

Planning Commission Minutes
August 10, 2023

(The agenda was filed with the City Clerk of The City of Oklahoma City at 8:00 a.m. on August 7, 2023)

3. (SP-577) Application by Shane LaBeth, for a Special Permit to operate a Use Unit 8350.1 Aboveground Flammable Liquid Storage: General in the I-2 Moderate Industrial and AE-1 Airport Environs Zone One Overlay Districts, located at 6200 Air Cargo Road. Ward 3.

The applicant was present. There were no protestors present.

RECOMMENDED APPROVAL.

MOVED BY MEEK, SECONDED BY PRIVETT

AYES: CLAIR, POWERS, MEEK, PRIVETT, NEWMAN, GOVIN, PENNINGTON,
NOBLE, LAFORGE



STAFF REPORT
The City of Oklahoma City
Planning Commission
August 10, 2023

Item No. IV. 3.

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I. GENERAL INFORMATION

A. Contacts

Applicant

Shane LaBeth
(405) 609-6161
slabeth@ca-ok.com

B. Case History

This is a new application.

C. Reason for Request

The purpose of this request is to permit the installation of one (1) 20,000-gallon aboveground fuel storage tank within a pre-existing enclosure where higher capacity tanks have been removed.

D. Existing Conditions

1. Comprehensive Plan Land Use Typology Area: Urban: Low Intensity (UL)

Urban – Low Intensity applies to the least intensively developed areas of the city that still receive urban water, sewer, police, park and fire services. Development in this area should provide horizontal integration of land uses, connectivity within and between individual developments, and design that facilitates pedestrian and bicycle transportation.

Comprehensive Plan Land Use Typology Area: Heavy Industrial (HI)

The HI layer is intended to accommodate industrial uses that are difficult to integrate with less intense uses due to negative impacts from heavy traffic, noise, or odors. This designation simultaneously concentrates heavy industrial users away from existing or future neighborhoods while preserving prime land that has attributes crucial to industrial businesses, such as proximity to highway and rail access. Small-scale industrial, office, or commercial development may be appropriate provided that it supports or buffers industrial uses and does not restrict future industrial development by fragmenting parcels.

2. Size of Site (5.3 Acres)

3. Zoning and Land Use

	Subject Site	North	East	South	West
Zoning	I-2 / AE-1	I-2 / AE-1	I-2 / AE-1	I-2 / AE-1	I-2 / AE-1
Land Use	Airport	Airport	Airport	Airport	Airport

II. APPLICANT’S PROGRAM DESCRIPTION

Not applicable

III. GENERAL STANDARDS

All special permit uses shall satisfy the following general standards:

- 1) The proposed use shall conform to the policies of the adopted Comprehensive Plan.
- 2) The proposed use shall not adversely affect the use of the neighboring properties.
- 3) Pedestrian and vehicle traffic generated will not be hazardous or in conflict with the existing and anticipated traffic in the neighborhood.
- 4) Adequate utility, drainage, parking, loading, signs, access, and other necessary public facilities to serve the proposed use shall meet the adopted codes of the City.
- 5) The site shall front or have direct access to a street having adequate right-of-way and improvements to support the traffic generated by the proposed use.
- 6) The City Council may impose specific conditions regarding location, design, and operation to assure safety, to prevent a nuisance, and to control the noxious effects of excessive sound, light, odor, dust, or similar conditions. Such conditions may include:
 - a. A requirement that all machinery and facilities be located within an enclosed building; or
 - b. A requirement that certain areas be screened from view of surrounding neighborhoods; or

- c. A limitation on intensity of lights or hours of operation; or
- d. Similar measures designed to protect the public interest.

IV. ADDITIONAL SPECIFIC STANDARDS

- A. The site shall be at least five acres in size.

Lease site is 5.31 acres of an airport total acreage of 1,143 acres.

- B. No aboveground storage tank use shall be permitted within 1,000 feet of a residential zoning district or use, except that a caretaker's or watchman's house shall be exempt from this restriction.

There are no known residential uses within 1,000 feet of the proposed location.

- C. The setback line for any aboveground storage tank shall be not less than 100 feet from any lot line or greater if determined necessary by the City Council.

