



September 22, 2021

Tatiana Burgess
Malheur County
251 B St W, Box #12
Vale, OR 97918

RE: Conditional Use Approval 5987 US 30 Hwy, Huntington, OR

Dear Mr. Burgess,

Please see attached Conditional Use Approval application and preliminary site plans for the proposed installation of a fueling station.

The subject property is located approximately 4.6 miles north of the City of Huntington via US-30 and is located in Malheur County. The proposed project includes installation of a 1536 ft² fueling canopy site, four MPD dispensers, product piping and 15,000-gallon gasoline two-compartment underground storage tank. The project will also include a 30-foot access driveway off of US-30, three catch basins, one oil/water separator and asphalt/concrete surfacing.

Nadia Alibhai gives permission for Malheur County officials to enter the property.

Sincerely,

David Borys
President
HydroCon Environmental, LLC

Nadia Alibhai
Property Owner



MALHEUR COUNTY

251 B Street West, #12 Vale, Oregon 97918

PLANNING DEPARTMENT

Phone (541)473-5185

File Number: _____

Application Fee: _____

Date Received: _____

Date Deemed Complete: _____

CONDITIONAL USE APPLICATION

LANDOWNER INFORMATION

Name: Nadia Alibhai
 Address: 831 Mt. Paran Rd
 City/State/Zip: Atlanta, GA 30327
 Phone: 1-404-917-7245
 Email: nijuinv@yahoo.com

APPLICANT INFORMATION ☐ Check box if same

Name: A4 Quality Property, LLC
 Address: 14406 NE 7th Ave
 City/State/Zip: Vancouver, WA 98685
 Phone: 360-567-9077
 Email: deep@amardevelopment.com

PROPERTY INFORMATION

Township: 15S Range: 45E Section: 04 Tax Lot: 900 Ref #: 15S45E0400900 Acres: 29.47 Zoning: C-RSC
 Address: 5987 US Hwy 30, Huntington, OR

Current use: Agriculture Use of surrounding properties: Agriculture/Commercial
 Proposed use: Commercial Permitted subject to section: Conditional Use
 Water source: Well Sewage disposal method: N/A

Are the wetlands/water waterways on your property? ☒ No ☐ Yes (description): _____

Do you own neighboring property? ☐ No ☒ Yes (description): 15S45E0400700

Name of road providing access: Huntington Hwy

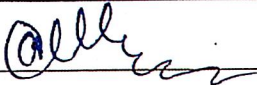
LEGAL PARCEL STATUS

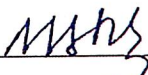
Partition: _____ Subdivision: _____
 or Most Recent Pre- 09/04/1974 Deed #: _____ Date Filed: _____
 Current Deed #: _____ Date Filed: _____

**The deed and a map showing the property described in the deed(s) must accompany this application.*

**Additional descriptive maps and pictures may be attached.*

SIGNATURES:

Property Owner(s):  Date: 09/27/2021

Property Owner(s):  Date: 09/27/2021

Applicant(s): Karam Singh Date: 9/27/2021

Applicant(s): _____ Date: _____

PLEASE NOTE: Before this application will be processed, you must supply all requested information and forms, and address all listed or referenced criteria. Pursuant to ORS 215.428, this office will review the application for completeness and notify Applicant of any deficiencies within 30 days of submission. By signing this form, the property owner or property owner's agent is granting permission for Planning Staff to conduct site inspections on the property.

SHADED AREA TO BE COMPLETED BY PLANNING DEPARTMENT

Legal Parcel	<input type="checkbox"/> NO <input type="checkbox"/> YES
Deed/Land Use Action: _____	
Previous Map and Tax Lot: _____	<input type="checkbox"/> NO <input type="checkbox"/> YES
Past Land Use Actions: If yes, list file #(s) _____	

Subject to previous conditions? _____	<input type="checkbox"/> NO <input type="checkbox"/> YES
Assessor Property Class: _____ Zoning: _____	
Water Resources: Are there bodies of water or wetlands (seasonal or permanent) on property or adjacent properties? _____	<input type="checkbox"/> NO <input type="checkbox"/> YES
Describe (include setback distances): _____	
<input type="checkbox"/> Fish bearing <input type="checkbox"/> Non fish bearing <input type="checkbox"/> Seasonal Creek	
<input type="checkbox"/> Irrigation ditch <input type="checkbox"/> Wetland <input type="checkbox"/> Pond/Lake <input type="checkbox"/> Not identified	
(Note: Check buffers. Different zones have different setback requirements that may require a more extensive permitting process.)	
Access: County or ODOT approach permit on file? <input type="checkbox"/> NO <input type="checkbox"/> YES, # _____	
Address: Address exists and has been verified to be correct? _____	<input type="checkbox"/> NO <input type="checkbox"/> YES
Address needs to be assigned after approval? _____	<input type="checkbox"/> NO <input type="checkbox"/> YES
Fire District: _____	



