

ATTACHMENT D



City of Phoenix

Planning and Development Department

May 13, 2021

Preliminary Abandonment Staff Report: **ABND 210015**

Project# **05-1208**

Quarter Section: **16-40**

Location:

Calle Redonda, between 54th Way and 54th Court

Applicant:

Mike Ragland

Request to abandon:

The alley area between 54th Way and 54th Court, from Calle Redonda north to the corner of the second alleyway that provides access to 54th Court.

Purpose of request:

The applicant states to increase lot coverage and improve security.

Hearing date:

May 13, 2021

Planning and Development



City Staff Research:

Staff research shows that the 16-foot wide alley was dedicated through the Hidden Village Seventeen Plat, Book 97, Page 24 of the Maricopa County Recorder on December 14, 1961, and the Hidden Village Six Plat, Book 69, Page 47 of the Maricopa County Recorder on December 12, 1958. If abandoned, the 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 – Maja Brkovic

1. No right-of-way within 25 feet of the monument line may be abandoned along Calle Redonda and 54th Court.
2. Driveways along Calle Redonda and 54th Court shall be removed and replaced in kind with curb and gutter unless otherwise approved by the Street Transportation Department.
3. All work in public right-of-way is to be done in accordance with plans approved by the

Planning and Development Department and at no cost to the City.

Street Transportation Utility Coordination Department - Rozanna Brown

"The Street Transportation Utility Coordination Department has no comments."

PDD Traffic Department – Derek Fancon

"Recommend approval."

PDD Planning Department – Maggie Dellow

No comments received.

Solid Waste – Robert Lopez

"Recommend approval."

Street Lights – Jason Fernandez

"Recommend approval."

Floodplain Management – Tina Jensen

"Show that offsite flows within the alley will not impact others by changing the flow direction abruptly 90 degrees east in alley, 90 degrees south down 54th Court, 90 degrees west down Calle Redonda and another 90 degrees south down a 16ft drainage easement between 5401 & 5407 E Calle Redonda instead of natural offsite flows down the alley, across Calle Redonda to a drainage easement between 5401 & 5407 E Calle Redonda per Resolution 19121. Need to show positive drainage in the alley east to 54th Ct and capacity of the alley to carry additional offsite flows. Also show how 54th Ct positively drains to the south at the exit of the alley and capacity of the 54th Ct to carry additional offsite flows. Also show how the offsite flows are then carried to the drainage easement between 5401 and 5407 E Calle Redonda."

Water Services – Don Reynolds

"The alleyway that runs east and west from 54th Ct. can be abandoned as per request. The alleyway that runs north and south from Calle Redonda shall be retained as a sewer easement with 24-hour maintenance access subject to the following standard stipulations:

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."

PDD Village Planner – Sofia Mastikhina

No comments received.

PDD Civil Department – Travis Tomich

"The abandonment of the alley may result in a 25-foot (minimum) sewer easement. No building or

Permanent structures will be allowed to encroach on the sewer easement (Design Standards Manual for

Water and Wastewater Systems, III.B.5). This stipulation will ultimately be imposed by the Water Services

Department.”

Neighborhood Services – Lynda Lee

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 – Kenny Hensman

“Recommend approval.”

Southwest Gas – Nancy Almanzan

“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 alley easements. Southwest Gas would like to recommend abandonment of the public utility easements located at the above-referenced location.”

Arizona Public Service – Beverly Metevia

“I have researched our records and found that the subject property is not situated within the APS service

territory. Therefore, APS does consent to the encroachment.”

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CenturyLink – Gladys Zeilstra

“Qwest Communications d/b/a CENTURYLINK QC (“CenturyLink”) has reviewed the request for the subject vacation and has determined that in order to protect its facilities CenturyLink must reserve its rights. CenturyLink has aerial facilities in the alleys.

Please SAVE AND EXCEPT an EASEMENT to CenturyLink over the following area/s:

Alley vacation between 54 Wy & 54 Ct, East of Calle Redonda, as further described and/or depicted on the attached 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 response is submitted with the additional stipulation that if CenturyLink facilities are damaged within the area, the Applicant will bear the cost of relocation and repair of said facilities.”

Salt River Project – Sherry Wagner

“Salt River Project does not approve of the abandonment of the alley as shown in your application ABND 210015. There is an overhead electric line in this area that SRP will need drivable access.”

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. 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. No right-of-way within 25 feet of the monument line may be abandoned along Calle Redonda and 54th Court.
4. Driveways along Calle Redonda and 54th Court shall be removed and replaced in kind with curb and gutter unless otherwise approved by the Street Transportation Department.
5. All work in public right-of-way is to be done in accordance with plans approved by the Planning and Development Department and at no cost to the City.
6. Either a or b shall be complied with:
 - a. Retain a drainage easement over the entire area to be abandoned.
 - b. Show that offsite flows within the alley will not impact others by changing the flow direction abruptly 90 degrees east in alley, 90 degrees south down 54th Court, 90 degrees west down Calle Redonda and another 90 degrees south down a 16ft drainage easement between 5401 & 5407 E Calle Redonda instead of natural offsite flows down the alley, across Calle Redonda to a drainage easement between 5401 & 5407 E Calle Redonda per Resolution 19121. Need to show positive drainage in the alley east to 54th Ct and capacity of the alley to carry additional offsite flows. Also show how 54th Ct positively drains to the south at the exit of the alley and capacity of the 54th Ct to carry additional offsite flows. Also show how the offsite flows are then carried to the drainage easement

between 5401 and 5407 E Calle Redonda.

7. 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: Maggie Dellow, Abandonment Coordinator

cc: Mike Ragland, Applicant/Representative
Christopher DePerro, Abandonment Hearing Officer