



City of Norman, OK

Municipal Building
Council Chambers
201 West Gray
Norman, OK 73069

Master

File Number: K-1415-87

File ID: K-1415-87

Type: Contract

Status: Non-Consent Items

Version: 1

Reference: Item 54

In Control: City Council

Department: Legal Department

Cost:

File Created: 04/21/2015

File Name: Fritzlan Road Closure Agreement

Final Action:

Title: CONTRACT NO. K-1415-87: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND NANCY MUENZLER, TRUSTEE OF THE NANCY S. MUENZLER REVOCABLE TRUST AND THE NANCY S. JARMON REVOCABLE TRUST, REQUIRING ACCESS AND UTILITY EASEMENTS RELATED TO THE PARTIAL CLOSURE OF FRITZLAN ROAD DESCRIBED IN ORDINANCE O-1415-20.

Notes: ACTION NEEDED: Motion to approve or reject Contract K-1415-87 with Nancy Muenzler, Trustee of the Nancy S. Muenzler Revocable Trust and the Nancy S. Jarmon Revocable Trust; and, if approved, authorize the execution thereof.

ACTION TAKEN: _____

Agenda Date: 05/12/2015

Agenda Number: 54

Attachments: K-1415-87 Fritzlan Closure Agreement

Project Manager: Kathryn Walker, Assistant City Attorney

Entered by: kathryn.walker@normanok.gov

Effective Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

Text of Legislative File K-1415-87

body

BACKGROUND: Fritzlan Acres Addition was filed of record May 29, 1947 with forty-five feet (45') of public street right-of-way to be known as Fritzlan Road. Fritzlan Road is located on the west side of 24th Avenue S.W. and 450' north of State Highway No. 9. The property was annexed into the City of Norman on July 9, 1963. The property is currently zoned R-1, Single Family Dwelling District. There are seven (7) parcels abutting Fritzlan Road. However, the applicant is requesting closure of a portion of Fritzlan Road that impacts three (3) parcels that are under her ownership. This item was postponed by Planning Commission, at its meetings of December 11, 2014 and January 8, 2015, at the request of the attorney for the applicant.

DISCUSSION: City staff and the applicant entered into negotiations for the City's purchase or obtaining an easement on a portion of property owned by the applicant. The property was needed for drainage in connection with the West Lindsey Street Paving Project in the spring of 2014. The applicant, during discussions, requested the closure of a portion of Fritzlan Road. Although the timeline for the closure did not coincide with the timeline for the property acquisition for the drainage portion of the West Lindsey Street

Project, City staff preliminarily reviewed the applicant's request and agreed that, barring unforeseen circumstances, City staff could support such a request.

With the closure request, public access and frontage owned by the applicant will be eliminated. As a result, Contract K-1415-87 is submitted for approval. This contract specifically acknowledges that frontage to a public street is being waived for the impacted properties. It also requires the applicant to provide private access easements and utility easements for each of the impacted properties to ensure both current and future owners and residents will have access to the impacted properties.

The Staff report for Planning Commission made reference to the need for a turnaround at the new terminus of Fritzlan Road. This would provide sanitation vehicles and other vehicles the capability to turn around without pulling into a private driveway. However, it has been determined that the practice for City Sanitation in the past has been to turn around in private drive approaches. The addition of a turnaround would require residents to bring their solid waste and recycling polycarts to the proposed turnaround. It would not be in the City's interest for the residential occupants to be required to place their solid waste polycart and recycling polycart at the proposed turnaround. As a result, staff has determined to continue the current practice for Sanitation and not recommend the turnaround. Contract K-1415-87 specifies that Sanitation vehicles will be allowed to use the newly private portion of the road to continue to provide solid waste and recycling pickup services.

Staff has received a response from OG&E for the need of a utility easement for their existing lines. The required easements have been provided by the applicant and are being considered for acceptance as a companion agenda item. Ample time has been provided for the remainder of the franchise utility companies to provide input. The only other response has been from OEC who does not oppose the closure.

RECOMMENDATION: Staff recommends approval of Contract K-1415-87.