MALHEUR COUNTY PLANNING DEPARTMENT

251 B Street West, #12 Vale, Oregon 97918 Phone (541)473-5185 Fax (541)473-5140

CONDITIONAL USE PERMIT

DETAILED SPECIFIC WRITTEN REQUEST

Conditional use approval for the installation of a fueling canopy,
multi-product dispensers (MPD), product piping and 15,000 gallon underground storage tank.

(Attach additional pages if necessary)

DETAILED STRUCTURAL INFORMATION

PROPOSED IMPROVEMENTS				
Structure/Development	Length	Width	Height	Square Footage
Dwelling				
Driveway		30'		
Accessory Structure (Canopy)	48	32	16	1536 ft2
Agricultural Structure				
Other				
EXISTING				
Dwelling				
Accessory Structure				
Agricultural Structure				
Other				

**MCC 6-3F-5: In all C-RSC zones the performance standards contained in section 6-3G-4 of the Malheur County Code shall apply to all nonresidential and all nonagricultural activities.*

PERFORMANCE STANDARDS – Malheur County Code (MCC) CHAPTER 6-3G-4

- A. *Physical Appearance:* With the exception of gasoline pumps, all operations other than pick-ups and deliveries shall be carried on within an enclosed building; provided, that new materials or equipment in operable condition may be stored in the open, such as a sales lot. Normal daily wastes may be stored in containers outside of a building when such containers are not readily visible from beyond the property line. The provisions of this subsection shall not be construed to prohibit the display of merchandise or vehicle for sale or rental, or the storage of automobiles, farm machinery, trailers, manufactured dwellings or similar equipment in operable condition when in association with a permitted use. The required yard areas other than driveway openings shall be landscaped. (Ord. 147, 4-14-2004) Considering this, what is the proposed physical appearance for the project? Project involves installation of a 32' x 48' fueling canopy, 4 multi-product dispensers, concrete islands and concrete drive slabs. A 15,000 gallon underground storage tank (UST) will be installed and topped with a concrete slab. Asphalt will be placed from the driveway to the canopy and 25' around the canopy.
- B. *Hazard:* No operation shall be established which fails to meet the state fire and electrical codes and any other applicable State or Federal codes related to safety. This provision shall not be construed to prohibit the use of normal heating fuels, and other volatile materials when handled in accordance with applicable codes. Will there be any hazardous materials used in the proposed project and if so, how will they be handled? No hazardous material will be used in the proposed project. Though unleaded fuel will be stored in a vented 15,000 gallon UST with product piping to fueling dispensers. Fueling system will be installed in accordance to local, state and federal regulations.
- C. *Noise:* No operation shall be carried on which creates noise in excess of the normal traffic noise of the adjacent street at the time of daily peak hour traffic volume. Noise volume generated by the use shall be measured at any property line. The comparable traffic noise shall be measured at the property line adjacent to the street. All noises shall be muffled so as not to be objectionable due to intermittence, beat frequency or shrillness. What are estimated noise levels and will they be in compliance? Operation of fueling facility will not generate excess noise.
-
- D. *Sewage and Liquid Waste:* All operations shall comply with any applicable regulations of the County, State or Federal agencies responsible for pollution control. No wastes of a chemical, organic or radioactive nature shall be injected or buried in the ground or stored in the open on the surface except in approved containers. What are the proposed means of disposal of sewage and liquid waste? No sewage or liquid waste will be generated at the fueling facility. In the event of a spill fuel will enter catch basins under the canopy which will flow to an oil/water separator prior to discharge. The catch basins, underground piping and oil/water separator will prevent a release of petroleum to the environment.
- E. *Smoke, Particulate Matter And Gases:* No use shall be established which fails to meet the air quality regulations of the Oregon DEQ pertaining to emissions of smoke, particulate matter, fugitive dust, gases and other air contaminants. How will the proposed project comply with this regulation? No Oregon DEQ air quality regulations pertain to this project.
-

F. *Odor:* The emission odors that are generally agreed to be obnoxious to any considerable number of persons is prohibited. Observations shall be made at the property line of the establishment generating the odor. It is deemed that odor of putrefaction, hydrogen sulfide, fermentation and rendering processes are objectionable while odors associated with baking, coffee roasting or nut roasting are normally not considered obnoxious.
What are the means of odor control for the proposed project? No odor control measures pertain to this project.

