



# CITY OF CARSON PLANNING COMMISSION STAFF REPORT

**PUBLIC HEARING:** July 24, 2007

**SUBJECT:** Variance No. 495-07

**APPLICANT:** MS Kearny – 190th Street Partners, LLC (Tony Nobuyuki)  
1900 Avenue of the Stars, Suite 320  
Los Angeles, CA 90067

**REQUEST:** To permit a variance from Carson Municipal Code Section 9162.65, Requirements Relating to Vehicular Parking and Truck Loading, Maneuvering, Parking and Stacking Spaces for Industrial Uses.

**PROPERTY INVOLVED:** 101, 111, 125 W. Griffith Street

### COMMISSION ACTION

- Concurred with staff
- Did not concur with staff
- Other

### COMMISSIONERS' VOTE

AYE	NO		AYE	NO	
		Faletogo - Chair			Saenz
		Hudson – Vice-Chair			Verrett
		Graber			Cannon

## *Item No. 11C*

## **I. Introduction**

The applicant, Tony Nobuyuki, representing the property owner, MS Kearny/190<sup>th</sup> Street Partners, LLC, requests a variance from Section 9162.25 of the Carson Municipal Code (CMC) – Requirements Relating to Vehicular Parking and Truck Loading, Maneuvering, Parking and Stacking Spaces for Industrial Uses – to reduce the total required vehicular parking from 102 to 94 spaces. The properties are located on the northwestern corner of the intersection of Main Street and Griffith Street.

## **II. Background**

The subject property is composed of three separate parcels, with a vacant building on each, referenced as Building Nos. 11, 12 and 13. The westernmost lot is 62,500 square feet (1.43 acres), and the other two are each approximately 30,000 square feet (0.68 acre). Building No. 11 is 40,000 square feet, and Building Nos. 12 and 13 average 19,000 square feet each. These buildings were previously used as a secret, prototype automobile design facility by the former property owner, Nissan North America. As such, special design considerations were made to the buildings to shield potential view of these prototypes, including enhanced landscaping with an enclosed courtyard and special access doors to the rear of Building Nos. 12 and 13.

### *Previous Discretionary Approvals*

To facilitate the modifications to the easternmost building (no. 13), Variance No. 184-84 was approved to allow for a less than required side yard setback (facing Main Street) and a wall height over the maximum allowed in a required setback area. Additionally, Variance No. 182-84 was approved to allow for less than the required truck maneuvering areas between Building Nos. 11 and 12 to the west. The approved site plan authorized Nissan to use some areas inside these buildings for required parking. A restrictive covenant agreement (Exhibit No. 1) was recorded against the property which required that, in the event of the sale of the property, existing loading doors would be required to meet current truck maneuvering standards.

### *Zoning/General Plan Land Use Designation/ Redevelopment Area*

The subject property is zoned MH (Manufacturing, Heavy), has a General Plan Land Use designation of LI (Light Industrial), and is within Redevelopment Project Area No. 1. The proposed warehouse and office uses are automatically permitted in the MH zone. The subject property is surrounded by MH-zoned properties to the north, south and west, with RS (Residential, Single-family) zoned property to the east. Surrounding uses include warehousing to the north, single-family residential to the east, across Main Street, a Southern California Edison (SCE) electrical sub-station to the south, across Griffith Street, and a metal scrap recycling facility to the west.

The city is currently processing a zone change case to change the zoning of the subject site from MH to ML (Manufacturing, Light). A public hearing is scheduled with the City Council on August 7, 2007.

*Project Description*

The applicant proposes to modify certain parts of the buildings, including removing the indoor parking, certain grade-level truck loading doors, courtyard enhancements and the restrictive covenant, as well as redesign truck maneuvering areas and parking lot areas in an effort to increase the range of potential uses and to market the buildings to potential buyers. Although the proposed development plans will make the truck maneuvering areas and truck parking spaces Code-compliant, there is still insufficient onsite automobile parking to meet minimum requirements, thus the variance request.

