



STAFF REPORT
The City of Oklahoma City
Planning Commission
June 12, 2025

Item No. IV. 22.

(PUD-2073) Application by La Finca Ranch, LLC to rezone 8724 NE 122nd Street from AA Agricultural District to PUD-2073 Planned Unit Development District. Ward 7.

I. GENERAL INFORMATION

A. Contacts

Applicant's Representative

David Box
Box Law Group, PLLC
405-652-0099
david@boxlawgroup.com

B. Case History

This is a new application.

C. Reason for Request

The purpose of this application is to allow a single-family residence, and agricultural/commercial development, specifically a landscaping business.

D. Existing Conditions

1. Size of Site: 10 Acres

2. Zoning and Land Use

	Subject Site	North	East	South	West
Zoning	AA	AA	AA	AA	AA
Land Use	Undeveloped	Residential	Residential	Undeveloped	Undeveloped

3. Comprehensive Plan Land Use Typology Area: Rural – Low Intensity (RL)

Rural – Low Intensity applies to areas where large-lot neighborhoods and residential acreages/estates may remain with no expectation of urbanization or provision of urban infrastructure such as water or sewer. RL areas are predominantly composed of residential and agricultural uses but may support commercial and light industrial uses provided they do not negatively impact the rural residential character.

II. SUMMARY OF PUD APPLICATION

8.1 USE AND DEVELOPMENT REGULATIONS

The use and development regulations of the **AA Agricultural District** shall govern this PUD, except as herein modified.

In addition to all uses permitted under the AA District, the following uses shall also be permitted:

- 8300.1 Administrative and Professional Office [Limited to landscape company operations]
- 8300.4 Agricultural Supplies and Services
- 8300.21 Automotive and Equipment: Storage [Limited to landscape company vehicles]
- 8300.23 Building Maintenance Services [Limited to landscape company services]
- 8150.7 Horticulture
- 8300.54 Outdoor Sales and Display, and Outdoor Storage [Limited to landscape company uses]
- 8350.15 Wholesaling, Storage and Distribution: General [Limited to landscape company uses]

9.0 SPECIAL CONDITIONS

The minimum lot size within this PUD shall be 4 acres. In addition, the following special conditions shall be made a part of this PUD:

9.1 FAÇADE REGULATIONS

Exterior building wall finish on all structures shall consist of a minimum 70% brick veneer, masonry, rock, stone, stucco, architectural metal, wood, or other similar type finish. No more than 30% EIFS (Exterior Insulation Finish System) shall be permitted. Exposed metal or exposed concrete block buildings shall not be permitted.

9.2 LANDSCAPING REGULATIONS

The subject parcel shall meet all requirements of the City of Oklahoma City's Landscaping Ordinance in place at the time of development. Existing healthy and mature trees shall be preserved to the greatest extent possible. There shall be a 50-foot landscape buffer along the east PUD boundary lines.

9.3 LIGHTING REGULATIONS

The site lighting in this PUD shall be in accordance with Chapter 59, Article XII, Section 59-12350 of the Oklahoma City Municipal Code, 2020, as amended.

9.4 SCREENING REGULATIONS

Screening shall be in accordance with the base zoning district.

9.5 SUBDIVISION REGULATIONS

Subdivision shall conform to the Oklahoma City Subdivision Regulations, as amended.

9.6 DRAINAGE REGULATIONS

Development of this parcel will comply with Chapter 16 of the Oklahoma City Municipal Code, 2020, as amended.

9.7 DUMPSTER REGULATIONS

Dumpsters shall be located within an area screened by a fence or masonry wall of sufficient height that screens the dumpster from public streets and residences and shall be placed no closer than 50 feet from all property lines adjacent to residential zoning district or use.

Trash collection facilities in this PUD shall be in accordance with Chapter 49 of the Oklahoma City Municipal Code, 2020, as amended.

9.8 ACCESS REGULATIONS

Access must be taken from NE 122nd St. from an access drive located on the west half the property.

9.9 PARKING REGULATIONS

The design and number of all parking facilities in this PUD shall be in accordance with Chapter 59, Article X of the Oklahoma City Municipal Code, 2020, as amended.

9.10 SIGNAGE REGULATIONS

All signage within this PUD shall be in accordance with the base zoning district regulations.

9.11 ROOFING REGULATIONS

Each structure in this PUD shall have Class C roofing or better.