G. *Vibration:* All machines shall be mounted so as to minimize vibration and in no case shall such vibration be perceptible, without the use of instruments, at the property line. Will there be any vibration as part of this project?
No vibration will be part of this project.

H. *Glare and Heat:* Any glare producing operations, such as welding arcs, shall be shielded so that they are not visible from the property line. Surfaces near the glare source shall be of a type which will minimize the reflection of such glare beyond the property line. How will the glare and heat be controlled and minimized?
No glare and heat operations pertain to this project.

I. *Dust:* All surfaces used in the operation of the use shall be graveled or paved with a dust free surface. Gravel surfaces shall be watered down when conditions of use or weather cause dust to travel toward structures on adjacent properties. What are the dust control measures that will be applied for the proposed project?
Area of vehicle traffic will be paved with either asphalt or concrete.

J. *Interpretation:* Whenever it cannot be decided by reasonable observation that a performance standard is being met, it shall be the responsibility of the operator of the use to supply evidence or engineering data to support the contention that standard is being met. The standards are designed, except where referring to other codes, to be judges by ordinary human senses and not by the minute detail of scientific quality instruments. Until such evidence or engineering data is supplied and proves to be convincing, the judgment of the planning director shall be the determining factor. (Ord. 86, 12-7-1993)

MALHEUR COUNTY, OR
D-MEMO OPTION
Cnt=1 Pgs=3

2020-2037

06/10/2020 04:14:03 PM

\$102.00

I, Gayle V. Trotter, County Clerk for Malheur County, Oregon certify that the instrument identified herein was recorded in the Clerk records.

Gayle V. Trotter - County Clerk

After recording return to:
Richard Speight P.C.
2416 SW 5th Ave.
Portland, Oregon 97201-4910

Until a change is requested, send
all tax statements to:
Huntington Travel Plaza, LLC
c/o Amin Alibhai
831 Mt. Paran Rd.
Atlanta, Georgia 30327

AFTER RECORDING, RETURN TO:

AmeriTitle Company 346429AM
70 SW 3rd Avenue
Ontario, OR 97914

MEMORANDUM OF REAL ESTATE OPTION
(ORS 93.635)

AmeriTitle 346429AM

KNOW ALL PERSONS BY THESE PRESENTS, that effective June 5, 2020, Nadiya Alibhai, AND/OR Huntington Travel Plaza, LLC, an Oregon limited liability company, hereinafter, jointly and severally, Grantor, has granted to A4 Quality Property, LLC, an Oregon limited liability company, grantee an option to purchase for three (3) years from Landlord's fee simple title in and to the following described real property in Malheur County, State of Oregon, to wit:

LEGAL DESCRIPTION:

Land in Malheur County, Oregon, as follows:
In Twp. 15 S., R. 45E., W.M.
Sec. 4: Parcels of land situated in Government Lot(s) 2 and 3 of said Section 4, and in the NE 1/4 and the SE 1/4 of Section 5, more particularly described as follows:

Parcels No. 1, and 2 of Partition Plat No. 2018-08, recorded August 14, 2018, Instrument No. 2018-3035, Malheur County Records.

Tax Account numbers: 20761 Map No. 15S4504 800
19457 Map No. 15S4504 900
Situs address: 5987 US Hwy 30, Huntington, OR 97907

The true consideration for this option is Fifty Thousand and no/100's US Dollars (\$50,000.00) as stated in the Option to Purchase Real Property between the parties dated June 5, 2020.

Grantor agrees to grant an easement for waste water ponds as required in the Contract for Sale of Commercial Real Property and Business Assets of even date for 5945 US Hwy 30, Huntington, OR 97907 to Grantee.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS,


IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

IN WITNESS WHEREOF, the Grantor has executed this memorandum on June 6, 2020.

Huntington Travel Plaza, LLC

By: 
Nadiya Alibhai, Member

By: 
Amin Alibhai, Member


Nadiya Alibhai, individually

NOTARY ACKNOWLEDGEMENTS FOLLOW:

STATE OF GEORGIA)
) ss.
County of DEKALB)

On this 6th day of June, 2020, personally appeared the above-named, Nadiya Alibhai and Amin Alibhai, who did say that they are the sole members of Huntington Travel Plaza, LLC, an Oregon limited liability company and that said instrument has been signed by the authority of the membership and on behalf of the limited liability company.

 Personally Known

☒ Produced Identification

Type and # of ID: Georgia DL 056596874



Notary Public, State of Georgia

Printed Name: Luis Sandoval

My Notary Expires: May 11, 2024



STATE OF GEORGIA)
) ss.
County of DEKALB)

On this 6th day of June, 2020, personally appeared before me the above named Nadiya Alibhai, who acknowledged the foregoing instrument to be her voluntary act and deed.

