

Legislation Text

File #: #17-0085, Version: 1

PREPARED BY: ROD SIMPSON

DATE OF MEETING: 03/20/17

SUBJECT:

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO APPROVING PLAN1610-0024, A MAJOR DESIGN REVIEW AND TENTATIVE SUBDIVISION MAP (NO. 9448) TO ALLOW FOR THE DIVISION OF A 0.78 ACRE PARCEL, IDENTIFIED AS ASSESSOR'S PARCEL NO. 417-130-034, AT 13717 SAN PABLO AVENUE WITHIN THE PLAZA SAN PABLO DEVELOPMENT, AND TO ALLOW THE DEVELOPMENT OF A MIXED USE PROJECT THAT INCLUDES A 3,607 SQUARE FOOT RETAIL BUILDING, A PARKING AREA, A PUBLIC ACCESS WALKWAY, AND EIGHT SINGLE FAMILY ZERO LOT LINE TOWNHOMES

CITY MANAGER RECOMMENDATION

Conduct public hearing; adopt Resolution

COUNCIL PRIORITY WORKPLAN

Circle S (Plaza San Pablo) Phase II Mixed Use Development is an adopted policy item under Economic Development, Policy Item 2.2., of the FY 2015-17 City Council Priority Workplan, effective October 1, 2016.

CEQA Compliance Statement

No additional environmental analysis is required as identified in California Environmental Quality Act (CEQA) Section 15162, 15163, and 15183(a). Staff had the development services department's environmental consultant, Michael Baker International, review the project and tentative subdivision map for the required environmental documentation under CEQA. The consultants prepared a report on the environmental documentation (attached). The report found that, based on the environmental documents prepared for the General Plan, the San Pablo Avenue Specific Plan, and the Mixed Use Center South Regulatory Code, no further environmental review was required.

The General Plan Environmental Impact Report (EIR), San Pablo Avenue Specific Plan EIR, and the Mixed Use Center South Mitigated Negative Declaration (MND) analyzed potentially significant impacts from buildout of the Plaza San Pablo development area (Mixed Use Center South). CEQA provides that after a public agency certifies an EIR, the agency shall consider whether further environmental review is required for a subsequent discretionary decision. CEQA Guidelines Sections 15162 and 15163 provide that an agency shall not prepare a subsequent or supplemental EIR unless the agency determines, on the basis of substantial evidence that certain conditions exist that will lead to a new significant impact or substantial increase in the severity of previously identified impacts; changed circumstances under which the project is undertaken; or new information regarding impacts or feasibility of mitigation measures. CEQA Guidelines Section 15183(a) provides that if the subsequent activities under review "are consistent with the development densities established by existing zoning, community plan, or general plan for which an EIR was certified," the agency "shall not prepare additional environmental review." The proposed project is shown to be consistent with the

allowed uses and densities identified in the Specific Plan and the Mixed Use Center South Regulating Code under which environmental impacts and mitigations were previously identified.

The environmental documentation report concluded that pursuant to CEQA Guidelines, the City evaluated the project's site specific operations within the San Pablo Avenue Specific Plan EIR, and evaluated whether further environmental review was required after considering various technical studies including a traffic study, a storm water control plan, and site plans.

Based on the various information in the report, it was concluded that the proposed project would be consistent with the assumptions for the project site as presented in the General Plan and the San Pablo Avenue Specific Plan, and that the project would not result in any new significant impacts or increase the severity of any significant impacts identified in the General Plan EIR, San Pablo Avenue Specific Plan EIR, or the Mixed Use Center South MND. The circumstances under which the project would be undertaken have not substantially changed such that new or more severe impacts would occur. Therefore, staff and the Planning Commission found no further environmental analysis is required.

PROJECT OVERVIEW AND DESCRIPTION

PLAN1610-0024 is a Major Design Review/Tentative Subdivision Map (No. 9448). The applicant/authorized agent, Jerry Blommer/CSHQA Architects, requests approval to construct a 3,607 square foot retail building, a parking area, a shared driveway, a public access walkway, and eight single-family zero lot line townhomes at 13717 San Pablo Avenue bounded by Luna Lane and Chattleton Lane within the Plaza San Pablo development area (previously known as Circle S). A nine lot tentative subdivision map is also included in the requested approvals. Municipal Code Section 17.16.070(B), "Approving Authority," states that when a proposed project requires more than one approval with more than one approving authority, all project approvals shall be processed concurrently and final action shall be taken by the highest level designated approving authority for all such requested approvals. As the tentative subdivision map requires City Council approval, the major design review also requires City Council approval.

