

ORDINANCE NO. O-1415-20

ITEM NO. 4

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**STAFF REPORT**

**GENERAL INFORMATION**

APPLICANT: Ms. Nancy Muenzler

REQUESTED ACTION: Partial closure of right-of-way (street) running east and west between 24<sup>th</sup> Avenue S.W. and I-35.

**BACKGROUND:** Fritzlan Acres Addition was filed of record May 29, 1947 with forty-five foot (45') right-of-way to be known as Fritzlan Road. Fritzlan Road is located on the west side of 24<sup>th</sup> 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 discussion, 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 Paving Project, the City staff preliminarily reviewed the applicant's request and agreed that, barring unforeseen circumstances, the 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, the applicant will participate in a Fritzlan Road Closure Agreement. This agreement will specify the applicant understands that she is waiving frontage to a public street for the impacted properties. The applicant will provide private access easements and utility easement for each of the impacted properties to ensure both current and future owners and residents will have access to the impacted properties.

The last point of discussion with the termination of Fritzlan Road is a “hammerhead” turnaround to be constructed by the applicant. This will provide sanitation vehicles and other vehicles the capability to turn around without pulling into someone’s driveway to turn around.

Staff has received a response from OG&E for the need of a utility easement for their existing lines. Ample time has been provided for the rest of the Franchised Utility Companies. The only other response has been from OEC who does not oppose the closure.

**RECOMMENDATION:** Staff recommends approval of the request to close a portion of Fritzlan Road as described in Exhibit “A” of the request.

**ACTION NEEDED:** Recommend approval or disapproval of the request to close a portion of Fritzlan Road as described in Exhibit “A”, to City Council.

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

## EXHIBIT "A"

A Tract of land, being a portion of Fritzlan Road, located in the Northeast Quarter (NE/4) of Section Two (2), Township Eight (8) North, Range Three (3) West of the Indian Meridian, City of Norman, Cleveland County, Oklahoma, being more particularly described as follows:

Beginning at a point on the South line of Lot Five (5), Block One (1), FRITZLAN ACRES, a Subdivision of part of the Northeast Quarter of Section Two (2), Township Eight (8) North, Range Three (3) West of the Indian Meridian, Cleveland County, Oklahoma, according to the Plat recorded in Book PL 3, Page 4, said point being 34.91 feet West of the Southeast corner of said Lot Five (5);

Thence East on the South line of said Block One (1), FRITZLAN ACRES, a distance of 377.91 feet;

Thence South, a distance of 45.00 feet to a point on the North line of Block Two (2) of said FRITZLAN ACRES;

Thence West on the North line of said Block Two (2), a distance of 364.93 feet to a point on the Easterly Right-of-Way line of State Highway No. 9;

Thence North  $16^{\circ}05'17''$  West on the Easterly Right-of-Way line of State Highway No. 9, a distance of 46.83 feet to the point and place of beginning.