



**CITY OF CARSON**  
**PLANNING COMMISSION STAFF REPORT**

NEW BUSINESS DISCUSSION: July 23, 2013  
SUBJECT: Modification No. 3 to  
Conditional Use Permit No. 529-02  
APPLICANT: Kinder Morgan Energy Partners, L.P.  
Attn: Allan Campbell  
1100 Town and Country Road  
Orange, CA 92868  
REQUEST: Modification to landscape conditions along street  
frontages and preparation of an agreement for  
right-of-way landscaping improvements  
PROPERTY INVOLVED: 2000 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  |     |    | Gordon   |
|     |    | Vice-Chair Verrett |     |    | Piñon    |
|     |    | Brimmer            |     |    | Saenz    |
|     |    | Diaz               |     |    | Schaefer |
|     |    | Goolsby            |     |    |          |

## I. Introduction

Kinder Morgan Tank Storage Terminals LLC, a subsidiary of Kinder Morgan Energy Partners, LLP (KM) requests a modification to the conditions of approval regarding landscaping. On February 8, 2005, the Planning Commission approved Conditional Use Permit 529-02 for construction of 19 additional storage tanks and related equipment at the KM tank farm. As a condition of approval, KM was required to provide landscaping along Alameda Street and Sepulveda Boulevard. After consulting with the Public Works Division, it is not recommended to provide landscaping along Alameda Street because the wall is along the property line and there is a substandard sidewalk that must be maintained. It is possible to provide up to 25 feet of landscaping along Sepulveda Boulevard, however, certain areas have restrictions. There is a Fire Department driveway along the northern property line on the east side of the property and existing equipment, piping, and other structures. Kinder Morgan will be coordinating with the Public Works Department on the street widening of Sepulveda Boulevard.

In lieu of the onsite landscaping, Kinder Morgan has agreed to provide off-site landscaping up to \$100,000. Improvements will be made to the center median on Alameda Street south of Del Amo Boulevard. Any remaining funds, if any, would be used for tree replacement on Wilmington Avenue south of Del Amo Boulevard along Kinder Morgan's Watson Station at 20410 S. Wilmington Avenue.

## Background

### *Project Location/Surrounding Land Uses*

The entrance to the Kinder Morgan Carson Terminal is located on Sepulveda Boulevard approximately 1,000 feet east of Alameda Street. The facility is located within a designated heavy industrial area, surrounded by the following land uses:

North: Air Products and Tesoro Refinery

Northwest: Tesoro Refinery

West: Conoco Phillips Refinery (formerly Tosco Carson Refinery)

South: Equilon Refinery

Southwest: BNSF Intermodal Facility

East: Dominguez Channel, Valero Refinery, Port of Los Angeles (POLA) Intermodal Container Transfer Facility (ICTF), site of Southern California Intermodal Container (SCIG) transfer facility

### *CUP No. 529-02*

On February 8, 2005, the Planning Commission approved Conditional Use Permit (CUP) No. 529-02 for the construction of 19 petroleum storage tanks to an existing

tank farm. The project included the installation of supporting piping, pumps and ancillary equipment, and the demolition of four older tanks.

The approval was accompanied with a certified Environmental Impact Report (EIR). In addition, the applicant agreed to a Good Neighbor Agreement (GNA) with local environmental groups in order to address environmental and social impacts to nearby communities. Since the GNA is a private agreement between the applicant and local environmental groups, the City has no responsibility to enforce the requirements in the GNA even though the applicant has agreed to dedicate funds to improve City services.

On April 24, 2007, the Planning Commission approved Modification No. 1 to CUP No. 529-02 to delay the demolition of one older tank until 2010. Kinder Morgan completed the demolition of three tanks as required by the original CUP approval, but requested a delay to demolish a fourth tank because of cost factors and market conditions.

On February 24, 2009, the Planning Commission approved Modification No. 2 to CUP No. 529-02 for construction of one 60,000-barrel ethanol storage tank and related equipment.

Kinder Morgan is completing construction of all tanks and equipment permitted under CUP No. 529-02. Completion should occur this year. However, Kinder Morgan understands their obligation to provide onsite landscaping or modify the conditions as acceptable to the Planning Commission.

## II. Analysis

### *Required Findings*

The required findings for Conditional Use Permit have not changed since the Planning Commission's original approval on February 8, 2005. The findings have been included in the attached Resolution.

Due to the constraints identified by the Public Works Department, providing landscaping along the Alameda Street frontage is not recommended. It is staff's opinion that the proposed modification to the landscaping conditions would improve a stretch of Alameda Street south of Del Amo Boulevard. If remaining funds are available, diseased trees along Wilmington Avenue will be replaced immediately adjacent to the Kinder Morgan Watson Station. An agreement with Kinder Morgan will be developed to authorize these off-site improvements. Future maintenance will be handled by the Public Works Department since improvements will be done in the street right-of-way.

### *Issues of Concern*

- Issue – Front Landscaping: The City is proposing to widen Sepulveda Boulevard north of the Kinder Morgan facility. This improvement would require a land dedication from Kinder Morgan and cooperation in maintaining a

consistent frontage. Kinder Morgan is willing to provide landscaping along Sepulveda Boulevard, however do not want to begin improvements until after the street widening project is complete. Otherwise, construction of the street widening project would destroy Kinder Morgan's landscaping. Kinder Morgan has agreed to cooperate with the Public Works Department so that landscaping improvements along Sepulveda Boulevard are done after the street widening project.

- *Proposed Condition/Change:* Modify the landscaping conditions and prepare an agreement with Kinder Morgan for off-site improvements.
- **Issue – Agreement for Off-site Improvements:** In order to facilitate the off-site improvements, an agreement will have to be made between the City and Kinder Morgan. The Public Works Department has prepared a scope and cost estimate for the improvement to the landscape median on Alameda Street. Kinder Morgan has committed to funding up to \$100,000 toward this improvement, although the current estimate exceeds \$100,000. The City Council will be requested to authorize the work offered by Kinder Morgan. If the City Council reduces the scope of work or declines the improvements within the Alameda median the proposed funds will be used for replacement of diseased trees that are either dying or dead along Wilmington Avenue south of Del Amo Boulevard which are along Kinder Morgan's Watson Station at 20410 S. Wilmington Avenue.
  - *Proposed Condition/Change:* In the event an agreement is not reached, Kinder Morgan will still be responsible for onsite landscaping improvements along Alameda Street.

### III. **Environmental Review**

On February 8, 2005, the Planning Commission certified an EIR for the construction of 19 petroleum storage tanks in the southwestern corner of the tank farm facility. The modification to conditions would not generate additional impacts, therefore, no further environmental review is necessary under the California Environmental Quality Act (CEQA) Guidelines.

### IV. **Conclusion**

Kinder Morgan has offered to provide off-site landscaping within the center median of Alameda Street, and possibly replace diseased trees along Wilmington Avenue. As such, staff supports the proposal to remove or modify the conditions requiring onsite landscaping along Alameda Street. Furthermore, since the City will be widening Sepulveda Boulevard, it would be unreasonable to require Kinder Morgan to install landscaping prior to the widening improvements.

**V. Recommendation**

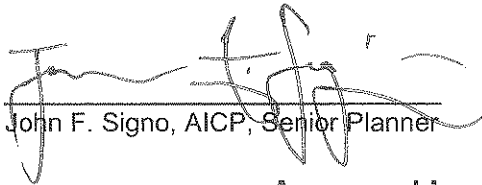
That the Planning Commission:

- **APPROVE** Modification No. 3 to Conditional Use Permit No. 529-02, subject to the conditions attached as Exhibit "B" to the Resolution; and
- **WAIVE** further reading and **ADOPT** Resolution No. \_\_\_\_\_ entitled, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON APPROVING MODIFICATION NO. 3 TO CONDITIONAL USE PERMIT NO. 529-02 REGARDING LANDSCAPING REQUIREMENTS FOR THE PROPERTY LOCATED AT 2000 E. SEPULVEDA BOULEVARD."

**VI. Exhibits**

1. Proposed Resolution
2. Resolution No. 09-2254, Modification No. 2
3. Resolution No. 07-2138, Modification No. 1
4. Resolution No. 05-2021
5. Approved landscape plan

Prepared by:

  
John F. Signo, AICP, Senior Planner

Approved by:

  
Sheri Repp, Planning Manager

CITY OF CARSON  
PLANNING COMMISSION  
RESOLUTION NO. 13-\_\_\_\_\_

A RESOLUTION OF THE PLANNING COMMISSION OF THE  
CITY OF CARSON APPROVING MODIFICATION NO. 3 TO  
CONDITIONAL USE PERMIT NO. 529-02 REGARDING  
LANDSCAPING REQUIREMENTS FOR THE PROPERTY  
LOCATED AT 2000 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, Kinder Morgan Tank Storage Terminals LLC, with respect to real property located at 2000 E. Sepulveda Boulevard and described in Exhibit "A" attached hereto, requesting a modification to the approval to construct 19 additional petroleum tanks to an existing 99-acre tank farm, including installation of supporting piping, pumps, and ancillary equipment. The modification concerns conditions of approval regarding landscaping. On February 8, 2005, the Planning Commission approved Conditional Use Permit No. 529-02 for the construction and operation of petroleum storage tanks. The subject property has a General Plan land use designation of Heavy Industry and is zoned MH (Manufacturing, Heavy).