Proposed location is greater than 100-feet from Airport property lines.

- D. A chain-link fence or noncombustible wall eight feet in height from finished grade shall be provided around the use. Signs warning of the potential hazard, no less than four square feet in area, shall be posted along the fence at no less than 200-foot intervals.

The proposed site plan indicates pre-existing chain link fencing and signage to remain.

- E. Diking around any storage area, to a minimum height for containment of complete spillage from the largest tank(s), must be constructed.

Secondary containment is proposed as 8" wide by 22" high concrete curbing.

- F. These aboveground tank(s) must be used only for wholesale sales distributors and/or for use in vehicles owned by the owner of the tank(s).

Fuel will be dispensed to tenant-owned fleet.

- G. All flammable liquid storage must meet all requirements of the Oklahoma City Fire Department plus all state and federal air and water quality and/or protection standards. Such storage will be limited to Class I and II rated motor fuels only.

Code conformance review will occur as part of the Building Permit review.

V. REVIEW COMMENTS

This application was submitted to the following agencies, departments, and/or divisions for review and comment. An asterisk * indicates that the agency, department, and/or division responded with no adverse comments.

A. Outside Agencies

- 1. Oklahoma City-County Health Department (OCCHD)**
- 2. Oklahoma City Urban Renewal Authority (OCURA)**
- 3. Oklahoma Gas and Electric (OGE)**
- 4. Oklahoma Water Resources Board (OWRB)**
- 5. School District (Western Heights)**
- 6. Oklahoma Department of Transportation (ODOT)**

B. City Departments

- 1. Airports – See attached letter.**
- 2. Central Oklahoma Transportation and Parking Authority (COTPA)**
- 3. Fire**
- 4. Information Technology/Geographic Support**
- 5. Parks and Recreation**
- 6. Police**
- 7. Public Works**
 - a. Engineering**

Storm Sewer Availability *

8. Streets, Traffic and Drainage Maintenance

9. Stormwater Quality Management

10. Traffic Management

11. Utilities

a. Wastewater Comments *

b. Water Comments *

c. Solid Waste Management

12. Development Services

13. Planning *

IV. STAFF RECOMMENDATION

Staff recommendations are advisory only and do not constitute Planning Commission decisions. Staff recommendations are based on a technical evaluation of information submitted at the time of review. Planning Commission decisions require a vote of five members to approve or deny an item. The Planning Commission may consider in its decision-making process any additional relevant information presented at the public hearing by the public, applicant, and/or City departments.

Approval of the application.

taj



March 31, 2023

Devon Realty Advisors, LLC
333 West Sheridan Avenue
Oklahoma City, OK 73102

RE: Above ground fuel storage tank for Devon Realty Advisors

To Whom it May Concern:

We have received Devon Realty Advisors, LLC (“Devon”) request for consent and approval of the installation of one (1) 20,000-gallon aboveground storage tank (“AST”) and associated fueling equipment on your leased premises at Will Rogers World Airport.

The Oklahoma City Airport Trust (“OCAT”) owns an existing facility at this location but allows Devon the use of the existing fuel facility. The current facility has an AST with a capacity that exceeds the requested amount. However, the airport’s current fuel facility is planned to be decommissioned in the next few months. It is our understanding that once OCAT’s existing fuel tank is decommissioned, Devon would like to install the new 20,000 fuel storage tank in the same location as the current fuel facility.

On behalf OCAT and as the Director of Airports, the Trust consents to and approves of the installation, by Devon, of a new 20,000 gallon above ground storage tank in the agreed location following the removal of the current fuel storage facility. Upon receiving all the necessary City approvals and permits, a separate Notice of Authorization will be issued to commence the installation.

If you have any questions, please do not hesitate to reach out to me.

