

ATTACHMENT B



City of Phoenix

Planning and Development Department

CONDITIONAL APPROVAL – ABND 220017

Your abandonment request was granted **CONDITIONAL APPROVAL**.

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 the Abandonment Coordinator at (602) 262-7399** for questions and notification of your completion of the stipulations.

Upon completion of the stipulations your request will be scheduled for City Council formal approval. You will receive a copy of the abandonment document after it has been recorded with Maricopa County.

If the stipulations of abandonment are not completed within **two years** from the date of your conditional approval (**your expiration date is April 27, 2024**), 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

April 27, 2022

Abandonment Staff Report: **ABND 220017**

Project# **01-2005**

Council District: **7**

Location:

Northwest Corner of 75th Avenue and
Baseline Road

Applicant:

K Hovnanian at Laveen Springs, LLC

Request to abandon:

The right-of-way, the 8' public utility easements, the 1' vehicular non-access easements, and the drainage easements dedicated through the Final Plat for "Laveen Ranch Amended" recorded with the Maricopa County Recorder on November 5, 2004.

Purpose of request:

The applicant states they are reconfiguring the lots and streets for the development of this site. The City has requested the abandonment application be processed in conjunction with the final plat that is dedicating new lot, tract, and easement configurations.

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Disclaimer : The information provided on this map is based on record drawings submitted by others. Users of this information are cautioned that independent verification of actual conditions may be necessary. Printing Water Data is for Internal Staff Only

