



## CITY OF CARSON

### PLANNING COMMISSION STAFF REPORT

PUBLIC HEARING: November 10, 2009  
SUBJECT: Modification No. 1 to  
Relocation Review No. 3038.08  
APPLICANT: Marsulex – Los Angeles  
Attn: Mark Berger  
2160 E. Sepulveda Boulevard  
Carson, CA 90810  
REQUEST: To construct a 720-square-foot modular office  
building within the Tesoro oil refinery plant.  
PROPERTY INVOLVED: 2160 E. Sepulveda Boulevard

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#### COMMISSION ACTION

Concurred with staff  
 Did not concur with staff  
 Other

#### COMMISSIONERS' VOTE

AYE	NO		AYE	NO	
		Chairman Faletogo			Graber
		Vice-Chair Saenz			Park
		Brimmer			Schaefer
		Brown			Verrett
		Gordon			

**Item No. 11A**

I. **Introduction**

The applicant is requesting approval of Modification No. 1 to Relocation Review No. 3038.08 to authorize the construction of an additional 720-square-foot modular office building. The building will occupy an area twenty feet from the originally approved modular office building within the 300-acre Tesoro oil refinery plant located in the southeastern portion of the city adjacent to the city of Los Angeles. This building is considered semi-permanent as Marsulex intends to use it for the duration of their contract with the property owner Tesoro. Marsulex, a contractor for the owner, has been operating in that location for over twenty years through a contract which must be renewed every eighteen months. The property is located at 2160 E. Sepulveda Boulevard, within the MH (Manufacturing, Heavy) zone.

II. **Background**

At a duly noticed public hearing September 23, 2008, the Planning Commission passed Resolution No. 08-2232 (Exhibit No. 1), which approved Relocation Review No. 3038-08 to construct a 720-square-foot modular office building within the Tesoro oil refinery plant. Pursuant to Condition No. 3, contained in Exhibit "B" of Planning Commission Resolution No. 08-2232, substantial revisions to these permits require review and approval by the Planning Commission.

The applicant intends to place the 60-foot by 12-foot (720 square feet) modular office building twenty feet north of the same type of building permitted by Resolution No. 08-2232. The proposed building will be located in an area that is currently vacant and will not interfere with vehicle circulation or emergency access. The proposed modular office building cannot be seen from the public right-of-way since it is XX feet from the closest street. The proposed building is identical in shape, size, and approximate location to the first building, thus similar affirmative findings as those in Exhibit No. 1 can be made.

III. **Environmental Review**

Pursuant to Title 14 of the California Code of Regulations, Chapter 3, Guidelines for Implementation of the California Environmental Quality Act (CEQA), Article 16 (Categorical Exemptions) the project is deemed categorically exempt under Section 15332 (In-Fill Development Project) and will not result in significant adverse effects on the environment.

IV. **Recommendation**

That the Planning Commission:

**WAIVE** further reading and **ADOPT** Resolution No. \_\_\_\_\_, entitled "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON APPROVING MODIFICATION NO. 1 TO RELOCATION REVIEW NO. 3038-08 FOR THE CONSTRUCTION OF A SECOND 720-SQUARE-FOOT MODULAR OFFICE TRAILER LOCATED AT 2160 E. SEPULVEDA BOULEVARD."



**V. Exhibits**

1. Planning Commission Staff Report Dated September 23, 2008
2. Planning Commission Resolution No. 08-2232 Without Exhibits
3. Planning Commission Minutes Dated September 23, 2008
4. Land Use Map
5. Draft Resolution
6. Development Plans (Under Separate Cover)

**Prepared by:**

  
\_\_\_\_\_  
Steven C. Newberg, AICP, Associate Planner

**Reviewed by:**

  
\_\_\_\_\_  
John F. Signo, AICP, Senior Planner

**Approved by:**

\_\_\_\_\_  
Sheri Repp, Planning Manager

MOD\_RR 303808sn



# CITY OF CARSON

## PLANNING COMMISSION STAFF REPORT

PUBLIC HEARING: September 23, 2008  
SUBJECT: Relocation Review No. 3038.08  
APPLICANT: Marsulex – Los Angeles  
Attn: Mark Berger  
2160 E. Sepulveda Boulevard  
Carson, CA 90810  
REQUEST: To construct a 720-square-foot modular office building within the Tesoro oil refinery plant.  
PROPERTY INVOLVED: 2160 E. Sepulveda Boulevard

