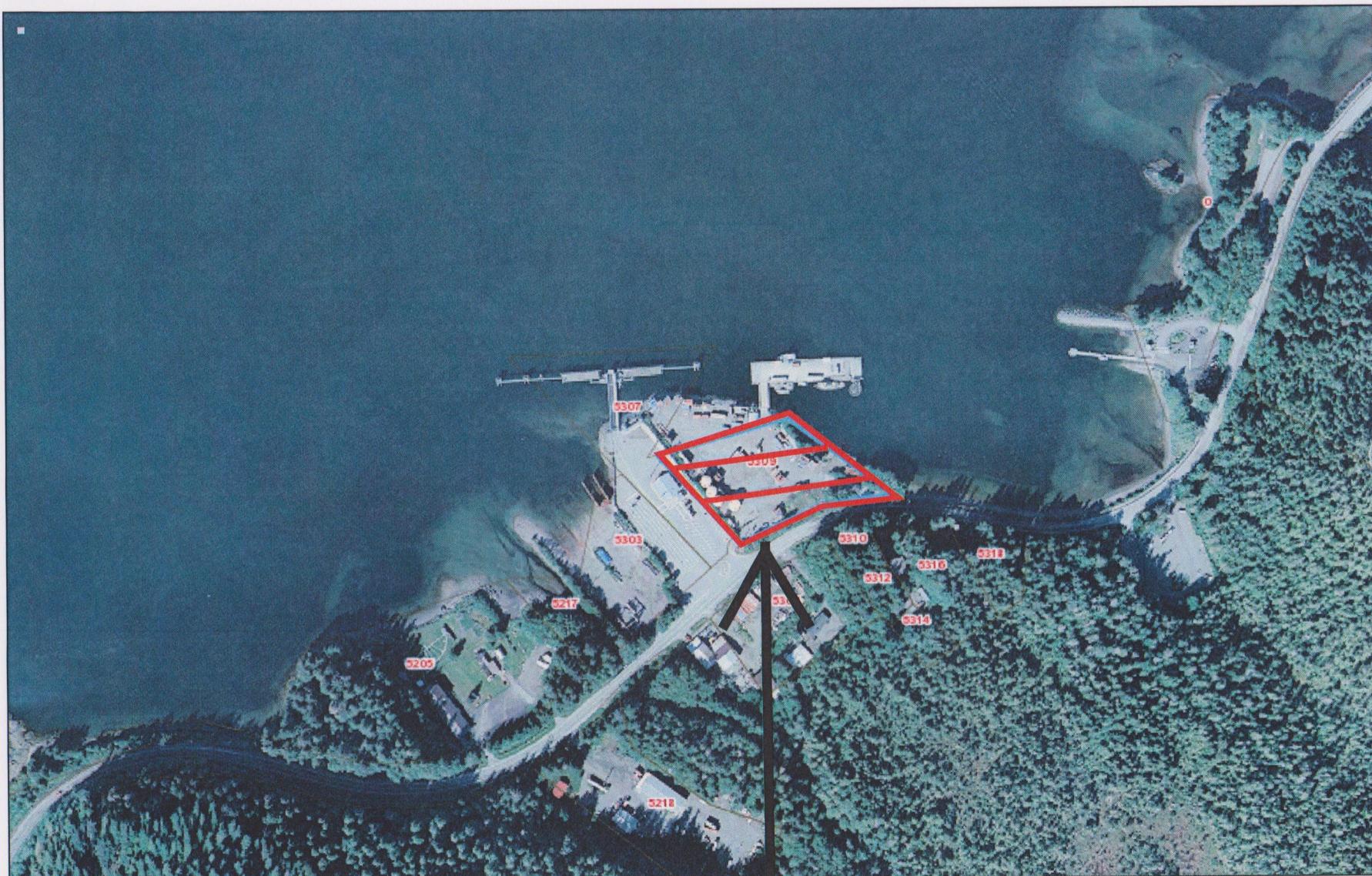


Delta Western

Conditional Use Permit Annual Review
5309 Halibut Point Road

3/28/2016



City & Borough of Sitka, Alaska

Selected Parcel: 5309 HALIBUT POINT ID: 26025000

Printed on 3/28/2016 from <http://www.mainstreetmaps.com/ak/sitka/internal.asp>

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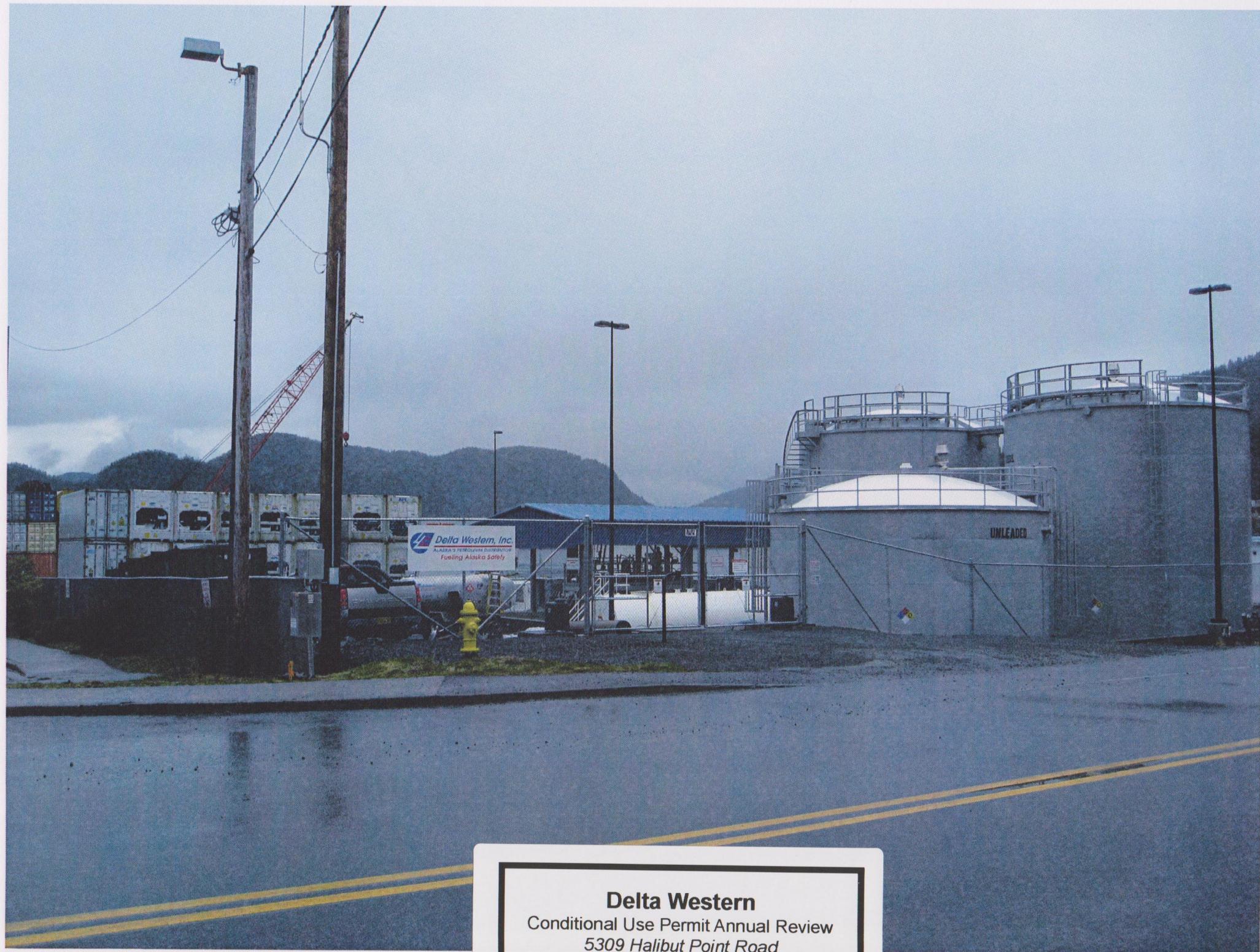


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Delta Western
Conditional Use Permit Annual Review
5309 Halibut Point Road







420 L Street, Ste. 101
 Anchorage, AK 99501
 Toll Free: (800) 478-2688
 Tel: (907) 276-2688
 Fax: (907) 276-3741

**Sitka Tank Farm Conditional Use
 Permit Review Narrative
 March 2016**

RECEIVED FEB 26 2016

Delta Western currently operates a Bulk Fuel Facility at 5309 Halibut Point Road in Sitka, Alaska. This bulk fuel facility in a waterfront district is operated under a conditional use permit per the Zoning Ordinance of the City and Borough of Sitka Alaska (Sitka Code) 22-24.010. The operations under this permit are up for review. The following narrative is required as part of that review.

