



City of Norman, OK

Municipal Building
Council Chambers
201 West Gray
Norman, OK 73069

Master

File Number: O-1314-37

File ID: O-1314-37

Type: Ordinance

Status: Non-Consent Items

Version: 1

Reference: Item No. 26

In Control: City Council

Department: Public Works
Department

Cost:

File Created: 02/11/2014

File Name: Graves ROW Closure

Final Action:

Title: CONSIDERATION OF ORDINANCE NO. O-1314-37 UPON SECOND AND FINAL
READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, CLOSING PART OF THE SIXTY-SIX (66) FOOT STATUTORY RIGHT-OF-WAY KNOWN AS 12TH AVENUE S.E. LOCATED IN SECTIONS FOUR (4) AND FIVE (5), TOWNSHIP EIGHT (8) NORTH, RANGE TWO (2) WEST OF THE INDIAN MERIDIAN, NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (WEST OF CLASSEN BOULEVARD BETWEEN CONSTITUTION BOULEVARD AND IMHOFF ROAD)

Notes: ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1314-37 upon Second Reading section by section.

ACTION TAKEN: _____

ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1314-37 upon Final Reading as a whole.

ACTION TAKEN: _____

Agenda Date: 05/27/2014

Agenda Number: 26

Attachments: Text File O-1314-37.pdf, O-1314-37, Location Map, 2620 Survey.pdf, 2638 Survey, Staff Report, Clerk Memo Closure of Right of Way.pdf, Letter of Request Closure.pdf, ATT Letter, ATT Withdrawal of Objection, OGE Letter, ONG Letter.pdf, Letter of No Objection ONG.pdf, Letter of No Objection ONG.pdf, Utility Non-Objections, 3-13-14 PC Minutes, Postponement Request.pdf

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Effective Date:

History of Legislative File

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

1	Planning Commission	03/13/2014	Recommended for Adoption at a subsequent City Council Meeting	City Council	04/08/2014	Pass
	Action Text:	A motion was made by Gasaway, seconded by Knotts, that this Zoning Ordinance be Recommended for Adoption at a subsequent City Council Meeting to the City Council , due back on 4/8/2014. The motion carried by the following vote:				
1	City Council	04/08/2014	Introduced and adopted on First Reading by title only			Pass
	Action Text:	That this Zoning Ordinance be Introduced and adopted on First Reading by title only. by consent roll call				
1	City Council	04/22/2014	Postponed			Pass
	Action Text:	Until May 27, 2014				
	Notes:	Postponed until May 27, 2014				

Text of Legislative File O-1314-37

Body

BACKGROUND: Statutory rights-of-way were established in Oklahoma with section lines as a grid system. Within Cleveland County a total of sixty-six feet (66') of total statutory rights-of-way were assigned for section line roads with thirty-three feet (33') on each side of the Section Line. There are a few occasions where section line roads were never constructed within the rights-of-way. That is the case in this instance. The attorney for the owner wants to clear up any potential issues before rezoning and platting of the property takes place in the near future. Planning Commission, at its meeting of March 13, 2014, recommended approval of Ordinance No. O-1314-37.

DISCUSSION: The rights-of-way being requested for closure are west of Classen Boulevard between Constitution Street and Imhoff Road as shown on the attached map. The rights-of-way would have been for the north-south alignment of an extension of 12th Avenue S.E. This road section does not exist and there are no road connections that could be served by this road section. There are no plans to complete this road section.

All of the franchised utilities were notified to assess the impact on their facilities if the rights-of-way were closed. Staff received objections from AT&T and Oklahoma Natural Gas Company (ONG) prior to the preparation of the staff report for the Planning Commission meeting of March 13, 2014. Since that time, AT&T and ONG have contacted staff indicating they have no utilities within the rights-of-way. OG&E has not protested but indicated they have a utility within the rights-of-way. OG&E is willing to work with the applicant. There are no City owned utilities located within the rights-of-way. City staff is not opposed to the closure of the statutory rights-of-way as long as the utility companies are satisfied before any vacation of the statutory rights-of-way commences.

STAFF RECOMMENDATION: Staff recommends adoption of Ordinance No. O-1314-37.