

**NORMAN PLANNING COMMISSION
REGULAR SESSION MINUTES**

FEBRUARY 9, 2012

The Planning Commission of the City of Norman, Cleveland County, State of Oklahoma, met in Regular Session in the Council Chambers of the Norman Municipal Building, 201 West Gray Street, on the 9th day of February 2012. Notice and agenda of the meeting were posted at the Norman Municipal Building twenty-four hours prior to the beginning of the meeting.

Chairman Andy Sherrer called the meeting to order at 6:30 p.m.

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Item No. 1, being:

ROLL CALL

MEMBERS PRESENT

Dave Boeck
Cynthia Gordon
Diana Hartley
Chris Lewis
Curtis McCarty
Roberta Pailes
Andy Sherrer

MEMBERS ABSENT

Jim Gasaway
Tom Knotts

A quorum was present.

STAFF MEMBERS PRESENT

Susan Connors, Director, Planning &
Community Development
Doug Koscinski, Manager, Current Planning
Division
Ken Danner, Subdivision Development
Manager
Roné Tromble, Recording Secretary
Jane Hudson, Planner II
Leah Messner, Asst. City Attorney
Larry Knapp, GIS Analyst

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Item No. 8, being:

ORDINANCE NO. O-1112-22 – JAMES & GLORIA LONG AND LAVON KIACZ (FELLERS SNIDER) REQUEST CLOSURE OF THE ALLEY ABUTTING LOTS 1, 2, 3, 4, AND THE SOUTH 100 FEET OF LOT 34, BLOCK 7, OF CLASSEN/MILLER ADDITION.

PRESENTATION BY STAFF:

1. Mr. Danner reported this is located west of Classen Boulevard on the north side of Keith Street, between 321 and 325 East Keith. It is a 20' alley right-of-way. The request has been made to close 100' of this alley. In 1951 there was an unimproved surfaced alley through this area. In 1955 there was a request to vacate that portion of the alley. City Council adopted Ordinance No. 947 to vacate the alley. To our knowledge, it was never taken to District Court, and the attorney for the applicant's want to make sure that the process includes the 90' plus the 10' so it can also go to District Court for the judge to determine what to do with the property. The City has a sanitary sewer within the right-of-way, and we have requested that an easement be provided for that sewer, and accessibility to the taps if we ever have to do rehabilitation on the sewer. We have received the same request from OG&E and ONG. Originally they had objected to that request for closure, but as long as their utilities are protected by easements they would remove their objection. Most of the time when a request is taken forward to District Court is when the easements are worked out. Staff is not objecting to the closure. There is no longer a need for any type of surface and it is not utilized as an alley. Staff recommends approval, as long as the utilities are protected.

PRESENTATION BY THE APPLICANT:

1. Blaine Nice, 100 N. Broadway, Oklahoma City, representing the applicants – This is a little unusual. 90' of this alley had been vacated. Now the ordinance says that City Council closes it and then you go to District Court to vacate the right to ever reopen it. Arguably, we could just do the 10' and then ask the judge to do the whole 100', because it has already been done. Out of an abundance of caution – there's not enough back-up material and we're not certain of the background on some of that. We thought it would be better to go forward and close the entire 100'. The applicants agree to reserve the right for the sewer line. I talked to Mr. Bluejacket of ONG this afternoon because they filed an objection. They just realized they have a line in there, but we've agreed that we will reserve that. They've got to locate that line. OG&E has an overhead line and we're going to reserve an easement for them. On one side, the Longs have some wooden steps that encroach onto the alley; it doesn't encroach on any of the utilities. On the other side, there are a couple of small out buildings that encroach into the alley by a few feet. Ms. Kiacz has recently sold the property and the encroachments became an issue and it was requested that it be cleaned up.

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:

Diana Hartley moved to recommend approval of Ordinance No. O-1112-22 to the City Council. Cynthia Gordon seconded the motion.

There being no further discussion, a vote on the motion was taken with the following result:

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| YEAS | Dave Boeck, Cynthia Gordon, Diana Hartley, Curtis McCarty, Roberta Pailes, Chris Lewis, Andy Sherrer |
| NAYES | None |
| ABSENT | Jim Gasaway, Tom Knotts |

Ms. Tromble announced that the motion to recommend approval of Ordinance No. O-1112-22 to the City Council, passed by a vote of 7-0.