SITE LOCATION/CHARACTERISTICS

Owners: Art Arjang and Mary Mehrzad Pakpour.

Applicant/Authorized Agent: CSHQA - Jerry Blommer

Location: 13717 San Pablo Avenue, within Plaza San Pablo Project Area

Parcel Number: 417-130-034

General Plan Designation: Mixed Use Center

Zoning District: SP-2 (San Pablo Avenue Specific Plan)/Mixed Use Center South

Regulating Code: Mixed Use Center South

Surrounding Zoning and Land Uses:

North: SP-2 (Mixed Use Center South) San Pablo Library (under construction)

South: SP-2 (Mixed Use Center South) Luna Lane, Commercial Use

West: SP-2 (Mixed Use Center South) Vacant Parcel

East: SP-2 (High Density Residential) Senior Apartments

The subject property is located at 13717 San Pablo Avenue, within the Plaza San Pablo, at the corner of San Pablo Avenue and Luna Lane, and adjacent to the new San Pablo Avenue Library Building currently under construction. The 0.78-acre site is currently vacant with remnants of pavement on the parcel.

The Plaza San Pablo site was acquired by the former Redevelopment Agency of the City of San Pablo to eliminate blighted conditions. The community vision includes a comprehensive redevelopment of the Mixed Use Center South to create a local and regional mixed-use destination as part of the overall vision for revitalization of the San Pablo Avenue Corridor. The Association of Bay Area Governments is focusing on San Pablo Avenue as one of three regional corridors to focus implementation of their Plan Bay Area Sustainable Communities Strategy.

A site-wide regulatory code (Mixed Use Center South) was developed outlining a variety of potential uses, including civic, cultural, and commercial uses. A map of the Plaza San Pablo Site, showing proposed internal streets and divided Blocks is attached for reference.

RETAIL/RESTAURANT BUILDING

The proposed retail building would be approximately 3,600 square feet fronting on San Pablo Avenue with a varying height at just above 24 feet. The building is proposed to have three lease spaces consisting of two restaurant uses and one retail space. Future approval of land use types must be consistent with the Specific Plan classifications and would either be permitted by right, require administrative review, or permitted with a use permit by the Planning Commission. The individual retail/restaurant spaces would range in size from 1,022 to 1,158 square feet. Also proposed are two outdoor dining patios on the east and west sides of the building adjacent to the proposed restaurant spaces. Garbage and utilities enclosures are proposed on the rear of the building facing the parking area and the rear of the townhomes. The parking lot, commercial landscaping, and associated on-site lighting will be maintained by the commercial property owner. An easement across the parking lot to Luna Lane will be made available to the residential property owners. At the building permit stage, a lighting plan will be provided to address the need for adequate parking lot safety lighting, but no excessive glare into the residential properties.

Consistent with the Mixed Use Center South Regulating Code, varied exterior materials, such as wood textured horizontal, stucco, glass windows, and metal roof and patio elements are proposed for the walls of the structure. The proposed exterior design utilizes a “Modern California” architectural style that includes height variations, entry insets, and pillar and wall variations that break-up a static wall look. The design wraps around the structure to provide cohesiveness and interest from all sides. A distinct corner feature that utilizes a curved glass window wall provides for a visual interest to the prominent corner. The proposed colors of the exterior include a variety of earth tone stucco (Burmese Tan, Fine Grain, and Creamed Butter) with varied accent materials of brown, grey, red, and green (Chestnut Brown, December Sky, Country Lane Red, and Hemlock Green).

The proposed construction would meet the CalGreen Code requirements for energy efficiency and incorporates the following sustainable design processes and performance requirements in their criteria: recycled content, regional materials, construction waste reduction, optimized energy performance with measurement and verification, indoor air quality management, water use reduction and water efficient landscaping.

PARKING AND CIRCULATION

The proposed parking lot would have standard ingress/egress from Luna Lane and a right turn ingress/egress from San Pablo Avenue. The parking lot would be located on the rear and side of the structure. Twenty-two (22) parking spaces are proposed including one (1) ADA-compliant space. Eight additional off-site parking spaces are located along Luna Lane and Chattleton Lane. Parking area lighting is proposed on the site. Bicycle parking is proposed at the northwest corner of the building.