**III. Analysis**

Pursuant to CMC section 9172.22, a variance shall be granted only when, because of special circumstances applicable to the property, including size, shape, topography, location or surroundings, the strict application of the zoning code deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification.

**Variance No. 495-07**

The variance request is to approve a site plan with less than the required onsite automobile parking. All of the buildings on the subject property are defined as large, grade-level loading facilities, pursuant to Carson Municipal Code (CMC) Section 9162.65. CMC Section 9162.21(D)(6)(a) requires that warehousing uses in large grade-level loading facilities have automobile parking at a ratio of one space per 750 square feet of gross floor area. The parking requirements for each building are listed in the table below:

	Office Area**	Warehouse	Ratio	Parking Required	Parking Provided	Deficient
Bldg. 11	1,460 sq. ft.	40,348 sq. ft.	1:750	56	51	5
Bldg. 12	1,296 sq. ft.	16,084 sq. ft.	1:750	23	23	0
Bldg. 13	1,296 sq. ft.	16,084 sq. ft.	1:750	23	20	3
<b>TOTAL</b>				<b>102</b>	<b>94</b>	<b>8</b>
** Office area is below 10% of gross floor area (incidental to the primary use), therefore the square footage is counted as warehouse (primary use) for parking calculations						

The proposed development plan is deficient by eight automobile parking spaces.

The applicant is requesting relief from Section 9162.65 and 9162.21(D)(6)(a) of the CMC in regards to the required number of automobile parking spaces. Variance No. 182-84 was approved for the subject lot in 1984, which permitted relief from complying with CMC Section 9162.65, in terms of providing the required truck maneuvering area between Building Nos. 11 and 12. The original approved site plan shows a total of 93 automobile parking spaces, of which 16 spaces were located inside of Building Nos. 12 and 13, and 18 spaces inside of Building No. 11, with 59 spaces located in outdoor parking areas.

The applicant is proposing to modify the existing grade-level truck doors on each building. There are a total of nine grade-level truck doors on the subject property, of which four are located on Building No. 11, four on Building No. 12, and one on Building No. 13. The grade-level truck loading areas are to be modified in the following ways:

Building No. 11: All grade-level loading doors on this building are located along the east side, facing Building No. 12. The southernmost door is to be demolished and in-filled with concrete, and the northernmost door is to be marked for equipment access only, thus there will be no required truck maneuvering area for this door. The other two doors will remain as is, however 36-feet within the building adjacent to the grade-level doors will be striped as a truck parking area wherein single-body trucks may back in and load or unload.

Building No. 12: This building has four grade-level loading doors, two on the west side, facing Building No. 11, and two on the south side facing Griffith Street where the enclosed courtyard used to be. The applicant intends to use three of the doors for equipment access only, thus removing the need for truck maneuvering areas for these doors. The grade-level loading door at the southeastern corner of the building will remain. Two truck parking spaces are proposed for the south side of this building.

Building No. 13: This building has one grade-level loading door that will remain.

The restrictive covenant recorded against the subject property requires the property owner, formerly Nissan, to notify any proposed purchaser of 125 Griffith Street (Building No. 11) that the loading doors must be closed upon sale unless a variance request is approved by the Planning Commission; the Planning Commission determines that the loading doors meet the current truck maneuvering standards; or the proposed purchaser enters into a covenant with the Planning Department not to make use of the loading doors for truck or large vehicles. Staff is supportive of the applicant's request to remove the existing covenant, as the truck maneuvering areas become code-compliant with the proposed revisions, and given that certain doors will not be used for trucks or large vehicles, which is pursuant to the conditions mandated in the covenant. Related conditions of approval have been included in the attached resolution.