Operations Description

The bulk fuel facility is operated by Delta Western, Inc. The property is located north of Halibut Point Highway on Portion Lot 5, U.S.S. 3670 in the City and Borough of Sitka (Plat No. 84-7). The address point is listed at 5309 Halibut Point Highway (parcel J.D. number 26025000). The property is zoned as a Waterfront district and is owned by Samson Tug and Barge.

The facility is used to store and distribute gasoline, aviation fuels, diesel, and heating oil to both residential and commercial locations. The distribution to these locations will be by truck delivery.

The facility is located adjacent to the Ferry Terminal. The site is also currently used as a shipping and storage yard for containers loaded onto and unloaded from barges docked at the adjacent terminal. The shipping operations are on the northeast portion of the site. The Container facility and the bulk fuel facility have separate entrances onto the property and are separated by a fence. Both facilities operate during regular business hours.

The fuel facility consists of 4 tanks capable of containing unleaded motor and diesel fuels, Aviations gasoline, and Jet fuel, a truck loading facility, the required containment for both, and a small office building to house monitoring equipment and emergency wash facilities. Two tanks have a 30-foot diameter and are 33 feet in height, one tank is 30-foot diameter and is 20 feet in height, and the fourth tank is a 10,000 gallon double wall horizontal tank. The tanks are separated from one another by a distance of at least 10 feet, from a building or public way by a distance of 25 feet, and 15 feet from a property line according to National Fire Protection Association (NFPA) 30

Flammable and Combustible Liquids Code and NFPA 30A Code for Motor Fuel Dispensing Facilities and Repair Garages. The truck loading facility is separated from the tanks, building, public way, and property lines by a distance of 25 feet for Class I liquids (unleaded motor fuel) and 15 feet for Class II liquids (diesel fuel).

The exterior of the tanks are painted grey. The containment area floor is ballasted membrane liner. The containment area walls are concrete and are at least six feet in height. Containment for the truck loading is concrete and has an overflow drain into the tank containment area.

Tank truck traffic to the bulk fuel facility consists of about four round-trips per day. All fuel trucks are operated by Delta Western. Two to four vehicles are stored on-site. Approximately once a month, the facility receives fuel from a barge moored at the adjacent terminal. Fuel transfer to/from the barge to/from the tanks requires the shipping yard to have minimal operations.

The facility is secured by gates at both entrances. Employees and users of the facility arrive in vehicles. The facility is for truck loading so parking is provided for employees only.

CITY AND BOROUGH OF SITKA
PLANNING DEPARTMENT
CONDITIONAL USE PERMIT APPLICATION

Conditional Use Permit FEE	\$100.00
plus current city sales tax	

APPLICANT'S NAME: Samson Tug & Barge, Inc.

PHONE NUMBER: 907-747-8559

MAILING ADDRESS: 329 Harbor Drive, Sitka, AK 99835

OWNER'S NAME: Samson Tug & Barge

(If different from applicant)

PHONE NUMBER: _____

MAILING ADDRESS: _____

PROJECT ADDRESS: _____

LEGAL DESCRIPTION

5309 Halibut Point Highway (Plat 84-7)

Lot: Portion Lot 5

Block: _____

Subdivision: U.S.S. 3670

U.S. Survey: _____ Zoning Classification: Waterfront

List specific request: See attached narrative

State all reasons for justifying request: See attached narrative

List all features and details of request: See attached narrative

State the schedule and timing of request: See attached narrative

Please attach drawings, maps, and additional narrative as appropriate.

The applicant must verify, to the satisfaction of the Public Works Department,
 that utility lines and services are not under proposed structures.

In applying for and signing this application, the property owner hereby grants permission to Municipal staff to access the property before and after Planning Commission's review for the purposes of inspecting the proposed and/or approved structures.

