

ORDINANCE NO. O-1920-59

ITEM NO. 5

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**STAFF REPORT**

**GENERAL INFORMATION**

**APPLICANT**

Cleveland County Board of  
Commissioners

**REQUESTED ACTION**

Partial closure of alley right-of-way  
West of James Garner Avenue  
between West Comanche Street and  
West Eufaula Street between Lots 1-  
5 and 28-32, Block 68, Original  
Townsite of Norman.

**BACKGROUND:** Block 68 of Original Townsite of Norman was filed of record on December 8, 1890, with a twenty foot (20') right-of-way (alley). This particular width of right-of-way was used for alley purposes. The applicant has indicated a proposal to construct a Wellness Square Facility in the general area. The County owns property on each side of the right-of-way. The plan is to create the facility without an alley splitting the project and allowing unneeded traffic between the buildings.

Planning Commission, at its meeting of June 11, 2020, postponed the closure at the request of the applicant.

**DISCUSSION:** Franchised utilities were not notified to assess the impact on their facilities if the right-of-way is closed because the County has agreed to provide a utility easement to cover existing utilities.

An existing City sewer line is currently located within the area requested for release. The typical measure would be for the City to reserve the easement. However, this is not an acceptable solution since the proposed County development plans include construction within the area that would prohibit the ability for the City to maintain the sewer line. As such, the City developed the following requirements for the closure to proceed:

1. The existing private service line for the Train Depot at 200 S Jones Avenue must be rerouted to the north to the existing sewer line and the disturbed areas must be restored to conditions as-good or better than existing conditions. Detailed map showing the re-route with elevations is attached;
2. The existing connection point for the Train Depot private service must be abandoned at the main by physical disconnection and capping of the service and grout plugging the existing service line;
3. A new manhole, that will be dedicated to the City, must be constructed five (5) feet west of the proposed edge of the public easement/alley to remain;

4. The existing line running generally northeast from the new manhole constructed by the County (Item 2) will become the County's property and the County will be responsible for the future maintenance, operation, repair, replacement, and permitting of the line and appurtenances;
5. The County will be allowed to access the sewer line to become their responsibility where located on City property or within City right-of-way but the County will be required to restore the areas to conditions as-good or better than current conditions at the time of construction, operation, or maintenance; and
6. Billing for sewer service will remain as-is based on the water meter readings for the respective buildings.

The City would still reserve an easement until such time that the above modifications have been completed.

At this time, the request is for closure of the right-of-way used for alley purposes, so that the County can utilize the area and control access to their proposed project.

**RECOMMENDATION:** Staff recommends approval of the request to close the twenty-foot (20') right-of-way used for alley purposes subject to the above comments.

**ACTION NEEDED:** Recommend approval or disapproval of the request to close the specific right-of-way as described in Ordinance No. O-1920-59 to City Council.

**ACTION TAKEN:** \_\_\_\_\_