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### COMMISSION ACTION

Concurred with staff  
 Did not concur with staff  
 Other

### COMMISSIONERS' VOTE

AYE	NO		AYE	NO	
		Chairman Faletogo			Saenz
		Cannon			Verrett
		Graber			

## I. Introduction

The applicant is requesting approval of Relocation Review No. 3038.08 to authorize the construction of a 720-square-foot modular office building. The building will occupy an open area centrally located within the approximately 300-acre Tesoro oil refinery plant located in the southeastern portion of the city adjacent to the city of Los Angeles. This building is considered semi-permanent as Marsulex intends to use it for the duration of their contract with the property owner Tesoro. Marsulex, a contractor for the owner, has been operating in that location for over twenty years through a contract which must be renewed every eighteen months. The property is located at 2160 E. Sepulveda Boulevard, within the MH (Manufacturing, Heavy) zone.

## II. Background

The approximately 300-acre subject property is used as an oil refinery with tank storage and is located southeast of the Alameda Street and Sepulveda Boulevard intersection. The subject property occupies the entire southeast tip of Carson's city boundary shared by the city of Los Angeles with parts of the property within Los Angeles' jurisdiction. The proposed location of the modular office building is within an area called Station No. 4, near a large conveyor belt and conveyor tunnel. There is a similar modular building and a workshop within 200 feet of the proposed location. The applicant intends to remove a smaller office trailer once the proposed modular building has been placed onsite. Three employees currently utilize the smaller office trailer for administrative support of field work in the refinery and will move to the new modular building once complete. There will not be an increase in employees as a result of the proposed development.

## III. Analysis

### Relocation Review No. 3038-08

The 60-foot by 12-foot (720 square feet) modular office building will be constructed off-site, hauled to the property, and assembled on a foundation. Carson Municipal Code (CMC) Section 9172.26, Relocation Review, states that a development plan must be approved by the Planning Commission when a structure is proposed to be relocated to a site within Carson. The Planning Commission shall approve a development plan if it is able to make affirmative findings base on the following criteria:

a. **The proposed use and development will be consistent with the General Plan.**

The modular office structure is a permitted use in the MH zone. The zoning for the subject property is consistent with the General Plan Land Use designation of Heavy Industrial. The proposed modular office will not significantly alter the heavy industrial nature of the refinery and tank farm. Therefore, the proposed use and development will be consistent with the General Plan.



- b. **Compatibility of architecture and design with existing and anticipated development in the vicinity, including the aspects of site planning, land coverage, landscaping, appearance, age, and scale of structures and open spaces and other features relating to a harmonious and attractive development of the area.**

The subject property is located in a heavy industrial area, approximately 300 acres in area, and served by existing utilities. The proposed modular office building is consistent in design and layout with existing modular offices located near the project site, which is within the center of the subject property. The proposed modular office is compatible with existing and anticipated development in the vicinity. The modular office building will be used for administrative support and personnel equipment for work related to the refinery, and is consistent with the intended character of the area.

- c. **Convenience and safety of circulation for pedestrians and vehicles.**

The main access point to the project site from the public right-of-way is Gate No. 22, on Sepulveda Boulevard. This gate is manned by a guard at all times, and is only accessible by registered personnel. Existing paved roads lead from that gate to the project site. These roads are only traveled by company vehicles which do not leave the premises. Thus, access to the subject site for the general public is controlled. In this way, the safety and circulation of pedestrians and vehicles is maintained.

- d. **Attractiveness, effectiveness, and restraint in signing, graphics, and color.**

Apart from basic directional and building identification signs, there are no other signs proposed for the project. All signs will comply with the requirements of the CMC.

- e. **Conformance to any applicable design standards and guidelines which have been adopted pursuant to Section 9172.15.**

The proposed project meets all applicable design standards and guidelines of the CMC.

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

Pursuant to Title 14 of the California Code of Regulations, Chapter 3, Guidelines for Implementation of the California Environmental Quality Act (CEQA), Article 16 (Categorical Exemptions) the project is deemed categorically exempt under Section 15332 (In-Fill Development Project) and will not result in significant adverse effects on the environment.

#### **V. Recommendation**

That the Planning Commission:



**WAIVE** further reading and **ADOPT** Resolution No. \_\_\_\_\_, entitled "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON APPROVING RELOCATION REVIEW NO. 3038-08 FOR THE CONSTRUCTION OF A 720-SQUARE-FOOT MODULAR OFFICE TRAILER LOCATED AT 2160 E. SEPULVEDA BOULEVARD."