SIGNATURE OF APPLICANT: _____

Date: 7/23/13

SIGNATURE OF OWNER: _____

(If different from the applicant)

Date: _____

*Approval will be based on plans submitted
 or approved by the Planning Commission or Assembly.*

Samson Tug and Barge, Inc.

Conditional Use Permit
 5309 Halibut Point Road

**Sitka Tank Farm Conditional Use
Review Narrative
July 2013**

Request for Approval

We are requesting Conditional Use Plan Approval for the bulk fuel facility. A bulk fuel facility in a waterfront district requires a conditional use plan review per the Zoning Ordinance of the City and Borough of Sitka Alaska (Sitka Code) 22-24.010.

Site and Project Description

The proposed project is a new bulk fuel facility to be constructed and operated by Delta Western, Inc. The property is located north of Halibut Point Highway on Portion Lot 5, U.S.S. 3670 in the City and Borough of Sitka (Plat No. 84-7). The address point is listed at 5309 Halibut Point Highway (parcel J.D. number 26025000). The property is zoned as a Waterfront district and is owned by Samson Tug and Barge.

The proposed facility is located adjacent to the Ferry Terminal. The site is currently used as a shipping and storage yard for containers loaded onto and unloaded from barges docked at the adjacent terminal. The shipping operations will remain on the northeast portion of the site. The two uses will have separate entrances onto the property and will be separated by a fence. Both facilities operate during regular business hours.

The proposed fuel facility consists of tanks capable of containing unleaded motor and diesel fuels, Aviations gasoline, and Jet fuel, a truck loading facility, the required containment for both, and a small office building to house monitoring equipment and emergency wash facilities. There will be four tanks at full build-out. The first phase of construction is slated for. The tanks have a 30-foot diameter and are 33 feet in height. The tanks must be separated from one another by a distance of 10 feet, from a building or public way by a distance of 25 feet, and 15 feet from a property line according to National Fire Protection Association (NFPA) 30 *Flammable and Combustible Liquids Code* and NFPA 30A *Code for Motor Fuel Dispensing Facilities and Repair Garages*. The truck loading facility must be separated from the tanks, building, public way, and property lines by a distance of 25 feet for Class I liquids (unleaded motor fuel) and 15 feet for Class II liquids (diesel fuel).

The exterior of the tanks will be painted dark forest green, to be less obtrusive to neighbor's views. Existing vegetation will be retained between the roadway and the containment walls to help buffer views as well.

The containment area floor will be a ballasted membrane liner. The containment area walls are concrete and six feet in height. Containment for the truck loading will be concrete and will have an overflow drain into the tank containment area.

Traffic to the bulk fuel facility will increase traffic demands on Halibut Point Highway by approximately four round-trips per day. Fuel trucks will be provided by Delta Western. No vehicles will be stored on-site. Once a month, the facility will receive fuel from a barge moored at the adjacent terminal. Fuel transfer to/from the barge to/from the tanks will require shut down of shipping yard.

The proposed facility will be secured by gates at both entrances. Pedestrian access will not be necessary as employees and users will arrive in vehicles. The facility is for truck loading so parking will be provided for employees only.

A lease agreement between Samson Tug and Barge and Delta Western, Inc. is completed. The property will not be re-platted as part of the project work.

See the site plan for more information.

Schedule

A preliminary schedule is as follows:

Task Description	Start Date	Completion Date
Conditional Use Permitting	08/01/2013	10/12/2013
Survey and Geotechnical Investigation	Complete	
Design	Complete	
Earthwork and Paving	08/1/2013	09/30/2013
Tanks and Piping Work	10/1/2013	12/31/2013
Commissioning and Painting	Spring 2014	Spring 2014
System Operation	1/1/2014	1/7/2014

Consistency with the Goals, Policies, and Land Use Designations of the Comprehensive Plan

The 2001 City and Borough of Sitka Comprehensive Plan does not specifically address development of the proposed site. The property is zoned waterfront. Waterfront district uses are intended, whenever possible, to be water-dependent or water-related with particular emphasis on commerce, tourism, commercial or industrial enterprises which derive major economic or social benefit from a waterfront location. The bulk fuel facility is a commercial/industrial enterprise and does require a waterfront location. However, all fuel for the facility will be received by barge and barges are moored at the adjacent dock. Fuel operations would not be possible without access to the dock and the barges.

