

Tyler Simpson - Owner
The Rock Store
2499 Highway 201,
Nyssa, Oregon 97913
Owyheegrocery@gmail.com

Dear Planning and Zoning,

I am writing to introduce and provide information regarding the expansion plans for The Rock Store, a project that we believe will greatly benefit our community.

The Rock Store has been serving the community for over 40 years, offering a wide range of events, and products. Our commitment to quality, customer service, and community engagement has been the cornerstone of our business since its inception.

In response to the growing demand and to better serve our customers, we are proposing a container expansion project. This expansion will not only increase our capacity to offer more products but also provide additional amenities for our patrons. Moreover, it will create new job opportunities within the community, contributing to local employment and economic growth.

We have carefully considered the design and impact of our expansion to ensure it aligns with the city's zoning regulations and enhances the aesthetic appeal of the area. Our team has worked closely with engineers to develop a plan that integrates seamlessly with the surrounding environment while meeting the needs of our business and customers.

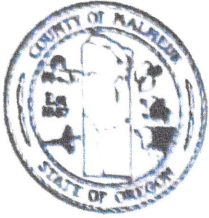
We are committed to engaging with the community and addressing any concerns or questions that may arise throughout the planning process. We believe that this expansion will not only benefit The Rock Store but also contribute to the vibrancy and vitality of our community.

Enclosed, please find detailed plans and documents outlining our expansion proposal. We welcome the opportunity to discuss this project further and address any inquiries the Planning and Zoning Commission may have.

Sincerely,

Tyler Simpson

EXHIBIT # 1



MALHEUR COUNTY

PLANNING DEPARTMENT

251 B Street West, #12 Vale, Oregon 97918

Phone (541)473-5185

File Number: _____
Application Fee: _____
Date Received: _____
Date Deemed Complete: _____

CONDITIONAL USE APPLICATION

LANDOWNER INFORMATION

Name: Tyler Simpson
Address: 2499 Hwy 201
City/State/Zip: Nyssa, OR 97913
Phone: 541-212-2907
Email: Owyheegrocery@gmail.com

APPLICANT INFORMATION Check box if same

Name: _____
Address: _____
City/State/Zip: _____
Phone: _____
Email: _____

PROPERTY INFORMATION

Township: _____ Range: _____ Section: _____ Tax Lot: 101 Ref #: _____ Acres: 5.14 Zoning: C-RSC
Address: 2499 Hwy 201 Nyssa, OR 97913
Current use: Commercial station Use of surrounding properties: Commercial Ground
Proposed use: Commercial station Permitted subject to section: _____
Water source: well Sewage disposal method: septic tank
Are the wetlands/water waterways on your property? No Yes (description): _____
Do you own neighboring property? No Yes (description): _____
Name of road providing access: Hwy 201, Owyhee Ave

LEGAL PARCEL STATUS

Partition: 16-10 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): [Signature] Date: 4-15-24

Property Owner(s): _____ Date: _____

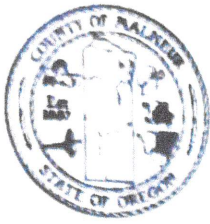
Applicant(s): Tyler Simpson Date: 4-15-24

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

<p>Legal Parcel Deed/Land Use Action: _____</p> <p>Previous Map and Tax Lot: _____</p> <p>Past Land Use Actions: If yes, list file #(s) _____ _____</p> <p>Subject to previous conditions? _____</p> <p>Assessor Property Class: _____ Zoning: _____</p> <p>Water Resources: Are there bodies of water or wetlands (seasonal or permanent) on property or adjacent properties? Describe (include setback distances): _____</p> <p><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 <i>(Note: Check buffers. Different zones have different setback requirements that may require a more extensive permitting process.)</i></p> <p>Access: County or ODOT approach permit on file? <input type="checkbox"/> NO <input type="checkbox"/> YES, # _____</p> <p>Address: Address exists and has been verified to be correct? _____ Address needs to be assigned after approval? _____</p> <p>Fire District: _____</p>	<p><input type="checkbox"/> NO <input type="checkbox"/> YES</p> <p><input type="checkbox"/> NO <input type="checkbox"/> YES</p> <p><input type="checkbox"/> NO <input type="checkbox"/> YES</p> <p><input type="checkbox"/> NO <input type="checkbox"/> YES</p> <p><input type="checkbox"/> NO <input type="checkbox"/> YES</p> <p><input type="checkbox"/> NO <input type="checkbox"/> YES</p>
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MALHEUR COUNTY PLANNING DEPARTMENT

251 B Street West, #12 Vale, Oregon 97918

Phone (541)473-5185

CONDITIONAL USE PERMIT

DETAILED SPECIFIC WRITTEN REQUEST

We are requesting to build a new top house to expand our Restaurant operations. This will be built from old shipping containers that have been repurposed.