**VI. Exhibits**

1. Land Use Map
2. Draft Resolution
3. Development Plans (Under Separate Cover)

**Prepared by:** \_\_\_\_\_  
Steven C. Newberg, AICP, Associate Planner

**Reviewed by:** \_\_\_\_\_  
John F. Signo, AICP, Senior Planner

**Approved by:** \_\_\_\_\_  
Sheri Repp, Planning Manager

RR 303808sn



**CITY OF CARSON**  
**PLANNING COMMISSION**  
**RESOLUTION NO. 08-2232**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON APPROVING RELOCATION REVIEW NO. 3038-08 FOR THE CONSTRUCTION OF A 720-SQUARE-FOOT MODULAR OFFICE TRAILER LOCATED AT 2160 E. SEPULVEDA BOULEVARD**

**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, Marsulex, with respect to real property located at 2160 E. Sepulveda Boulevard and described in Exhibit "A" attached hereto, requesting the approval of Relocation Review No. 3038-08, for the construction of a 720-square-foot modular office building located in the Tesoro oil refinery plant. The subject property is located in the MH (Manufacturing, Heavy) zoning district.

A public hearing was duly held on September 23, 2008, 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) The modular office structure is a permitted use in the MH zoning district. The zoning for the subject property is consistent with the General Plan Land Use designation of Heavy Industrial. The proposed modular office will not significantly alter the heavy industrial nature of the refinery and tank farm. Therefore, the proposed use and development will be consistent with the General Plan.
- B) The subject property is approximately 300 acres and located in a heavy industrial area that is served by existing utilities. The proposed modular office building is consistent in design and layout with existing modular offices located near the project site. The proposed modular office is compatible with existing and anticipated development in the vicinity. The building will be used for administrative support and personnel equipment for work related to the refinery, and is consistent with the intended character of the area.
- C) The main access point to the project site from the public right-of-way is Gate No. 22, coming from Sepulveda Boulevard. This gate is manned by a guard at all times, and is only accessible by registered personnel. Existing paved roads lead from that gate to the project site. These roads are only traveled by company vehicles which do not leave the premises. Thus, access for the general public is controlled, and the safety and circulation of pedestrians and vehicles is maintained.

**Section 4.** Pursuant to Title 14 of the California Code of Regulations, Chapter 3, Guidelines for Implementation of the California Environmental Quality Act (CEQA), Article 16 (Categorical Exemptions) the project is deemed categorically exempt under Section 15332



(In-Fill Development Project) and will not result in significant adverse effects on the environment.

**Section 5.** Based on the aforementioned findings, the Commission hereby approves Relocation Review No. 3038-08 with respect to the property described in Section 1 hereof, subject to the conditions set forth in Exhibit "B" attached hereto.

**Section 6.** The Secretary shall certify the adoption of this Resolution and shall transmit copies of the same to the applicant.

**Section 7.** 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 23<sup>rd</sup> DAY OF SEPTEMBER 2008.**

  
\_\_\_\_\_  
**CHAIRMAN**

**ATTEST:**

  
\_\_\_\_\_  
**SECRETARY**

accommodate those vehicles waiting for their food. She pointed out this waiting/pickup area is necessary to keep the drive-through running efficiently.

Associate Planner Gonzalez stated this area can still be landscaped, yet allow for a waiting/pickup area.

Chairman Faletogo closed the public hearing.

Planning Commission Decision:

Vice-Chair Saenz moved, seconded by Commissioner Cannon, to approve the applicant's request, adding that the applicant shall provide 10 feet of landscaping along the front elevation to the satisfaction of the Planning Division; and moved to adopt Resolution No. 2231. Motion unanimously carried.

**11. PUBLIC HEARING**

**E) Relocation Review No. 3038.08**

Applicant's Request:

The applicant, Tesoro Corporation, is requesting to construct a 720-square-foot modular office building within the Tesoro oil refinery plant located at 2160 East Sepulveda Boulevard.

Staff Report and Recommendation:

Associate Planner Newberg presented staff report and the recommendation to Approve construction and WAIVE further reading and ADOPT Resolution No. \_\_\_\_, entitled, "A Resolution of the Planning Commission of the city of Carson recommending approval of Relocation Review No. 3038.08 and Design Overlay Review No. 1020-07."