The facility is consistent with the following goals and objectives:

- *Diversifies local job base.* Bulk fuel is currently provided and marketed solely by one supplier. A new bulk fuel facility introduces competition. It also utilizes other local services, such as trucking, which will all be provided by a local third-party.
- *Access to resources necessary for community growth and well-being.* Fuels are necessary to a community's growth, providing jobs and necessary goods.
- *Provides goods and services locally.* The bulk fuel facility will provide fuel solely for use by the local community.
- *Complements existing economic activities.* A new bulk fuel facility introduces competition in the bulk fuels market, and eliminates the risks of having a single supplier.

Conformance to Title 22 Land Use Requirements

1. Lot Requirements

The minimum lot requirements in a waterfront district are a width of 60 feet and an area of 6,000 square feet (SF) (22.20.030). Portion Lot 5 exceeds the 60-foot minimum width requirements and has an area of approximately 83,635 square feet. The lease area for the bulk fuel facility will be approximately 150 feet by 180 feet, and 27,000 SF. The minimum lot requirements are met.

2. Yard Setbacks

The minimum yard requirements in a waterfront district are a front yard of twenty feet, a side yard of 10 feet, and a rear yard of 5 feet. Bulk fuel facility setback requirements exceed the minimum waterfront yard requirements. As such, the minimum yard requirements are met.

3. Lot Coverage

The maximum lot coverage allowed in a waterfront district is unrestricted, except for setback areas (22.20.030). The existing facility exceeds the required setback areas so the maximum lot coverage requirement is met.

4. Maximum Height

The maximum height allowed in a waterfront district for a principal structure is 40 feet and for an accessory structure is 16 feet (22.20.030). The tanks are 33 feet in height. The truck loading facility will have a canopy that is approximately 20 feet in height. The single-story office building will be less than 16 feet in height. As such, the maximum height requirements are met.

5. Parking

Parking is to be provided per 22.20.100 requirements. For industrial uses, one spaces is required for each four hundred square feet of gross floor area or for every three employees, depending on the nature of the establishment and the necessity for loading or other facilities (22.20.1 OO.G.13).

Truck loading requires two employees. The total required parking is one space; two spaces are provided. As such, the parking and circulation requirements have been met for the site.

6. Loading

A loading berth is not required based on the nature of the facility. Fuels are stored in above-ground tanks. Fuel will be transferred from a barge moored at the adjacent dock with barge provided hoses. No other materials are stored on or required for the facility.

7. Landscaping/Fences

No landscaping is required. However, existing vegetation will be retained along Halibut Point Road to provide a buffer.

Fences in public, commercial, and industrial districts may be no greater than 20 feet in height (22.20.070). There is no height limitation listed for fences in a waterfront district. The fence around the bulk fuel facility will be 8-foot high chain link.

8. Paving and Drainage

The driveway connections to Halibut Point Highway will be paved. The rest of the drives will be gravel (D-1). Provisions shall be made to prevent contamination of the domestic water supply, adjacent lands, and nearby water bodies.

