



**City of Phoenix**

Planning and Development Department

**DENIAL – ABND 250040**

Your abandonment request was **DENIED** by **David Neal , Abandonment Hearing Officer.**

A summary of the hearing, and the Hearing Officer's findings and rationale, are included in this letter.

**You have the right to appeal this decision to City Council if an appeal application is received by the Planning and Development Department within 15 calendar days of this decision (latest appeal date: May 30 2025). Please contact the Abandonment Coordinator, Dru Maynus, at (602) 256-3487, or [abandonments@phoenix.gov](mailto:abandonments@phoenix.gov), for questions regarding appeals.**



## **City of Phoenix**

Planning and Development Department

December 11, 2025

Preliminary Abandonment Staff Report: **ABND 250040**

Project# **94-0006661**

Quarter Section: **16-40**

District#: **6**

**Location:**

Alley south of Lafayette Boulevard and west of North 54th Court in the Hidden Village 17 residential subdivision plat

**Applicant:**

Brandon Treger

**Request:**

This request seeks the abandonment of 17,784 square feet of alley located between Lots 1–11 in the Hidden Village 17 residential subdivision.

**Purpose of request:**

The applicant asserts that the abandonment will increase lot coverage and strengthen security measures for the neighborhood.

**Hearing date:**

**December 11, 2025**  
**DENIED ON DECEMBER 11, 2025**



alleyway in question continues to be utilized for access to their properties.

Rationale: The alleyway does not meet the criteria for consideration for abandonment outlined in Section 31-64 of City Code, which allows right-of-way "...no longer necessary for public use as a roadway...", to be considered for abandonment.

**Stipulations:**

1. No right-of-way within 25-feet of the 54th Court monument line shall be abandoned.
2. The applicant shall close the alley entrances on 54th Court with new curb, gutter, sidewalk and incidentals. The entrance may remain if approved by the Street Transportation Department.

Should you have any question regarding these comments, please contact me at [Joshua.Rogers@phoenix.gov](mailto:Joshua.Rogers@phoenix.gov)

**Street Transportation Utility Coordination Department– Andrea Diaz**

The Street Transportation Department Utility Coordination section has no comments.

**PDD Traffic Department – Derek Fancon**

Recommend approval

**PDD Planning Department – Dru Maynus**

Based upon testimony received at the public hearing held on December 11, 2025, the City of Phoenix Site Planning Division recommends denial of the abandonment request associated with abandonment request ABND 250040.

Pursuant to Phoenix City Code, Chapter 31, Article V, a public right-of-way, including an alley, may only be abandoned when it is determined to be no longer necessary for public use. The intent of the abandonment process is to dispose of public rights-of-way that no longer serve a public access or connectivity function.

During the public hearing, members of the general public stated that the subject alley remains actively used. Abutting property owners stated that they rely on the alley for access to the rear of their properties, including vehicle access and routing use consistent with its intended public purpose. These statements demonstrate that the alley continues to function as a public access way and provides a benefit to neighboring properties.

Given the continued use of the alley by the public, the Site Planning Division cannot find the right-of-way is no longer necessary for public use, as required by the Phoenix City Code. As a result, approval of the abandonment would be inconsistent with the criteria established in Chapter 31, Article V. Therefore, the Site Planning Division cannot, in good faith, recommend approval of this abandonment request and recommend denial.

**Streetlights – Jason Fernandez**

Recommend approval.

**Solid Waste – Megan Sheets**

Solid waste has curbside collection for these parcels.

**Water Services – Leticia Saenz**

WSD has no concerns/issues for the abandonment of the 16-foot alleyway between Lots #8,9,10 & 11. The 16-foot alleyway between lots #266-270 and lots 3,4,7,8, and between lots #1-3, shall be retained as a sewer easement or as may be modified by the affected utilities with 24hr maintenance access subject to the following standard stipulations:

1. No structure of any kind and/or block wall shall be constructed or placed within the easement except removable type fencing and/or paving. No planting except grass and/or approved ground cover shall be placed within the easement. It shall be further understood that the City of Phoenix shall not be required to replace any obstructions, paving or planting that must be removed during the course of required maintenance, reconstruction and/or construction.

**Long Range Planning**

No comment received.

**PDD Civil Department – John Lanoue**

The Civil Review group recommends approval with the stipulation to retain the drainage easement, RES 21999, same as the drainage easement just south of the proposed abandonment.

**Public Transit Department – Skitch Kitchen**

The Public Transit Department has no comment on this project.