9.12 SIDEWALK REGULATIONS

Sidewalks shall not be required within this PUD.

9.13 HEIGHT REGULATIONS

The base zoning district regulations shall regulate heights of structures in this PUD.

9.14 SETBACK REGULATIONS

Unless modified herein, yard requirements in this PUD shall be the same as the base-zoning district, except the east setback shall be 50 feet and trees preserved within the setback.

9.15 PUBLIC IMPROVEMENTS

Public improvements shall be made by the property owner throughout the PUD as required by the City of Oklahoma City Public Works Department or other City, County, or State Department or agency. All Local, State, and Federal ordinances as they shall apply to the site will be adhered to fully.

9.16 COMMON AREAS

Maintenance of the common areas, private drainage easements, private drives and islands / medians in the development shall be the responsibility of the property owner or Property Owners Association. No structures, storage of material, grading, fill, or other obstructions, including fences, either temporary or permanent, that shall cause a blockage of flow or an adverse effect on the functioning of the storm water facility, shall be placed within the common areas intended for the use of conveyance of storm water, and/or drainage easements shown. Certain amenities such as, but not limited to, walks, benches, piers, and docks, shall be permitted if installed in a manner to meet the requirements specified above.

9.17 SPECIFIC PLAN

A specific plan shall be required for commercial development.

10.0 DEVELOPMENT SEQUENCE

Developmental phasing shall be allowed as a part of the development of this PUD.

11.0 EXHIBITS

The following exhibits are hereby attached and incorporated into this PUD. These exhibits are:

Exhibit A - Legal Description

Exhibit B - Conceptual Master Development Plan / Topography Map

III. 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 Natural Gas (ONG):**
- 5. Oklahoma Water Resources Board (OWRB):**
- 6. School District(s): (Jones)**
- 7. Oklahoma Department of Transportation (ODOT):**

B. City Departments

- 1. Airports: ***
- 2. Central Oklahoma Transportation and Parking Authority (COTPA):**
- 3. Fire (OCFD): no objection-water tank will be required for firefighting supply**
- 4. Information Technology/Geographic Support (IT/GIS):**
- 5. Parks and Recreation:**
- 6. Police (OCPD):**
- 7. Public Works:**

a. Engineering

Storm Sewer Availability

- 1) The Public Works Engineering staff has reviewed the subject application. All development, new construction, and/or substantial improvements planned within the proposed area shall be subject to the applicable requirements of the Oklahoma City Municipal Code, as amended.
- 2) Storm sewers, in accordance with the City of Oklahoma City's Drainage Ordinance, will be required. For developments abutting section line roads where rainfall-runoff exceeds the capacity of the City of Oklahoma City's standard ditch detail, the installation of enclosed storm sewers and/or concrete channels will be necessary. These improvements must be positioned to provide a minimum clearance of 35 feet

from the centerline of the section line road. Concrete channels must be located entirely outside the public right-of-way.

- 3) A flood/drainage study will be required to establish finished floor elevations, common lot areas, and private drainage easements. This study must be reviewed and approved by the Public Works Department.
- 4) Plans for drainage improvements within private drainage easements and/or common areas must be submitted for review. Building permits will not be issued until construction is complete. For subdivisions abutting a stream, private drainage easements and/or common areas along the stream must, at a minimum, encompass the entire FEMA-mapped Zone AE and floodway within the limits of the development.
- 5) Maintenance of the common areas, private drainage easements, and islands/medians shall be the responsibility of the Property Owners Association and/or the adjacent property owners. No structures, storage of material, grading, fill, or other obstructions, including fences, either temporary or permanent, that shall cause a blockage of flow or an adverse effect on the functioning of the storm water facility, shall be placed within the drainage related common areas and/or drainage-easements shown. Certain amenities such as, but not limited to, walks, benches, piers, and docks, shall be permitted if installed in a manner that meets the requirements specified above.
- 6) Drainage easements shall be clearly designated as either public or private in the owner's dedication, on the plat, and/or in the plat notes.
- 7) Sediment and erosion control measures shall be provided for any construction in accordance with Oklahoma Statutes Title 27A, OAC 606 - OPDES Standards, and the City of Oklahoma City Municipal Code, as amended.

