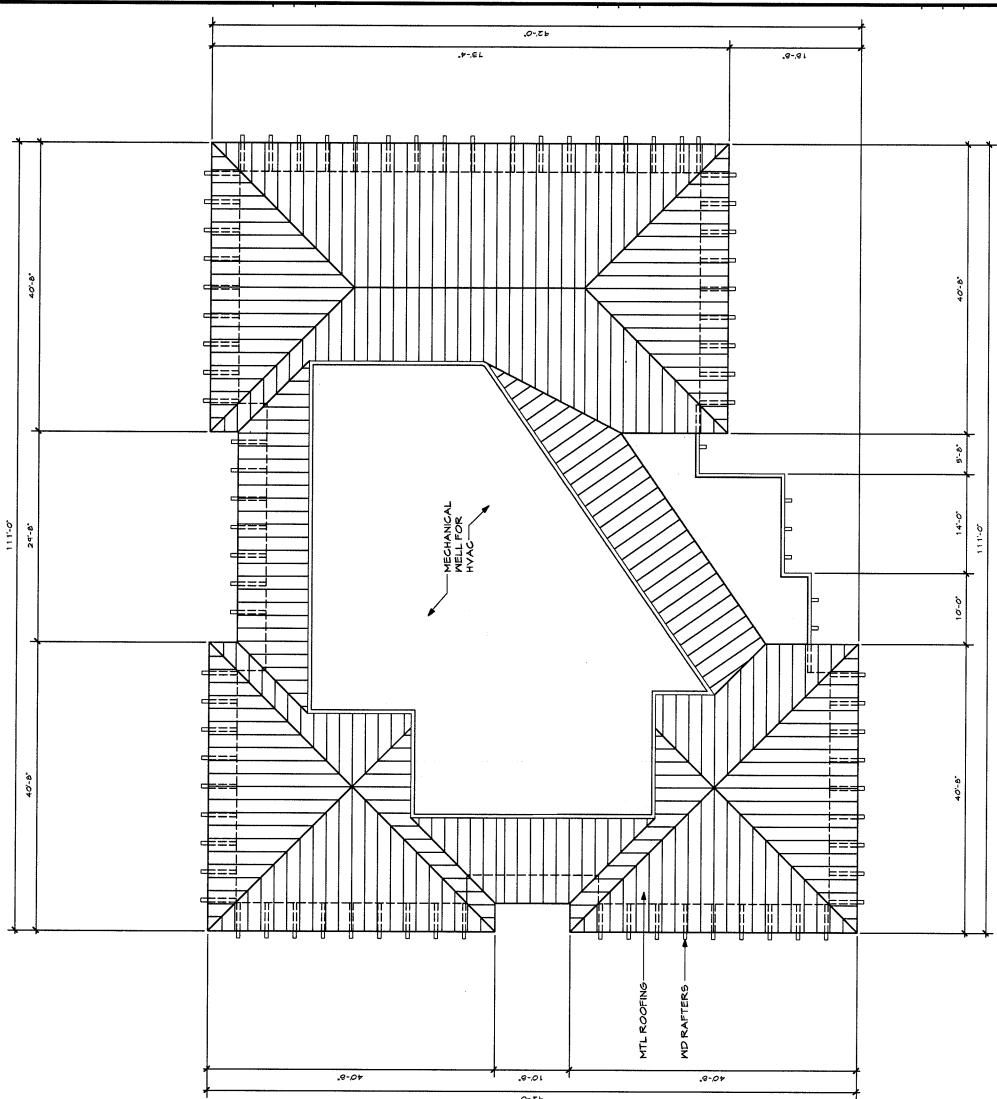


Exhibit E
Roof Plan
PD 05-008 & CUP 06-003
(Arciero)



ROOF PLAN
 1/8" = 1'-0"



STEVEN D. PULTS, AIA & ASSOCIATES, LLP
 Architects, Planning & Engineers
 3939 Bond Street, Suite 108
 San Diego, California 92121
 Tel: 619.594.4371
 Fax: 619.594.4372

