



**City of Phoenix**

Planning and Development Department

**CONDITIONAL APPROVAL – ABND 240001**

Your abandonment request was granted **CONDITIONAL APPROVAL** by **Christopher DePerro, Abandonment Hearing Officer**.

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 Dru Maynus at 602-262-7403** for questions and notification of your completion of the stipulations.

Upon completion of the stipulations your request will be scheduled for City Council action.

If the stipulations of abandonment are not completed within **two years** from the date of your conditional approval (**your expiration date is February 8, 2026**), 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.



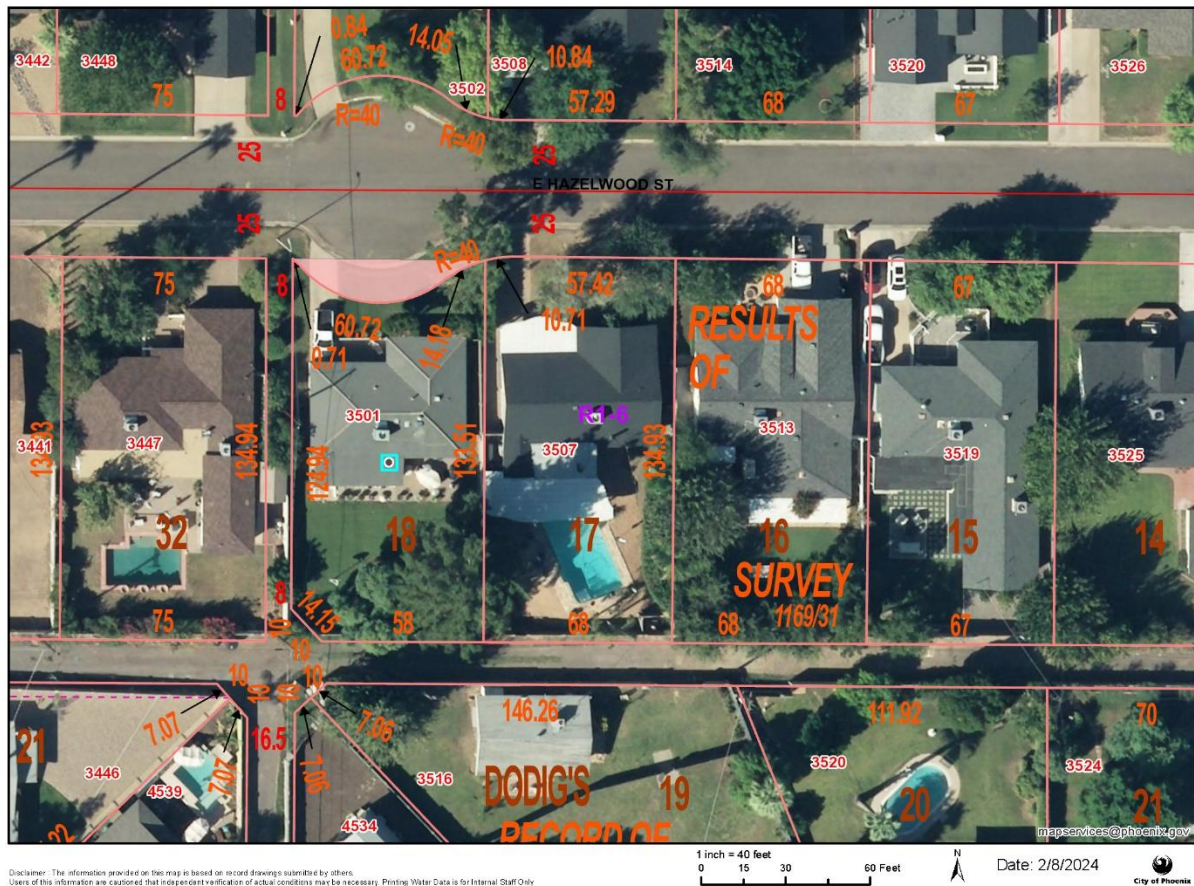
## **City of Phoenix**

Planning and Development Department

February 8, 2024  
Preliminary Abandonment Staff Report: **ABND 240001**  
Project# **02-2314**  
Quarter Section: **18-35**  
District#: **6**

