



# City Council Agenda Report

From: Darren Nash, Associate Planner

Subject: **Second Reading – Mullahey Chrysler Dealership Expansion Rezone 16-002**,  
Danley Ct. / APN: 025-423-005 and 023  
Applicant – Michael Mullahey  
A request to change the existing zoning designation from PM (Planned Industrial) to C3 (Commercial/Light Industrial) for the expansion of the Mullahey Chrysler Dealership

Date: November 7, 2017

---

## Facts

1. The project consists of a General Plan Amendment and Rezone to allow the expansion of the Mullahey Chrysler Dealership into an area that does not allow vehicle sales. The request to subdivide a 1.8 acre site (APN 025-423-005) into two (2) parcels, where Parcel 1 would be 0.8 acres, and Parcel 2 would be 1 acre. Along with the subdivision is a request to amend the General Plan and Zoning designations from P.M. (Planned Industrial) to C-3 (Commercial) of new Parcel 1, and amend the existing development plan for the Mullahey Chrysler Dealership to add new Parcel 1 to as an expansion to the dealership.
2. The subject 1.8 acre parcel (APN 025-423-005) is located at the south end of Danley Ct., south of Wisteria Lane, East of Golden Hill Road. The existing Mullahey dealership is located at 2520 Golden Hill Road, at the corner of Tractor Way.
3. In order to accommodate the proposed project, it is necessary to amend the Zoning Map.
4. The Planning Commission held a duly noticed public hearing on September 12, 2017, and is recommending the City Council approve the ordinance.
5. The City Council held a duly noticed public hearing on October 3, 2017, and voted 5-0 to introduce the ordinance for first reading by title only with no changes.
6. There have been no substantive changes since first reading. A summary of the draft ordinance was published in a newspaper of general circulation, five days prior to second reading.

## Options

1. Take no action.
2. Approve 2<sup>nd</sup> Reading of the proposed Amendment to the Zoning Map.
3. Refer back to staff or Planning Commission for additional analysis.

## Analysis and Conclusions

The proposed changes to the Zoning Code (Map) would allow for the change of the zoning designation for the site from Planned Industrial (PM) to Commercial/Light Industrial (C3) to accommodate the expansion of the Mullahey dealership.

**Fiscal Impact**

There is no appreciable cost to the City for approving this ordinance. This project would allow for an expansion to the existing auto dealership, which would be fiscally positive for the City. New car dealerships typically are one of the highest generators of local sales tax revenues.

**Recommendation**

Approve Second Reading by Title Only and adopt Ordinance XXXX N.S., amending Section 21.12.020 of the Municipal Code (Zoning Map).

**Attachments**

1. Ordinance XXXX N.S. - Proposed amendment to Section 21.12.020 Municipal Code
2. Legal Noticing

# Attachment 1

## Draft Ordinance A

Ordinance N.S. XXXX

### AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES TO REZONE 0.8 ACRES ON DELANY COURT FROM BUSINESS PARK TO COMMERCIAL SERVICES

RZ 16-002  
APPLICANT – MICHAEL MULLAHEY  
APN: 025-423-005 and 023

WHEREAS, North Coast Engineering, on behalf of Michael Mullahey, has filed an application requesting consideration of the following land use changes and entitlements in connection with the Mullahey Chrysler Dealership General Plan Amendment (the “Project”):

- Rezone 16-002: to change the existing zoning designations as follows (See Rezone Exhibit, Attachment 4):
  - Parcel 1 (PR 16-0231): PM (Planned Industrial) to C3 (Commercial/Light Industrial)
  - Parcel 2 (PR 16-0231): no change, remains PM (Planned Industrial); and

WHEREAS, the rezone is necessary to provide zoning map consistency with a concurrent request for a General Plan Land Use Element Diagram Amendment (GPA 16-001); and

WHEREAS, the Planning Commission has reviewed and recommended the City Council approve the Negative Declaration prepared for the Project; and

WHEREAS, the Planning Commission has reviewed and recommended the City Council approve GPA 16-001;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. All of the above recitals are true and correct and incorporated herein by reference.