**ARCIERO
 PROFESSIONAL
 OFFICE
 BUILDING**

1344 OAK STREET
 PALO VERDE
 CA 92046

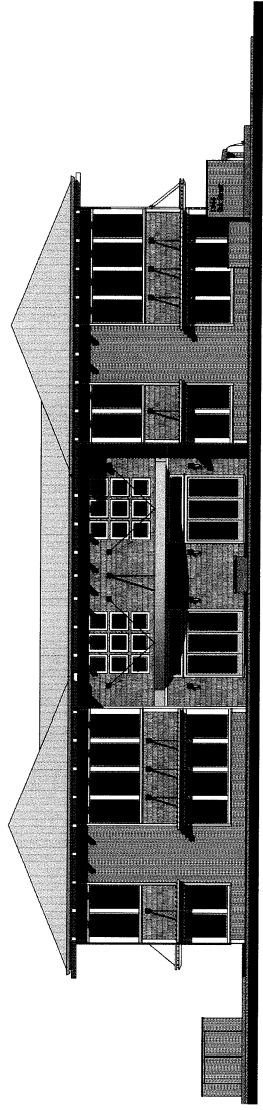
FRANK ARCIERO
 FALLINGSTAR HOMES

855 INVERSIDE AVENUE
 FALLINGSTAR HOMES
 CA 92046
 (650) 237-7804

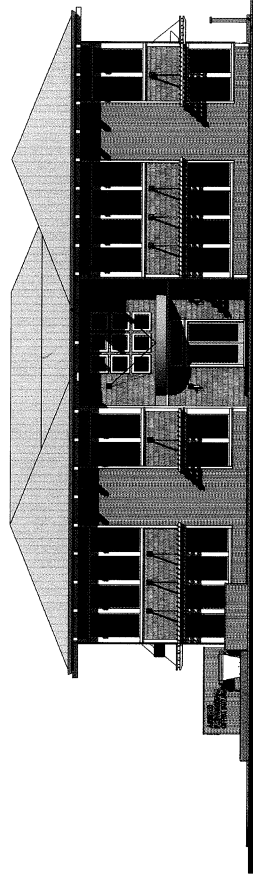
DATE: MAY 07
 PROJECT: 0518



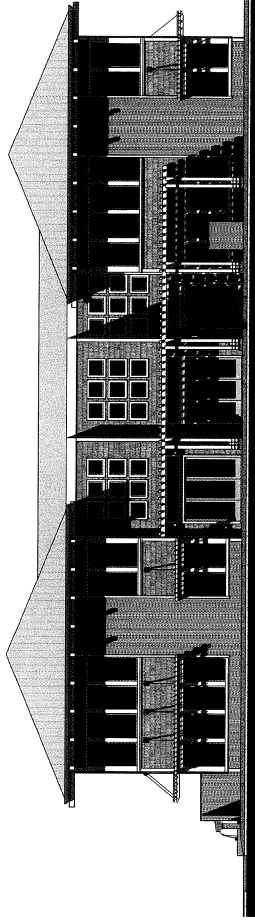
A - 4



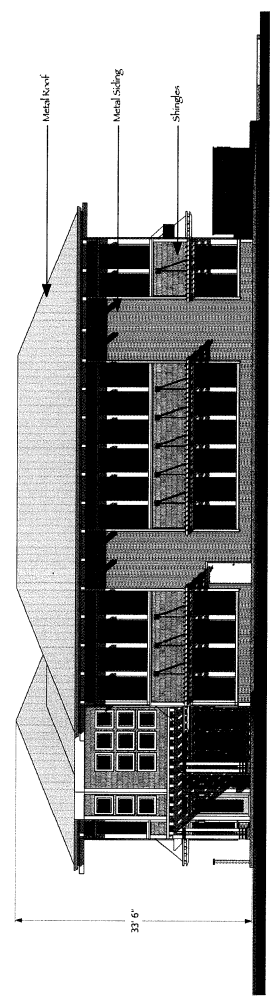
NORTH ELEVATION
 1/8" = 1'-0"



WEST ELEVATION
 1/8" = 1'-0"

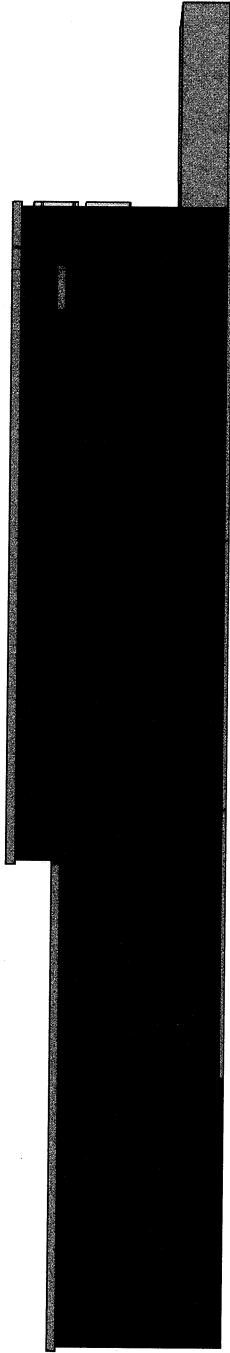


SOUTH ELEVATION
 1/8" = 1'-0"



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

Exhibit F
Exterior Elevations
PD 05-008 & CUP 06-003
(Arciero)



