

ATTACHMENT B



City of Phoenix

Planning and Development Department

February 3, 2022
Preliminary Abandonment Staff Report: **ABND 210062**
Project# **19-1826**
Quarter Section: **9-27**
Council District: **8**

Location: Central Avenue and 1st Avenue

Applicant: Luis Mota, Valley Metro

Request to abandon: A portion of the existing gore area right-of-way at Central Avenue and 1st Avenue, immediately south of the parcel identified by APN 112-23-058

Purpose of request: The applicant states to remove unnecessary right-of-way to permit development of property – new signal building.

Hearing date: February 3, 2022

Planning and Development



City Staff Research:

The abandonment area is considered roadway by right per the road map recorded on Book 2, Page 14 of the Maricopa County Recorder on July 30th 1921. If abandoned, the land would be conveyed in ownership to the parcel to the north, identified by APN 112-23-059A.

City Staff Comments

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

Street Transportation Department – Maja Brkovic

“No comments.”

Street Transportation Utility Coordination Department- Rozanna Brown

No comments received.

PDD Traffic Department – Derek Fancon

“Recommend approval.”

PDD Office of Customer Advocacy – Renee Blakley

"Recommend approval."

Street Lights – Jason Fernandez

No comments received.

PDD Village Planner – Sarah Stockham

No comments received.

Public Transit Department

No comments received.

Water Services Department – Donald Reynolds

"1. The applicant/property owners shall relocate all affected water and sewer services into an alternate easement or right of way prior to the Resolution of Abandonment in accordance with plans submitted to and approved by the Planning and Development Department, or as otherwise approved by the Water Services Department. All work is to be done by a licensed contractor at no expense to the City of Phoenix.

2. The project site borders the new light rail corridor within Central Ave. Please coordinate with Jami Erickson 602.261.8229 (Water Services Dept) and Jim Taschner 602-495-6841 (Public Transit) and Steven J Williams 602-495-8257 (Public Transit) for further updates/changes to utilities and ROW."

PDD Civil Department – Darren Chapman

"A drainage easement is dedicated around any of the storm water system that will be on private property."

PDD Light Rail – Elias Valencia

No comments received.

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

"Recommend approval."

Southwest Gas – Tami Garcia

"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 – James Generoso

"APS has no objection to the abandonment proposed in ABND210062."

CenturyLink – Mary Hutton

Qwest Corporation d/b/a CENTURYLINK QC ("CenturyLink") has reviewed the request for the subject vacation and has determined that it has no objections with respect to the areas

proposed for vacation as shown and/or described on Exhibit "A", said Exhibit "A" attached hereto and incorporated by this reference.

It is the intent and understanding of CenturyLink that this Vacation shall not reduce our rights to any other existing easement or rights we have on this site or in the area.

This vacation response is submitted WITH THE STIPULATION that if CenturyLink facilities are found and/or damaged within the vacated area as described, the Applicant will bear the cost of relocation and repair of said facilities."

Salt River Project – Sherry Wagner

"Salt River Project has no objection to the abandonment of the Gore Area Right of way as shown in your application ABND210062 at Central and 1st Avenues. This is in the Arizona Public Service serving area."

Stipulations of Conditional Approval

The request of abandonment is conditionally approved by the Abandonment Hearing Officer. The following stipulations will need to be met:

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. Consideration which provides a public benefit to the City is required in accordance with City Code Art. 5, Sec. 31-64 and Ordinance G-5332. Cost for abandoned Right-of-Way adjacent to property not zoned single family residential will be \$500 OR Fair Market Value whichever is greater. Cost for property zoned single family residential is \$1.00 a square foot for the first 500 square feet, \$0.10 a square foot thereafter; OR Fair Market Value at the option of the Planning and Development Director or designee. The applicant shall submit calculation and fee to Planning and Development Department. The applicant shall request a selection of approved appraisers from the current list maintained by the Real Estate division of the Finance Department.
3. A drainage easement is dedicated around any of the storm water system that will be on private property.
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: _____

REPORT SUBMITTED BY: Maggie Dellow, Abandonment Coordinator

cc: Luis Mota, Valley Metro, Applicant
Ronald F. Szwiec, Jr, Applicant
Christopher DePerro, 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.