A meeting was duly held on July 23, 2013, 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.** Pursuant to CMC Section 9141.1, a Conditional Use Permit is required for the construction and operation of a petroleum tank farm in an MH zone. Pursuant to Section 9172.21 (D), the Planning Commission finds that:

- a) The subject property is located within a heavy industrial area. The petroleum storage tanks are consistent with the General Plan Land Use Designation of Heavy Industrial and the MH (Manufacturing, Heavy) zone. The project site is an area designated for such heavy industrial use.
- b) The size of the site is adequate to support the proposed use and all associated piping, pumps, and ancillary equipment. The new tanks will be located on a 27.5 acre portion of the existing tank farm and will be adequately setback from the roadway. Utilities, including electricity, telephone lines, water, and sewer will be adequately provided.
- c) The project site will have adequate site renovations to assure the convenience and safety of operation vehicles. Vehicular ingress and egress are located on Sepulveda Boulevard on the northern part of the property. Regional access is located to the north on the 405 Freeway via Alameda Street, and to the east on the 710 Freeway via Sepulveda Boulevard. Minimal vehicle trips are expected from the proposed project since much of the product will be transported via underground piping.

Exhibit 1



- d) The proposed project has been designed to meet all Fire Department requirements. Thus, there is adequate water supply and circulation for fire protection.
- e) Landscaping will be provided, however, since it is infeasible to place landscaping along Alameda Street because the existing block wall is located along the property line, the applicant will be coordinating with the Public Works Department to provide appropriate off-site landscaping.
- f) The proposed project expands petroleum storage while preserving public health and safety and protecting the environment. The applicant entered into a Good Neighbor Agreement (GNA) with several community organizations in order to provide benefits to the community that lives near the facility. The GNA provides community benefit programs that primarily target air quality and public health concerns. These benefit programs are above and beyond the required and recommended mitigation in the DEIR and FEIR.

**Section 4.** On February 8, 2005, the Planning Commission certified an environmental impact report (EIR) pursuant to Section 15161 of the CEQA Guidelines to analyze and disclose potential environmental effects associated with construction and operation of the proposed project. The EIR also identified possible ways to minimize the significant impacts (referred to as mitigation) and evaluated reasonable alternatives to the project. The proposed modification would not create any additional impacts that have not been identified in the certified EIR. Thus, the certified EIR covers the requests included in the proposed modification.

**Section 5.** Based on the aforementioned findings, the Planning Commission hereby approves Modification No. 3 to Conditional Use Permit No. 02-11-529 with respect to the real property described in Section 1 hereof, subject to the conditions set forth in Exhibit "B" attached hereto.

**Section 6.** The Secretary shall certify to the adoption of the 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 JULY, 2013.**

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

**ATTEST:**

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





SCHEDULE A

1. COMMITMENT DATE: FEBRUARY 29, 2000 AT 7:30 A.M.  
 COMMITMENT NO. 9929650-21                      YOUR REF. NO.: GATX / TERMINAL
2. POLICY OR POLICIES TO BE ISSUED:                      POLICY AMOUNT  
 EXTENDED OWNERS POLICY                      STO BE DETERMINED  
 PROPOSED INSURED:  
 TO BE DETERMINED .
3. A. THE ESTATE OR INTEREST IN THE LAND DESCRIBED IN THIS COMMITMENT IS:  
 A FEE.  
 B. TITLE TO SAID ESTATE OR INTEREST AT THE DATE HEREOF IS VESTED IN:  
 GATX TANK STORAGE TERMINALS CORPORATION, A DELAWARE CORPORATION.
4. THE LAND REFERRED TO IN THIS COMMITMENT IS IN THE STATE OF CALIFORNIA, COUNTY OF LOS ANGELES, AND IS DESCRIBED AS FOLLOWS:  
 PARCEL 1: (GETTY PARCEL)  
 THAT PORTION OF THE 3365.95 ACRE TRACT ALLOTTED TO MARIA DOLORES DOMINGUEZ DE WATSON BY THE FINAL DECREE OF PARTITION OF A PORTION OF THE RANCHO SAN PEDRO, IN THE CITY OF CARSON, IN CASE 3284 OF THE SUPERIOR COURT OF SAID COUNTY, DESCRIBED AS FOLLOWS:  
 BEGINNING AT THE INTERSECTION OF THE EASTERLY LINE OF ALAMEDA STREET (FORMERLY KNOWN AS RAILROAD AVENUE) WITH THE SOUTHERLY LINE OF LONG BEACH AND REDONDO ROAD, SAID STREET AND ROAD EACH BEING 50 FEET IN WIDTH; THENCE ALONG THE SOUTHERLY LINE OF SAID LONG BEACH, AND REDONDO ROAD, SOUTH 70° 46' 55" EAST, 1618.78 FEET TO THE INTERSECTION OF SAID SOUTHERLY LINE WITH THE SOUTHWESTERLY LINE OF THE RIGHT OF WAY OF THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT, AS CONVEYED TO SAID LOS ANGELES COUNTY FLOOD CONTROL DISTRICT, BY THE WATSON ESTATE COMPANY BY DEED DATED OCTOBER 3, 1922; THENCE SOUTHEASTERLY ALONG THE SOUTHWESTERLY LINE OF SAID RIGHT OF WAY ALONG A CURVE CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 1237.40 FEET, THROUGH AN ANGLE OF 6° 32' 13" A DISTANCE OF 141.18 FEET TO A 4 INCH IRON PIPE; THENCE SOUTH 17° 09' 45" WEST 2387.39 FEET TO A 4 INCH IRON PIPE; THENCE NORTH 74° 33' 19" WEST, 1749.66 FEET TO THE EAST LINE OF ALAMEDA STREET AT A POINT MARKED BY A 4 INCH IRON PIPE; THENCE ALONG SAID EAST LINE OF ALAMEDA STREET, NORTH 17° 09' 45" EAST, 2550 FEET TO THE POINT OF BEGINNING.

EXCEPT THEREFROM THE FOLLOWING:  
BEGINNING AT THE 4 INCH IRON PIPE MARKING THE SOUTHEAST CORNER OF THE ABOVE DESCRIBED PROPERTY; THENCE NORTH 17° 09' 45" EAST, 1860.00 FEET; THENCE





NORTHWEST, 690.00 FEET PARALLEL TO THE SOUTH BOUNDARY OF THE 100 ACRE PARCEL; THENCE SOUTHWEST, 40.00 FEET PARALLEL TO THE EAST BOUNDARY OF THE 100 ACRE PARCEL; THENCE NORTHWEST, 110.00 FEET PARALLEL TO SAID SOUTH BOUNDARY; THENCE SOUTHWEST, 160.00 FEET PARALLEL TO SAID EAST BOUNDARY; THENCE SOUTHWEST, 100 FEET PARALLEL TO SAID SOUTH BOUNDARY; THENCE SOUTHWEST, 120.00 FEET PARALLEL TO SAID EAST BOUNDARY; THENCE SOUTHWEST, 240.00 FEET PARALLEL TO SAID SOUTH BOUNDARY; THENCE SOUTHWEST, 1540.00 FEET PARALLEL TO SAID EAST BOUNDARY; THENCE SOUTH 74° 33' 19" EAST, 460.00 FEET ALONG THE SOUTH BOUNDARY OF THE 100 ACRE PARCEL TO THE POINT OF BEGINNING.

PARCEL 2: (WATSON PARCEL)

THAT PORTION OF THE 3365.95 ACRE TRACT ALLOTTED TO MARIA DOLORES DOMINGUEZ DE WATSON BY THE FINAL DECREE OF PARTITION OF A PORTION OF THE RANCHO SAN PEDRO, IN THE CITY OF CARSON, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE EASTERLY LINE OF ALAMEDA STREET (FORMERLY KNOWN AS RAILROAD AVENUE) WITH THE SOUTHERLY LINE OF LONG BEACH AND REDONDO ROAD, NOW SEPULVEDA BOULEVARD, SAID STREET AND ROAD EACH BEING 50 FEET IN WIDTH; THENCE ALONG THE SOUTHERLY LINE OF SAID LONG BEACH AND REDONDO BEACH, SOUTH 70° 46' 55" EAST 1618.78 FEET TO THE INTERSECTION OF SAID SOUTHERLY LINE WITH THE SOUTHWESTERLY LINE OF THE RIGHT OF WAY OF THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT, AS CONVEYED TO SAID LOS ANGELES COUNTY FLOOD CONTROL DISTRICT, BY THE WATSON ESTATE COMPANY BY DEED DATED OCTOBER 3, 1922; THENCE SOUTHEASTERLY ALONG THE SOUTHWESTERLY LINE OF SAID RIGHT OF WAY ALONG A CURVE CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 1237.40 FEET, THROUGH AN ANGLE OF 6° 32' 13" A DISTANCE OF 141.18 FEET TO A 4 INCH IRON PIPE; THENCE SOUTH 17° 9' 45" WEST 2387.39 FEET TO A 4 INCH IRON PIPE AND THE TRUE POINT OF BEGINNING, THENCE NORTH 17° 09' 45" EAST 1860 FEET; THENCE NORTH 74° 33' 19" WEST 690 FEET; THENCE SOUTH 17° 09' 45" WEST 40 FEET; THENCE NORTH 74° 33' 19" WEST 110 FEET; THENCE SOUTH 17° 09' 45" WEST 160 FEET; THENCE SOUTH 74° 33' 19" EAST 100 FEET; THENCE SOUTH 17° 09' 45" WEST 120 FEET; THENCE SOUTH 74° 33' 19" EAST 240 FEET; THENCE AS 17° 09' 45" WEST 1540 FEET TO A LINE BEARING NORTH 74° 33' 19" WEST AND PASSING THROUGH THE TRUE POINT OF BEGINNING THENCE ALONG SAID LINE, SOUTH 74° 33' 19" EAST 460 FEET TO THE TRUE POINT OF BEGINNING.



