

VII.7

CONDITIONAL USE PERMIT FINDINGS AND CONCLUSIONS

DATE: APRIL 28, 1999

TO: Planning and Zoning Commission

FROM: Community Development Department

FILE NO.: CUP #99-6

GENERAL INFORMATION

Applicant: Valdez Petroleum Terminal

Property Owner: Valdez Petroleum Terminal

Property Address: 402 W. Egan

Legal Description: Tract I, Port Valdez Subdivision

Parcel Code Number: 7120-009-000-0

Site Size: Approximately 9.5 acres

Zoning: Light Industrial

Utilities:

Access: West Egan Drive

Existing Land Use: Fuel storage tank farm

Surrounding Land Use: North - light industrial, mobile home park
South - zoned RA, vacant
East - commercial
West - vacant

PROJECT DESCRIPTION

Applicant proposes to expand the tank farm with the addition of one 30,000 BBL fuel tank.

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BACKGROUND

The property has historically been owned by petroleum companies for the storage of fuel. First used for this purpose in 1965. In 1994, a CUP was approved for the addition of four 10,000 BBL tanks on the adjacent property, but these were never installed.

ANALYSIS

The subject property is zoned Light Industrial. Gasoline and fuel storage is a conditional use within this zoning district. The Valdez City code defines conditional use as:

Conditional use. A provision which allows for flexibility within this chapter by permitting certain specified uses in zoning districts where such uses are generally considered appropriate, but only after additional conditions and safeguards are applied to insure their compatibility with permitted principal uses.

A public hearing was held on the request on April 14, 1999.

Although the property is located near the commercial core of Valdez, it appears that there are other industrial type uses in the vicinity, particularly the CVEA generating plant and the Copper Valley Telephone building across the street. West Egan is a major arterial street, and as such additional traffic can be accommodated.

If approved, the addition will need to comply with the Uniform Fire Code requirements, State Fire Marshall review and other permitting requirements.

FINDINGS

1. Is the requested permit proper according to the Conditional Uses for the zoning district?

YES
2. Is the application complete?

YES
3. Does the proposed development follow the other requirements of the City of Valdez land use code?

YES
4. Will the proposed development materially endanger the public health or safety?

NO

5. Will the proposed project substantially decrease the value of or be out of harmony with property in the neighboring area?

NO

6. Will the proposed project be in general conformity with the land use plan, thoroughfare plan, or other officially adopted plans?

YES

7. Are any of the following criteria such to materially endanger the public health or safety; topography, slope and soil stability, geophysical hazards, surface and sub surface drainage and water quality?

No

8. Will the proposed project require the enlargement, upgrading or extending of public utilities or service systems?

NO

The Planning and Zoning Commission may, regardless of the above findings conditionally approve or deny the permit. The commissioner's own independent review of information submitted at the public hearing provides the basis for the decision. The decision needs supportive findings based on the following factors.

1. Will the proposed project materially endanger the public health or safety?
2. Will the proposed project substantially decrease the value of or be out of harmony with property in the neighboring area?
3. Will the proposed project not be in general conformity with the land use plan, thoroughfare plan, or other officially adopted plans?
4. Are any of the following criteria such to materially endanger the public health or safety; topography, slope and soil stability, geophysical hazards, surface and sub surface drainage and water quality?
5. Will the proposed project require the enlargement, upgrading or extending of public

