



CARSON PLANNING COMMISSION STAFF REPORT

DATE: July 23, 2024
FROM: Christopher Palmer, AICP - Planning Manager
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SUBJECT: Site Plan and Design Review (DOR) No. 1944-23 – New Modular Control Building

PROJECT/APPLICANT INFORMATION

Project Summary: A request for approval of DOR No. 1944-23 for a new Modular Control Building and related improvements to an existing hydrogen production facility
Project Location: 23300 Alameda Street (APN # 7315-020-021)
Zoning: Heavy Manufacturing-Design Overlay (MH-D)
Project Applicant: Nagi Ado-Shadi (PEC)
Project Owner: Air Products and Chemicals, Inc.

I. OVERVIEW

A. Introduction

Section 9172.23 of the Carson Municipal Code (CMC) stipulates that a project located within the Design Overlay District that has a construction valuation of \$50,000 or more is subject to approval of a Design Overlay Review (DOR) by the Planning Commission.

B. Project Description

Air Products and Chemicals, Inc., requests approval of DOR 1944-23 to construct a new 2,626 sq. ft. modular control building and to construct a new conduit power trench from the existing Power Distribution Center (PDC) to the new modular building. As shown in the attached plans, (Attachment 1), the 2,626 sq. ft. modular building will be built on an on-grade foundation within the 8.4 acre site. This new building will provide an updated space for administrative and control purposes of the existing hydrogen facility located on site. There is an existing building used for control and storage on site that will be converted to pure storage use in connection with the proposed construction of the new modular control building. There is no increase in the maximum number of employees per shift, which is ten (10), due to adding the new modular control building. New sewer and water supply lines will be installed to connect the new building to the existing on-site waste system and water supply line.

Landscaping consisting of a mixture of trees, and shrubs are provided along the frontage of Alameda St. as well as in front of the new modular control building and existing storage building on site.

The property features two access points both leading to Alameda St. in an omnidirectional loop with one way in and one way out that is gated with a security tower for monitoring. The Hydrogen Facility and Special Gas Facility are housed towards the rear of the property along the Dominguez Channel away from the main public right of way.

C. Project History

Founded in 1940, Air Products and Chemicals Inc. develops, engineers, builds, owns, and operates some of the world's largest industrial gas projects. Focused on serving energy, environment and emerging markets, Air Products provides essential industrial gases, related equipment, and applications expertise to customers in dozens of industries. Since inception, they have developed over 1800 miles of gas pipeline and more than 750 production facilities in over 50 countries worldwide.

On June 9, 1998, a Planning Commission hearing was held for the Conditional Use Permit Nos. 458-97 and 459-97 as well as the DOR No. 652-97 for a proposed Hydrogen Facility (by Air Products and Chemicals Inc.) and the continued operation of a Special Gas Facility by ARCO. An Environmental Impact Report (EIR) was prepared for this project and certified by the Planning Commission at this meeting (SCH No. 97071078).

On November 10, 2020, Conditional Use Permit No. 1089-18 and EIR (SCH No. 2020059038) were approved for a .5-mile hydrogen gas pipeline segment extension from the existing hydrogen facility to connect to the Paramount Refinery existing 11.5-mile pipeline. The project eliminated the need for five to seven daily tanker trucks that once delivered the produced hydrogen to the Paramount Refinery.

On July 6, 2023, a staff level approval of an Admin DOR No. 1939-23 was granted for temporary modular buildings and restroom facilities to be placed onsite during a maintenance operation lasting from September 2023 to November 2023.

D. Existing Conditions

1. Land Use Map



Figure 1

As shown on the above land use map (Figure 1), the project site is located north of Sepulveda Boulevard and east of Alameda Street. The site is 8.4 acres in area and is comprised of portions of Los Angeles County Tax Assessor Parcel Numbers (APN) 7315-020-021.

The project site is largely surrounded by heavy industrial (MH) uses to the North, West, and South. To the East of the project lies the Dominguez Channel that is zoned Open Space (OS).

The following table summarizes the general plan designation, zoning, project site size, present use, and street access:

| Site Information | |
|-----------------------------|--|
| General Plan Land Use | Heavy Industrial |
| Zone District | MH-D (Manufacturing Development Overlay District, Heavy) |
| Site Size | 365,604 square feet (8.4 acres) |
| Present Use and Development | Hydrogen production facility |
| Access | Ingress/Egress: Alameda Street |

2. Site Conditions

As shown on Attachment 1, the entire 8.4 acre site is graded and relatively flat and is developed with a hydrogen production facility. However, the northwestern portion of the property, where the new modular building is proposed, is currently largely vacant.