A site access and circulation study prepared by the transportation engineering firm, Kittelson & Associates, Inc., was submitted by the applicant/authorized agent. The study analyzed the potential of inbound traffic associated with the project, and queuing and back up issues on Luna Lane to San Pablo Avenue. The conclusion found that the queuing and back up on Luna Lane would have no back-up impact on San Pablo Avenue. Additionally, the right-in/right out driveway on San Pablo Avenue is expected to further improve conditions at the Luna Lane driveway and would allow for more efficient circulation on the Project site.

LANDSCAPING/PUBLIC ACCESS

The proposed project includes planter areas around the building on the south and north sides. Some of the planter areas are utilized to provide some separation of the patio seating areas. A landscaped 6-foot wide pedestrian walkway is located on the northern end of the parcel and runs from San Pablo Avenue to Chattleton Lane. This pedestrian access provides a path through between two areas and access to the adjacent Library. The landscaped area also provides for on-site storm water collection. Vine lattice planters are proposed for the western building side in order to break up the wall expanse and provide a deterrent for graffiti. The planting plan includes drought tolerant species. Proposed small shrub species includes a variety including California Fescue, Dwarf Coyote Bush, and Scarlet Monkey flower. Tree varieties include California Ash and Western Redbud. The developer did not want to create an homeowners' association to take on these maintenance obligations, so the retail property owner is responsible for the maintenance of the landscaping areas, parking lot, and public access area. Landscaping of the townhome area is limited and would be the responsibility of the individual homeowners.

RESIDENTIAL BUILDINGS

The proposed project would construct eight (8) two-story single-family zero lot line residences fronting on Chattleton Lane. Seven (7) would be 1,713 square feet in size, and one (1) would be 1,804 square feet. The residences would have individual two-car garages with access from Luna Lane through the commercial parking area. An access easement from the garage spaces over the commercial parking lot is proposed as part of the tentative subdivision map. No homeowners' association is proposed because each building is individually owned and has its own landscaping; there is no shared space to include in an association that is not being landscaped by the commercial development.

The corner residential unit has an adjusted floor plan that includes two bedrooms and two and a half bathrooms and larger living areas. All other residential units include a floor plan of three bedrooms and two and a half baths. Also included is a living room, family room, study, laundry room, a balcony, and a patio area. Each unit/lot would be privately maintained.

Varied exterior materials, such as wood textured horizontal, stucco, glass windows, and metal roof and patio elements are proposed for the walls of the units. The proposed exterior design utilizes a

“Modern California” architectural style that includes height variations, entry insets, and pillar and wall variations that break-up a static wall look. The design and color elements integrate with the retail building.

UTILITIES

The proposed project would connect to existing utilities including Pacific Gas and Electric, East Bay Municipal Utility District, Richmond Sanitary and West County Wastewater District.

TENTATIVE SUBDIVISION MAP

The proposed tentative subdivision map would divide the existing parcel into nine parcels. One parcel of 0.47 acres would include the retail building, parking area, and public access area. The other eight (8) parcels would include each residential unit and range from 0.037 acres to 0.041 acres each. Pursuant to the California Subdivision Map Act and Title 16 of the San Pablo Municipal Code, “Subdivisions,” the developer will have 24 months to submit a parcel map for approval and to complete all improvements unless the City Council approves an improvement agreement with sufficient bonding.

GENERAL PLAN CONFORMANCE

The proposed project is consistent with the following General Plan policy:

Guiding Policy ED-G-2: Recruit community-serving retail, neighborhood serving commercial, healthcare, and entertainment businesses and activities that meet the needs of residents.

Implementing Policy LU-I-7: Require design review of all new construction and visible exterior alterations of large non-residential buildings.

Implementing LU-I-9: Encourage new residential, commercial and related forms of development in a manner which fosters both day and appropriate night time activity; visual presence on the street level; appropriate lighting; and minimally obstructed view areas.

Implementing Policy LU-I-19: Require pedestrian-oriented amenities and design in mixed use areas, such as outdoor seating, plazas, public art, ground floor retail, and waiting areas (benches and shelters).