Additional automobile parking spaces are proposed for areas previously used for truck maneuvering and loading. A cooling tower and screen wall located along the west side of Building No. 12 is to be demolished and replaced with automobile parking stalls. An existing, empty guard shack located toward the front of the property is to be removed. All areas previously modified for indoor parking uses will be converted back to open warehouse areas. The total square footage used for indoor parking was not included in the total square footage used in the original calculation to determine the required number of automobile parking spaces (93). The indoor parking areas were approximately 6,500 square feet which, at a ratio of 1:750 requires 9 automobile parking spaces, or 102 total automobile parking spaces. Originally approved plans show 34 automobile parking spaces within the buildings. Best efforts have been made by the applicant to revise the plans to remove the indoor parking and rearrange the parking lot layout and striping to maximize the number of automobile parking spaces available onsite to compensate for the lack of indoor parking. By doing so, the applicant has been able to provide 23 additional automobile parking spaces onsite that were otherwise not available.

In spite of efforts to provide all required automobile parking spaces onsite, the proposed development plan is still deficient by 8 parking spaces. The buildings on the subject property were tailor-made to meet the needs of Nissan North America, a specialized user, for the research, design, and development of prototype automobiles. When converted to a typical industrial warehousing use, the subject site is not able to accommodate the required automobile parking stalls because of the building sizes. The applicant has pared down the truck maneuvering, parking, and number of grade-level loading doors in order to meet the CMC as closely as possible, while still being viable for warehousing use. Furthermore, the applicant has pursued attempts to acquire land necessary for additional parking from adjacent land owners, but was unsuccessful. These properties which are all within 400 feet of the subject site include:

- 18620 S. Broadway – Located to the north; owner informed applicant that all available land is currently being utilized and that shared parking is not an option;
- SCE electrical sub-station (APN 7339-014-802) – Located to the south; applicant contacted the corporate real estate division to inquire about shared parking possibilities but was informed that SCE has placed a moratorium on all land dispositions until further notice;
- 18700 S. Broadway – Located to the west; owner informed applicant that all available land is currently being utilized and that shared parking is not an option; and
- No industrial properties were available to the east across Main Street, which is a single-family neighborhood.

The applicant has offered to provide a \$100,000 goodwill contribution toward the costs to complete right-of-way improvements for the south side of Griffith Street, west

of the subject property. Currently, that segment of Griffith Street is unimproved with only dirt covering where the sidewalk, parkway, curb and gutter would normally be. Apart from this unimproved area, the rest of the north and south sides of Griffith Street, between Main Street and Broadway is improved with sidewalk, parkway, curb and gutter. 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. Staff concurs with this statement. The Engineering Division has provided an estimate to staff for the cost of these improvements, which is in excess of \$95,000 (Exhibit No. 2). This portion of Griffith Street is very lightly traveled. The SCE sub-station to the south does not generate traffic, except for the occasional service truck. The Ideal Metals facility to the west, on the north side of Griffith Street, has no vehicular access to their south side from Griffith Street because of a tall fence that runs the length of their southern property line. To the west, along the south side of Griffith Street is a large, unimproved, vacant lot.

Staff believes that there are special circumstances relating to the location of the subject property, inasmuch as it was a component of the former Nissan North America Headquarters office and warehouse complex and was designed for a specific use. Given the facts that Nissan North America has vacated the premises, relocated the prototype automobile production facilities elsewhere, and the specialized modifications to the buildings have been removed, it is impractical to market the buildings in their current state. The applicant has recognized this and is making appropriate modifications to the buildings and parking lot design. The current design and layout could cause code enforcement issues if occupied by separate users. For example, ensuring that the existing indoor parking was being utilized would be problematic, as it is not clearly evident to code enforcement officers that it is being used.

#### **IV. Environmental Review**

Based upon staff review of the project, 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 Categorical Exempt, pursuant to California Environmental Quality Act guidelines, Article 19, Section 15301 – Existing Facilities.

#### **V. Recommendation**

That the Planning Commission:

- APPROVE the Categorical Exemption;
- APPROVE Variance No. 495-07; and

- WAIVE further reading and ADOPT Resolution No.\_\_\_\_\_, entitled "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."

**VI. Exhibits**

1. Restrictive Covenant Agreement, Recorded March 13, 1986
2. Engineering Division Estimate for Right-of-Way Improvements to Griffith Street
3. Land Use Map
4. Draft Resolution
5. Proposed Plans (Submitted under separate cover)

**Prepared by:** \_\_\_\_\_  
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