Section 2. Based on the facts and analysis presented to it, including all written and oral testimony, the Planning Commission hereby makes following findings regarding Rezone 16-002:

- a. The rezone is necessary to provide zoning map consistency with a concurrent request for a General Plan Land Use Element Diagram Amendment (GPA 16-001).
- b. Rezone 16-002 would provide for orderly development within the City.

Section 3. Based on all of the foregoing, the City Council of the City of El Paso de approves Rezone 16-002 and adopts an ordinance to amend Section 21.12.020 of the Municipal Code (Zoning Map) as shown on the Exhibit A., attached hereto and incorporated herein by reference.

Section 4. CEQA. Based on its independent judgment, found that there was no substantial evidence that the General Plan Amendment would have significant adverse effects on the environment and approved the Negative Declaration for this General Plan Amendment in accordance with CEQA.

# Attachment 1

## Draft Ordinance A

Section 5. Severability. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 6. Effective Date. This Ordinance shall be in full force and effect 30 days after its passage and adoption as provided by Government Code section 36397.

Section 7. Publication. The City Clerk shall certify to the passage of this Ordinance by the City Council of the City of El Paso de Robles, California, and cause a summary to be published 5 days before the second reading and to also publish a summary after second reading, which also shows the way members voted in a newspaper of general circulation, published and circulated in the City in accordance with Government Code section 36933.

INTRODUCED at a regular meeting of the City Council held on October 3, 2017, for first reading by the City Council of the City of El Paso de Robles, and adopted on the 7<sup>th</sup> day of November 2017, by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