 Personally Known

☒ Produced Identification

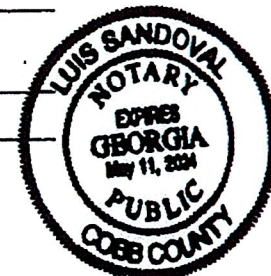
Type and # of ID: Georgia DL 056596874



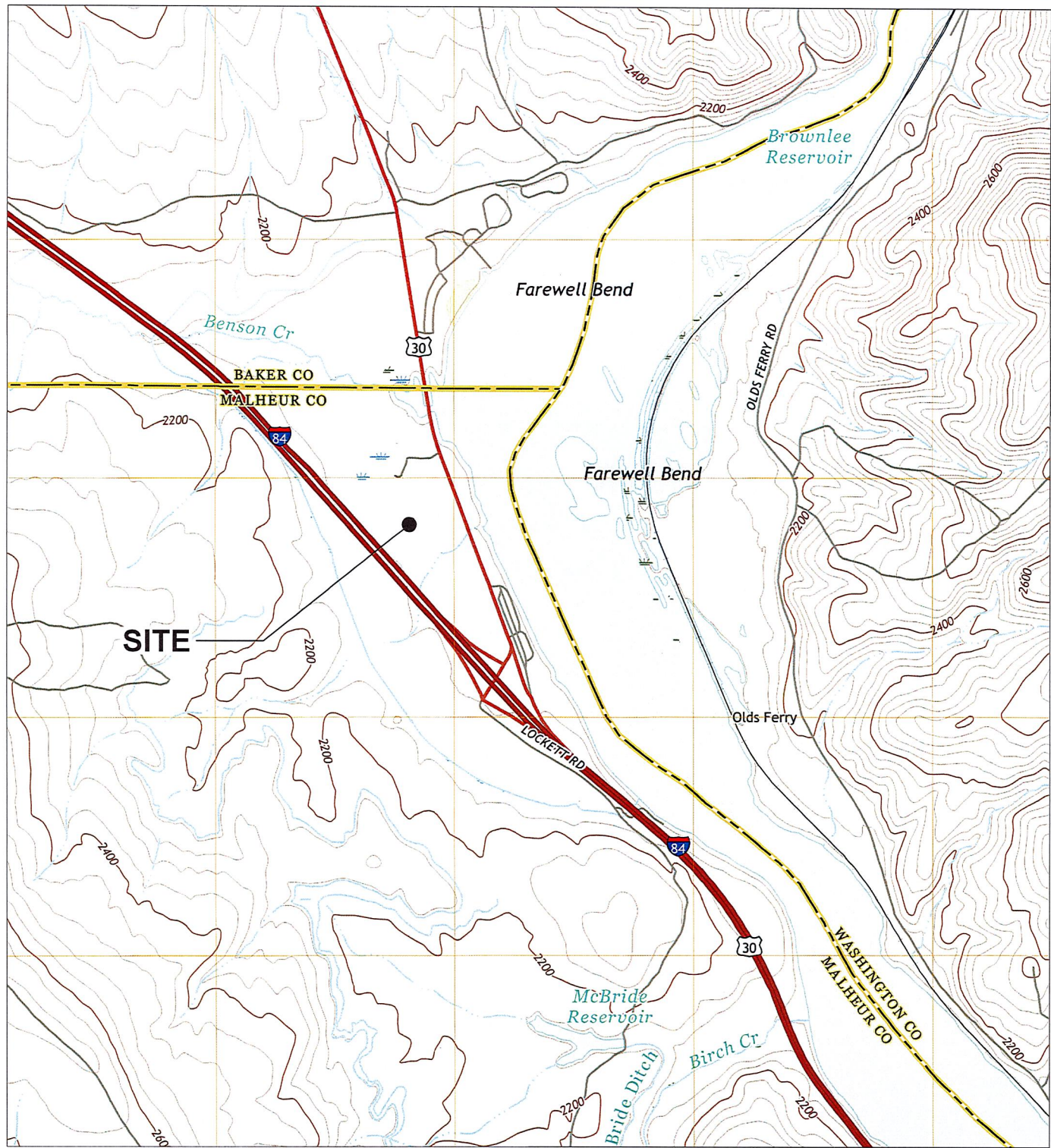
Notary Public, State of Georgia

Printed Name: Luis Sandoval

My Notary Expires: May 11, 2024

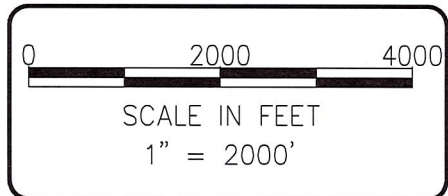


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NOTE(S):

