

ATTACHMENT E



City of Phoenix

Planning and Development Department

November 9, 2023
Preliminary Abandonment Staff Report: **ABND 230055**
Project# **03-263**
Quarter Section: **10-26**
District#: **7**

<u>Location:</u>	Harrison Street, between 9 th Avenue and 7 th Avenue
<u>Applicant:</u>	Greenman Law – Jordan Greenman
<u>Request:</u>	To abandon a 60-foot-wide right-of-way located north of Harrison Street between 9 th Avenue and 7 th Avenue.
<u>Purpose of request:</u>	The applicant states the abandonment will increase the size of their property.
<u>Hearing date:</u>	November 9, 2023



City Staff Research

City Staff research shows that the 60-foot wide right-of-way which was originally known as Gray Street was dedicated through the Neahr's Addition S subdivision Plat, Book 2, Page 77 of the Maricopa County Recorder on January 25, 1900. If abandoned, the right-of-way land will be conveyed back in ownership to the adjacent parcels.

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 – Josh Rogers

1. Partial abandonment of right-of-way is prohibited. The full 85-foot width would need to be requested for abandonment in order for it to be considered.

Street Transportation Utility Coordination Department– Rozanna Brown

No comment received.

PDD Traffic Department – Derek Fancon

Recommend approval.

PDD Planning Department – Dru Maynus

Recommend Approval.

Streetlights – Jason Fernandez

Recommend approval.

Solid Waste - Robert Lopez

No comment received.

Water Services – Don Reynolds

WSD has NO stipulations for this Abandonment.

PDD Village Planner – Sarah Stockham

No comment received.

PDD Civil Department – Travis Tomich

No comment received.

Neighborhood Services – Yvette Roder

No comment received.

Public Transit Department – Michael Pierce

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 – Zach Lawson

COX has no facilities within the easement and therefore we approve your request to abandon.

Southwest Gas – Susan R. Mulanax

There are no apparent conflicts between the Southwest Gas system and your proposed abandonment.

Arizona Public Service – James Generoso

APS has no objection to the abandonment requested in ABND 230055, we have no facilities within the abandonment area.

CenturyLink – Gladys Zeilstra

No comment received.

Salt River Project – Michael Laguna

SRP has no objection to the abandonment of the 60-foot Public Right of Way.

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 rights-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. All stipulations must be completed within **two years** from the Abandonment Hearing Officer's decision.

For assistance regarding the above stipulations, please contact the Abandonment Coordinator at 602-256-3487.

REPORT SUBMITTED BY: Dru Maynus, Abandonment Coordinator.

cc: Applicant/Representative, Greenman Law – Jordan Greenman
Christopher DePerro, Abandonment Hearing Offi

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.