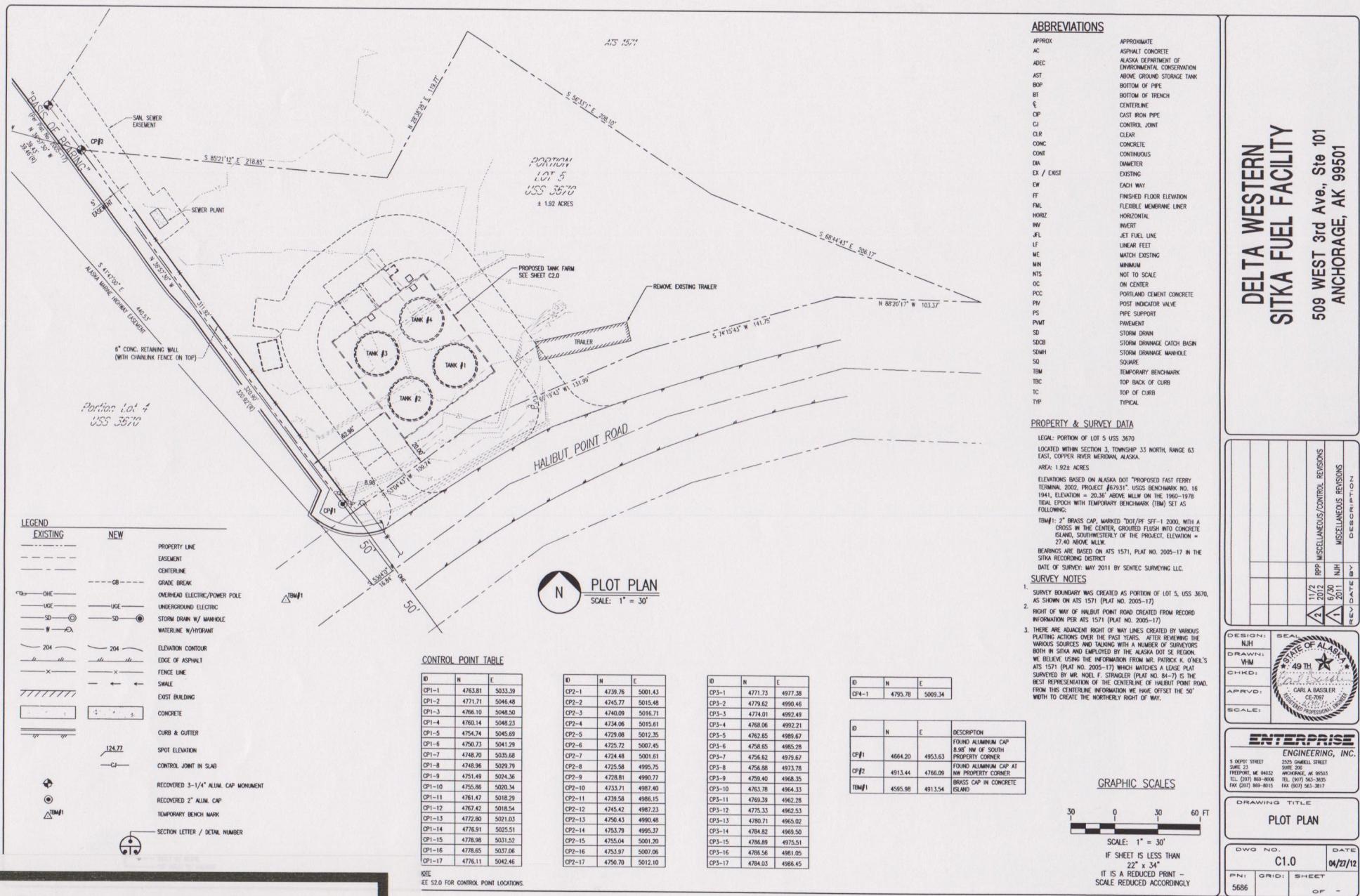
The truck loading area will be concrete. The rest of the site will be gravel. Containment areas are provided per NFPA 30 and 30A to protect against spills or leaks. Therefore, it is not anticipated that the project site would contaminate any domestic water supply, adjacent property, or nearby water body.