**Utility Comments**

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

**Cox – Julia Bisson**

We have aerial services in this area but would approve the abandonment if we can either be protected in place with access to the poles to maintain or the customer would need to pay to relocate these lines prior to the abandonment being approved.



**Southwest Gas – Susan R. Mulanax**

After reviewing the plans for the above-referenced project, it has been determined that there are no apparent conflicts between the Southwest Gas system and your proposed abandonment of the public utility easement. Southwest Gas would like to recommend abandonment of the public utility easement located at the above referenced location.

Thank you for your cooperation on this project. Please contact me if you have any questions or require additional information.

**Arizona Public Service**

APS has determined this is not in our service territory and is not involved with consent.

**CenturyLink– Katie Smith**

Aries Network Construction Services, on behalf of Lumen/Centurylink, is in receipt of your request for Abandonment or Encroachment of the abandonment request area.

Inventory of Local Lumen Facilities: Poles and Facilities exist with requested abandonment area. If requestor(s) would like to relocate/remove facilities, please work with Local Lumen Wire Center Engineer.

Abandonment/Encroachment Request Overview: Request is for abandonment (ABND 250040) of alley. Starting at APN. 128-12-006B (15 others) – 5431 E. Lafayette Blvd. Phoenix, AZ 85018.

Recommendation: In the event Lumen facilities need to be removed or relocated, all associated costs will be at the expense of the requestor/agency/owner. Blue staking is required prior to all excavation activities. Access for Lumen, or its agents, must be maintained. All facilities are to be avoided or protected while also maintaining a minimum 12” horizontal and vertical separation. Lumen reserves the right to mandate modifications or removal of encroachments if it is deemed there is an impediment. Any damage to Lumen facilities and those costs associated with repair/replace facilities will be at the cost of the requestor/agency/owner. Lumen will not be held responsible for any damage or cost to repair, move, or remove any encroached items (ie fence, sign, landscape, pool, etc.) for the purpose of facility management.

**Salt River Project – Michael Laguna**

Salt River Project has an objection to the abandonment of Hidden Village Seventeen and Six, public alleyways recorded in Book 97-24 and Book 69-47. The Salt River Project's Design Maintenance Department has denied the request. The Design department rejected the proposed project because abandoning the alleyway would impede Salt River Project's maintenance vehicles' access to the overhead utility lines. Salt River Project would not be able to access the utility wires/poles for maintenance or repairs promptly.

If fencing the 16' alleyway is proposed, Salt River Project requires 24/7 access. If the gates are locked, it will need to be with a Salt River Project lock. Please contact Customer Service at 602-236-8888 to coordinate the delivery or pickup of the lock. The alleyway must remain clear of all obstacles. No trees, plants, extension of the fence or block walls, kid pools or playhouses, etc., are allowed within the alleyway.

If the owners would like to inquire about the cost of converting the overhead facilities to underground. Please have them contact Customer Service at 602-236-8888 and ask to be transferred to a Design team for an estimated cost.

If you have any questions or need further information, please contact me at 602-236-3116.

**Hearing Officer Decision and Findings**

Findings of Fact:

1. A appropriately noticed public hearing for Case No. ABND 250040 was held on December 11, 2025, in accordance with the procedures set forth in Phoenix City Code.
2. Testimony was received from members of the public both in support of and in opposition to the proposed alley abandonment.
3. Several adjacent property owners testified that the subject alley is currently used for access to the rear of their properties and continues to function as an access route for neighboring residences.
4. I acknowledge and have considered the testimony offered by members of the public who spoke in favor of the abandonment request.
5. Phoenix City Code Chapter 31, Article V requires that a public right-of-way proposed for abandonment be determined to be no longer necessary for public use.
6. Based on the totality of the evidence presented, including public testimony, the subject alley continues to serve an active access function and has not been shown to be unnecessary for public use.

Decision:

After consideration of the application, staff materials, and all testimony received at the public hearing, I find that the required criteria for abandonment have not been satisfied. While I recognize that some members of the public support the request, the evidence demonstrates that the alley remains necessary for public access for adjacent property owners.

Therefore, pursuant to Phoenix City Code Chapter 31, Article V, I hereby **DENY** the abandonment request for Case No. ABND 250040.

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

Hearing Officer Signature:  Date: 12/24/25

REPORT SUBMITTED BY: Dru Maynus, Abandonment Coordinator.

cc: Brandon Treger, Applicant/Representative  
David Neal, 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.