MONUMENT
SIGN

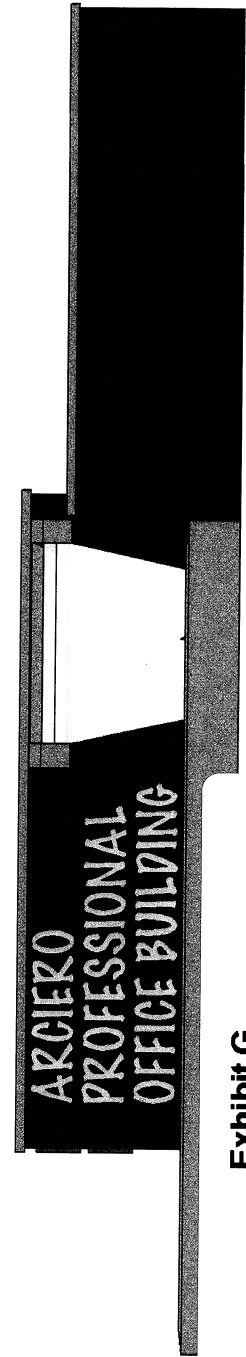
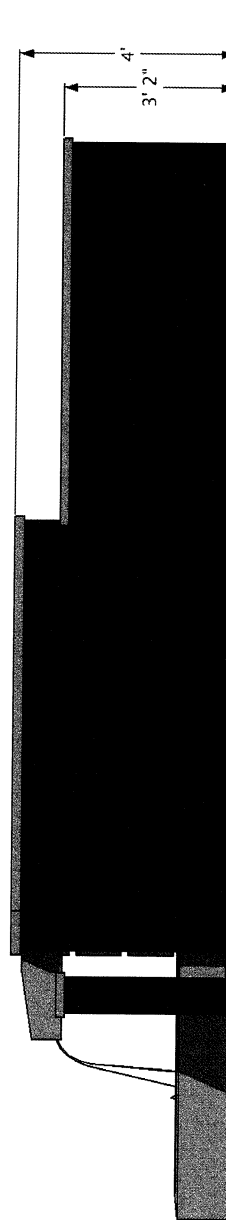


Exhibit G
Monument Sign
PD 05-008 & CUP 06-003
(Arciero)



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 14,756 square foot two-story office building; and

WHEREAS, the project is located at 1344 Oak Street, the southeast corner of Oak Street and 14th 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 June 12, 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, this application is Categorically Exempt from environmental review per Section 15332 of the State's Guidelines to Implement the California Environmental Quality Act (CEQA); 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 June 12, 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 14,756 square foot professional office building.
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 12th day of June, 2007, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

CHAIRMAN MARGARET HOLSTINE

ATTEST:

RON WHISENAND, PLANNING COMMISSION SECRETARY

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

PROOF OF PUBLICATION

LEGAL NEWSPAPER NOTICES

PLANNING COMMISSION/CITY COUNCIL
PROJECT NOTICING

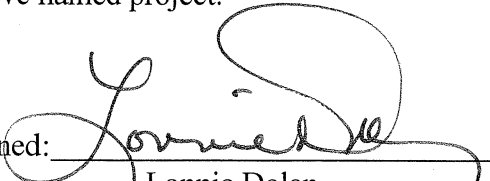
Newspaper: Tribune

Date of Publication: June 1, 2007

Meeting Date: June 12, 2007
(Planning Commission)

Project: Conditional Use Permit 06-038
& Planned Development 05-008
(Arciero Office Bldg, 1344 Oak)

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

CITY OF EL PASO DE ROBLES
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Planning Commission of the City of El Paso de Robles will hold a Public Hearing to consider the following application:

Planned Development 05-008 & Conditional Use Permit 06-038: applications, filed by Pults & Associates on behalf of Frank Arciero - Falling Star Homes, Inc., to construct an approximate 14,500 square foot, two-story office building at 1344 Oak 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, June 12, 2007, at which time all interested parties may appear and be heard.

This application is Categorically Exempt from environmental review per Section 15332 of the State's Guidelines to Implement the California Environmental Quality Act (CEQA).

Comments on the proposed project 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. Should you have any questions regarding this application, please call Darren Nash at (805) 237-3970.

The proposed project will be available for review at the Community Development Department, 1000 Spring Street, Paso Robles, CA 93446, on the Thursday before the scheduled date of this hearing.


If you challenge the planned development or CUP applications 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
June 1, 2007 6590002

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 PD 05-008 & Conditional Use Permit 06-003, a proposal to construct an approximate 14,500 square foot, two story office building, (Applicant: Pults and Associates on behalf of Frank Arciero), on this 31st day of May, 2007.

City of El Paso de Robles
Community Development Department
Planning Division

Signed: 
Talin Shahbazian

forms\mailaffi.691