**CITY OF CARSON**  
**DEVELOPMENT SERVICES GROUP**  
**PLANNING DIVISION**  
**EXHIBIT "B"**  
**CONDITIONS OF APPROVAL**  
**MODIFICATION NO. 3 TO**  
**DESIGN OVERLAY REVIEW NO. 529-02**

GENERAL CONDITIONS

1. Conditions set forth under Planning Commission Resolution Nos. 05-2021, 07-2138, and 09-2254 approved February 8, 2005 April 24, 2007, and February 24, 2009, respectively, shall apply to this proposed project unless specifically modified, added, or deleted herein.
2. The applicant shall comply with all applicable city, county, state and federal laws and regulations.
3. It is further made a condition of this approval that if any condition is violated or if any law, statute 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.
4. All buildings, grounds, parking areas and landscaping shall be maintained in a neat and orderly manner at all times.
5. 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.
6. 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.
7. Precedence of Conditions. If any of the Conditions of Approval alter a commitment made by the applicant in another document, the conditions enumerated herein shall take precedence unless superseded by a Development Agreement, which shall govern over any conflicting provisions of any other approval.



8. City Approvals. All approvals by City, unless otherwise specified, shall be by the department head of the department requiring the condition. All agreements, covenants, easements, deposits and other documents required herein where City is a party shall be in a form approved by the City Attorney. The Developer shall pay the cost for review and approval of such agreements and deposit necessary funds pursuant to a deposit agreement.
9. Deposit Account. A trust deposit account shall be established for all deposits and fees required in all applicable conditions of approval of the project. The trust deposit shall be maintained with no deficits. The trust deposit shall be governed by a deposit agreement. The trust deposit account shall be maintained separate from other City funds and shall be non-interest bearing. City may make demands for additional deposits to cover all expenses over a period of 60 days and funds shall be deposited within 10 days of the request therefore, or work may cease on the Project.
10. The 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, or in any way related to the approval of the City, its advisory agencies, appeal boards, or legislative body concerning Conditional Use Permit No. 529-02. 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. The applicant shall provide a deposit in the amount of 100 percent of the City's estimate, in its sole and absolute discretion, of the cost of litigation, including the cost of any award of attorney's fees, and shall make additional deposits as requested by the City to keep the deposit at such level. The City may ask for further security in the form of a deed of trust to land of equivalent value. If the applicant fails to provide or maintain the deposit, the City may abandon the action and the applicant shall pay all costs resulting therefrom and the City shall have no liability to the applicant.

## LANDSCAPING

11. That the applicant shall enter into an agreement with the City of Carson providing for the installation of specified landscape improvements on Alameda Street, or should the agreement not be approved the applicant shall provide onsite landscaping as originally proposed along Alameda Street.
12. The applicant shall consult with the Fire Department and Public Works Department for removal of an onsite driveway along Sepulveda Boulevard. If it is



feasible to remove such driveway, the applicant shall incorporate landscaping within the front 25 feet of the property to the satisfaction of the Planning Division.

13. Once street widening plans for Sepulveda Boulevard are complete, the Public Works Department shall transmit those plans to the applicant for review. The applicant shall prepare a revised landscape plan within 60 days of receiving the completed street widening plans, and shall submit such plan to the Planning Division for review and approval. Once approved, the applicant shall install the landscaping per the landscape plan in coordination with the Public Works Department.
14. Landscaping along Sepulveda Boulevard shall be completed after the City widens Sepulveda Boulevard. The applicant shall coordinate with the Public Works Director to ensure landscaping is planted within 60 days of completion of the street widening.



CITY OF CARSON

PLANNING COMMISSION

RESOLUTION NO. 09-2254

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON APPROVING MODIFICATION NO. 2 TO CONDITIONAL USE PERMIT NO. 529-02 FOR CONSTRUCTION OF ONE 60,000-BARREL ETHANOL STORAGE TANK AND RELATED EQUIPMENT LOCATED AT 2000 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, Kinder Morgan Tank Storage Terminals LLC, with respect to real property located at 2000 E. Sepulveda Boulevard and described in Exhibit "A" attached hereto, requesting a modification for the construction of one 60,000-barrel tank and related equipment for the storage of ethanol to be located in the center portion of the existing tank farm facility. On February 8, 2005, the Planning Commission approved Conditional Use Permit No. 529-02 for the construction and operation of 19 petroleum storage tanks in the southwestern portion of the facility. The subject property has a General Plan land use designation of Heavy Industry and is zoned MH (Manufacturing, Heavy).

A meeting was duly held on February 24, 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. Pursuant to CMC Section 9141.1, a Conditional Use Permit is required for the construction and operation of a petroleum tank farm in an MH zone. Pursuant to Section 9172.21 (D), the Planning Commission finds that:

- a) The subject property is located within a heavy industrial area. The petroleum storage tanks are consistent with the General Plan Land Use Designation of Heavy Industrial and the MH (Manufacturing, Heavy) zone. The project site is an area designated for such heavy industrial use.
- b) The size of the site is adequate to support the proposed use and all associated piping, pumps, and ancillary equipment. The proposed tank will be located in the center portion of the facility and will be adequately setback from the roadway. Utilities, including electricity, telephone lines, water, and sewer will be adequately provided.
- c) The project site will have adequate site renovations to assure the convenience and safety of operation vehicles. Vehicular ingress and egress are located on Sepulveda Boulevard on the northern part of the property. Regional access is located to the north on the 405 Freeway via Alameda Street, and to the east on the 710 Freeway via Sepulveda Boulevard. Ethanol product will be transported via underground piping and thus no additional truck trips are expected.

EXHIBIT NO. 2

- d) The proposed project has been designed to meet all Fire Department requirements. Thus, there is adequate water supply and circulation for fire protection.
- e) Landscaping will be required along the perimeter wall facing Alameda Street as well as along Sepulveda Boulevard to soften the industrial appearance as well as screen the petroleum tanks.
- f) The proposed project expands ethanol storage which will help meet the State's requirement in providing cleaner burning fuels.

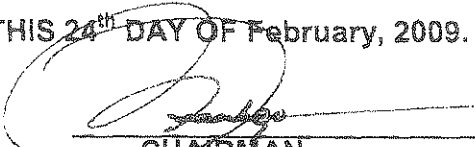
**Section 4.** On February 8, 2005, the Planning Commission certified an environmental impact report (EIR) pursuant to Section 15161 of the CEQA Guidelines to analyze and disclose potential environmental effects associated with construction and operation of 19 petroleum storage tanks in the southwestern corner of the tank farm facility. The EIR also identified possible ways to minimize the significant impacts (referred to as mitigation) and evaluated reasonable alternatives to the project. The proposed modification adds a new 60,000-barrel tank in the central portion of the facility for the purpose of storing ethanol. An initial study and negative declaration were prepared to analyze the impacts of this new tank and concluded that no significant impacts would be generated and no further mitigation measures would be required.

**Section 5.** Based on the aforementioned findings, the Planning Commission hereby adopts the negative declaration and approves Modification No. 1 to Conditional Use Permit No. 02-11-529 with respect to the real property described in Section 1 hereof, subject to the conditions set forth in Exhibit "B" attached hereto.

**Section 6.** The Secretary shall certify to the adoption of the 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 24<sup>th</sup> DAY OF February, 2009.

  
CHAIRMAN

ATTEST:

  
SECRETARY



### SCHEDULE A

1. COMMITMENT DATE: FEBRUARY 29, 2000 AT 7:30 A. M.

COMMITMENT NO. 9929850-21

YOUR REF. NO.: GATX / TERMINAL

2. POLICY OR POLICIES TO BE ISSUED:

POLICY AMOUNT

EXTENDED OWNERS POLICY

STO BE DETERMINED

PROPOSED INSURED:

TO BE DETERMINED .

3. A. THE ESTATE OR INTEREST IN THE LAND DESCRIBED IN THIS COMMITMENT IS

A FEE.

B. TITLE TO SAID ESTATE OR INTEREST AT THE DATE HEREOF IS VESTED IN:

GATX TANK STORAGE TERMINALS CORPORATION, A DELAWARE CORPORATION.