---

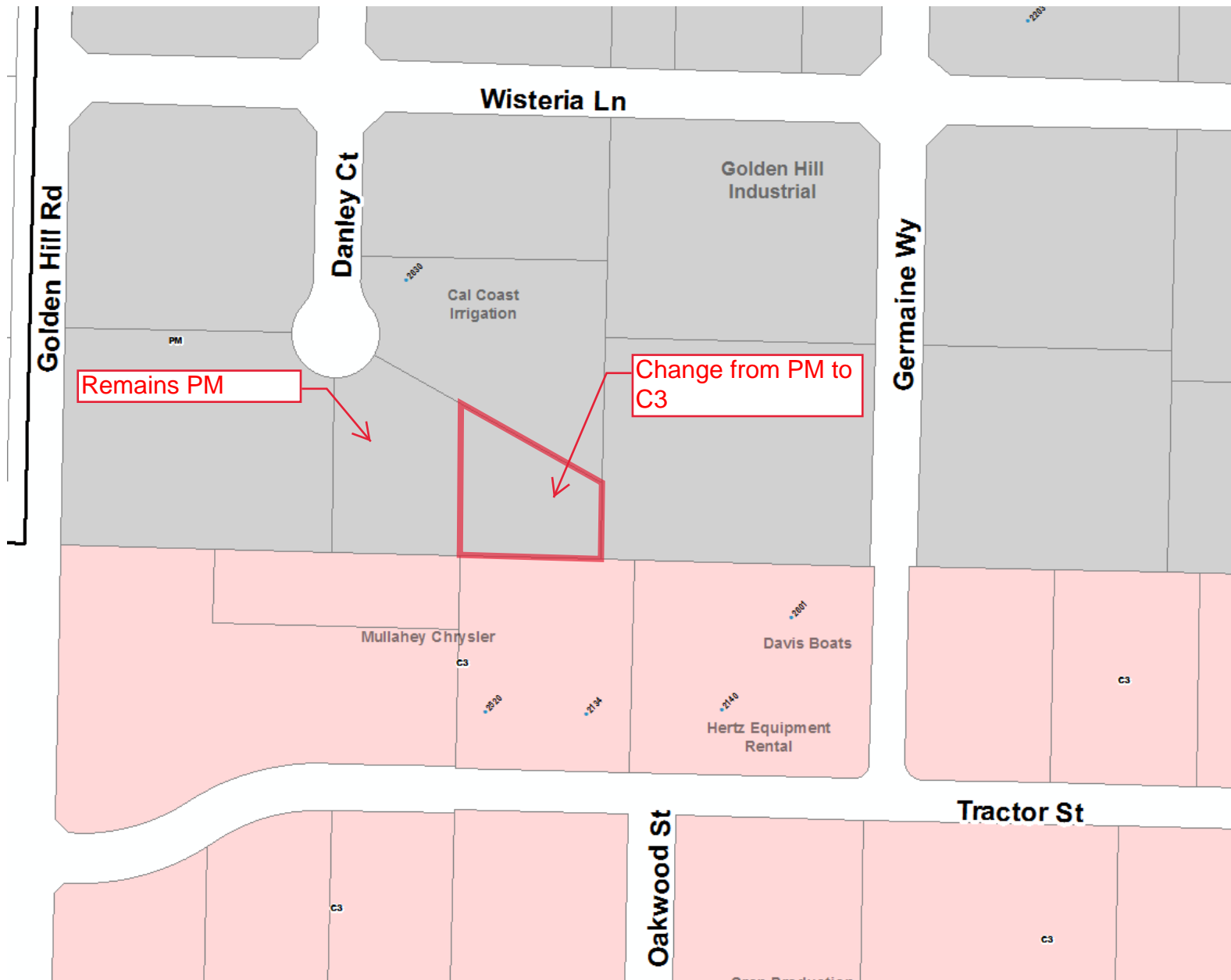
Steven W. Martin, Mayor

Attest:

---

Kristen L. Buxkemper, Deputy City Clerk

Exhibit A – Zoning Map Amendment





**CITY OF EL PASO DE ROBLES**  
*"The Pass of the Oaks"*

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

I, Monica Hollenbeck, employee of the City of El Paso de Robles, California, do hereby certify that the mail notices have been processed as required for General Plan Amendment 16-001, on this 20<sup>th</sup> day of September, 2017.

City of El Paso de Robles  
Community Development Department  
Planning Division

Signed: Monica C Hollenbeck  
Monica Hollenbeck

RECEIVED

SEP 06 2017

City of Paso Robles  
Community Development Dept.

**THE** *Newspaper of the Central Coast*  
**TRIBUNE**

3825 South Higuera • Post Office Box 112 • San Luis Obispo, Cal

In The Superior Court of The State of California  
In and for the County of San Luis Obispo

AD #3256052  
CITY OF PASO ROBLES

STATE OF CALIFORNIA

ss.

County of San Luis Obispo

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen and not interested in the above entitled matter; I am now, and at all times embraced in the publication herein mentioned was, the principal clerk of the printers and publishers of THE TRIBUNE, a newspaper of general Circulation, printed and published daily at the City of San Luis Obispo in the above named county and state; that notice at which the annexed clippings is a true copy, was published in the above-named newspaper and not in any supplement thereof – on the following dates to wit; SEPTEMBER 1, 2017 that said newspaper was duly and regularly ascertained and established a newspaper of general circulation by Decree entered in the Superior Court of San Luis Obispo County, State of California, on June 9, 1952, Case #19139 under the Government Code of the State of California.

I certify (or declare) under the penalty of perjury that the foregoing is true and correct.