A City of Oklahoma City Land Disturbance Permit and an ODEQ Construction Permit are required for land disturbance activities exceeding one (1) acre, as specified by the above-referenced regulations. Additionally, a City of Oklahoma City Land Disturbance Permit is required for any construction activity, regardless of the amount of land disturbed, unless exempt under the ordinance.

- 8) Sidewalks shall be installed for all new construction in accordance with the Municipal Code. Any new sidewalks or repair/replacement of existing sidewalks shall be provided in accordance with the City of Oklahoma City Municipal Code and ADA requirements at the time of construction.
- 9) All private roads and streets shall have a private storm sewer system.

b. Stormwater Quality Management

c. Traffic Services *

8. Utilities

a. Solid Waste Management

- 1) The City cannot service commercial locations. For residential customers, will have to bring their carts to the main street, NE 122nd St., for pick up.

b. Water Availability

- 1) No water service is available for proposed development, private on-site water system is required. The developer must provide a water distribution system that is capable of supplying water to each lot or tract within the development in accordance with ODEQ and OWRB. Well permits must be obtained from OWRB and a copy of the permit must be filed with the Utilities Department. No private water source or groundwater source may be connected to any service or system connected to the City water system.

c. Wastewater Availability

- 1) No public wastewater service is available for the development. A private on-site wastewater disposal system is required in accordance with ODEQ rules and regulations. Applicants is responsible for obtaining all required City and ODEQ Permits. On-site wastewater disposal system must be installed by an ODEQ certified installer and inspected by ODEQ.

9. Planning

a. Comprehensive Plan Considerations

1) LUTA Development Policies:

Site Design:

- Design new buildings to compliment the character of surrounding areas and not detract from the open character of the landscape.
- Utilize Best Management Practices (BMP) for stormwater whenever possible.

National, state, and local permitting require basic best management practices for stormwater management.

Location: Support limited amounts of commercial in rural areas appropriate to the needs of rural residents and passersby. Commercial uses in rural areas should be located in small clusters either on uninterrupted arterials or at freeway interchanges. *The subject site is located along the south side of NE 122nd Street, an arterial street in the Rural Low Intensity LUTA.*

Density: The Rural Low LUTA outlines a minimum lot size of 5 acres (gross density of 0.2 du/acre) for residential. *The PUD proposes utilizing the base AA District, including the allowance of single-family residential and uses necessary for a landscaping company. The base AA District allows 1 dwelling unit per 5*

acres. The PUD proposes a minimum lot size of 4 acres. The conceptual plan illustrates structures affiliated with a landscaping company fronting NE 122nd Street, with one single-family residence at the rear of the site.

- 2) **Compatibility:** The comprehensive plan includes a land use compatibility matrix used to identify potential conflicts between major land use categories. When locating the proposed uses adjacent to existing Agricultural or Residential uses or zoning, “Building Scale and Site Design”, “Traffic”, and “Operational Impact” are potential compatibility issues identified by the comprehensive plan.

Building Scale and Site Design: The comprehensive plan calls for mitigation measures for new projects if the setbacks are significantly deeper or more shallow than the predominant character of adjacent development; the building’s orientation to the street differs from the predominant character of adjacent development; building size or street frontage dramatically differs from that of adjacent uses, the lot coverage (including buildings and paved areas) dramatically exceeds that of adjacent uses, or if buildings within 40 ft. of a single-family residential structure exceed a 3:1 ratio in height. *The PUD proposes an AA base and includes uses necessary for the proposed landscaping company. The PUD maintains the base AA District setbacks on the north, south, and west, but requires a 50-foot setback and tree preservation on the east. The PUD utilizes the base AA District for maximum building height.*

Traffic: Mitigation measures should be used if the development is inconsistent with the Street Typology or would substantially exceed the average daily traffic of existing, adjacent uses. *The subject site is located along the south side of NE 122nd Street, an arterial street in the Rural Low Intensity LUTA.*

Operational Impact: The comprehensive plan calls for mitigation measures if new projects propose uses that generate noise levels above those found in typical residential settings, have detectable odors, spill light above that found in typical residential settings, or operate after 10 p.m. within proximity to residential uses. When located near residential uses, the comprehensive plan calls for containing operating effects (including noise and odor) within building walls, using vertical screening to block any mechanical equipment and service areas, and directing light away from adjacent residential areas. *Some of the proposed uses may create noise, spill light, or detectable odors above those found in typical residential settings. Abutting land to the south and west is undeveloped. Land to the east is developed with single-family residential development. The PUD offers mitigation by requiring a 50-foot landscape buffer along the east boundary, with healthy, mature trees preserved to the greatest extent possible. If approved, staff suggests ‘flipping’ the design so the home would be on the north half of the site with the business to the rear and accessed from the west side of the property.*

