



CARSON PLANNING COMMISSION STAFF REPORT

DATE: October 24, 2023
FROM: Christopher Palmer, AICP - Planning Manager
BY: Aaron Whiting – Associate Planner
SUBJECT: Consideration of Adoption of a Resolution Finding an Exemption from CEQA and Conditionally Approving Design Overlay Review 1926-23 for Development of a 181,013 Square Foot Industrial Building.

PROJECT/APPLICANT INFORMATION

Project Summary: A request for approval of a 181,013 square foot industrial building.
Project Location: 1210 E. 223rd Street (APN # 731-500-4033)
Zoning: Manufacturing, Heavy -Design Overlay (MH-D)
Project Applicant: Robert Knapp c/o The Brookhallow Group
Project Owner: Koll Per Coral Tree, LLC

I. OVERVIEW

A. Introduction

Section 9172.23 of the Carson Municipal Code (CMC) stipulates that projects located within the Design Overlay District that have a construction valuation of \$50,000 or more are subject to approval of a Design Overlay Review (DOR) by the Planning Commission. This DOR application is for the demolition of three multi-tenant industrial buildings measuring a total of 231,594 square feet and construction of one 181,013 square foot industrial building on an approximately 8.7-acre site.

B. Project Description

As shown in the attached site plan and floor plans (Attachment 1), the 181,013-square foot industrial building includes 171,013 square feet of warehouse space, 5,000 square feet of ground floor office space, and 5,000 square feet of mezzanine office space. The loading area is proposed to face west, featuring 28 dock-high doors located on the western elevation. Additionally, two bicycle racks are proposed near pedestrian entrances along Lucerne Street and a trash enclosure is located near a vehicle entrance along 223rd Street.

Vehicular access to the property is provided by two driveways on 223rd Street and one driveway on Lucerne Street. The project offers three parking areas: 96 parking spaces are situated at the 223rd Street driveways, 49 parking spaces are available at the Lucerne Street driveway, and nine standard parking spaces, along with 66 trailer parking spaces, are located behind the building's loading area with gate-controlled access. Section 9162.21 (D) of the Carson Municipal Code (CMC) requires 121 parking spaces for the project and 145 are provided. (181,013 sf/ 1500=120.67).

A transportation impact analysis screening for the project submitted by the applicant was reviewed by the City's traffic engineer (Attachment 3). The analysis indicates that the project will reduce daily trips by 545 passenger equivalents when compared to the current usage. The analysis uses ITE Trip Generation Manual, 11th Edition, Land Use Code 770 (Business Park) to set the trip generation rates for the existing use, and ITE Land Use Codes 150 (Warehousing, for 20% of the facility) and 110 (General Light Industrial, for 80% of the facility) to set the trip generation rates for the proposed use.

However, the proposed use of the facility once developed is speculative at this time. It is possible that the actual use could generate significantly greater traffic trips than analyzed, to the extent such use is automatically permitted under CMC 9141.1 (see Condition of Approval No. 2). Most notably, if the actual use were to be a High-Cube Fulfillment Center Warehouse, the actual traffic trips could be much higher than what was analyzed, because High-Cube Fulfillment Center Warehouses are within the scope of ITE Land Use Code 155, which carries a much higher traffic trip generation rate than ITE Land Use Codes 150 and 770. Because the analysis provided by the applicant does not analyze the full range of potential uses under all potentially applicable ITE codes which could carry higher rates of traffic trip generation than those analyzed, a condition of approval (condition no. 3) has been added to the proposed resolution, requiring submittal of a revised traffic study and a further Planning Commission approval prior to any such actual use, to help facilitate an affirmative finding by the Planning Commission as to convenience and safety of circulation of pedestrians and vehicles.

CMC Section 9162.62, which pertains to truck parking for warehouse uses over 30,000 square feet in size, mandates one truck parking space for every seven loading docks, doors, or ramps, with, with a minimum requirement of one per site. The project proposes 28 dock doors; therefore, four truck parking spaces are required. However, the applicant is proposing 66 truck parking spaces for the project, surpassing the minimum requirement. The project complies with all CMC development standards for truck loading and maneuvering. The driveways, when gated from each street access, are set back sufficiently to accommodate a truck of the required size (thirty-three or fifty-five feet) entirely off the public right-of-way when the gate is closed.