USGS, OLDS FERRY QUADRANGLE,
IDAHO - OREGON
7.5 MINUTE SERIES (TOPOGRAPHIC)



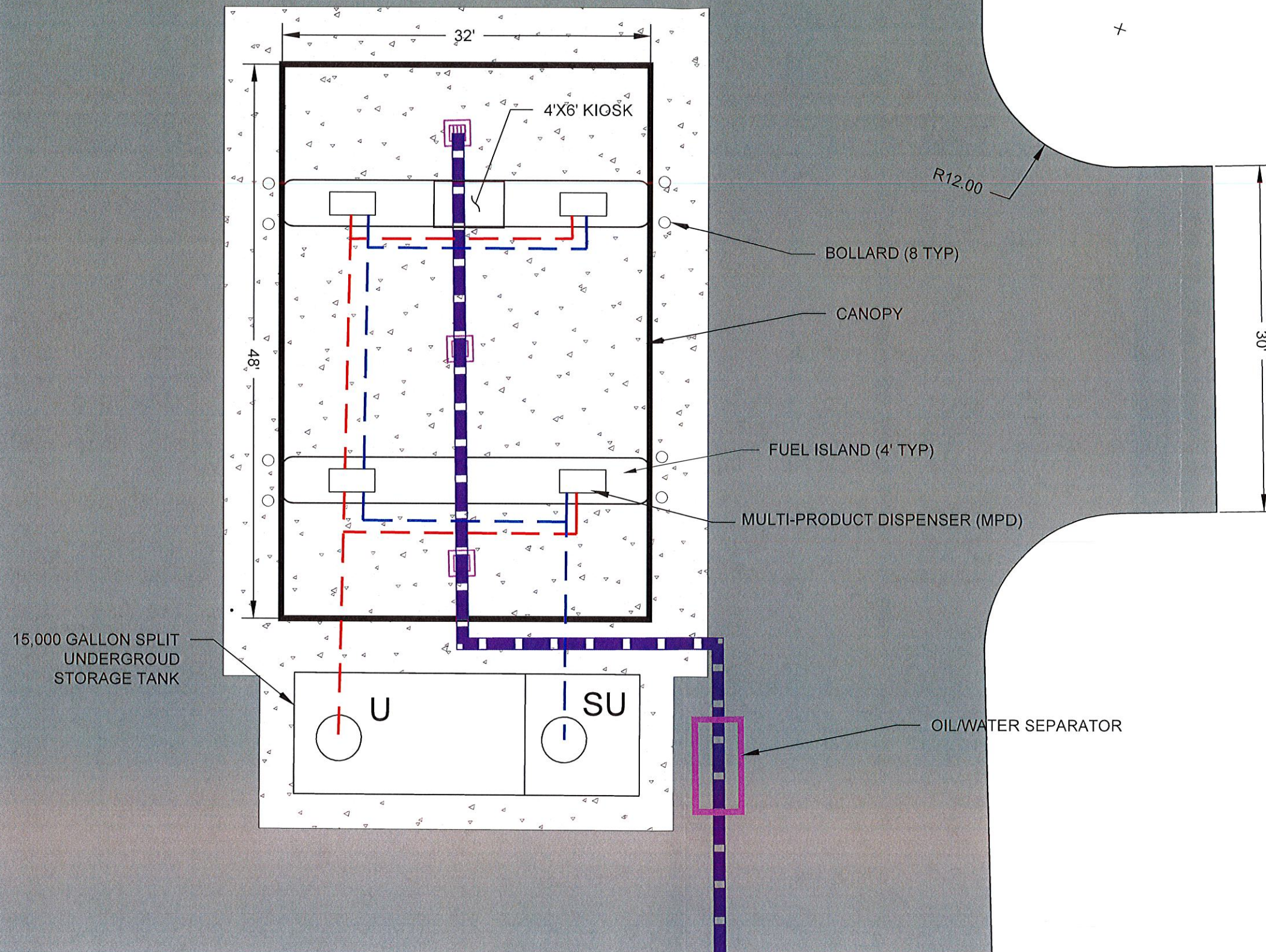
314 W 15th Street, Suite 300, Vancouver,
Washington 98660