Guiding Policy LU-G-11: Recognize the importance of the mixed-use areas along San Pablo Avenue, San Pablo Dam Road, 23rd Street, and Rumrill Boulevard to the vitality and quality of life in San Pablo.

Implementing Policy LU-I-39: Use the San Pablo Avenue Specific Plan to guide future development in the Circle S site focus area.

The proposed project is consistent with the General Plan. The project provides a mixed use development in the Plaza San Pablo development area.

ZONING CONFORMANCE

The subject property is currently zoned SP-2 (San Pablo Specific Plan) and is subject to the

regulations the Mixed Use Center South Regulating Plan. The Zoning Ordinance Design Review Chapter 17.20.030(B)(4) requires design review for development within one of the City's mixed use districts.

SAN PABLO AVENUE SPECIFIC PLAN CONFORMANCE

The site is within an opportunity site and focus area. The site presents an opportunity to capitalize on the proximity of City Hall, the San Pablo Lytton Casino, and nearby medical offices to establish a major mixed-use node in the heart of the corridor. The proposed project is consistent with the following goals and implementing policies for the San Pablo Avenue Specific Plan Area:

Guiding Policy 2-G-1: Promote development of San Pablo Avenue as an attractive boulevard, lined with a diverse array of uses that promote vibrant street life, and maintain eyes on the street at all times.

Guiding Policy 2-G-3: Promote pedestrian- and transit-friendly development that enhances the public realm.

Implementing Policy 2-I-1: Establish mixed-use, transit supportive nodes of development near the intersections of San Pablo Avenue and the following streets: Rumrill Boulevard, El Portal Drive, Church Lane, and San Pablo Dam Road.

Guiding Policy 3-G-5: Improve pedestrian and bicycle amenities throughout the Planning Area to encourage walking and bicycle trips along the corridor.

Implementing Policy 3-I-18: Encourage provisions of bike racks and locking systems in all multi-family residential developments, multi-tenant retail and office developments, and government and institutional uses.

Guiding Policy 3-G-11: Avoid excessive supplies of parking that would discourage transit ridership and pedestrian or bicycle trips.

Guiding Policy 4-G-1: Develop the Circle-S site with a vital mix of synergistic retail, eating/drinking establishments, office, institutional, and residential uses, and as a citywide and regional destination.

The proposed project meets the goals and implementing policies of the San Pablo Avenue Specific Plan.

REGULATING CODE

The proposed project is subject to the Mixed Use Center South Regulating Code which is meant to provide the development framework for the build-out of this site. The Regulating Code is meant to ensure new investment contributes to the fulfillment of the community's vision while encouraging innovative design ideas that creates an attractive and walkable neighborhood. The Regulating Code includes block development regulations, land use, parking, landscape and building design elements.

The proposed project is a new construction project on a portion of Block C of the site. It is consistent with land use categories for this particular Block. Retail and residential uses are permitted uses.

SUBDIVISION MAPS

The proposed Tentative Subdivision Map, No. 9448 is reviewed and subject to the standards of the Subdivision Map Act, Municipal Code Chapter 16.04, "Tentative Maps," Municipal Code Chapter 16.08, "Final Subdivision Maps," and the standards and guidelines in the Mixed Use Center South Regulating Code.

ANALYSIS

The proposed project meets the standards of development outlined in the Mixed Use Center South Regulating Code and is consistent with the policies of the General Plan and San Pablo Avenue Specific Plan. The Tentative Subdivision Map meets the standards of Municipal Code Chapter 16.04 and the standards and guidelines in the Mixed Use Center South Regulating Code. Staff believes that this development will assist in a synergy to encourage future development in the Plaza San Pablo and along the San Pablo Avenue corridor while providing retail and residential opportunities.

SITE PLAN/DESIGN REVIEW

The Mixed Use Center South Regulating Code provides design principles that guide the character of new buildings in accordance with the community's vision for an attractive and walkable center. General principles include the following: architectural massing and façade articulation should work in harmony with the structural system and wall openings along the primary facades shall correspond to internal spaces as feasible; building facades shall have a high level of finish and articulation; and buildings shall be distinctive and reflective of their use. The guidelines encourage the fronting of retail uses on San Pablo Avenue. A wide range of residential types are allowed in the project area in order to provide flexibility and encourage a pedestrian oriented area.