Chairman Faletogo opened the public hearing.

Mark Berger, representing the applicant, noted his concurrence with the conditions of approval.

Chairman Faletogo closed the public hearing.

Planning Commission Decision:

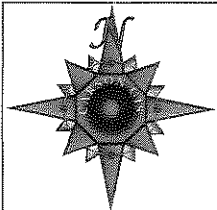
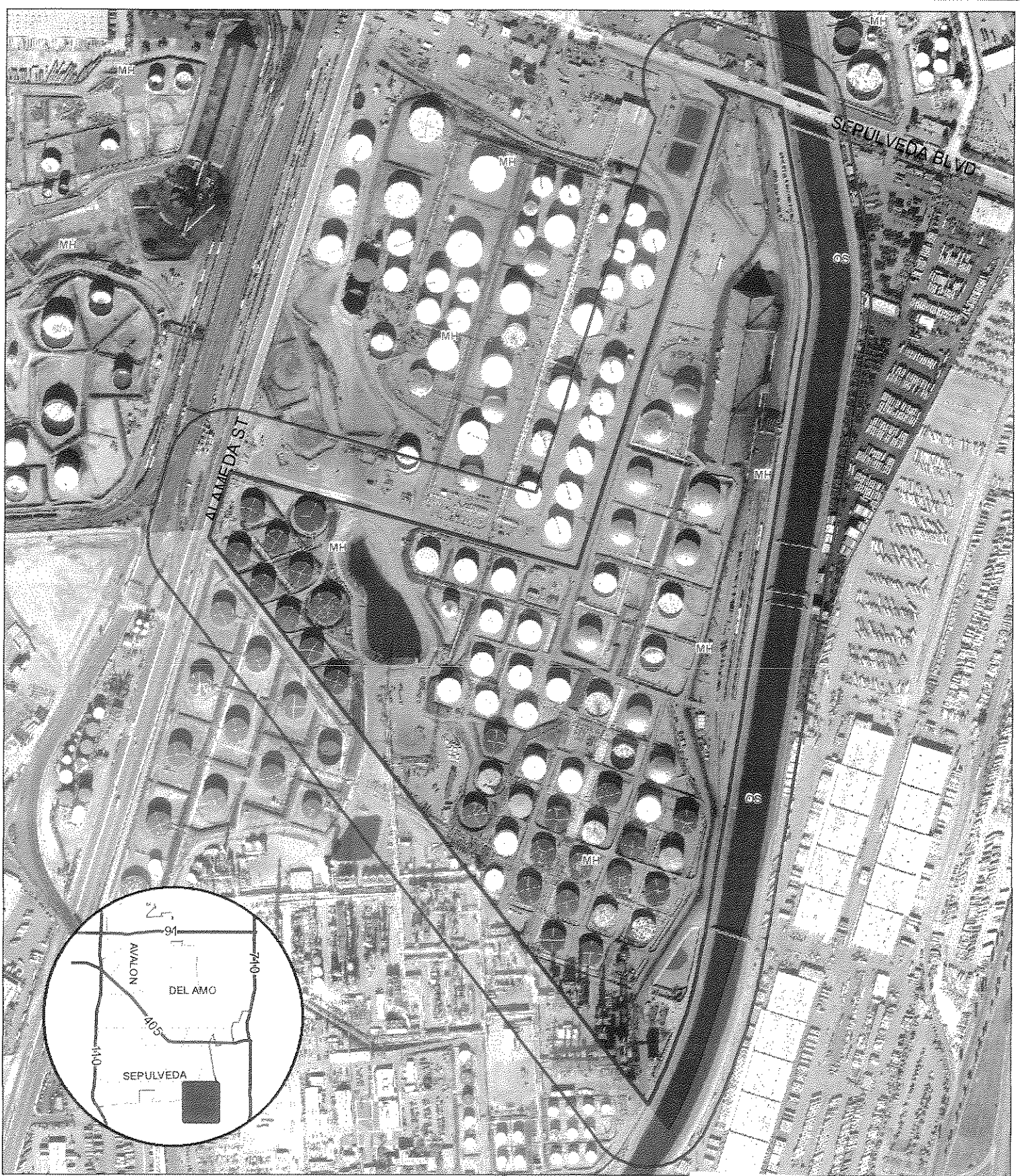
Commissioner Cannon moved, seconded by Commissioner Graber, to approve the recommendation, thus adopting Resolution No. 08-2232. Motion unanimously carried.