DATE: 9-21-21
DWN: LC
CHK: DB
APPROVED: DB
PRJ. MGR: DB
PROJECT NO:
2021-110

FIGURE 1
SITE LOCATION
SINGH
5987 U.S. HIGHWAY 30
HUNTINGTON, OREGON

PRELIMINARY

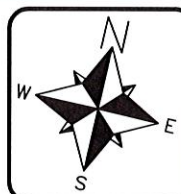
US HIGHWAY 30



Legend

- ASPHALT PAVEMENT
- CONCRETE PAVEMENT
- STORMWATER PIPE

- CATCH BASIN
- UNLEADED (U)
- SUPER UNLEADED (SU)



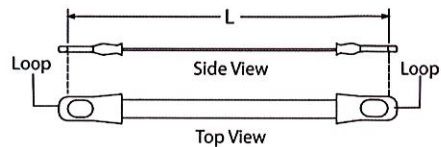
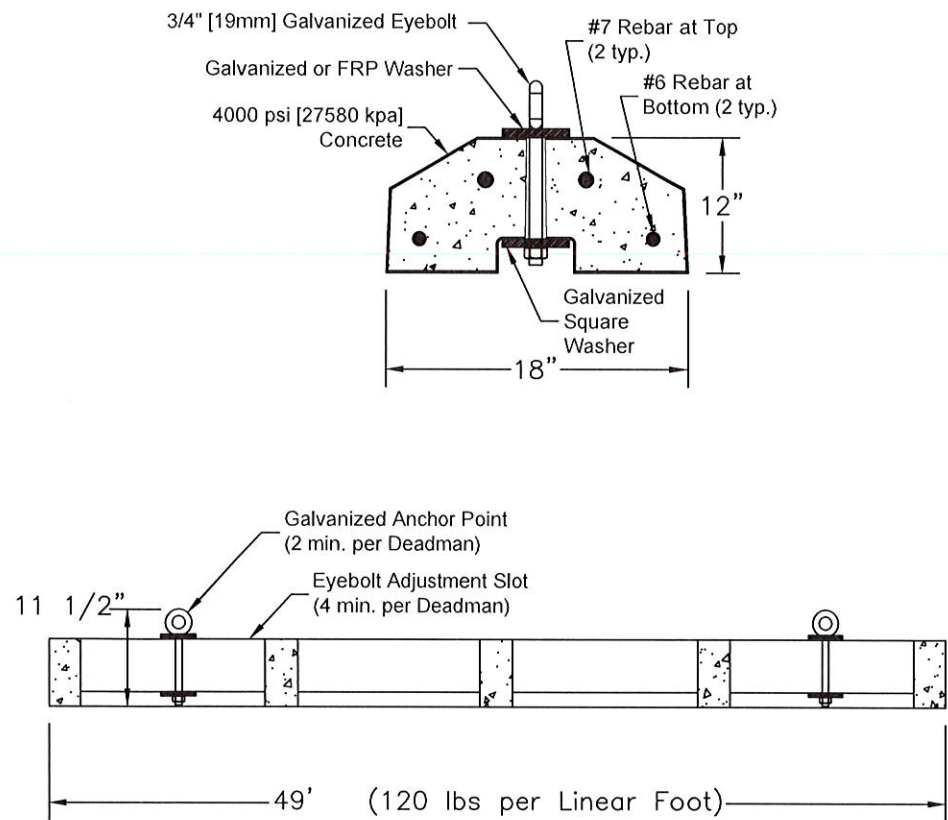
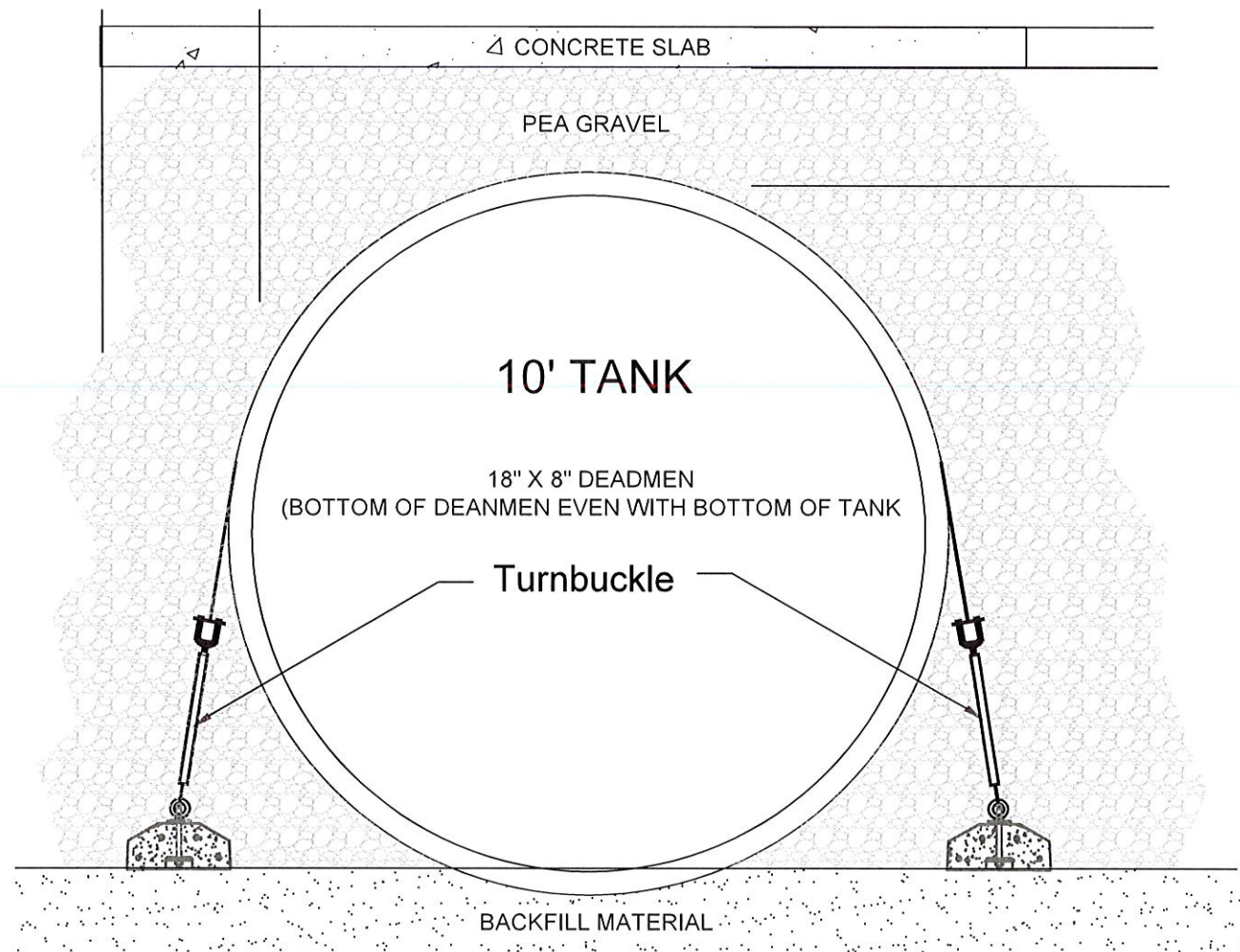
0 10 20
SCALE IN FEET
1" = 10'