<b><u>Location:</u></b>	3501 East Hazelwood Street
<b><u>Applicant:</u></b>	Liridon Ulaj
<b><u>Request:</u></b>	To abandon a portion of the East Hazelwood Street right-of-way that fronts 3501 East Hazelwood Street.
<b><u>Purpose of request:</u></b>	The applicant states the removal of the portion of right-of-way will aid with increasing traffic safety, pedestrian safety, and allow for an increase in buildable area for the parcel immediately south of the ROW.
<b><u>Hearing date:</u></b>	<b>February 8, 2024</b>

## ABND 240001



### Hearing Summary

Ms. Dru Maynus, Abandonment Coordinator read ABND 240001 into the record, stating the location, applicant, request, purpose of request and City Staff research.

Mr. Messer asked the applicant, Liridon Ulaj, if he had anything that he wanted to add to the case.

Mr. Ulaj said he didn't have much to add beside that the abandonment would improve vehicular traffic safety, pedestrian safety, and would aid in increases the lot size of the property.

Mr. Messer asked Dru to move on to City Staff comments, and then asked the Street Transportation Department representative, Mr. Josh Rogers to go over his comments.

Mr. Rogers explained that the Street Transportation Department supports the request, but the department requests that no right-of-way shall be abandoned within 25-feet of the Hazelwood Street monument line. They are also stipulating that the applicant to construct a rolled curb, gutter, etc. to match the existing east and west improvements on the south side of Hazelwood Street.

Mr. Messer asked Ms. Maynus to go over City Department comments.

Ms. Maynus stated that Traffic Department recommended approval with no additional comments, the Site Planning Division recommended approval, the Streetlight division recommended approval with one stipulation of replacing streetlights if they are removed during rework of the street, the Solid Waste Department had no comments, Water Service Department (WSD) comment was irrelevant as it discussed an alley and the project does not include an alley, Village planning didn't provide comments, and the Civil Division recommended approval with no stipulations.

Mr. Messer was concerned with WSD's comment since it didn't relate to the project. He asked Ms. Maynus to follow-up with WSD to ensure that they reviewed the correct project.

Ms. Maynus said she would double check.

Mr. Messer asked Ms. Maynus to continue on with the remainder of the comments.

Ms. Maynus stated that Cox, Southwest Gas, Arizona Public Service, and Salt River Project all approved the request. But CenturyLink did not provide the City with comment.

Mr. Messer explained that because most of the utility providers had no objections with the exception of CenturyLink we will leave the stipulations as they are unless CenturyLink comes back with comments or stipulations that require us to modify the stipulations.

Mr. Messer then asked Mr. Ulaj if he had any questions or concerns.

Mr. Ulaj answered no.

Mr. Messer then asked to continue with the recommended stipulations.

Ms. Maynus read through the recommended stipulations.

Mr. Messer then asked for Mr. Chris DePerro guidance if additional language should be added to stipulation one in case CenturyLink did provide comment that they have facilities in the area of the abandonment.

Mr. DePerro said the stipulation is already written in a way that covers this. The applicant would then just need to relocate the facilities.

Mr. Messer said okay.

The Abandonment Hearing Officer granted conditional approval for abandonment 240001 subject to stipulations in the staff report dated February 8, 2024 as written.

### **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 shall be abandoned within 25-feet of the Hazelwood Street monument line.
4. The applicant shall construct new rolled curb, gutter, and incidentals to match the existing east and west improvements on the south side of Hazelwood Street, adjacent to the subject parcels.
5. 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: March 25, 2024

REPORT SUBMITTED BY: Dru Maynus, Abandonment Coordinator.

cc: Applicant/Representative, Liridon Ulaj  
Craig Messer, 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.