(Signature of Principal Clerk)

DATE: SEPTEMBER 1, 2017

AD COST: \$337.59

**CITY OF EL PASO DE ROBLES**  
**NOTICE OF INTENT TO ADOPT A NEGATIVE DECLARATION**  
**NOTICE OF PUBLIC HEARING**  
**GENERAL PLAN AMENDMENT 16-001, REZONE 14-002,**  
**VESTING TENTATIVE PARCEL MAP PR 16-0231 & PD 13-006**  
**AMENDMENT (Mullahey Dealership - General Plan**  
**Amendment)**

NOTICE IS HEREBY GIVEN that the Planning Commission of the City of El Paso de Robles will consider making a recommendation to the City Council to adopt a Negative Declaration in accordance with the California Environmental Quality Act and approval of the following project:

Project Title: General Plan Amendment 16-001, Rezone 16-002, Vesting Tentative Parcel Map PR 16-0231 and Planned Development 13-008 Amendment (Mullahey Dealership Expansion General Plan Amendment )  
Applicant: Michael Mullahey  
Project Location: The subject 1.8 acre parcel (APN 025-423-005) is located at the south end of Danley Ct., south of Wisteria Lane, East of Golden Hill Road. The existing Mullahey dealership is located at 2520 Golden Hill Road, at the corner of Tractor Way.  
Project Description: Request to subdivide a 1.8 acre site (APN 025-423-005) into two (2) parcels, where Parcel 1 would be .8 acres, and Parcel 2 would be 1 acre. Along with the subdivision is a request to amend the General Plan and Zoning designations of new Parcel 1, and amend the existing development plan for the Mullahey Chrysler Dealership to add new Parcel 1 as an expansion to the dealership.

The Public Review Period for the proposed Negative Declaration will commence on September 5, 2017, and end on October 3, 2017. A public hearing before the Planning Commission, is scheduled to take place on Tuesday, September 12, 2017, at the hour of 6:30 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.

**FINDING**

The City of Paso Robles has reviewed the above project in accordance with the City of Paso Robles' Rules and Procedures for the Implementation of the California Environmental Quality Act and has determined that an Environmental Impact Report need not be prepared because:

- The proposed project will not have a significant effect on the environment.
- Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because mitigation measures have been added to the project as a part of a Mitigated Negative Declaration.

The Initial Study which provides the basis for this determination is available at the City of Paso Robles, Community Development Department, 1000 Spring Street, Paso Robles, CA 93446.

**NOTICE**

The public is invited to provide written comment on the Draft Mitigated Negative Declaration and/or to provide oral comment at the public hearing noted above. The appropriateness of the Draft Negative Declaration will be reconsidered in light of the comments received.

Questions about and comments on the proposed project and Mitigated Negative Declaration may be mailed to the Community Development Department, 1000 Spring Street, Paso Robles, CA 93446 or e-mailed to CDdirector@prcity.com provided that any comments are received prior to the time of the Planning Commission hearing. Should you have any questions about this project, please call Darren Nash at (805) 237-3970 or send email to [dnash@prcity.com](mailto:dnash@prcity.com).

Darren Nash, Associate Planner  
September 1, 2017

Date: August 28, 2017  
CC Agenda 11-7-17 2256052



## CITY OF EL PASO DE ROBLES

*“The Pass of the Oaks”*

### **NOTICE OF SECOND READING AND SUMMARY OF PROPOSED ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES ENACTING REZONE 16-002 (ZC 17-002) – MULLAHEY CHRYSLER DEALERSHIP EXPANSION**

Notice is hereby given that at 6:30 p.m. on Tuesday November 7, 2017, the City Council of the City of El Paso De Robles will consider the second reading for adoption of an Ordinance which, if adopted, would amend Section 21.12.020 of the Paso Robles Municipal Code amending the Zoning Map for the City.

If adopted, the Ordinance would make the following change:

Rezone 16-002: to change the existing zoning designation for APN: 025-423-005 as follows:

- Parcel 1 (PR 16-0231): change from PM (Planned Industrial) to C3 (Commercial/Light Industrial)
- Parcel 2 (PR 16-0231): no change, remains PM (Planned Industrial); and

The above summary constitutes the major highlights of the proposed Ordinance. A reading of the entire Ordinance may be necessary to obtain a full understanding of its provisions. A full copy of the Ordinance has been posted and is available at the City Clerk’s office, located at 1000 Spring Street, Paso Robles, CA 93446.

***Please publish on: November 2, 2017***