Sincerely,

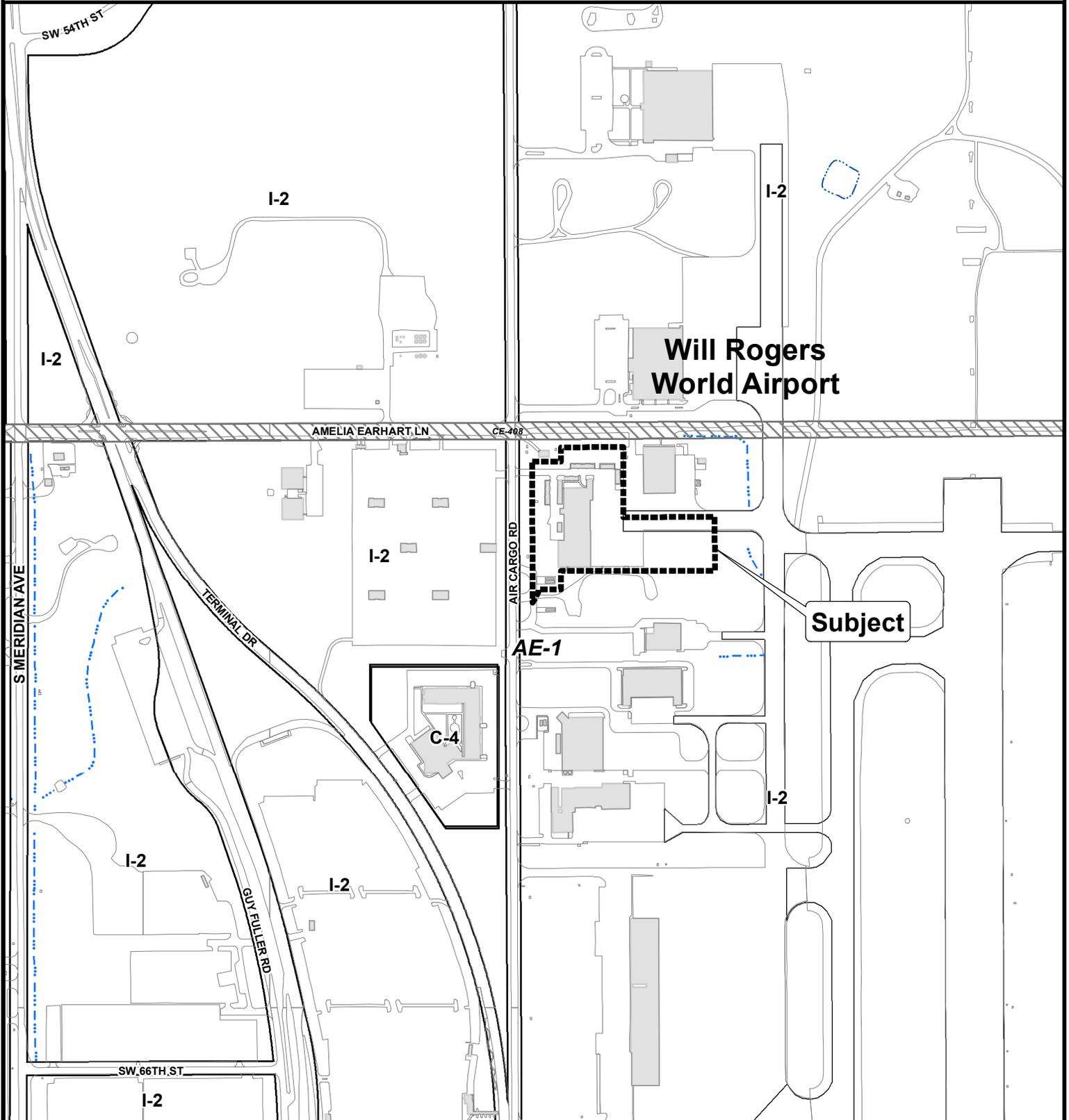
Jeff Mulder
Director of Airports and
General Manager of the Oklahoma City Airport Trust



Case No: SP-577 Applicant: Shane Labeth

Address: 6200 Air Cargo Rd. Present Zoning: I-2 / AE-1

Proposed Use: Airport Hangar with above ground fuel tank



Note: "Subject" is Located approximately 2,004' South of SW 54th St.



The City of
OKLAHOMA CITY

Special Permit Application



0 250 500 Feet

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Subject

Aerial Photo from 2/2022

Note: "Subject" is Located approximately 2,004' South of SW 54th St.



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0 250 500 Feet