4. THE LAND REFERRED TO IN THIS COMMITMENT IS IN THE STATE OF CALIFORNIA, COUNTY OF LOS ANGELES, AND IS DESCRIBED AS FOLLOWS:

PARCEL 1: (GETTY PARCEL)

THAT PORTION OF THE 3355.95 ACRE TRACT ALLOTTED TO MARIA DOLORES DOMINGUEZ DE WATSON BY THE FINAL DECREE OF PARTITION OF A PORTION OF THE RANCHO SAN PEDRO, IN THE CITY OF CARSON, IN CASE 3284 OF THE SUPERIOR COURT OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE EASTERLY LINE OF ALAMEDA STREET (FORMERLY KNOWN AS RAILROAD AVENUE) WITH THE SOUTHERLY LINE OF LONG BEACH AND REDONDO ROAD, SAID STREET AND ROAD EACH BEING 50 FEET IN WIDTH; THENCE ALONG THE SOUTHERLY LINE OF SAID LONG BEACH, AND REDONDO ROAD, SOUTH 70° 46' 55" EAST, 1618.78 FEET TO THE INTERSECTION OF SAID SOUTHERLY LINE WITH THE SOUTHWESTERLY LINE OF THE RIGHT OF WAY OF THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT, AS CONVEYED TO SAID LOS ANGELES COUNTY FLOOD CONTROL DISTRICT, BY THE WATSON ESTATE COMPANY BY DEED DATED OCTOBER 3, 1922; THENCE SOUTHEASTERLY ALONG THE SOUTHWESTERLY LINE OF SAID RIGHT OF WAY ALONG A CURVE CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 1237.40 FEET, THROUGH AN ANGLE OF 6° 32' 13" A DISTANCE OF 141.18 FEET TO A 4 INCH IRON PIPE; THENCE SOUTH 17° 09' 45" WEST 2387.39 FEET TO A 4 INCH IRON PIPE; THENCE NORTH 74° 33' 19" WEST, 1749.66 FEET TO THE EAST LINE OF ALAMEDA STREET AT A POINT MARKED BY A 4 INCH IRON PIPE; THENCE ALONG SAID EAST LINE OF ALAMEDA STREET, NORTH 17° 09' 45" EAST, 2550 FEET TO THE POINT OF BEGINNING.

EXCEPT THEREFROM THE FOLLOWING:

BEGINNING AT THE 4 INCH IRON PIPE MARKING THE SOUTHEAST CORNER OF THE ABOVE DESCRIBED PROPERTY; THENCE NORTH 17° 09' 45" EAST, 1860.00 FEET; THENCE





NORTHWEST, 690.00 FEET PARALLEL TO THE SOUTH BOUNDARY OF THE 100 ACRE PARCEL; THENCE SOUTHWEST, 40.00 FEET PARALLEL TO THE EAST BOUNDARY OF THE 100 ACRE PARCEL; THENCE NORTHWEST, 110.00 FEET PARALLEL TO SAID SOUTH BOUNDARY; THENCE SOUTHWEST, 160.00 FEET PARALLEL TO SAID EAST BOUNDARY; THENCE SOUTHEAST, 100 FEET PARALLEL TO SAID SOUTH BOUNDARY; THENCE SOUTHWEST, 120.00 FEET PARALLEL TO SAID EAST BOUNDARY; THENCE SOUTHEAST, 240.00 FEET PARALLEL TO SAID SOUTH BOUNDARY; THENCE SOUTHWEST, 1540.00 FEET PARALLEL TO SAID EAST BOUNDARY; THENCE SOUTHWEST, 1540.00 FEET PARALLEL TO SAID EAST BOUNDARY; THENCE SOUTH  $74^{\circ} 33' 19''$  EAST, 460.00 FEET ALONG THE SOUTH BOUNDARY OF THE 100 ACRE PARCEL TO THE POINT OF BEGINNING.

PARCEL 2: (WATSON PARCEL)

THAT PORTION OF THE 3365.95 ACRE TRACT ALLOTTED TO MARIA DOLORES DOMINGUEZ DE WATSON BY THE FINAL DECREE OF PARTITION OF A PORTION OF THE RANCHO SAN PEDRO, IN THE CITY OF CARSON, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE EASTERLY LINE OF ALAMEDA STREET (FORMERLY KNOWN AS RAILROAD AVENUE) WITH THE SOUTHERLY LINE OF LONG BEACH AND REDONDO ROAD, NOW SEPULVEDA BOULEVARD, SAID STREET AND ROAD EACH BEING 50 FEET IN WIDTH; THENCE ALONG THE SOUTHERLY LINE OF SAID LONG BEACH AND REDONDO BEACH, SOUTH  $70^{\circ} 46' 55''$  EAST 1618.78 FEET TO THE INTERSECTION OF SAID SOUTHERLY LINE WITH THE SOUTHWESTERLY LINE OF THE RIGHT OF WAY OF THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT, AS CONVEYED TO SAID LOS ANGELES COUNTY FLOOD CONTROL DISTRICT, BY THE WATSON ESTATE COMPANY BY DEED DATED OCTOBER 3, 1922; THENCE SOUTHEASTERLY ALONG THE SOUTHWESTERLY LINE OF SAID RIGHT OF WAY ALONG A CURVE CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 1237.40 FEET, THROUGH AN ANGLE OF  $6^{\circ} 32' 13''$  A DISTANCE OF 141.18 FEET TO A 4 INCH IRON PIPE; THENCE SOUTH  $17^{\circ} 9' 45''$  WEST 2387.39 FEET TO A 4 INCH IRON PIPE AND THE TRUE POINT OF BEGINNING, THENCE NORTH  $17^{\circ} 09' 45''$  EAST 1860 FEET; THENCE NORTH  $74^{\circ} 33' 19''$  WEST 690 FEET; THENCE SOUTH  $17^{\circ} 09' 45''$  WEST 40 FEET; THENCE NORTH  $74^{\circ} 33' 19''$  WEST 110 FEET; THENCE SOUTH  $17^{\circ} 09' 45''$  WEST 160 FEET; THENCE SOUTH  $74^{\circ} 33' 19''$  EAST 100 FEET; THENCE SOUTH  $17^{\circ} 09' 45''$  WEST 120 FEET; THENCE SOUTH  $74^{\circ} 33' 19''$  EAST 240 FEET; THENCE AS  $17^{\circ} 09' 45''$  WEST 1540 FEET TO A LINE BEARING NORTH  $74^{\circ} 33' 19''$  WEST AND PASSING THROUGH THE TRUE POINT OF BEGINNING THENCE ALONG SAID LINE, SOUTH  $74^{\circ} 33' 19''$  EAST 460 FEET TO THE TRUE POINT OF BEGINNING.





**CITY OF CARSON**  
**DEVELOPMENT SERVICES GROUP**  
**PLANNING DIVISION**  
**EXHIBIT "B"**  
**CONDITIONS OF APPROVAL**  
**MODIFICATION NO. 2 TO**  
**DESIGN OVERLAY REVIEW NO. 529-02**

GENERAL CONDITIONS

1. Conditions set forth under Planning Commission Resolution No. 05-2021 approved February 8, 2005 and April 24, 2007, shall apply to this proposed project unless specifically modified, added, or deleted herein.
2. The applicant shall comply with all applicable city, county, state and federal laws and regulations.
3. It is further made a condition of this approval that if any condition is violated or if any law, statute 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.
4. All buildings, grounds, parking areas and landscaping shall be maintained in a neat and orderly manner at all times.
5. 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.
6. 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.
7. The 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 Conditional Use Permit No. 529-02 and all related 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.

#### LANDSCAPING

8. Installation of landscaping along Alameda Street shall occur prior to the construction of any additional tanks, and installation of landscaping along Sepulveda Boulevard shall commence within 90 days of completion of the City's street widening project.



CITY OF CARSON  
PLANNING COMMISSION  
RESOLUTION NO. 07-2138

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON APPROVING MODIFICATION NO. 1 TO CONDITIONAL USE PERMIT NO. 529-02 FOR THE DELAY IN THE CONSTRUCTION AND DEMOLITION OF PETROLEUM STORAGE TANKS FOR THE PROPERTY LOCATED AT 2000 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, Kinder Morgan Tank Storage Terminals LLC, with respect to real property located at 2000 E. Sepulveda Boulevard and described in Exhibit "A" attached hereto, requesting a modification to the approval to construct 19 additional petroleum tanks to an existing 99-acre tank farm, including installation of supporting piping, pumps, and ancillary equipment. On February 8, 2005, the Planning Commission approved Conditional Use Permit No. 529-02 for the construction and operation of petroleum storage tanks. The subject property has a General Plan land use designation of Heavy Industry and is zoned MH (Manufacturing, Heavy).

A meeting was duly held on April 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. Pursuant to CMC Section 9141.1, a Conditional Use Permit is required for the construction and operation of a petroleum tank farm in an MH zone. Pursuant to Section 9172.21 (D), the Planning Commission finds that:

- a) The subject property is located within a heavy industrial area. The petroleum storage tanks are consistent with the General Plan Land Use Designation of Heavy Industrial and the MH (Manufacturing, Heavy) zone. The project site is an area designated for such heavy industrial use.
- b) The size of the site is adequate to support the proposed use and all associated piping, pumps, and ancillary equipment. The new tanks will be located on a 27.5 acre portion of the existing tank farm and will be adequately setback from the roadway. Utilities, including electricity, telephone lines, water, and sewer will be adequately provided.
- c) The project site will have adequate site renovations to assure the convenience and safety of operation vehicles. Vehicular ingress and egress are located on Sepulveda Boulevard on the northern part of the property. Regional access is located to the north on the 405 Freeway via Alameda Street, and to the east on the 710 Freeway via Sepulveda Boulevard. Minimal vehicle trips are expected from the proposed project since much of the product will be transported via underground piping.

EXHIBIT NO. 3

- d) The proposed project has been designed to meet all Fire Department requirements. Thus, there is adequate water supply and circulation for fire protection.
- e) Landscaping will be required along the perimeter wall facing Alameda Street as well as along Sepulveda Boulevard to soften the industrial appearance as well as screen the petroleum tanks.
- f) The proposed project expands petroleum storage while preserving public health and safety and protecting the environment. The applicant entered into a Good Neighbor Agreement (GNA) with several community organizations in order to provide benefits to the community that lives near the facility. The GNA provides community benefit programs that primarily target air quality and public health concerns. These benefit programs are above and beyond the required and recommended mitigation in the DEIR and FEIR.