**11. PUBLIC HEARING**

**F) Design Overl**

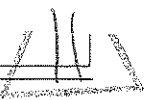
**Exhibit 3**





**City of Carson**  
**300 Foot Radius Map**  
**2160 E Sepulveda Blvd**

Exhibit No. 4



**CITY OF CARSON**  
**PLANNING COMMISSION**  
**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON APPROVING MODIFICATION NO. 1 TO RELOCATION REVIEW NO. 3038-08 FOR THE CONSTRUCTION OF A SECOND 720-SQUARE-FOOT MODULAR OFFICE TRAILER LOCATED AT 2160 E. SEPULVEDA BOULEVARD**

**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, Marsulex, with respect to real property located at 2160 E. Sepulveda Boulevard and described in Exhibit "A" attached hereto, requesting the approval of a Modification to Relocation Review No. 3038-08, for the construction of a second 720-square-foot modular office building located in the Tesoro oil refinery plant. The subject property is located in the MH (Manufacturing, Heavy) zoning district.

A public hearing was duly held on November 10, 2009, 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) The addition of a second modular office structure is a permitted use in the MH zoning district. The zoning for the subject property is consistent with the General Plan Land Use designation of Heavy Industrial. The proposed additional modular office will not significantly alter the heavy industrial nature of the refinery and tank farm. Therefore, the proposed use and development will be consistent with the General Plan.
- B) The subject property is approximately 300 acres and located in a heavy industrial area that is served by existing utilities. The proposed modular office building is consistent in design and layout with the existing modular office located near the project site. The proposed modular office is compatible with existing and anticipated development in the vicinity. The building will not interfere with vehicular circulation or emergency access to the site. The building will be used for administrative support and personnel equipment for work related to the refinery, and is consistent with the intended character of the area.
- C) The main access point to the project site from the public right-of-way is Gate No. 22, coming from Sepulveda Boulevard. This gate is manned by a guard at all times, and is only accessible by registered personnel. Existing paved roads lead from that gate to the project site. These roads are only traveled by company vehicles which do not leave the premises. Thus, access for the general public is controlled, and the safety and circulation of pedestrians and vehicles is maintained.

**Section 4.** Pursuant to Title 14 of the California Code of Regulations, Chapter 3, Guidelines for Implementation of the California Environmental Quality Act (CEQA), Article 16



(Categorical Exemptions) the project is deemed categorically exempt under Section 15332 (In-Fill Development Project) and will not result in significant adverse effects on the environment.

**Section 5.** Based on the aforementioned findings, the Commission hereby approves Modification No. 1 to Relocation Review No. 3038-08 with respect to the property described in Section 1 hereof, subject to the conditions set forth in Exhibit "B" attached hereto.

**Section 6.** The Secretary shall certify the adoption of this Resolution and shall transmit copies of the same to the applicant.

**Section 7.** 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 10<sup>th</sup> DAY OF NOVEMBER 2009.**

\_\_\_\_\_  
**CHAIRMAN**

**ATTEST:**

\_\_\_\_\_  
**SECRETARY**



**CITY OF CARSON**  
**DEVELOPMENT SERVICES**  
**PLANNING DIVISION**  
**EXHIBIT "A"**  
**LEGAL DESCRIPTION**  
**MODIFICATION TO RELOCATION REVIEW NO. 3038-08**

**Property Address:** 2160 E Sepulveda Blvd

The land referred to as assessor parcel no. 7315-020-019 is situated in the County of Los Angeles, State of California and is described as follows:

That portion of lot 1 of Tract No. 10844 in the City of Carson as per Map recorded in Book 301, Pages 37 to 39, inclusive of Maps, in the Office of the County Recorder of said County.



