

CITY OF CARSON
PLANNING COMMISSION
RESOLUTION NO. 07-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON APPROVING VARIANCE NO. 495-07 REGARDING SECTION NO. 9162.25 OF THE CARSON MUNICIPAL CODE TO REDUCE THE REQUIRED NUMBER OF AUTOMOBILE PARKING SPACES FOR THREE INDUSTRIAL BUILDINGS LOCATED AT 101, 111, AND 125 W. GRIFFITH STREET

THE PLANNING COMMISSION OF THE CITY OF CARSON HEREBY FINDS, RESOLVES AND ORDERS AS FOLLOWS:

Section 1. An application was duly filed by the applicant, Tony Nobuyuki, representing the property owner, MS Kearny/ 190th Street Partners, LLC, with respect to real property located at 101, 111 and 125 W. Griffith Street and described in Exhibit "A" attached hereto, requesting the approval of Variance No. 495-07 for relief from compliance of Section 9162.65 of the Carson Municipal Code (CMC), Requirements Relating to Vehicular Parking and Truck Loading, Maneuvering, Parking and Stacking Spaces for Industrial Uses. The variance request is for the reduction of the number of required parking spaces from 102 to 94. The property is located in the MH (Manufacturing, Heavy) zone and within Redevelopment Project Area No. 1.

A public hearing was duly held on July 24, 2007 at 6:30 P.M. at City Hall, Council Chambers, 701 East Carson Street, Carson, California. A notice of time, place and purpose of the aforesaid meeting was duly given.

Section 2. Evidence, both written and oral, was duly presented to and considered by the Planning Commission at the aforesaid meeting.

Section 3. The Planning Commission finds that:

- A) There is a special circumstance related to the subject property's location in that it was a component of the former Nissan North America Headquarters office and warehouse campus and designed for a specific use. As such, it does not provide for other uses that are typically found in the MH zone. The Planning Commission realized this dilemma in approving Variance Nos. 182-84 and 184-84 when the subject properties were first developed, and dealt with the issue by requiring a restrictive covenant agreement that required future uses to address, among other things, the deficiency in parking. The current property owner is willing to bring the subject properties into compliance to the extent feasible, including fully complying with the city's truck maneuvering and truck parking spaces requirements, however, is requesting this variance for the reduction in the number of automobile parking spaces in order to make the subject site conducive to their operations and economically viable based on the existing conditions.
- B) This resolution of approval shall authorize a release of the covenant and agreement recorded against the subject property March 13, 1986 pertaining to parking and truck loading requirements.
- C) The existing buildings were designed by the previous property owner, Nissan, to screen the views of its product development, which was crucial for their business. This included providing an enclosed landscaped courtyard and

special access doors in the rear of two of the buildings. Since the buildings were designed for a specific user, transitioning the buildings for traditional industrial uses such as warehousing creates an undue hardship.

- D) The city finds that it is impractical to market the buildings in their current state since they were developed for a specific user. The new property owner agrees to provide appropriate modifications to the buildings and parking lot design, but is requesting a variance in order to accommodate other industrial uses.
- E) The current design and layout could cause code enforcement issues if occupied by separate users due to the existing indoor automobile parking areas and the inability to adequately enforce the requirement to park inside. The proposed site plan will bring the truck maneuvering and number of truck parking spaces into compliance and will provide as much outdoor onsite parking as feasible given the existing condition of the buildings.
- F) The applicant has pursued other alternatives to address the parking issue, including acquiring land necessary for additional parking from properties within 400 feet of the subject site as permitted by Section 9162.24(B)(3) of the CMC, however, was unsuccessful since no properties were available.
- G) The deficiency of eight required vehicular parking spaces is not expected to substantially impact the surrounding area. Although the variance request may result in some vehicles parking on Griffith Street, the subject property is located on a portion of Griffith Street that is very lightly traveled. Given the low volume of traffic and the type of uses on adjacent properties, this is not expected to create a significant safety hazard as compared with industrial developments in other areas of the city.
- H) The applicant recognizes that the current unimproved right-of-way along the southwest portion of Griffith Street has the potential for additional off-site parking, if improved. The applicant has indicated that improving this area would create additional automobile parking spaces along the street and provide an overall improvement to the area. Since MS Kearny owns the entire Nissan campus, this improvement will facilitate the sale and/or lease of the subject properties and the other properties within the campus. Therefore, in consideration of obtaining approval of the variance request, the applicant will voluntarily provide a \$100,000 good-faith contribution to the city to pay for future right-of-way improvements at that location along Griffith Street.

Section 5. Pursuant to the California Environmental Quality Act (CEQA), the Planning Commission finds that the proposed modifications to the existing buildings and related parking lot improvements to the subject property will not have a significant effect on the environment. Thus, the project is found to be Categorically Exempt, pursuant to California Environmental Quality Act guidelines, Article 19, Section 15301 – Existing Facilities.

Section 6. Based on the aforementioned findings, the Commission hereby approves Variance No. 495-07, with respect to the property described in Section 1 hereof, subject to the conditions set forth in Exhibit "B" attached hereto.

Section 7. The Secretary shall certify the adoption of this Resolution and shall transmit copies of the same to the applicant.

Section 8. This action shall become final and effective fifteen days after the adoption of this Resolution unless within such time an appeal is filed with the City Clerk in accordance with the provisions of the Carson Zoning Ordinance.

PASSED, APPROVED AND ADOPTED THIS 24th DAY OF JULY, 2007.

CHAIRMAN

ATTEST:

SECRETARY