**Section 4.** On February 8, 2005, the Planning Commission certified an environmental impact report (EIR) pursuant to Section 15161 of the CEQA Guidelines to analyze and disclose potential environmental effects associated with construction and operation of the proposed project. The EIR also identified possible ways to minimize the significant impacts (referred to as mitigation) and evaluated reasonable alternatives to the project. The proposed modification would not create any additional impacts that have not been identified in the certified EIR. Thus, the certified EIR covers the requests included in the proposed modification.

**Section 5.** Based on the aforementioned findings, the Planning Commission hereby approves Conditional Use Permit No. 02-11-529 with respect to the real property described in Section 1 hereof, subject to the conditions set forth in Exhibit "B" attached hereto.

**Section 6.** The Secretary shall certify to the adoption of the 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 24<sup>th</sup> DAY OF APRIL, 2007.**

  
CHAIRMAN

**ATTEST:**

  
SECRETARY



### SCHEDULE A

1. COMMITMENT DATE: FEBRUARY 29, 2000 AT 7:30 A.M.  
COMMITMENT NO. 9929650-21 YOUR REF. NO.: GATX / TERMINAL
2. POLICY OR POLICIES TO BE ISSUED: POLICY AMOUNT  
EXTENDED OWNERS POLICY STO BE DETERMINED  
PROPOSED INSURED:  
TO BE DETERMINED .
3. A. THE ESTATE OR INTEREST IN THE LAND DESCRIBED IN THIS COMMITMENT IS:  
A FEE.  
B. TITLE TO SAID ESTATE OR INTEREST AT THE DATE HEREOF IS VESTED IN:  
GATX TANK STORAGE TERMINALS CORPORATION, A DELAWARE CORPORATION.
4. THE LAND REFERRED TO IN THIS COMMITMENT IS IN THE STATE OF CALIFORNIA, COUNTY OF LOS ANGELES, AND IS DESCRIBED AS FOLLOWS:  
PARCEL 1: (GETTY PARCEL)  
THAT PORTION OF THE 3365.95 AND ACRE TRACT ALLOTTED TO MARIA DOLORES DOMINGUEZ DE WATSON BY THE FINAL DECREE OF PARTITION OF A PORTION OF THE RANCHO SAN PEDRO, IN THE CITY OF CARSON, IN CASE 3284 OF THE SUPERIOR COURT OF SAID COUNTY, DESCRIBED AS FOLLOWS:  
BEGINNING AT THE INTERSECTION OF THE EASTERLY LINE OF ALAMEDA STREET (FORMERLY KNOWN AS RAILROAD AVENUE) WITH THE SOUTHERLY LINE OF LONG BEACH AND REDONDO ROAD, SAID STREET AND ROAD EACH BEING 50 FEET IN WIDTH; THENCE ALONG THE SOUTHERLY LINE OF SAID LONG BEACH, AND REDONDO ROAD, SOUTH 70° 46' 55° EAST, 1618.78 FEET TO THE INTERSECTION OF SAID SOUTHERLY LINE WITH THE SOUTHWESTERLY LINE OF THE RIGHT OF WAY OF THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT, AS CONVEYED TO SAID LOS ANGELES COUNTY FLOOD CONTROL DISTRICT, BY THE WATSON ESTATE COMPANY BY DEED DATED OCTOBER 3, 1922; THENCE SOUTHEASTERLY ALONG THE SOUTHWESTERLY LINE OF SAID RIGHT OF WAY ALONG A CURVE CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 1237.40 FEET, THROUGH AN ANGLE OF 6° 32' 13" A DISTANCE OF 141.18 FEET TO A 4 INCH IRON PIPE; THENCE SOUTH 17° 09' 45" WEST 2387.39 FEET TO A 4 INCH IRON PIPE; THENCE NORTH 74° 33' 19" WEST, 1749.66 FEET TO THE EAST LINE OF ALAMEDA STREET AT A POINT MARKED BY A 4 INCH IRON PIPE; THENCE ALONG SAID EAST LINE OF ALAMEDA STREET, NORTH 17° 09' 45" EAST, 2550 FEET TO THE POINT OF BEGINNING.  
EXCEPT THEREFROM THE FOLLOWING:  
BEGINNING AT THE 4 INCH IRON PIPE MARKING THE SOUTHEAST CORNER OF THE ABOVE DESCRIBED PROPERTY; THENCE NORTH 17° 09' 45" EAST, 1860.00 FEET; THENCE



NORTHWEST, 690.00 FEET PARALLEL TO THE SOUTH BOUNDARY OF THE 100 ACRE PARCEL; THENCE SOUTHWEST, 40.00 FEET PARALLEL TO THE EAST BOUNDARY OF THE 100 ACRE PARCEL; THENCE NORTHWEST, 110.00 FEET PARALLEL TO SAID SOUTH BOUNDARY; THENCE SOUTHWEST, 160.00 FEET PARALLEL TO SAID EAST BOUNDARY; THENCE SOUTHWEST, 100 FEET PARALLEL TO SAID SOUTH BOUNDARY; THENCE SOUTHWEST, 120.00 FEET PARALLEL TO SAID EAST BOUNDARY; THENCE SOUTHWEST, 240.00 FEET PARALLEL TO SAID SOUTH BOUNDARY; THENCE SOUTHWEST, 1540.00 FEET PARALLEL TO SAID EAST BOUNDARY; THENCE SOUTHWEST, 1540.00 FEET PARALLEL TO SAID EAST BOUNDARY; THENCE SOUTH 74° 33' 19" EAST, 460.00 FEET ALONG THE SOUTH BOUNDARY OF THE 100 ACRE PARCEL TO THE POINT OF BEGINNING.

PARCEL 2: (WATSON PARCEL)

THAT PORTION OF THE 3365.95 ACRE TRACT ALLOTTED TO MARIA DOLORES DOMINGUEZ DE WATSON BY THE FINAL DECREE OF PARTITION OF A PORTION OF THE RANCHO SAN PEDRO, IN THE CITY OF CARSON, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE EASTERLY LINE OF ALAMEDA STREET (FORMERLY KNOWN AS RAILROAD AVENUE) WITH THE SOUTHERLY LINE OF LONG BEACH AND REDONDO ROAD, NOW SEPULVEDA BOULEVARD, SAID STREET AND ROAD EACH BEING 50 FEET IN WIDTH; THENCE ALONG THE SOUTHERLY LINE OF SAID LONG BEACH AND REDONDO BEACH, SOUTH 70° 46' 55" EAST, 1618.78 FEET TO THE INTERSECTION OF SAID SOUTHERLY LINE WITH THE SOUTHWESTERLY LINE OF THE RIGHT OF WAY OF THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT, AS CONVEYED TO SAID LOS ANGELES COUNTY FLOOD CONTROL DISTRICT, BY THE WATSON ESTATE COMPANY BY DEED DATED OCTOBER 3, 1922; THENCE SOUTHEASTERLY ALONG THE SOUTHWESTERLY LINE OF SAID RIGHT OF WAY ALONG A CURVE CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 1237.40 FEET, THROUGH AN ANGLE OF 6° 32' 13" A DISTANCE OF 141.18 FEET TO A 4 INCH IRON PIPE; THENCE SOUTH 17° 9' 45" WEST 2387.39 FEET TO A 4 INCH IRON PIPE AND THE TRUE POINT OF BEGINNING, THENCE NORTH 17° 09' 45" EAST 1860 FEET; THENCE NORTH 74° 33' 19" WEST 690 FEET; THENCE SOUTH 17° 09' 45" WEST 40 FEET; THENCE NORTH 74° 33' 19" WEST 110 FEET; THENCE SOUTH 17° 09' 45" WEST 160 FEET; THENCE SOUTH 74° 33' 19" EAST 100 FEET; THENCE SOUTH 17° 09' 45" WEST 120 FEET; THENCE SOUTH 74° 33' 19" EAST 240 FEET; THENCE AS 17° 09' 45" WEST 1540 FEET TO A LINE BEARING NORTH 74° 33' 19" WEST AND PASSING THROUGH THE TRUE POINT OF BEGINNING THENCE ALONG SAID LINE, SOUTH 74° 33' 19" EAST 460 FEET TO THE TRUE POINT OF BEGINNING.



**CITY OF CARSON**  
**DEVELOPMENT SERVICES GROUP**  
**PLANNING DIVISION**  
**EXHIBIT "B"**  
**CONDITIONS OF APPROVAL**  
**DESIGN OVERLAY REVIEW NO. 529-02**

GENERAL CONDITIONS

1. Conditions set forth under Planning Commission Resolution No. 05-2021 approved February 8, 2005, shall apply to this proposed project unless specifically modified, added, or deleted herein.
2. The applicant shall comply with all applicable city, county, state and federal laws and regulations.
3. It is further made a condition of this approval that if any condition is violated or if any law, statute 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.
4. All buildings, grounds, parking areas and landscaping shall be maintained in a neat and orderly manner at all times.
5. 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.
6. 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.
7. The 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 Conditional Use Permit No. 529-02 and all related 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.