**CITY OF CARSON**  
**DEVELOPMENT SERVICES**  
**PLANNING DIVISION**  
**EXHIBIT "B"**  
**CONDITIONS OF APPROVAL**  
**MODIFICATION NO. 1 TO RELOCATION REVIEW NO. 3038-08**

GENERAL CONDITIONS

1. If a building permit is not issued within one year of the date of approval of Modification No. 1 to Relocation Review No. 3038-08, said permit shall be declared null and void unless an extension of time is requested prior to their expiration and approved by the Planning Commission.
2. The approved Resolution, including the Conditions of Approval contained herein, and signed Affidavit of Acceptance, shall be copied in their entirety and placed directly onto a separate plan sheet behind the cover sheet of the approved development plans prior to Building and Safety plan check submittal. Said copies shall be included in all development plan submittals, including any revisions and the final working drawings.
3. The applicant shall make any necessary site plan and design revisions to the site plan and elevations approved by the Planning Commission and on file with the City Planning Division, in order to comply with all the conditions of approval and applicable Zoning Ordinance provisions. Substantial revisions will require review and approval by the Planning Commission.
4. The applicant shall submit two complete sets of plans that conform to all the Conditions of Approval, and which are consistent with the development plans included as exhibits to the staff report presented at the hearing in which the project was approved, including modifications to the plans and/or conditions of approval made by the Planning Commission during said hearing. Such approved development plans are subject to review and approval by the Planning Division prior to the issuance of a building permit.
5. The applicant and property owner shall sign an Affidavit of Acceptance form and submit the document to the Planning Division within 30 days of receipt of the Planning Commission Resolution.
6. It is further made a condition of this approval that if any condition is violated or if any law, statute or ordinance is violated, this permit may be revoked by the Planning Commission or City Council, as may be applicable; provided the applicant has been given written notice to cease such violation and has failed to do so for a period of thirty days.



7. Decision of the Planning Commission shall become effective and final 15 days after the date of its action unless an appeal is filed in accordance with Section 9173.4 of the Zoning Ordinance.
8. A modification of the conditions of this permit, including additions or deletions, may be considered upon filing of an application by the owner of the subject property or his/her authorized representative in accordance with Section 9173.1 of the Zoning Ordinance.
9. Applicant shall defend, indemnify and hold harmless the City of Carson, its agents, officers, or employees from any claims, damages, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void or annul, and approval of the City, its advisory agencies, appeal boards, or legislative body concerning Relocation Review No. 3038-08 and any subsequent modifications. The City will promptly notify the Applicant of any such claim, action, or proceeding against the City and the Applicant will either undertake defense of the matter and pay the City's associated legal costs or will advance funds to pay for defense of the matter by the City Attorney. The City will cooperate fully in the defense. Notwithstanding the foregoing, the City retains the right to settle or abandon the matter without the Applicant's consent but should it do so, the City shall waive the indemnification herein, except, the City's decision to settle or abandon a matter following an adverse judgment or failure to appeal, shall not cause a waiver of the indemnification rights herein.

#### PARKING

10. Parking spaces shall be identified (marked) as provided in Section 9162.56 of the Zoning Ordinance.
11. Parking spaces shall be provided with perimeter guards as provided in Section 9162.55 of the Zoning Ordinance.
12. Parking for handicapped shall comply with the requirements of Section 9162.42 of the Zoning Ordinance.

#### UTILITIES

13. All utilities and aboveground equipment shall be constructed and located pursuant to Section 9146.8 of the Zoning Ordinance, unless otherwise provided for in these conditions.
14. Graffiti shall be removed from all project areas within 3 days of written notification by the City of Carson. Should the graffiti problem persist more than twice in any calendar year, the matter may be brought before the Planning Commission for review and further consideration of site modifications (i.e., fencing, landscaping, chemical treatment, etc.).

#### SIGNS

15. Business signs and sign structures shall be permitted in conformance with development plans which have been approved pursuant to the Site Plan and





Design Review procedures (including the number of signs and sign structures to be permitted) as provided in Section 9172.23.

16. All permitted business signs must be in compliance with the provisions of Section 9136.7 of the Zoning Ordinance.

#### FENCES/WALLS

17. All fences, walls and hedges shall be located and constructed in compliance with the standards as provided for in Section 9146.3 (commercial zones) of the Zoning Ordinance.

#### FIRE DEPARTMENT - COUNTY OF LOS ANGELES

18. All required fire hydrants shall be installed, tested and accepted prior to construction. Vehicular access must be provided and maintained serviceable throughout construction.
19. Submit fire flow information to this Los Angeles County Fire Department, Land Development Division office for approval.

#### PUBLIC SAFETY - CITY OF CARSON

20. Ensure compliance with current seismic mitigation codes.

#### BUSINESS LICENSE DEPARTMENT - CITY OF CARSON

21. Per section 6310 of the Carson Municipal Code, all parties involved in the project, including but not limited to contractors and subcontractors, will need to obtain a City Business License.