The site is surrounded by chain-link fencing along Alameda and continuous chain-link with barbed wire fencing on both sides of the property leading to the rear of the property where it abuts the Dominguez Channel.

As part of the proposed project, the chain-link fencing along the Alameda St. frontage will be replaced with new decorative wrought iron fencing. The project also includes installing a new 4' 6" metal screen wall on the west side of the project that will be painted to match (white) the modular control building to shield HVAC equipment from view on Alameda St.

Land uses surrounding the subject property include refinery uses to the north, asphalt / rock crushing uses to the south (note: the Planning Commission recently took action recommending City Council approval for development of a Battery Energy Storage System (BESS) facility on said property), the Dominguez Channel to the east, and railroad and refinery uses to the west.

3. General Plan and Zoning Information

Table 01 Land Use Summary Table

| | Existing Use | Zoning | General Plan |
|------------------------------|--|--|-----------------------|
| Subject Site | Hydrogen Facility/Specialty Gas Facility | MH-D (Manufacturing-Heavy Design Review) | HI (Heavy Industrial) |
| North of Subject Site | Marathon SRP | MH (Manufacturing Heavy) | HI (Heavy Industrial) |
| South of Subject Site | Lovco Recycle Site | MH-D (Manufacturing – Heavy Design Review) | HI (Heavy Industrial) |

| | | | |
|-----------------------------|--|----------------------------|-----------------------|
| East of Subject Site | Dominguez Channel | OS (Open Space) | Park/Open Space |
| West of Subject Site | SOU Pacific Trans Co. (railroad tracks) | MH (Manufacturing – Heavy) | HI (Heavy Industrial) |

II. ANALYSIS

A. General Plan Consistency

The proposed development project is consistent with the General Plan, including the General Plan land use designation (Heavy Industrial) of the site, for the following reasons (without limitation):

- The Land Use and Revitalization Element of the City of Carson General Plan (“Land Use Element”) provides, in the description of the Heavy Industrial land use designation, that the 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, or environmental effects, or general welfare, are best segregated from other uses.
 - The existing use of the subject property has already been approved pursuant to the aforementioned 1998 conditional use permit, and the proposed improvements that are the subject of this DOR No. 1944-23 would not change the existing use of the subject property.
- The Land Use Element includes the following policies aimed at the future of industrial development, which are advanced by the proposed project:
 - LUR G-14, “Ensure that future industrial development is in harmony to the extent possible with adjacent residential areas. To this end, new logistics buildings should ideally have easy access to freeways and the Alameda corridor. When feasible, truck routes should be designed to prevent trucks passing next to residential areas.”
 - This modular control building as an infill development being set further back from Alameda St. allows for minimum impact on the street and through the previous pipeline extension project, the existing facility has already eliminated any need for further trucking uses on site. The proposed development is not adjacent to any residential areas and will not generate significant new traffic or truck trips to the site.
 - LUR P-28: “Support the establishment and expansion of the infrastructure necessary to support the transition from fossil fuels to clean energy.”
 - Air Products and Chemicals Inc. proposes a new modular control building which would allow for conversion in the future to a more environmental efficient process in developing their cleaner Hydrogen goals.

B. Zoning Ordinance Compliance

CMC 9172.23 (“Site Plan and Design Review”) provides, “The Commission shall approve a Development Plan if it is able to make affirmative findings based on the following criteria:

- a. Compatibility with the General Plan, any specific plans for the area, and surrounding uses.
- b. Compatibility of architecture and design with existing and anticipated development in the vicinity, including the aspects of site planning, land coverage, landscaping, appearance and scale of structures and open spaces, and other features relative to a harmonious and attractive development of the area.
- c. Convenience and safety of circulation for pedestrians and vehicles.
- d. Attractiveness, effectiveness, and restraint in signing graphics and color.
- e. Development scheduling (if phased development) which will satisfy the above criteria in each phase.
- f. Conformance to any applicable design standards and guidelines which have been adopted pursuant to CMC 9172.15. Such design standards and guidelines may be generally applicable or may specify different requirements for different areas.”