(Attach additional pages if necessary)

DETAILED STRUCTURAL INFORMATION

PROPOSED IMPROVEMENTS

Structure/Development	Length	Width	Height	Square Footage
Dwelling				
Driveway				
Accessory Structure	40ft	24ft	18ft	2000
Agricultural Structure				
Other				

EXISTING

Dwelling				
Accessory Structure				
Agricultural Structure				
Other				
Business				3900sqft

CONDITIONAL USE CRITERIA - Malheur County Code (MCC) CHAPTER 6-6-7

1. The proposal must be consistent with the goals and objectives of the Comprehensive Plan and MCC
2. Taking into account location, size, design and operational characteristics of the proposed use, describe how your proposal is compatible with the surrounding area and development of abutting properties by outright permitted uses

Our New structure is adding on to our Existing building. It will be used as a new dining establishment.

Describe the operational characteristics (hours of operation, equipment used, etc.) of the proposed use:

Hours of operation will remain the same.

Mon-Sat 7-8pm Sunday 8-7pm.

Describe the number of people/employees/customers associated with the proposed use:

currently 13 employees. Will most likely be 15-17 After Expansion. Currently see around 300-600 customers Daily and will continue to rise with the expansion

3. What are the existing developments and viewpoints of property owners in the surrounding area?

Currently there are 12 other property owners in the area. All of which to my knowledge are in support of this project.

4. The proposed use cannot exceed or significantly burden public facilities and services available to the area. Please describe the impact the proposed use will have on the following public facilities and services and provide letters from the appropriate entities:

Roads: This will have no additional impact on the road that the current business already has.

Fire & Police Protection: This will not impact the fire or police protection of the property.

Sewer & Water: Our Sewer is rated for a business more than triple in size of what I currently have. We have two bells on the property.

Electrical & Telephone: This will not put any additional strain on current status of the electrical useage.

Solid Waste Disposal. We currently have a large dumpster capacity on the property to help with additional strain.

5. What effect will the proposed use have on the stability of the community's social and economic characteristics?
This will create more space for people to bring their families for a fun thing to do. This will bring more people together in the community.

6. Demonstrate that the proposed use will not interfere with traditional fish and wildlife use of habitats determined critical or sensitive in the fish and wildlife habitat protection plan for Malheur County.
Our property currently has no impact on the surrounding wildlife. All of our water either drains to our property or seeps which doesn't contaminate any wildlife.

7. How will the proposed use increase setbacks of structures to reduce possibilities of overshadowing adjoining property, noise, odor or night lighting nuisances during development and operation?
Where the proposed expansion is we are located 75 yards away from neighbors. This allows for ample space during construction.

8. What are the proposed landscaping improvements for the visual benefit of the subject site and for the improved appearance of the neighborhood and County?
The new building itself will be built from containers which will improve the old shed that was in its place. It will have nice metal and wood fences that help improve the visual aspect and allow for hanging flower pots to be put up.

9. The location and size of driveway access points and right of way widening and improvement for present and future traffic circulation consistent with the adopted County road standards or the standards of the appropriate road district and the access management standards of the Malheur County Transportation System Plan.
Our business is up to current standards for roadway access. We added a 10,000 sqft concrete parking lot with an additional 10,000 sqft dirt parking lot. This allows for ample parking.

10. What is the proposed visual screening of the outdoor waste and storage areas?

Our storage also uses containers which hide any outdoor storage. Our waste facilities have closed lids on them and are placed away from the new site.

11. What efforts will be in place to control and focus the outdoor lighting to avoid glare being directed beyond property limits?

All new lighting will be directed at the new building and not pointed at the road. We will also use low glare LED lighting to help with the visual aspect as well as improve safety for passersby.

12. Demonstrate how the proposed use will not significantly increase the cost of, or force a significant change to, accepted farm or forest practices on surrounding lands devoted to or available for farm and forest use.

Describe the agricultural uses (orchards, wheat, grazing, etc.) that are within 0.25 miles of the proposed development. How will the proposed development interact with surrounding agriculture uses?

Our current business has no impact on the local farm ground surrounding us. We are surrounded by cattle and onions farms. We utilize the commercial production of these onions in our business. The new building will help the use of these products and support the local farmers.

*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? The physical structure will be built from used shipping containers. They will be welded together with glass doors and windows for natural light. There will also be wood and metal fences for added visual Appeal.
- 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 there will not be
- 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? The noise levels are comparable to normal highway volumes in a rural county. ~~is~~ Our business operations also conclude at 8pm and don't cause noise at normal sleeping times.
- 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? We will use our current septic system of 3000 gallons to dispose of waste.
- 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? We are required by DBQ to fill out these permits every year and we pass with flying colors.

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? Our odors from this business are not considered to be obnoxious. For those that are we have hood vents in place that are cleaned regularly to disperse these odors

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 there will not be

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?

We will not be conducting a business of this nature.

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?

The property around the business is paved with concrete. All dirt parking lots have water systems in place.

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 judged 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)



Address Finder



Owyhee Ave

Owyhee Ave

Sagenite Ln

201

Highway 201

Highway 201

300

200

1015 W. HWY 201
101

100

ROCK STORE PROPERTY HOLDING

MapNumber	20S46E35A
Taxlot	101
MapTaxlot	20S46E35A00101
Assessor's Website	More info
OR Map Website	More info
Septic Info	More info
REF	20605
CONTRACTBU	
ADD1	
ADD2	2499 HWY 201
CITYSTATE	NYSSA, OR
ZIP	97913
TCA	34
FORMING	0.5000
Zoom to	