- 3) **Service Efficiency:**

- Water: *Not Served*
- Sewer: *Not Served*
- Fire Service: *Longer Than Rural Response*

4) Environmentally Sensitive Areas: The following apply to the proposed development site:

- Riparian Areas: N/A
- Upland Forests: The subject area is within the upland forest ESA. The comprehensive plan directs to preserve the Cross Timbers and upland forests, including native understory, to the maximum extent practical. When new-growth or re-growth upland forest trees are removed during construction, trees and other native plants should be replanted on-site. New trees should be planted in clusters that mimic the original tree canopy. The comprehensive plan defines mitigation hierarchy in the following priority: 1) Avoidance and minimization, 2) Restoration, 3) Offset. *Upland Forest is present on the subject site. When 60% or less of the site is covered, the plan has a preservation goal of 100%. The PUD regulations require a 50-foot landscaping buffer along the east boundary, with healthy, mature trees preserved to the greatest extent possible.*
- Vulnerable Aquifers: The aquifer in this area is considered highly vulnerable to depletion. The comprehensive plan recommends preserving natural open spaces and utilizing low impact development techniques whenever possible in new developments in order to maintain water quality and allow for the infiltration of stormwater onsite. Low impact development techniques include, but are not limited to, using pervious surface materials wherever possible for the construction of driveways, parking areas, sidewalks, patios, etc., to promote increased water percolation and infiltration.

5) Transportation System: This site is located along the south side of NE 122nd Street, a Minor Arterial Street in the Rural Low LUTA. Transit (bus) service is not available nearby. According to Streetlight data, last collected in 2022, NE 122nd Street had 618 average daily trips, with a capacity of 10,000.

6) Other Development Related Policies

- Ensure that development in rural areas is consistent with local design and scale and does not detract from the open character of the landscape. (SU-45)
- Support limited amounts of commercial (one to two acres per use) in rural areas appropriate to the needs of rural residents. Commercial uses in rural areas should be located in small clusters either on uninterrupted arterials or at freeway interchanges. (SU-46)
- Preserve overall landscape character and natural landforms (rolling hills, native vegetation, etc.) to the greatest extent possible. (G-4)
- Incorporate natural features (such as ponds, lakes, streams, rock outcroppings, stands of mature trees, and/or sizable individual trees) into the design of all residential, commercial, and industrial projects rather than eliminating, hiding, or limiting access to those features. (E-31)
- Preserve mature, healthy trees and incorporate them into the design of new development or redevelopment projects to the greatest extent possible. (G-26)
- Limit driveways on arterials and collectors and increase connections between uses to improve safety and traffic efficiency. (C-30)

b. Plan Conformance Considerations

The subject site is located along the south side of NE 122nd Street, between North Midwest Boulevard and North Douglas Boulevard. The site is zoned AA and undeveloped. Land to the north, across NE 122nd Street, and abutting to the east are single-family residences zoned AA. Land to the south and west is zoned AA and undeveloped.

The PUD proposes utilizing the base AA District, including the allowance of single-family residential and uses necessary for a landscaping company. The PUD proposes a minimum lot size of 4 acres. The conceptual plan illustrates structures affiliated with a landscaping company fronting NE 122nd Street, with one single-family residence at the rear of the site. Some of the proposed uses may create noise, spill light, or detectable odors above those found in typical residential settings. Land to the east is developed with single-family residential development. The PUD offers mitigation by requiring a 50-foot landscape buffer along the east boundary, with healthy, mature trees preserved to the greatest extent possible. If approved, staff suggests ‘flipping’ the design so the home would be located on the north half of the site along NE 122nd Street, consistent with the character of the area, and the business would be located to the rear and accessed from the west side of the property.

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. Determination of conformance with policies contained in the comprehensive plan is the purview of the Planning Commission. 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 subject to the following Technical Evaluation:

1. The proposed landscaping company shall be located within the south half of the PUD property.

All Engineering Division and Water/Wastewater Utilities Division requirements must be met. Additional changes to the PUD may be required during either Divisions review of construction plans and prior to City Council approval.

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