



City of Norman, OK

Municipal Building
Council Chambers
201 West Gray
Norman, OK 73069

Master

File Number: O-2021-43

File ID: O-2021-43

Type: Zoning Ordinance

Status: Non-Consent Items

Version: 1

Reference: Item 34

In Control: City Council

Department: Public Works
Department

Cost:

File Created: 04/08/2021

File Name: Alley Closure - Fuzzell's 2nd Addition

Final Action:

Title: CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2021-43 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, CLOSING A TEN FOOT (10') TRACT OF LAND IN BLOCK 1 OF THE REPLAT OF FUZZELL'S SECOND ADDITION TO NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Notes:

Agenda Date: 06/22/2021

Agenda Number: 34

Attachments: O-2021-43.docx, Location Map, Staff Report Closure, Application, Protest Map-Letter - 5-13-21, 5-13-21 PC Minutes - O-2021-43 Alley Closure

Project Manager: Ken Danner, Subdivision Development Manager

Entered by: Brenda.Gomez@NormanOK.gov

Effective Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Planning Commission	05/13/2021	Recommended for Adoption at a subsequent City Council Meeting	City Council	06/08/2021		Pass
	Action Text: Recommended for Adoption at a subsequent City Council Meeting to the City Council due back on 6/8/2021						
1	Planning Commission	05/13/2021					
1	City Council	06/08/2021	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						

Text of Legislative File O-2021-43

Body

BACKGROUND: This is a request for closing a certain 10' strip of land that appears to be platted right-of-way (typically used for alley purposes and utilities) located in Block 1, Replat of Fuzzell's Second Addition. The property is generally located between Berry Road and Gatewood Drive south of West Main Street. The final plat of a Replat of Fuzzell's Second Addition was filed of record October 20, 1949.

DISCUSSION: The attorney for the applicants has submitted a request to close and vacate a ten-foot (10') strip of land that appears to be right-of-way so that the strip can be used by the contiguous properties. The replat is not clearly labeled; however, the character and location of the strip of property appears to be platted right-of-way. Additionally, utilities are located within the 10' strip, presumably treating it as a publicly-dedicated right-of-way. Physical alley paving does not and has never existed. As a condition to an approval of the Closure by the City, City staff is recommending that a utility easement to serve existing utilities be provided at the time of vacation in District Court. The utility companies were notified of the application.

It should be noted, a similar request was made in October of 2020. However the request was withdrawn at the time based on the fact not all of the participants were in agreement with closing the right-of-way.

RECOMMENDATION: With easements replacing the 10' width right-of-way, staff supports the closure as described in the applicant's request.

Planning Commission, at its meeting of May 13, 2021, recommended adoption by a vote of 8-0.