Although not mandatory for this application, the applicant voluntarily submitted a Noise and Vibration Report (Attachment 4). According to the report, the project's operations noise levels will not exceed the standard for residential use during daytime hours.

Landscaping, comprising a mixture of trees and shrubs, is proposed along the street frontages of 223rd Street (measuring 28 feet wide) and Lucerne Street (measuring 28 feet wide). Additional landscaping is planned for each of the north and south ends of the building, as well as throughout the parking areas. According to CMC Section 9162.52, automobile parking facilities and any parking areas visible from the public right-of-way must include interior landscaping with permanent irrigation of at least five percent. The proposed project not only meets but exceeds this requirement, allocating 14 percent of the site for landscaping.

The proposed building height is 45 feet and is consistent with existing warehouses abutting the project. The front and rear setbacks measure 98 feet and 104 feet, respectively, the street facing east setback is 28 feet and the west setback is approximately 170 feet, all of which meet or exceed the setback requirements of the municipal code.

The project features a modern architectural style that combines painted concrete blocks, metal canopies, clear anodized mullions, and high-performance glazing. Large openings with blue reflective glass are strategically incorporated along the 223rd Street and Lucerne Street facades to give the building an office-like appearance. The articulation of the concrete panels, along with the use of different color tones, effectively breaks up the façade, creating an appealing design aesthetic. The project's design is compatible with the surrounding area, as it aligns with other industrial uses.

Figure (a) provided below is a rendering of the proposed development as seen from the northeast.



C. Site History / Existing Conditions

The subject property is developed as an industrial business park consisting of three buildings constructed in 1985. The existing uses within the business park consist of warehousing, manufacturing, office, and a church. The site is located on the southwest corner of the intersection of 223rd Street and Lucerne Street. 223rd Street is an approved truck route and provides access to the I-405 Freeway, just north of the intersection of 223rd Street and Wilmington Avenue. Residences are situated slightly over 100 feet to the north of the existing industrial site, across 223rd Street. To the east of the project site, there is an industrial business park, and there are warehousing facilities located to the south and west of the site.

1. General Plan and Zoning Information

The subject site is located within the Manufacturing, Heavy -Design Overlay (MH-D) Zone and the General Plan Land Use Designation is Heavy Industrial (INH). The MH zone is created primarily for the full range of industrial uses which are acceptable within the community, with provisions for controlling any adverse effects upon the more sensitive areas of the City. The Design Overlay designation is created primarily to provide for Site Plan and Design Review of future development within the designated areas to achieve special standards of design, architectural quality, style and compatibility, landscape treatment, and functional integration of neighboring developments. The Heavy Industrial General Plan Land Use designation is intended to provide for the full range of industrial uses that are acceptable within the community, but whose operations are more intensive and may have nuisance or hazardous characteristics, which for reasons of health, safety, environmental effects, or general welfare, are best segregated from other uses.

Land Use Summary Table

	Existing Use	Zoning	General Plan
Subject Site	Industrial Business Park	Manufacturing, Heavy -Design Overlay (MH-D)	Heavy Industrial (INH)
North of Subject Site (across 223rd St.)	Multifamily Residential Development	Residential, Multiple Dwelling, Density Designation of 12 units per acre (RM-12-D) Design Overlay	Medium Density Residential (MDR)
South of Subject Site	Warehousing Facility	Manufacturing, Heavy (MH)	Heavy Industrial (INH)
East of Subject Site (across Lucerne Street)	Industrial Business Park	Manufacturing, Heavy -Design Overlay (MH-D)	Heavy Industrial (INH)
West of Subject Site	Warehousing Facility	Manufacturing, Heavy -Design Overlay (MH-D)	Heavy Industrial (INH)

II. ANALYSIS

The warehouse use currently exists on the property as part of the industrial business park and is an allowed as part of the subject application per both the MH-D Zone and INH General Plan Land Use Designation.