As discussed above, the proposed project is compatible with the General Plan and with the surrounding uses, which are heavy industrial consistent with the Manufacturing Heavy Design Review (MH-D) zoning designation of the site. There is no applicable specific plan.

The new modular control building will be compatible in architecture and design with existing and anticipated development in the vicinity, including the aspects of site planning, land coverage, landscaping, appearance and scale of structures and open spaces, and other features relative to a harmonious and attractive development of the area. As shown in Attachment 1, the new modular building will be painted white, will have a maximum height of 13’-1-5/8”, and will coexist with that of the existing storage and control building on site (which will be converted entirely to storage). The proposed building and related improvements comply with all relevant sections of site development standards, encompassing site planning and design, minimizing height, compatibility with the General Plan and the underlying Zone.

This project harmonizes with the design and scale of both existing and projected developments in the surrounding industrial area. Additionally, the project ensures efficient vehicle circulation via the two existing access points from Alameda St. and the existing on-site circulation and proposes eight new parking spaces (including one ADA-accessible space)

for a total of 25 on-site spaces, thereby exceeding the minimum parking requirements . There is no signage associated with the project, and the project will be developed in one phase.

Note: to increase administrative efficiency, a condition of approval (no. 5) has been included to delegate Planning Commission authority to the Director for any further required DOR that may arise from substantial revisions to the proposed project that may be requested by the applicant during the post-entitlement process. This proposed delegation of authority is authorized by CMC 9186.2, which provides, “Whenever an administrative power or duty is granted to or imposed upon the Commission, the Commission may delegate such power or duty to the Director subject to such instructions as the Commission may prescribe.”

C. Public Hearing Notice

Public Notice (Attachment 3) was given in accordance with Part 7 of the Carson Zoning Ordinance. Notice of public hearing was posted to the project site and mailed to property owners and occupants within a 750’ radius by July 10, 2024. 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. 1944-23 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)).

In the alternative, the proposed project is categorically exempt from review under CEQA. Pursuant to State CEQA Guidelines Section 15301, the proposed project is covered by the Class 1 CEQA Categorical Exemption for Existing Facilities, as it involves negligible or no expansion of use, the added floor area is less than 10,000 sq. ft., and the project (i) is in an area where all public services and facilities are available to allow for maximum development permissible in the General Plan as a Heavy Industrial designation, and (ii) is not located in an environmentally sensitive area, as substantiated by the two above-referenced previous EIRs. Also, pursuant to State CEQA Guidelines Section 15303, the proposed project is covered by the Class 3 CEQA Categorical Exemption for Small Structures, which includes construction and

location of limited numbers of new, small facilities or structures (up to the maximum allowable on any legal parcel) and installation of small new equipment and facilities in small structures. There is only one building being constructed, which is within the number allowable on the parcel, and it is small - just 2,626 square feet in floor area. Further, the site is zoned for the proposed use of the building, the building and its immediate surrounding site on the western portion of the subject parcel will not involve the use of significant amounts of hazardous substances, all necessary public services and facilities are available, and the surrounding area is not environmentally sensitive. No exception to these exemptions applies.

E. CFD/DIF Discussion

On April 16, 2019, the City Council adopted Ordinance No. 19-1931 to implement the City's Interim Development Impact Fee ("IDIF") Program. Developments consisting of new construction of less than 10% of the on-site building footprint are exempt.

III. CONCLUSION AND RECOMMENDATION

Staff finds that the project is consistent with the General Plan and Zoning Ordinance. The project meets the required DOR findings while providing an upgraded building (as compared to the existing control and storage building, to be converted to storage-only) to help with the control of the existing hydrogen facility. Furthermore, the proposed project aims to enhance productivity, building upon the established longevity of the hydrogen facility's operations.

Staff recommends the Planning Commission:

- ADOPT Resolution No. 24- __, entitled "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON CONDITIONALLY APPROVING SITE PLAN AND DESIGN REVIEW NO. 1944-23 FOR THE DEVELOPMENT OF A NEW MODULAR CONTROL BUILDING AT 2,625 SQUARE FEET AND ASSOCIATED IMPROVEMENTS LOCATED AT 23300 ALAMEDA STREET"

ATTACHMENTS

- 1) Plans
- 2) Vicinity/ Radius Map
- 3) Public Hearing Notice
- 4) Draft Resolution No. 24 - ____.
 - A. Legal Description
 - B. Conditions of Approval