Effects on the Area Surrounding the Site

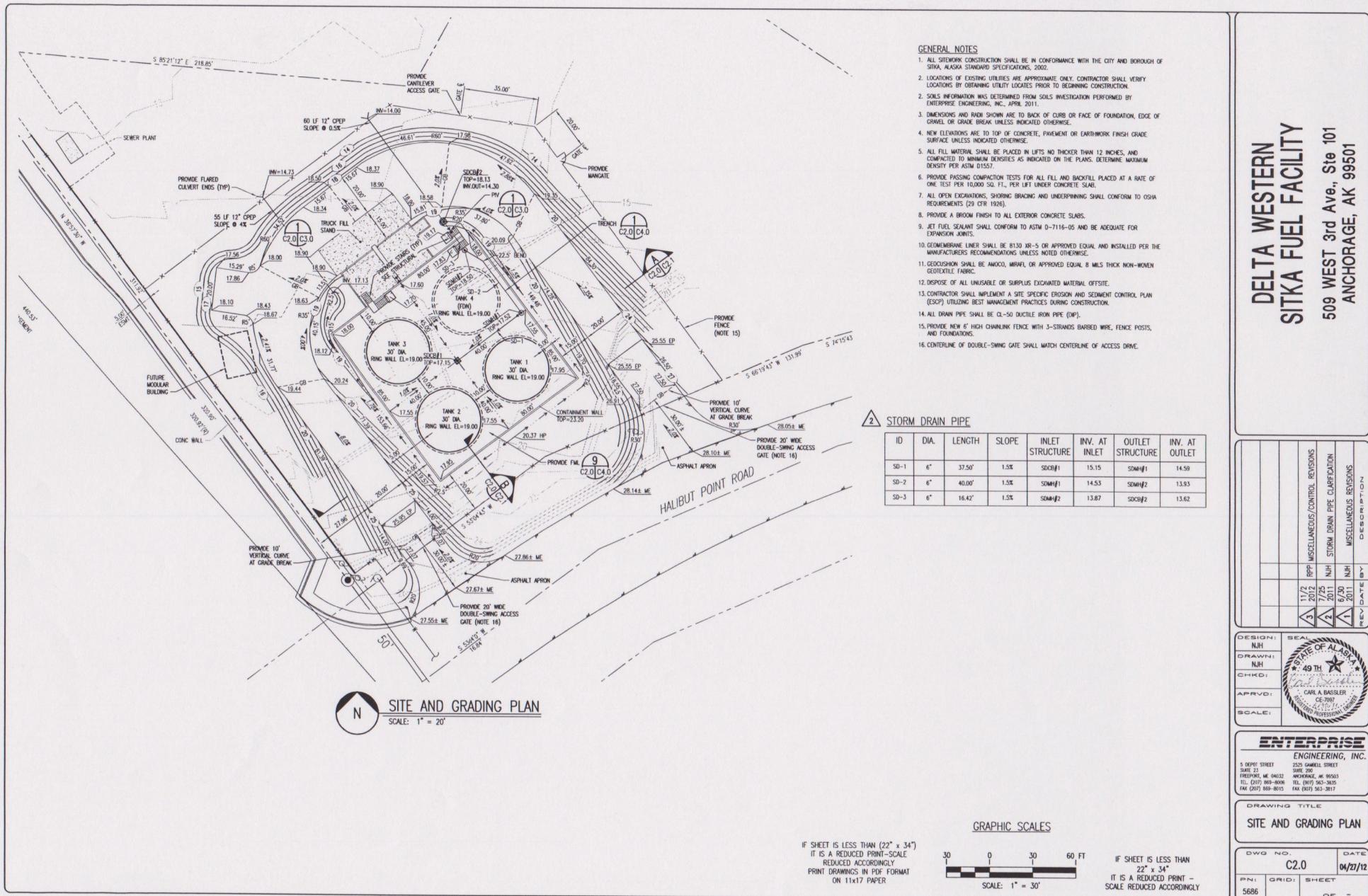
The proposed bulk fuel storage facility is not anticipated to have any adverse effect on the area surrounding the site. The proposed land use and the facility design are compatible with the adjacent uses and land use plans for the area. The site is located within/around other industrial uses.

- **Pedestrian and vehicular traffic circulation and safety.** The proposed facility is not expected to generate high levels of traffic due to the relatively small staff and the nature of the facility. Access to the site will be off of Halibut Point Highway, the same as existing traffic patterns.
- **The demand for and availability of public services and facilities.** Public water and sewer are available adjacent to the site and will be extended to the small office building. The facility's demand for water and sewer are not expected to adversely impact municipal water supplies or sewer treatment capacity.
- **Noise, air, water, or other forms of environmental pollution.** The facility is not expected to generate noise emissions that would adversely affect surrounding land uses. There could be vapors released during barge lightering and truck loading operations. These vapors will be minimized by the pressure vacuum installed on the tanks. Site drainage is contained and infiltrated on site. Existing vegetation will be retained along Halibut Point Highway to provide a buffer. Access is from Halibut Point Highway only, as stated above. The site has been designed to be compatible with the surrounding development in the vicinity.
- **Maintenance of compatible and efficient development patterns and land use intensities.** A bulk fuel storage facility is compatible with the surrounding development because it is located near other industrial uses. The adjacent uses are not attracting pedestrian traffic, which is consistent with the use of the bulk fuel storage facility. There is a demand for the use.