#### LANDSCAPING

8. Installation of landscaping along Alameda Street shall occur prior to the construction of any additional tanks, and installation of landscaping along Sepulveda Boulevard shall commence within 90 days of completion of the City's street widening project.
9. A fourth tank shall be removed from service and demolished no later than December 31, 2010.





CITY OF CARSON  
PLANNING COMMISSION  
RESOLUTION NO. 05-2021

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT, ADOPTING THE FINDINGS OF FACT, ADOPTING THE MITIGATION MONITORING PROGRAM, AND APPROVING CONDITIONAL USE PERMIT NO. 02-11-529 FOR CONSTRUCTION OF 19 ADDITIONAL PETROLEUM TANKS AND RELATED EQUIPMENT LOCATED AT 2000 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, Kinder Morgan Tank Storage Terminal's LLC, with respect to real property located at 2000 E. Sepulveda Boulevard and described in Exhibit "A" attached hereto, requesting approval to construct 19 additional petroleum tanks to an existing 99-acre tank farm, including installation of supporting piping, pumps, and ancillary equipment. A Conditional Use Permit is required for the construction and operation of petroleum storage tanks. The subject property has a General Plan land use designation of Heavy Industry and is zoned MH (Manufacturing, Heavy).

A public hearing was duly held on February 8, 2005, 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.** Pursuant to CMC Section 9141.1, a Conditional Use Permit is required for the construction and operation of a petroleum tank farm in an MH zone. Pursuant to Section 9172.21 (D), the Planning Commission finds that:

- a) The subject property is located within a heavy industrial area. The petroleum storage tanks are consistent with the General Plan Land Use Designation of Heavy Industrial and the MH (Manufacturing, Heavy) zone. The project site is an area designated for such heavy industrial use.
- b) The size of the site is adequate to support the proposed use and all associated piping, pumps, and ancillary equipment. The new tanks will be located on a 27.5 acre portion of the existing tank farm and will be adequately setback from the roadway. Utilities, including electricity, telephone lines, water, and sewer will be adequately provided.
- c) The project site will have adequate site renovations to assure the convenience and safety of operation vehicles. Vehicular ingress and egress are located on Sepulveda Boulevard on the northern part of the property. Regional access is located to the north on the 405 Freeway via Alameda Street, and to the east on the 710 Freeway via Sepulveda Boulevard. Minimal vehicle trips are expected from the proposed project since much of the product will be transported via underground piping.

- d) The proposed project has been designed to meet all Fire Department requirements. Thus, there is adequate water supply and circulation for fire protection.
- e) Landscaping will be required along the perimeter wall facing Alameda Street as well as along Sepulveda Boulevard to soften the industrial appearance as well as screen the petroleum tanks.
- f) The proposed project expands petroleum storage while preserving public health and safety and protecting the environment. The applicant entered into a Good Neighbor Agreement (GNA) with several community organizations in order to provide benefits to the community that lives near the facility. The GNA provides community benefit programs that primarily target air quality and public health concerns. These benefit programs are above and beyond the required and recommended mitigation in the DEIR and FEIR.

**Section 4.** The Planning Commission further finds that the proposed 19 petroleum storage tanks and related piping, pumps, and ancillary equipment is subject to the provisions of the California Environmental Quality Act (CEQA). An environmental impact report (EIR) was prepared pursuant to Section 15161 of the CEQA Guidelines to analyze and disclose potential environmental effects associated with construction and operation of the proposed project. The EIR also identified possible ways to minimize the significant impacts (referred to as mitigation) and evaluated reasonable alternatives to the project. The Planning Commission, as the Lead Agency, has reviewed and considered the information in the EIR and determines that the EIR reflects the independent judgment and analysis of the Planning Commission. Pursuant to Section 15091 of the CEQA Guidelines, the Planning Commission can make the Findings of Fact included as Exhibit "C" to support the EIR.

**Section 5.** The Planning Commission hereby finds with respect to the adverse environmental impacts detailed in the Final Environmental Impact Report (FEIR):

- a) That the adverse environmental impacts which may result from implementation of the proposed project have been considered and recognized by the Planning Commission.
- b) That the comments and responses on the Revised Draft EIR have been considered and recognized by the Planning Commission and incorporated into the FEIR.
- c) That based on information set forth in the Revised Draft EIR and responses thereto, the Planning Commission finds and determines that measures to mitigate certain impacts exist and are included in the FEIR.
- d) That a Statement of Facts and Findings was prepared pursuant to Section 15091 of the CEQA Guidelines.
- e) That a Mitigation Monitoring Program was prepared according to the requirements of the Public Resources Code Section 21081.6.
- f) That based upon mitigation measures referred to in the FEIR, environmental impacts of this project are mitigated to a level of less than significance with the exception of the following impacts identified in the Statement of Overriding Considerations included as Exhibit "D": (1) short-term construction activities; and (2) short-term cumulative construction activities during periods in which the South Coast Air Quality Management District's (SCAQMD) significance thresholds are exceeded.

**Section 6.** The Planning Commission hereby certifies the EIR as having been completed in compliance with CEQA based upon the findings of fact, and adopts the Mitigation Monitoring Program included as Exhibit "E" and prepared in accordance to the requirements of the Public Resources Code Section 21881.6.

**Section 7.** Based on the aforementioned findings, the Planning Commission hereby approves Conditional Use Permit No. 02-11-529 with respect to the real property described in Section 1 hereof, subject to the conditions set forth in Exhibit "B" attached hereto.

**Section 8.** The Secretary shall certify to the adoption of the Resolution and shall transmit copies of the same to the applicant.

**Section 9.** 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 8<sup>th</sup> DAY OF FEBRUARY, 2005.

  
\_\_\_\_\_  
CHAIRMAN

ATTEST:

  
\_\_\_\_\_  
SECRETARY





SCHEDULE A

1. COMMITMENT DATE: FEBRUARY 29, 2000 AT 7:30 A.M.  
 COMMITMENT NO. 9929650-21 YOUR REF. NO.: GATX / TERMINAL
2. POLICY OR POLICIES TO BE ISSUED: POLICY AMOUNT  
 EXTENDED OWNERS POLICY STO BE DETERMINED  
 PROPOSED INSURED:  
 TO BE DETERMINED .
3. A. THE ESTATE OR INTEREST IN THE LAND DESCRIBED IN THIS COMMITMENT IS:  
 A FEE.  
 B. TITLE TO SAID ESTATE OR INTEREST AT THE DATE HEREOF IS VESTED IN:  
 GATX TANK STORAGE TERMINALS CORPORATION, A DELAWARE CORPORATION.
4. THE LAND REFERRED TO IN THIS COMMITMENT IS IN THE STATE OF CALIFORNIA, COUNTY OF LOS ANGELES, AND IS DESCRIBED AS FOLLOWS:

PARCEL 1: (GETTY PARCEL)

THAT PORTION OF THE 3365.95 ACRE TRACT ALLOTTED TO MARIA DOLORES DOMINGUEZ DE WATSON BY THE FINAL DECREE OF PARTITION OF A PORTION OF THE RANCHO SAN PEDRO, IN THE CITY OF CARSON, IN CASE 3284 OF THE SUPERIOR COURT OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE EASTERLY LINE OF ALAMEDA STREET (FORMERLY KNOWN AS RAILROAD AVENUE) WITH THE SOUTHERLY LINE OF LONG BEACH AND REDONDO ROAD, SAID STREET AND ROAD EACH BEING 50 FEET IN WIDTH; THENCE ALONG THE SOUTHERLY LINE OF SAID LONG BEACH, AND REDONDO ROAD, SOUTH 70° 46' 55" EAST, 1618.76 FEET TO THE INTERSECTION OF SAID SOUTHERLY LINE WITH THE SOUTHWESTERLY LINE OF THE RIGHT OF WAY OF THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT, BY THE WATSON ESTATE COMPANY BY DEED DATED OCTOBER 3, 1922; THENCE SOUTHEASTERLY ALONG THE SOUTHWESTERLY LINE OF SAID RIGHT OF WAY ALONG A CURVE CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 1237.40 FEET, THROUGH AN ANGLE OF 6° 32' 13" A DISTANCE OF 141.18 FEET TO A 4 INCH IRON PIPE; THENCE SOUTH 17° 09' 45" WEST 2387.39 FEET TO A 4 INCH IRON PIPE; THENCE NORTH 74° 33' 19" WEST, 1749.66 FEET TO THE EAST LINE OF ALAMEDA STREET AT A POINT MARKED BY A 4 INCH IRON PIPE; THENCE ALONG SAID EAST LINE OF ALAMEDA STREET, NORTH 17° 09' 45" EAST, 2550 FEET TO THE POINT OF BEGINNING.