The project provides pedestrian access at several locations with connections to San Pablo Avenue, Chattleton Lane, and the new San Pablo Library. Drought tolerant landscaping is provided. The proposed project meets the standards outlined in the Mixed Use Center South Regulating Code for a project of this type.

The Mixed Use Center South Regulating Code does not dictate any particular architectural style, but does identify a variety of architectural styles that could be utilized. The design of the proposed project does match the California Contemporary design as described in section 2.6 *Building Design* of the Regulating Code (Exhibit G). The proposed project designed to be complementary to other developments in the project area (San Pablo Library, Walgreens), while also meeting the requirements to encourage innovative design ideas that create an attractive improvement to the prominent location. The proposed architectural design encompasses positive design features that add to the exterior visual distinction, while also providing useful interior effects.

The proposed project was submitted to various responsible agencies for comment. Regulatory conditions submitted have been included in the conditions of approval.

PARKING AREA/CIRCULATION

The proposed parking area has twenty-two (22) parking spaces including one (1) ADA-compliant spaces. Eight additional off-site parking spaces are located along Luna Lane and Chattleton Lane. Each residential unit has a two car garage accessed from the parking lot area. The Mixed Use Center South Regulating Code requires a minimum of 0 and a maximum of 4 spaces per 1000 square feet

for commercial uses. Parking requirements may be satisfied through any combination of off-street spaces in shared public or private facilities or on-street public spaces within 200 feet of an entrance. Bicycle parking must meet one (1) space for every ten (10) automobile parking spaces. This site is a Pedestrian Priority Zone and pedestrian and bicycle connectivity is provided from San Pablo Avenue, and between this site and the library and the large Plaza San Pablo.

The circulation plan of the parking area appears to work well for ingress/egress. It also provides for the emergency vehicle and garbage trucks access. The site access and circulation study has been accepted by the City Engineer.

Statewide greenhouse gas goals emphasize placing land uses near public transportation and services to reduce the dependence on automobiles. Plaza San Pablo is the ideal location for a mixed use development with pedestrian access and access to public transit.

TENTATIVE SUBDIVISION MAP

The proposed Tentative Subdivision Map, No. 9948 is consistent with the standards of Municipal Code Chapter 16.04, Tentative Maps, and the standards, guidelines, and density requirements in the Mixed Use Center South Regulating Code. Conditions have been included in the adopting resolution to address acceptance of easements and improvements identified on the Tentative Map to occur with the submission of the Final Map.

FINDINGS

The following findings are included in the recommended Resolution 17-XX approving the Project and Tentative Subdivision Map:

1. The Project and map are consistent with the City of San Pablo General Plan, San Pablo Avenue Specific Plan, the Mixed Use Center South Regulating Code, the Subdivision Map Act, and Chapter 16.04 of the Municipal Code.

The proposed project and map meet the intent of policies adopted in the City of San Pablo General Plan, San Pablo Avenue Specific Plan and the regulatory standards of the Mixed Use Center South Regulating Code as identified in this report. The map also adheres to the requirements outlined in the Subdivision Map Act and Chapter 16.04 of the Municipal Code.

2. The subject property is within the San Pablo Avenue Specific Plan/Mixed Use Center South area which promotes the development of San Pablo Avenue as an attractive pedestrian and transit oriented boulevard that promotes a vibrant street life with amenities that draw residents from the entire City and surrounding region.

The project site is located at the corner of San Pablo Avenue and Luna Lane within the Plaza San Pablo (Mixed Use Center South development area) development area and incorporates guidelines adopted in the Mixed Use Center South Regulating Code. The project would promote the development of San Pablo Avenue as an attractive pedestrian and transit oriented boulevard that promotes a vibrant street life with amenities that draw residents from the entire City and would be consistent with the policies identified in the San Pablo Avenue Specific Plan.

3. The proposed project fulfills the design standards of the Mixed Use Center South Regulating Code, Section 2.6 Building Design, and compliments the surrounding uses.

The “Modern” California design of the development conforms to the design standards of the Regulating Code and is complementary to other developments planned in the project area. The design also meets the requirement to encourage innovative design ideas that create an attractive improvement to a prominent location. Varied exterior materials, such as wood textured panels, paint color variations are proposed on the walls of the structures. The corner glass walls are also proposed for the exterior and define an attractive focal point at the corners of the parcel.