A. General Plan Consistency

The proposed development project is consistent with the General Plan and General Plan designation (INH) of the site for the following reasons:

- The Land Use Element of the City of Carson General Plan includes policy LUR-P-21, which states, “Logistics and other heavy trucking uses are preferred to be located in close proximity to approved truck routes...”. The proposed project meets this policy as it provides direct access to an existing truck route, 223rd Street. Furthermore, policy LUR-G-1 states, “Maintain a balanced land use program that promotes a diversified economic base and capitalizes on Carson’s location and assets strong industrial economy, access to major freeways...” The proposed project meets this policy as it is located approximately 2,000 feet from the I-405 Freeway entrance.
- Warehousing and logistics is an allowed use in the INH General Plan Land Use Designation. Additionally, the project proposes a Floor Area Ratio (FAR) of 0.47 and the maximum allowed FAR in the INH General Plan Land Use Designation is 0.6, or up to 0.75 with inclusion of community benefits.

B. Zoning Ordinance Compliance

The proposed warehouse development is consistent with the designated Zoning (MH-D – Manufacturing, Heavy - Design Overlay) of the site. It fully complies with all relevant sections of the site development standards, encompassing site planning and design, vehicle parking, truck parking, loading and maneuvering, setbacks, trash area, and landscaping.

1. DOR Application

The proposed development meets the criteria for DOR approval pursuant to CMC 9172.23 (D). In addition to being consistent with the General Plan, the project provides a modern design similar to current development trends for industrial uses in the area. The project is compatible in design and scale with existing and anticipated development in the vicinity, consisting of a mixture of industrial, commercial, and residential uses. Furthermore, the project provides adequate vehicle parking circulation and has direct access to a truck route.

C. Public Hearing Notice

Notice of public hearing was posted to the project site on October 12, 2023. Notices were mailed to property owners and occupants within a 750’ radius on October 11, 2023. The agenda was posted at City Hall no less than 72 hours prior to the Planning Commission meeting.

D. Environmental Analysis

The proposed project is limited to Site Plan and Design Review pursuant to CMC Section 9172.23. CEQA applies only to discretionary projects proposed to be carried out or approved by public agencies, and the discretionary component of an action must give the agency the authority to consider a project's environmental consequences to trigger CEQA. Although Site Plan and Design Review approvals pursuant to CMC 9172.23(B)(1) involve discretion of the Planning Commission in applying the facts to determine if the required affirmative findings of CMC 9172.23(D) can be made, the Planning Commission's discretion is limited to the design-related issues included in the required findings. Accordingly, the City cannot impose conditions of approval that constitute environmental impact mitigation measures for DOR No. 1926-23 exceeding the scope of such design-related issues. Additionally, design-related issues such as those found in CMC 9172.23 have been found not to require the separate invocation of CEQA, as it is common sense that such design related issues do not relate to the potential for whether a project causes a significant effect on the environment. (Pub. Res. Code §21080; *McCorkle Eastside Neighborhood Group v. City of St. Helena*, 31 Cal.App.5th 80 (2018)).

E. CFD/DIF Discussion

Interim Development Impact Fee: In accordance with Article XI (Interim Development Impact Fee Program) of the Carson Municipal Code ("CMC"), the applicant, property owner, and/or successor to whom these project entitlements are assigned ("Developer") shall be responsible for payment of one-time interim development impact fees ("IDIF") at the applicable amounts/rates detailed below for each square foot of commercial development constructed for the project. If the project increases or decreases regarding the square footage constructed, the total IDIF amount will be adjusted accordingly at the applicable rate.

Additionally, subject to the review, verification, and approval of the Community Development Director, the applicant may be eligible for development impact fee credits for demolition of an existing permitted structure or structures. To be eligible for credits, prior to demolition, provide building volume (average building height and footprint, usable areas) of all existing permitted structures and the new proposed structure. Awarded fee credits shall reduce the final development impact fee amount and are applied when development impact fees are due.

Final IDIF rates and amounts are calculated and due prior to issuance of the building permit(s). No building permit shall be issued prior to the full payment of the required IDIF amount, which payment shall be made in one lump sum installment. IDIF amounts/rates are subject to adjustment every July 1st based on State of California Construction Cost Index (Prior March to Current March Adjustment), per CMC Section 11500. IDIF amounts/rates for industrial development have been set at \$3.36 per square foot for Fiscal Year 2023-24, effective July 1, 2023, through June 30, 2024. Based on these rates, the Developer would be responsible for payment of IDIF in the amount of \$608,203.68 for

the proposed project, calculated as follows: 181,013 square feet X \$3.36 per square foot = \$608,203.68. However, if the IDIF for the project is not paid by the end of the 2023-24 fiscal year (i.e., by June 30, 2024), a new IDIF rate/amount will apply for the period of July 1, 2024, through June 30, 2025, based on the IDIF rate for Fiscal Year 2024-25, and so on for subsequent fiscal year(s). This estimated amount does not factor for any possible credits the applicant may be eligible for.