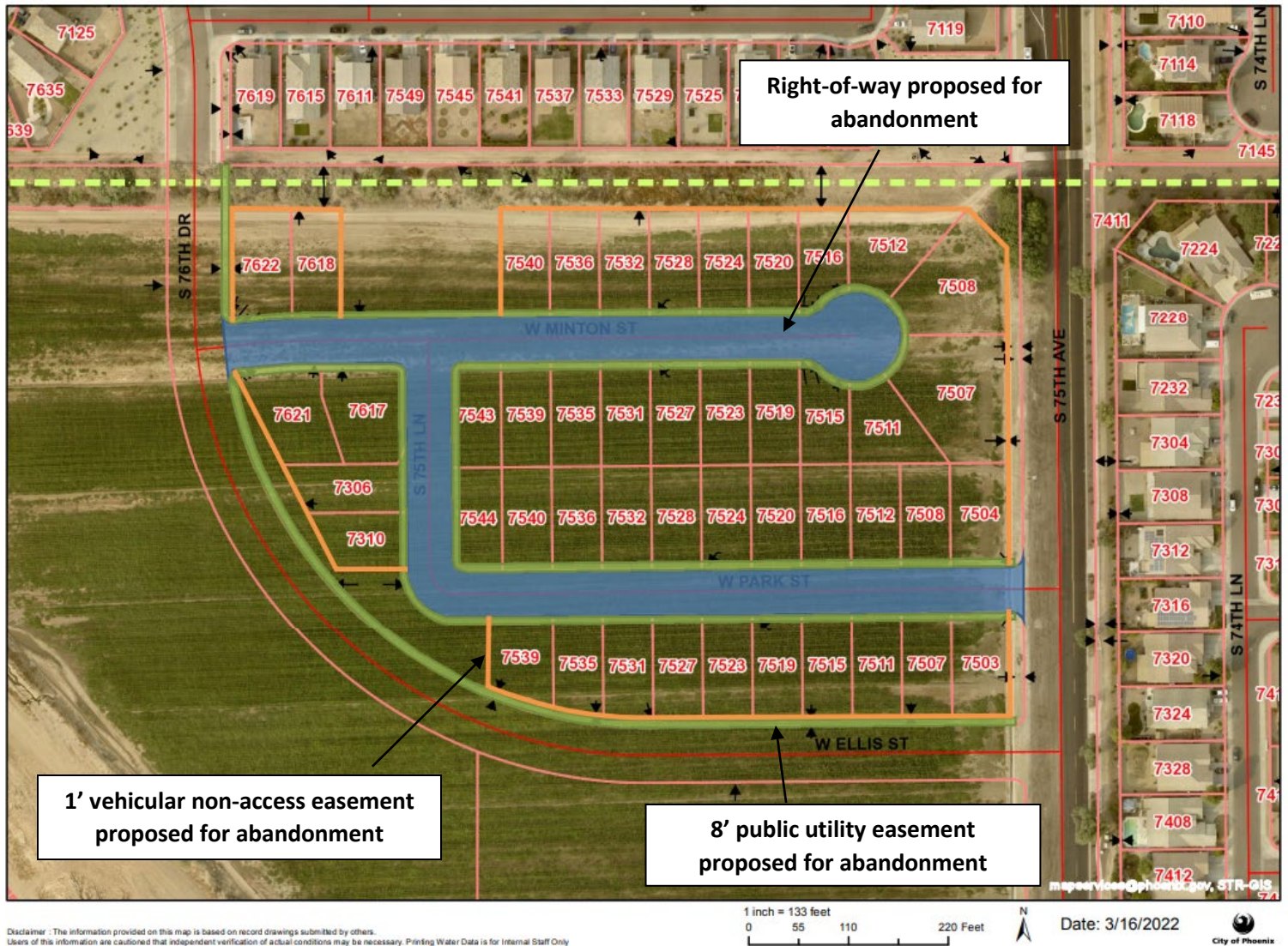
1 inch = 133 feet
0 55 110 220 Feet



Date: 3/16/2022



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City Staff Comments and Recommendations:

Street Transportation Department – Alan Hilty

“Dedicate 50’ of right-of-way for 75th Avenue as per the Street Classification Map.”

Water Services Department – Donald Reynolds:

“1. The existing fire hydrant along 75th Ave. shall be relocated onto the public right of way in accordance with plans submitted to and approved by the Planning and Development Department. All work is to be done by licensed contractor at no expense to the City of Phoenix.”

2. WSD has no facilities along the proposed alignment of 76th Dr/Ellis St. The PUE requested to be abandoned may be used for future appurtenances installed as part of the required water main extension.”

PDD Civil Reviewer – Don Gerkin:

“Civil approved the abandonment case ABND 220017.”

PDD Site Planning – Nathan Webb:

“Recommend approval as presented.”

PDD Site Planning – Maggie Dellow:

“The abandonment shall run concurrently with PLAT 220015.”

PDD Traffic – Derek Fancon:

“Recommend approval.”

PDD Long Range Planning – Julianna Pierre:

No comments received

Streetlights – Jason Fernandez:

“Recommend approval.”

Street Transportation Utility Coordination – Rozanna Brown:

“The Street Transportation Utility Coordination section has no comments.”

Neighborhood Services Department – 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 – Zach Lawson

“I have reviewed the abandonment request at ABND 220017 75TH Ave. N-O Baseline Rd. in Phoenix, {Maricopa County}, AZ. Based upon the supplied drawings/exhibits that you’ve submitted it has been determined that COX has no facilities within the easements 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 Mulanax

“After reviewing your request, it has been noted that we have a gas line and electronic marker system (EMS) located in Tract D at the Southeast corner of Lot 33 of the Final Plat for “Laveen Ranch Amended” in Book 712, Page 28. Please contact Conflict Review at (480) 730-3845 to discuss and review your request further.

All other portions of this abandonment request pose no problem for Southwest Gas Corporation.”

Arizona Public Service – James Generoso

“APS has no objection to the abandonments requested in ABND220017, the subject properties are outside of APS service territory.”

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 Exhibits “A” and “B”, said Exhibits “A” and “B” 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 PUE and vehicular and drainage easements as shown in your application ABND220017 for Laveen Springs.”


Stipulations of Conditional Approval

The request of abandonment ABND 220017 is conditionally approved, and 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. No right-of-way within 30 feet of the 76th Drive monument line may be abandoned.

4. No right-of-way within 40 feet of the 75th Ave monument line may be abandoned.
5. If the existing fire hydrant along 75th Avenue is located outside of an easement or right-of-way upon final approval of this abandonment, the hydrant shall be relocated onto the public right of way in accordance with plans submitted to and approved by the Planning and Development Department. All work is to be done by licensed contractor at no expense to the City of Phoenix
6. The abandonment shall run concurrently with PLAT 220015.
7. The abandonment must be completed within **two years** from the conditional approval decision dated **April 27, 2022**.

This conditional approval has been reviewed and approved.

Signature:  _____ Date: 5/12/2022

REPORT SUBMITTED BY: Maggie Dellow, Abandonment Coordinator

cc K Hovnanian at Laveen Springs, LLC, Applicant/Representative
Christopher DePerro, Team Leader. Site Planning