EXCEPT THEREFROM THE FOLLOWING:  
BEGINNING AT THE 4 INCH IRON PIPE MARKING THE SOUTHEAST CORNER OF THE ABOVE DESCRIBED PROPERTY; THENCE NORTH 17° 09' 45" EAST, 1860.00 FEET; THENCE

11111



NORTHWEST, 690.00 FEET PARALLEL TO THE SOUTH BOUNDARY OF THE 100 ACRE PARCEL; THENCE SOUTHWEST, 40.00 FEET PARALLEL TO THE EAST BOUNDARY OF THE 100 ACRE PARCEL; THENCE NORTHWEST, 110.00 FEET PARALLEL TO SAID SOUTH BOUNDARY; THENCE SOUTHWEST, 160.00 FEET PARALLEL TO SAID EAST BOUNDARY; THENCE SOUTHWEST, 100 FEET PARALLEL TO SAID SOUTH BOUNDARY; THENCE SOUTHWEST, 120.00 FEET PARALLEL TO SAID EAST BOUNDARY; THENCE SOUTHWEST, 240.00 FEET PARALLEL TO SAID SOUTH BOUNDARY; THENCE SOUTHWEST, 1540.00 FEET PARALLEL TO SAID EAST BOUNDARY; THENCE SOUTHWEST, 1540.00 FEET PARALLEL TO SAID EAST BOUNDARY; THENCE SOUTH 74° 33' 19" EAST, 460.00 FEET ALONG THE SOUTH BOUNDARY OF THE 100 ACRE PARCEL TO THE POINT OF BEGINNING.

PARCEL 2: (WATSON PARCEL)

THAT PORTION OF THE 3365.95 ACRE TRACT ALLOTTED TO MARIA DOLORES DOMINGUEZ DE WATSON BY THE FINAL DECREE OF PARTITION OF A PORTION OF THE RANCHO SAN PEDRO, IN THE CITY OF CARSON, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE EASTERLY LINE OF ALAMEDA STREET (FORMERLY KNOWN AS RAILROAD AVENUE) WITH THE SOUTHERLY LINE OF LONG BEACH AND REDONDO ROAD, NOW SEPULVEDA BOULEVARD, SAID STREET AND ROAD EACH BEING 50 FEET IN WIDTH; THENCE ALONG THE SOUTHERLY LINE OF SAID LONG BEACH AND REDONDO ROAD, SOUTH 70° 46' 55" EAST 1618.78 FEET TO THE INTERSECTION OF SAID SOUTHERLY LINE WITH THE SOUTHWESTERLY LINE OF THE RIGHT OF WAY OF THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT, AS CONVEYED TO SAID LOS ANGELES COUNTY FLOOD CONTROL DISTRICT, BY THE WATSON ESTATE COMPANY BY DEED DATED OCTOBER 3, 1922; THENCE SOUTHEASTERLY ALONG THE SOUTHWESTERLY LINE OF SAID RIGHT OF WAY ALONG A CURVE CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 1237.40 FEET, THROUGH AN ANGLE OF 6° 32' 13" A DISTANCE OF 141.18 FEET TO A 4 INCH IRON PIPE; THENCE SOUTH 17° 09' 45" WEST 2387.39 FEET TO A 4 INCH IRON PIPE AND THE TRUE POINT OF BEGINNING, THENCE NORTH 17° 09' 45" EAST 1860 FEET; THENCE NORTH 74° 33' 19" WEST 690 FEET; THENCE SOUTH 17° 09' 45" WEST 40 FEET; THENCE NORTH 74° 33' 19" WEST 110 FEET; THENCE SOUTH 17° 09' 45" WEST 160 FEET; THENCE SOUTH 74° 33' 19" EAST 100 FEET; THENCE SOUTH 17° 09' 45" WEST 120 FEET; THENCE SOUTH 74° 33' 19" EAST 240 FEET; THENCE AS 17° 09' 45" WEST 1540 FEET TO A LINE BEARING NORTH 74° 33' 19" WEST AND PASSING THROUGH THE TRUE POINT OF BEGINNING THENCE ALONG SAID LINE, SOUTH 74° 33' 19" EAST 460 FEET TO THE TRUE POINT OF BEGINNING.



**CITY OF CARSON**  
**DEVELOPMENT SERVICES GROUP**  
**PLANNING DIVISION**  
**EXHIBIT "B"**  
**CONDITIONS OF APPROVAL**  
**CONDITIONAL USE PERMIT NO. 02-11-529**

GENERAL CONDITIONS

1. If Conditional Use Permit No. 02-11-529 is not used within one year of its effective date, said permit shall be declared null and void unless an extension of time is previously approved by the Planning Commission.
2. The applicant shall comply with all city, county, state and federal regulations applicable to this project.
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 dated February 8, 2005, in order to comply with all the conditions of approval and applicable Zoning Ordinance provisions. Substantial revisions will require review by the Planning Commission.
4. The applicant shall submit two complete sets of plans that conform to all the Conditions of Approval to be reviewed and approved 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, the permit shall lapse, 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. All buildings, grounds, parking areas and landscaping shall be maintained in a neat and orderly manner at all times.
8. 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.



9. 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.
10. All construction of the proposed project shall cease after 15 years regardless of the amount completed, unless a modification to this Conditional Use Permit No. 02-11-529 is approved by the Planning Commission.
11. The 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 Conditional Use Permit 02-11-529. 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.

#### AESTHETICS

12. The storage tanks shall be painted a neutral color in order to minimize attention. The specification of all colors and materials must be submitted and approved by the Planning Division prior to the issuance of any building permits.
13. The tanks shall be maintained in good condition at all times. Accumulation of rust or deterioration shall be eliminated in a timely manner.
14. Graffiti shall be removed from the subject property within three (3) days of written notification by the City of Carson, including graffiti found on perimeter walls and fences. 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.).

#### LANDSCAPING

15. The applicant shall submit two sets of landscaping and irrigation plans drawn, stamped, and signed by a licensed landscape architect. Such plans are to be approved by the Planning Division prior to the issuance of any building permit.
16. The applicant shall comply with the provisions of Section 9168 of the Zoning Ordinance, "Water Efficient Landscaping."



17. 6" x 6" concrete curbs are required around all landscaped planter areas.
18. Landscaping shall be provided with a permanently installed, automatic irrigation system and operated by an electrically-timed controller station set for early morning or late evening irrigation.
19. Vine-like landscaping shall be installed along the existing perimeter wall fronting Alameda Street. An Encroachment Permit shall be obtained from the City Public Works Division prior to installation of any landscaping within the street right-of-way. The vine-like landscaping shall completely screen the perimeter wall to the satisfaction of the Planning Division. Regular maintenance shall be conducted in order to maintain an attractive appearance at all times. Deteriorated landscaping shall be replaced.
20. A 25-foot landscaping setback shall be located along Sepulveda Boulevard starting from the western front parking lot to the eastern property line. The landscaping setback shall be located from the edge of the new right-of-way line which was approved for the widening of the street. The 25-foot setback may be reduced at the discretion of the Planning Division in order to maintain existing parking lots, easements and structures. Landscaping along Sepulveda Boulevard should include:
  - Vine-like landscaping along perimeter walls;
  - Mounded landscaping along Sepulveda Boulevard to a maximum height of thirty-six inches;
  - Thirty inch box specimen trees in order to screen the facility;
  - Annual flowers wherever possible; and
  - Irrigation system designed to commercial grade standards.

#### UTILITIES

21. The applicant shall remove at his own expense any obstructions within the utility easements that would interfere with the use for which the easements are intended.
22. Public utility easements shall be provided in the locations as required by all utility companies with easements free and clear of obstructions
23. All utilities and aboveground equipment shall be constructed and located pursuant to Section 9126.8 of the Zoning Ordinance, unless otherwise provided for in these conditions.
24. Existing aboveground utility lines along Alameda Street shall be undergrounded. Undergrounding shall be in accordance with the applicable rules and regulations of the utility, as currently on file with the California Public Utilities Commission.





25. All roof mounted equipment shall be screened from public view or incorporated into the design of the structure or building.
26. All utility meters will be painted the same color as the structures to reduce visibility (the Gas Company will not allow meters to be placed in boxes).

#### FENCES/WALLS

27. Chain-link fencing, including barbed and concertina wire, shall be replaced with decorative wrought iron fencing along Sepulveda Boulevard.

#### LIGHTING

28. Lighting for the project site, including the new storage tanks, shall be directed downward and inward in order to minimize glare to other properties and the roadways.
29. Lighting shall be installed for safety purposes only and not to direct attention to the storage tanks.

#### TRASH

30. Trash enclosures shall be located on a four inch concrete pad screened by a six foot high decorative concrete block wall that is compatible with the architectural design of the main building. When adjacent to multi-story buildings, said enclosure shall incorporate an overhead door (standard electrical or manual), a pedestrian access door and decorative beams or other roofing material to provide visual screening from said multi-story buildings. Trash enclosure design is to be approved by the Planning Division prior to issuance of any building permits.
31. Recycling areas shall be provided in accordance with Sections 9164.4 and 9164.5 of the Zoning Ordinance. The number and size of recycling facilities are subject to the approval of the Planning Division.

#### ENVIRONMENTAL

32. The applicant shall comply with all the mitigation measures, implementation, timing, and monitoring described in the Mitigation Monitoring Program and Reporting Program (MMP) for this project. The mitigation measures are required to minimize, avoid, rectify, reduce, eliminate, or compensate for significant environmental effects.
- 32A. Kinder Morgan Tank Storage Terminals, LLC (Kinder Morgan) will provide a one-time payment of \$100,000.00 to the city of Carson if and when the City is successful in procuring sufficient additional funds needed for the purchase of one (1) hybrid bus and associated charging station and other necessary appurtenances for long-term vehicle operation and maintenance. Payment will be provided to the city of Carson within thirty (30) days of presentation by the City to Kinder Morgan of evidence of sufficient supporting funds. Prior to payment, Kinder Morgan reserves the right to review the evidence for adequacy and to request additional documentation as it deems necessary to substantiate sufficient evidence of supporting funds. If City does not provide such evidence to



Kinder Morgan by February 8, 2008, Kinder Morgan's obligations hereunder shall be terminated. This obligation is in addition to the commitments made by Kinder Morgan to mitigate the environmental impacts of the proposed project and is contingent on Kinder Morgan's ability to begin construction by March 1, 2005, provided, however, that in the event Kinder Morgan is unable, for reasons outside its control, to commence construction by March 1, 2005, this condition is null and void, and Kinder Morgan will be under no obligation to make this payment.

