



City of Norman, OK

Municipal Building
Council Chambers
201 West Gray
Norman, OK 73069

Master

File Number: O-1718-52

File ID: O-1718-52

Type: Ordinance

Status: Non-Consent Items

Version: 1

Reference: Item 23

In Control: City Council

Department: Legal Department

Cost:

File Created: 05/29/2018

File Name: Rock Creek Road Closure

Final Action:

Title: CONSIDERATION OF ORDINANCE O-1718-52 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, CLOSING A PORTION OF RIGHT-OF-WAY SOUTH OF ROCK CREEK ROAD AND WEST OF PENDELTON DRIVE IN THE SOUTHWEST QUARTER OF SECTION FOURTEEN (14), TOWNSHIP NINE (9) NORTH, RANGE THREE (3) WEST OF THE INDIAN MERIDIAN, NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Notes: ACTION NEEDED: Motion to adopt or reject Ordinance O-1718-52 upon Second Reading section by section.

ACTION TAKEN: _____

ACTION NEEDED: Motion to adopt or reject Ordinance O-1718-52 upon Final Reading as a whole.

ACTION TAKEN: _____

Agenda Date: 07/24/2018

Agenda Number: 23

Attachments: Location Map, O-1718-52 Closure of Rock Creek Road, Staff Report, 6-14-18 PC Minutes - S&S Family Properties, S&S Property Acquisition Agenda item 2009-06-09

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:
1	Planning Commission	06/14/2018	Recommended for Adoption at a subsequent City Council Meeting	City Council	07/10/2018		Fail

Action Text: A motion was made by Boeck, seconded by Knotts, that this Ordinance be Recommended for Adoption at a subsequent City Council Meeting to the City Council, due back on 7/10/2018. The motion failed by the following vote:

1	City Council	07/10/2018	Introduced and adopted on First Reading by title only	Pass
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Action Text: That this Ordinance be Introduced and adopted on First Reading by title only. by consent roll call

Text of Legislative File O-1718-52

Body

BACKGROUND: In June 2009, the City Council approved an agreement with S & S Family Properties, LLC (K-0809-168) to solidify the acquisition of property necessary for the completion of the Rock Creek Road Overpass on the west side of I-35. There were a number of components to the agreement, including language that committed the City to consent to closing the public street portion of the then existing Rock Creek Road that would no longer be needed west of Pendleton Avenue. The agreement also provided that S & S Family Properties could seek to develop the parcel that would remain after the closure west of Pendleton provided some conditions were met. The conditions were set forth in the agreement as follows:

- The development plan must be for a single story commercial retail store with parking be allowed west of Pendleton;
- The remaining parcel east of Pendleton can be utilized only for drainage and open space requirements for the tract west of Pendleton;
- A Restrictive Covenant must be filed of record evidencing the use restriction;
- City maintenance requirements for any open space, drainage and parking must be satisfied;
- No curb cuts will be allowed on Rock Creek Road; and
- Access to the parcel shall be allowed only on the southeast corner of the west parcel.

DISCUSSION: S & S Family Properties, LLC desires to move forward with the development of the remaining parcel and has submitted a request for a rezoning from A-2 to C-1 zoning. The subject parcel was designated on the 2025 Land Use Plan as Commercial in 2009. Pursuant to the 2009 Agreement, the closure described above is moving forward in conjunction with the zoning request utilizing the process set forth in Resolution R-8182-66. Once statutory right-of-way is vacated, it returns to the adjacent property owner's ownership.

RECOMMENDATION: Staff recommends approval of Ordinance O-1718-52 upon Second and Final Reading.