



**City of Phoenix**

Planning and Development Department

**CONDITIONAL APPROVAL – ABND 240035**

Your abandonment request was granted **CONDITIONAL APPROVAL** by **Craig Messer, Abandonment Hearing Officer**.

This request will NOT be completed until all the stipulations have been met and this request is formally adopted by City Council. It is the **APPLICANT'S RESPONSIBILITY** to ensure that all stipulations are satisfied. **Please contact Dru Maynus at 602-262-7403** for questions and notification of your completion of the stipulations.

Upon completion of the stipulations your request will be scheduled for City Council action.

If the stipulations of abandonment are not completed within **two years** from the date of your conditional approval (**your expiration date is September 26, 2026**), this request will then expire. At that time a new submittal will be required along with the required payment for the abandonment process. A one time, **one year** extension can be requested prior to the expiration date, with applicable extension fee due.



## **City of Phoenix**

Planning and Development Department

September 26, 2024  
Preliminary Abandonment Staff Report: **ABND 240035**  
Project# **00-1212**  
Quarter Section: **19-23**  
District#: **4**

**Location:** 2301 West Missouri Avenue

**Applicant:** Alhambra School District No. 68

**Request:** To abandon a 10-foot right-of-way easement located at 2301 West Missouri Avenue.

**Purpose of request:** Applicant states the purpose of the abandonment is because the school district is transitioning to alternative energy solutions by adding solar canopies at the property. The solar canopies will be installed in the location of the right-of-way easement; therefore, 10-feet of the right-of-way easement is no longer warranted.

**Hearing date:** **September 26, 2024**



**City Staff Research**

City Staff research shows that the north 40-foot right-of-way easement (ROW E) was dedicated as part of City of Phoenix ordinance S-6085 that was approved by the City of Phoenix City Council on November 23, 1971, under Docket 9093, Page 11-13 of the Maricopa County Recorder. If the 10-foot ROW E is abandoned, the encumbrance of this easement will be removed from the property.

**City Staff Comments**

This request was routed to various City departments for their recommendations. Listed below are the responses from each for department.

**Street Transportation Department – Josh Rogers**

Missouri Avenue is a Minor Collector roadway with a minimum 60-foot minimum cross-section, or 30-foot minimum half-street width.

Stipulation:

- Dedicate a minimum 30-feet of right-of-way for the south half of Missouri Avenue, adjacent to the development.

**Street Transportation Utility Coordination Department– Marina Smith**

No comment for this abandonment.

**PDD Traffic Department – Derek Fancon**

Recommend approval.

**PDD Planning Department – Dru Maynus**

Recommend approval.

**Streetlights – Jason Fernandez**

No comment received.

**Water Services – Don Reynolds**

WSD has NO stipulations for this Abandonment. The proposed property has existing water and sewer mains that can potentially serve the development.

**PDD Village Planner – Sarah Stockham**

No comment received.

**PW Solid Waste Services – Megan Sheets**

Recommend approval.

**Public Transit Dept – Skitch Kitchen**

Public Transit has no comment on this project.

**PDD Civil Department – Travis Tomich**

Recommends approval.

**Utility Comments**

The request was also routed to outside utility companies for their input. Listed below are the responses from each utility.

**Cox – Zach Lawson**

I have reviewed the abandonment request for 5330 Missouri Ave in Phoenix, AZ. Based upon the supplied drawings/exhibits that you've submitted it has been determined that COX has no facilities within the PUE and therefore we approve your request to abandon.

Please note that although Cox Communications approves this abandonment, we do so with the understanding that we will not assume any construction, relocation and/or repairs costs associated or in result of this abandonment.

**Southwest Gas – Susan R. Mulanax**

After reviewing the documents for the above-referenced abandonment, it has been determined that there are no apparent conflicts between the Southwest Gas system and your proposed abandonment as shown on the letter you sent. Permission is granted to abandon the right-of-way located at the above-referenced location.

**Arizona Public Service – Kim Paxon**

This property is outside of APS territory. APS has no objection to abandonment.

**CenturyLink – Tori Jacoby**

No comment received.

**Salt River Project – Michael Laguna**

Salt River Project has no objection to the abandonment of the south 10-foot portion of the City of Phoenix's existing 40-foot right-of-way easement adjacent to APN 153-21-002.

**Recommended Stipulations of Approval**

The request of abandonment, if approved by the Abandonment Hearing Officer, will be subject to the following stipulations:

1. Either a or b shall be complied with:
  - a. All utilities shall be relocated to locations approved by each affected utility company. All work is to be done by each affected utility company at no expense to the affected utility company. An appropriate performance agreement, in an approved form and cost amount, must be posted with the Planning and Development Department to guarantee the improvements.
  - b. All right-of-way shall be retained as a public utilities easement with 24-hour vehicle maintenance access.
2. Applicant shall submit and obtain City approval of a legal description of the abandonment area prior to City Council approval of ABND 240035.
3. Dedicate a minimum 30-feet of right-of-way for the south half of Missouri Avenue, adjacent to the development.
4. All stipulations must be completed within **two years** from the Abandonment Hearing Officer's decision.

**This conditional approval has been reviewed and approved by the Abandonment Hearing Officer.**

Hearing Officer Signature:  Date: October 21, 2024

REPORT SUBMITTED BY: Dru Maynus, Abandonment Coordinator.

cc: Applicant/Representative, Alhambra School District No. 68  
Craig Messer, Abandonment Hearing Officer

If the area to be abandoned is within or adjacent to a redevelopment area established pursuant to A.R.S.§36-1471 ET.SEQ., Consideration may be given to the restrictions upon the property and the covenants, conditions and obligations assumed by the redeveloper in the determination of fair market value.