HydroCon
314 W 15th Street, Suite 300, Vancouver, Washington 98660
Phone 360.703.6079 Fax 360.703.6086

DATE: 9-21-21
DWN: LC
CHK: DB
APPROVED: DB
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PROJECT NO:
2021-110

FIGURE 3
PROPOSED FUEL CANOPY
SINGH
5987 U.S. HIGHWAY 30
HUNTINGTON, OREGON

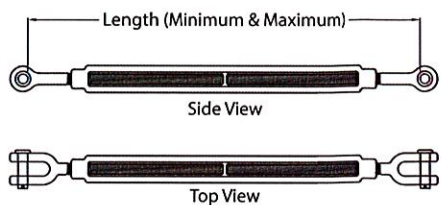
PRELIMINARY



Strap Dimensions:

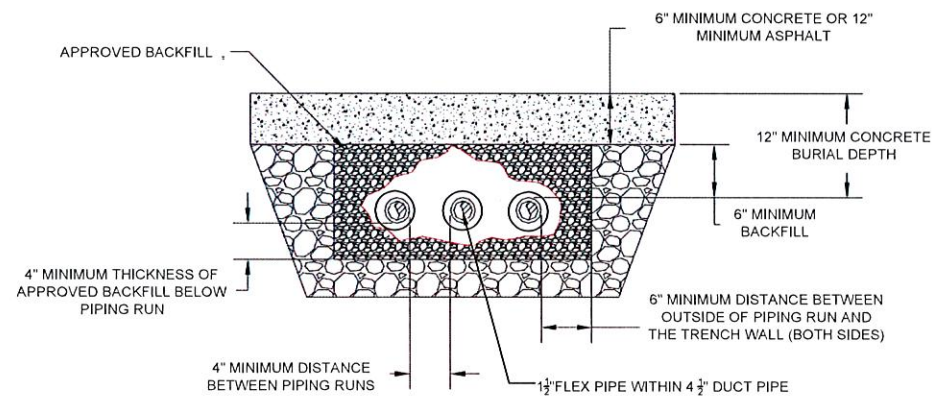
Tank Diameter	Strap Length
4'	100" (2546mm)
6'	141" (3185mm)
8'	176" (4464mm)
10'	238" (6045mm)
12'	271" (6877mm)

