
ORDINANCE NO. O-1718-52

Item No. 3a

STAFF REPORT

GENERAL INFORMATION

APPLICANT

City of Norman, Oklahoma

REQUESTED ACTION

Closure of northern half of street right-of-way of old Rock Creek Road lying west of Pendleton Drive

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 Drive. 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-2 zoning. The development conditions noted above will be memorialized per the 2009 agreement Restrictive Covenant to be filed with the property records prior to development. The subject parcel was designated on the 2025 Land Use Plan as Commercial in 2009. The City is moving forward with closure of the north 33 feet of the statutory right of way that is no longer in use. This will preserve the southern 33 feet for existing City utilities. 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 No. R-8182-66.

RECOMMENDATION: Staff supports the request to close the northern 33 feet of old Rock Creek Road and recommends approval of Ordinance No. O-1718-52.