Overall, the proposed facility is compatible with the surrounding area and complies with the design guidelines developed for a bulk fuel storage facility.



Samson Tug and Barge, Inc.
Conditional Use Permit
5309 Halibut Point Road



PLAT 84-7

Delta Western
Conditional Use Permit Annual Review
5309 Halibut Point Road



City & Borough of Sitka, Alaska

Selected Parcel: 5309 HALIBUT POINT ID: 26025000

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Delta Western
Conditional Use Permit Annual Review
5309 Halibut Point Road



City & Borough of Sitka, Alaska

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Delta Western
Conditional Use Permit Annual Review
5309 Halibut Point Road

Parcel ID: 26004000
C/B OF SITKA
C/B OF SITKA
100 LINCOLN ST
SITKA AK 99835

Parcel ID: 26010000
ALLEN MARINA, LLC
ALLEN MARINE, LLC
P.O. BOX 1049
SITKA AK 99835-1049

Parcel ID: 26015000
ALLEN PROPERTIES, LLC
ALLEN PROPERTIES, LLC
P.O. BOX 1049
SITKA AK 99835-1049

Parcel ID: 26016000
STATE OF ALASKA
FERRY TERMINAL
STATE OF ALASKA
6860 GLACIER HWY
JUNEAU AK 99801

Parcel ID: 26025000
SAMSON TUG & BARGE CO., INC
SAMSON TUG & BARGE CO.
P.O. BOX 559
SITKA AK 99835-0559

Parcel ID: 26035001
BRYANNA GRAHAM
GRAHAM, BRYANNA, M.
5316 HALIBUT POINT RD
SITKA AK 99835

Parcel ID: 26035003
ARYEH/KAY LEVENSON
LEVISON, ARYEH, L/KAY, L.
11600 MOOSE RD
ANCHORAGE AK 99516-2477

Parcel ID: 26035004
ARYEH/KAY LEVENSON
LEVISON, ARYEH, L/KAY, L.
11600 MOOSE RD
ANCHORAGE AK 99516-2477

Parcel ID: 26040000
JACK/TRACY ALLEN
ALLEN, JACK, S./TRACY, S.
P.O. BOX 1352
SITKA AK 99835-1352

P&Z Mailing
April 8, 2016

Delta Western
Conditional Use Permit Annual Review
5309 Halibut Point Road

ORDER NO: 93-S-2384

BOOK 103 PAGE 14
Sitka Recording District

RETURN TO:

GRANTEE
132 LINCOLN ST
SITKA, AK 99835QUIT CLAIM DEED

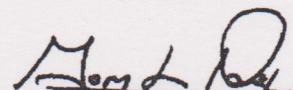
The Grantor, the CITY & BOROUGH OF SITKA, 304 Lake Street, Sitka, Alaska, 99835, in consideration of the sum of Ten Dollars and other valuable consideration, hereby conveys and quit claims to SAMSON TUG & BARGE CO., INC, 132 Lincoln Street, Sitka, Alaska, 99835 the following designated property:

9.3-1.3.1.2 Description: A 1.92 Acre portion of Lot 5, United States Survey 3670, as shown on the property lease plat recorded as Plat 84-7, ¹⁵⁰⁰ Sitka Recording District, First Judicial District, State of Alaska.

RECORDED-FILED
SITKA REC.
DISTRICT

DATED this 17 day of June, 1993, at Sitka, Alaska.

REQUESTED BY SITKA
ADDRESS Sitka


Gary L. Paxton
Administrator

STATE OF ALASKA)
FIRST JUDICIAL DISTRICT)
: ss. Municipal Acknowledgment

THIS CERTIFIES that on this 17 day of June, 1993 before me, a Notary Public in and for the State of Alaska, personally appeared GARY L. PAXTON to me known and known to me to be the person whose name is subscribed to the foregoing deed, and after being first duly sworn according to law, he stated to me under oath that he is the Administrator of the City and Borough of Sitka, Alaska a corporation organized under the laws of the State of Alaska, that he has been authorized by said corporation to execute the foregoing deed on its behalf and he executed the same freely and voluntarily as the free act and deed of said corporation.

WITNESS my hand and official seal the day and year in this certificate first above written.



Notary Public for Alaska
residing at Sitka, Alaska
Commission expires 8-9-95