utilities or service system?**STAFF RECOMMENDATION**

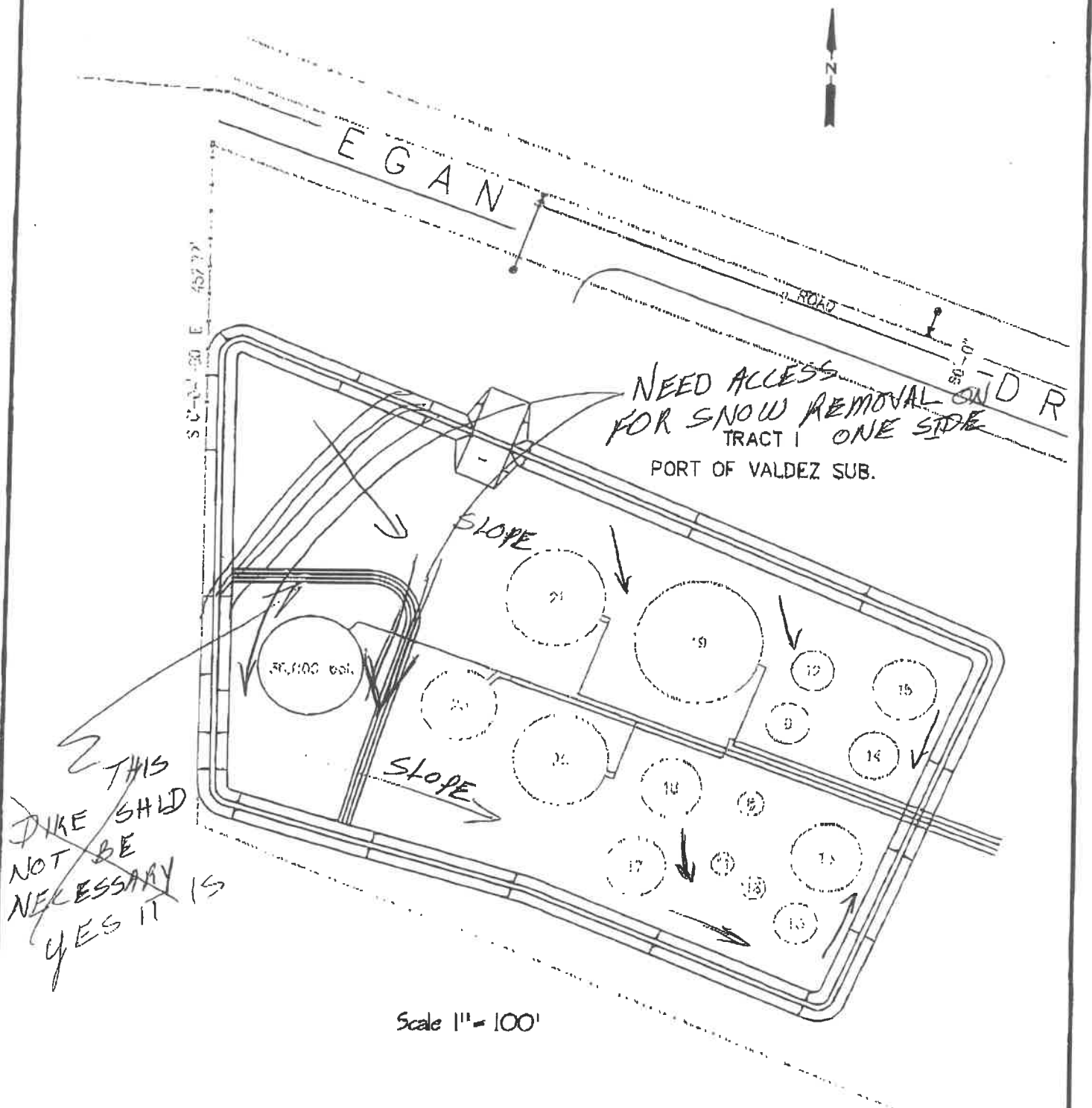
Staff recommends adoption of the above findings and approval of the conditional use permit with the following conditions:

1. The applicant shall modify its present spill prevention plan to account for the additional 30,000 BBL tank.
2. The tank shall be provided with a leak detection system as well as with cathodic protection.
3. Construct a 10-inch diameter water line from the City's 12 inch diameter main on the north side of West Egan Street, and install a standard City fire hydrant, with the location to be approved by the Fire Department.
4. Install and maintain a fixed fire suppression foam system for this fuel storage facility. The system shall include a maintained on-site storage of foam in the quantity required for a tank farm of the quantity of the permitted product.
5. The filling and withdrawal of permitted products to and from the tank shall be conducted from the existing tanker truck rack. Tanker truck traffic shall be limited to the present driveways.
6. The tank shall be provided with a high level alarm and automatic cutoff device.

APR 23 '99 03:01PM PETRO STAR

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How's this?



PETRO STAR INC.

VPT

30,000 BBL TANK LOCATION

Lars N. Peterson

April 23, 1999

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