Notice of Imposition of Interim Development Impact Fees; Right to Protest

Pursuant to CMC Section 11503, Developer is hereby notified of the IDIF imposed on the project, as described and in the amount stated above. In accordance with Government Code Section 66020, Developer may protest the imposition of the IDIF on the project by complying with the requirements set forth in CMC 11900. Any such protest shall be filed within ninety (90) days after the effective date of the City's approval/conditional approval of the project.

Funding Mechanism for Ongoing Services/Community Facilities District: Funding Mechanism for Ongoing Services/Community Facilities District: The Developer is required to establish a funding mechanism to provide an ongoing source of funds mitigate the impacts of the proposed development on city services on an ongoing basis.

In 2018, City adopted Community Facilities District (CFD) No. 2018-01 and may adopt a similar community facilities district in the future to use instead of CFD No. 2018-01 (collectively referred to herein as the "CFD") to fund the ongoing costs of City services permitted by the CFD, including the maintenance of parks, roadways, and sidewalks and other eligible impacts of the Project within the CFD (the CFD Services). The City uses this mechanism for projects wanting to join the CFD as a means to satisfy the condition to mitigate impacts on services. In 2019, the City undertook a Fiscal Impact Analysis ("FIA"), and uses the analysis generally to determine the impacts in CFD No. 2018-01.

Based on the FIA, the subject property falls under the "Industrial Zone 2 – Heavy Truck Routes" category with a current rate at \$7,009.87 per acre per year for Fiscal Year 23-24. Based on an 8.71 acre development, the current estimated annual amount for ongoing services is \$61,055.97 for Fiscal Year 23-24, subject to annual adjustments every July 1st. Prior to recordation of final tract map or permit issuance, whichever comes first, Developer shall demonstrate compliance under this section either through: (1) Annexing into a City CFD; or (2) Establishing a funding mechanism to provide an ongoing source of funds for ongoing services, acceptable to the City.

This condition may be satisfied by annexing the subject property to the CFD with the rate comparable to that of the FIA, or by requesting the City undertake a Fiscal Impact Study by a consultant chosen by the City with respect to the subject property with similar scope and standards as the FIA and paid for by the Developer to set the rate of the CFD for the subject property. Should another Fiscal Impact Study be undertaken, a lower or higher rate may be required for the mitigation of impacts based on the Study. The Developer may also provide

another mechanism for satisfying the requirement to mitigate impacts that is acceptable to the City Council.

III. CONCLUSION AND RECOMMENDATION

In the judgment of staff, the project is consistent with both the General Plan and its Land Use Designation. The project is situated along an approved truck route granting easy access to I-405 and, as conditioned, meets all the necessary site development standards. This encompasses meticulous planning for the site, adequate vehicle and truck parking, efficient loading and maneuvering facilities, appropriate setbacks, well-designed trash areas, and thoughtfully landscaped surroundings. Moreover, the project's design harmonizes with the neighboring industrial landscape, ensuring compatibility with the surrounding area.

Staff recommends the Planning Commission:

- **ADOPT** Resolution No. 23- __, entitled “A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON FINDING AN EXEMPTION FROM CEQA AND CONDITIONALLY APPROVING SITE PLAN AND DESIGN REVIEW NO. 1926-23 FOR THE DEMOLITION OF THREE MULTI-TENANT INDUSTRIAL BUILDINGS AND CONSTRUCTION OF ONE 181,013 SQUARE FOOT INDUSTRIAL BUILDING ON AN APPROXIMATELY 8.7-ACRE SITE AT 1210 E. 223RD STREET, APN 731-500-4033.”

ATTACHMENTS

- 1) Development Plans
- 2) Vicinity/ Zoning Map
- 3) Transportation Impact Analysis Screening
- 4) Noise and Vibration Report
- 5) Public Hearing Notice
- 6) Draft Resolution No 23- _____.
 - A. Legal Description
 - B. Conditions of Approval