**FIRE DEPARTMENT - COUNTY OF LOS ANGELES**

33. Provide water mains, fire hydrants, and fire flows as required by County Forester and Fire Warden for all land shown on the map to be recorded.
34. Abide by all other County of Los Angeles Fire Department requirements.
35. All required fire hydrants shall be installed, tested and accepted or bonded for prior to Final Map approval. Vehicular access must be provided and maintained serviceable throughout construction.

**BUILDING AND SAFETY – COUNTY OF LOS ANGELES**

36. The applicant shall demolish all existing structures prior to the issuance of a building permit.
37. Appropriate permits shall be obtained for work that has been done on the property without required permits, or said work shall be removed. All work shall be brought into compliance with applicable codes.

**ENGINEERING DIVISION – CITY OF CARSON**

38. Comply with mitigation measures included in the Final Environmental Impact Report (FEIR) regarding drainage.
39. All existing and new utility lines shall be underground to the satisfaction of the city.
40. All infrastructures necessary to serve the proposed development (water, sewer, and storm drain improvements) shall be in operation prior to the issuance of the Certificate of Occupancy.
41. Prior to issuance of business license, the following must be on file:
  - Drainage/Grading plan as approved by the Los Angeles County Department of Public Works.
  - Encroachment permit and/or construction bond as required for all work to be done within the public right of way.

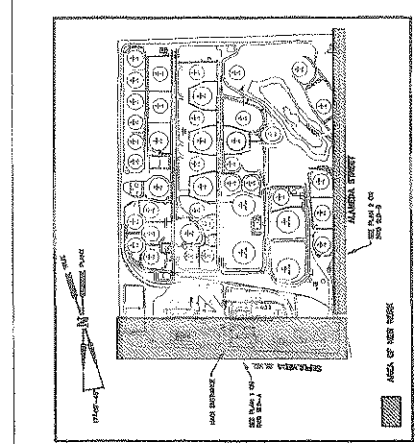


- Proof of Worker's Compensation and Liability Insurance.
42. Any improvement damaged during the construction shall be removed and reconstructed per City standard plan and to the satisfaction of the City Engineer.
  43. Any missing or damaged improvements in the public right of way fronting the proposed project shall be installed or constructed by the applicant prior to issuance of Certificate of Occupancy.

***BUSINESS LICENSE DEPARTMENT - CITY OF CARSON***

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





*NOT APPROVED ON THIS PLAN.*

\* C. UP NO. 574 (S.I.)

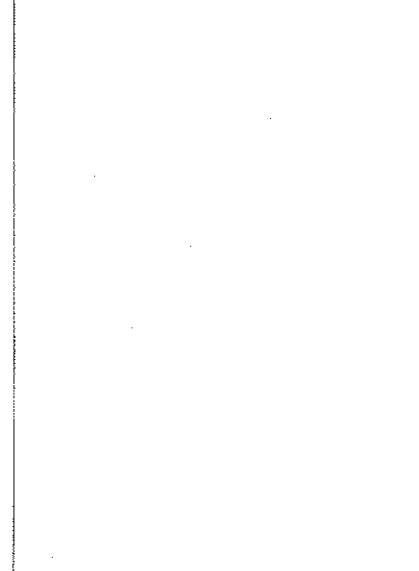
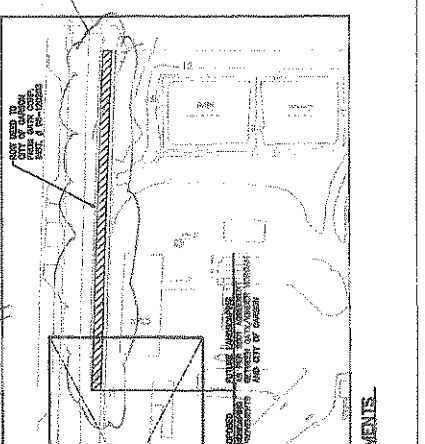
\* Landscape Plan ONLY

\* Subject to conditions on Plan No. 574 (S.I.)

\* Low density parking along Sepulveda Blvd.

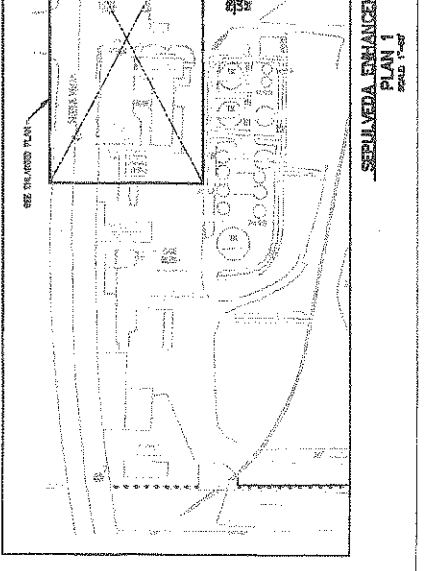
\* Must of parking lot not approved.

\* To be approved at a later date.



SEE ENLARGED PLAN

SEE SERPULVEDA ENTRY ENHANCEMENTS PLAN 1



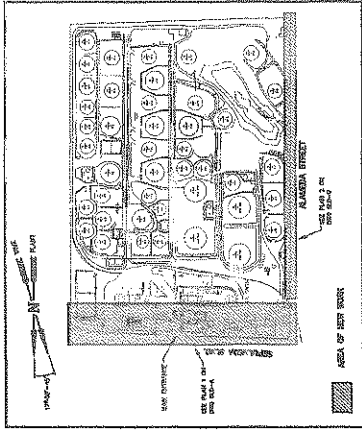
KINDER-MORGAN

SWC SEPULVEDA & ALAMEDA  
CARSON, CALIFORNIA

CONCEPTUAL  
LANDSCAPE  
PLAN

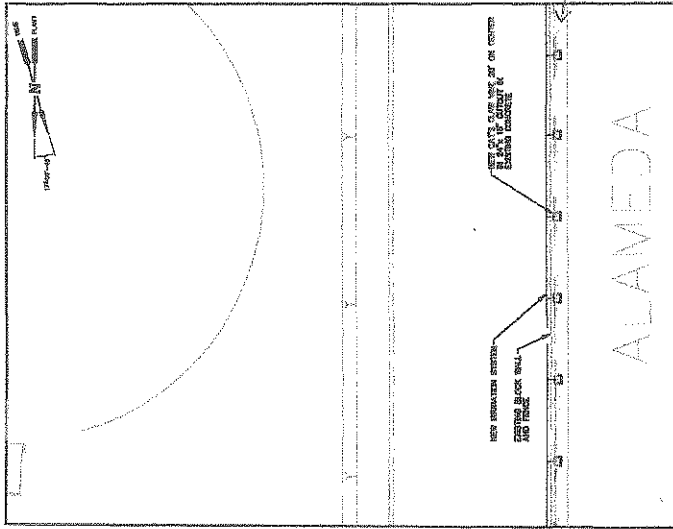
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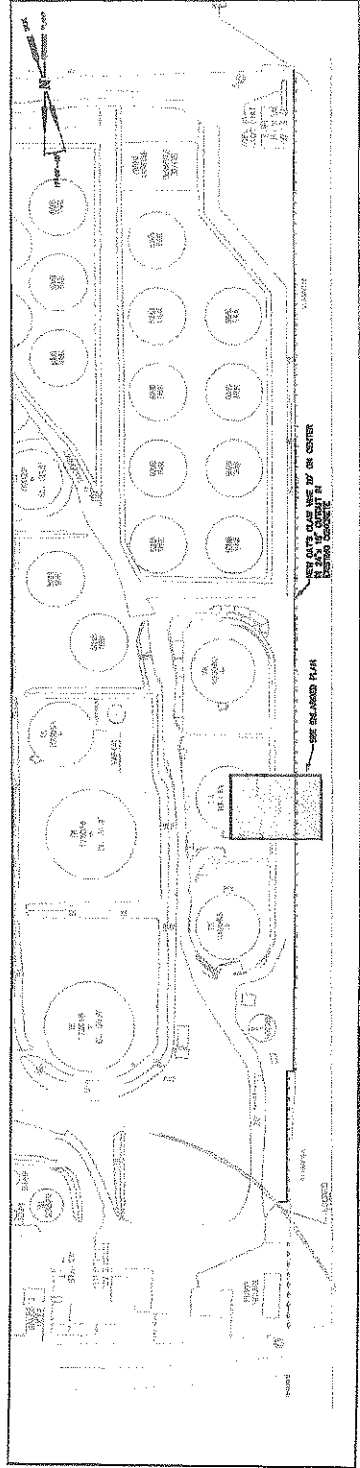


SITE PLAN  
1/2" = 1'-0"

\* Encasement permit to be obtained from Public Works, if necessary. - JH



ALAMEDA ENHANCEMENTS  
ENLARGED PLAN  
SCALE 1" = 1'-0"



ALAMEDA ENHANCEMENTS  
PLAN 2  
SCALE 1" = 1'-0"