Jaw by Jaw Turnbuckles:

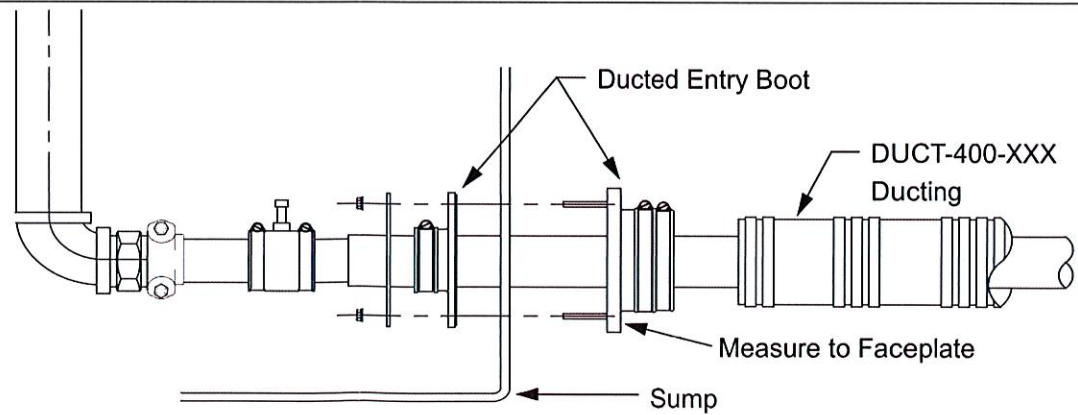


Model #	Diameter	Length		For Use With
		Min	Max	
TB 3406	3/4"	14 1/4"	20 1/2"	4' & 6' tanks
TB 3409	3/4"	17 1/4"	26 1/4"	8' tanks
TB 3412	3/4"	20 1/4"	32 1/4"	---
TB 3418	3/4"	26 1/4"	44 1/4"	10' & 12' tanks

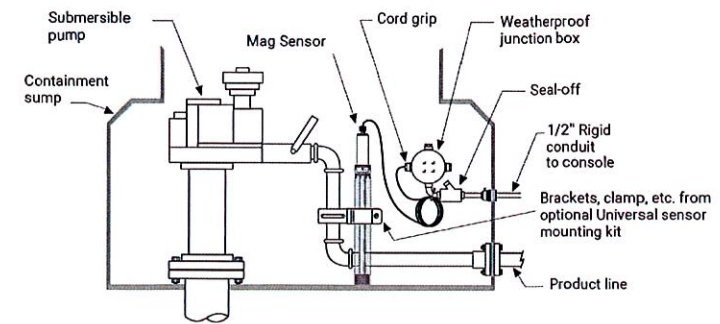
TANK ANCHORING DETAIL



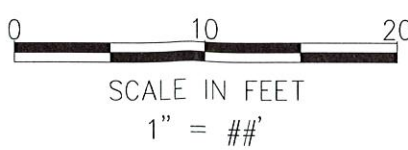
FLEX PIPE AND DUCT PIPE INSTALLATION DETAIL



DUCT PIPE INSTALLATION DETAIL



TANK TURBINE SUMP DETAIL



DATE: 9-21-21
DWN: LC
CHK: DB
APPROVED: DB
PRJ. MGR: DB
PROJECT NO: 2021-110

FIGURE 4
DETAILS I
5987 U.S. HIGHWAY 30
HUNTINGTON, OREGON



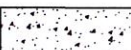

PRELIMINARY

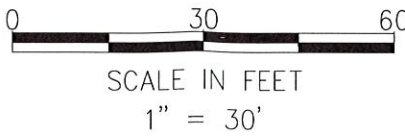
PROPOSED FUEL CANOPY
(SEE FIGURE 3)

DISCHARGE TO EXISTING DRAINAGE DITCH

30

Legend

- | | | | |
|---|-------------------|---|-------------|
|  | ASPHALT PAVEMENT |  | CATCH BASIN |
|  | CONCRETE PAVEMENT | | |
|  | STORMWATER PIPE | | |



HydroCon

314 W 15th Street, Suite 300, Vancouver, Washington 98660
Phone 360.703.6079 Fax 360.703.6086

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FIGURE 2
SITE LAYOUT
SINGH
5987 U.S. HIGHWAY 30
HUNTINGTON, OREGON