4. Pursuant to the California Environmental Quality Act, the project and tentative subdivision map was found to be consistent with the environmental documents prepared for the General Plan, the San Pablo Avenue Specific Plan, and the Mixed Used Center South Regulating Code, and that no further environmental review was required.

Environmental documentation was prepared by an environmental consultant and found that the General Plan Environmental Impact Report (EIR), San Pablo Avenue Specific Plan EIR, and the Mixed Use Center South Mitigated Negative Declaration (MND) analyzed potentially significant impacts from buildout of the Plaza San Pablo development area (Mixed Use Center South). CEQA provides that after a public agency certifies an EIR, the agency shall consider whether further environmental review is required for a subsequent discretionary decision. CEQA Guidelines Sections 15162 and 15163 provide that an agency shall not prepare a subsequent or supplemental EIR unless the agency determines, on the basis of substantial evidence that certain conditions exist that will lead to a new significant impact. CEQA Guidelines Section 15183(a) provides that if the subsequent activities under review “are consistent with the development densities established by existing zoning, community plan, or general plan for which an EIR was certified,” the agency “shall not prepare additional environmental review. The proposed project is shown to be consistent with the allowed uses and densities identified in the Specific Plan and the Mixed Use Center South regulating code.

The environmental documentation report concluded that pursuant to CEQA Guidelines, the City evaluated the projects site specific operations within the San Pablo Avenue Specific Plan EIR, and evaluated whether further environmental review was required after considering various technical studies including a traffic study, a storm water control plan, and site plans.

Based on the various information in the report, staff and the Planning Commission concluded that the proposed project would be consistent with the assumptions for the project site as presented in the General Plan and the San Pablo Avenue Specific Plan, and that the project would not result in any new significant impacts or increase the severity of any significant impacts identified in the General Plan EIR, San Pablo Avenue Specific Plan EIR, or the Mixed Use Center South MND. The circumstances under which the project would be undertaken have not substantially changed such that new or more severe impacts would occur. Therefore, no further environmental analysis is required.

5. Public Notice of the hearing has been given and were mailed to owners of properties within a 300-foot radius of the subject property, and has been published in the West County Times, in accordance with the requirements of Government Code Section 65905.

Notices were mailed to owners of properties within a 300-foot radius of the site. The notices were mailed on Thursday, February 9, 2017. In addition, a Public Hearing Notice was published in the

West County Times newspaper on Saturday, February 11, 2017.

PUBLIC HEARING NOTICE

Notices were mailed to owners of properties within a 300-foot radius of the site. The notices were mailed on Thursday, March 9, 2017. In addition, a Public Hearing Notice was published in the *West County Times* newspaper on Thursday, March 9, 2017.

PLANNING COMMISSION RECOMMENDATION

The Planning Commission held a public hearing on this item on February 22, 2017. Discussion topics included review of pathways and accessibility for bicycles; on- and off-site vehicle circulation, queuing and trash removal; rooftop solar opportunities; residential and commercial ownership and long-term landscape and building maintenance without a homeowner association; commercial light glare to residential properties; land uses allowed in commercial buildings and compatibility with residential uses. The Planning Commission adopted Commission Resolution 17-02, recommending approval of PLAN1610-0024, a Major Design Review and Tentative Subdivision Map, subject to the findings and conditions. The approval of the Resolution was adopted unanimously.

FISCAL IMPACT

Planning application fees were collected and City resources spent for the review of the project. However, there is no further fiscal impact to the budget.

ATTACHMENTS

- A) Planning Commission Resolution 17-02
- B) Environmental Documentation
- C) Project Location and Vicinity Map
- D) Location Map
- E) Block Map
- F) Existing Site Photos
- G) Submission Cover Sheet
- H) Proposed Site Plan
- I) Retail Building 3-D View
- J) Retail Floor Plan
- K) Retail Elevations
- L) Residential Elevations
- M) Residential Elevations Thru Patio View
- N) Residential Floor Plan 1-7
- O) Residential Floor Plan 8
- P) Materials Board/Color Sheet
- Q) Landscape Plan
- R) Site Access & Circulation Study
- S) Tentative Subdivision Map
- T) Responsible Agency Comments
- U) Proof of Publication