

ATTACHMENT B



City of Phoenix

Planning and Development Department

CONDITIONAL APPROVAL – ABND 220019

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 220019**

Project# **97-0000358**

Council District: **8**

Location:

3510 East McDowell Road

Applicant:

Jared Vidales

Request to abandon:

The remnant alley right-of-way located between the parcel identified by APN 120-18-011B to the north and the parcel identified by APN 120-18-011C to the south.

Purpose of request:

The applicant states the surrounding property is being planned for a single-family attached residential community. The existing alley is in the middle of the property and will be planned as a part of the whole project to allow for full circulation and access to units.

Planning and Development



City Staff Comments and Recommendations:

Street Transportation Department – Maja Brkovic

No comments received.

Water Services Department – Donald Reynolds:

“WSD has NO stipulations for this Abandonment. The proposed property has existing water and sewer mains that can potentially serve the development.”

PDD Civil Reviewer – Michelle Flores:

“Recommend approval.”

PDD Site Planning – Maggie Dellow:

“There are no site planning concerns related to this proposed abandonment.”

PDD Traffic – Derek Fancon:

“Recommend approval.”

Streetlights – Jason Fernandez:

“Recommend approval.”

Solid Waste – Michael Dwyer:

“Approve.”

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 220019 3510 E MCDOWELL RD APN 120-18-011C 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 the documents for the above-referenced abandonment, it has been determined that there are no apparent conflicts between the Southwest Gas system and your proposed abandonment as shown on the letter you sent. Permission is granted to abandon the right-of-way located at the above-referenced location.”

Arizona Public Service – James Generoso

“APS has no objection to the abandonments requested in ABND 220019.”

CenturyLink – VeShon Sheridan

“Qwest Corporation d/b/a CENTURYLINK, QC (“CenturyLink”) has reviewed the request for the subject abandonment and has determined there are no CenturyLink facilities within the ROW area as shown and/or described on Exhibit “A”, said Exhibit “A” attached hereto and incorporated by this reference.

It is the intent and understanding of CenturyLink that this abandonment shall not reduce our rights to any other existing easements or rights we have on this site or in the area.

This No objection response is submitted WITH THE STIPULATION that IF CenturyLink facilities are found and/or damaged within the easement 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 alley right-of-way north of APN 120-18-11b and south of 120-18-011C as shown in your application ABND 220019.”

Stipulations of Conditional Approval

The request of abandonment ABND 220019 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. 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: 10.20.2022

REPORT SUBMITTED BY: Maggie Dellow, Abandonment Coordinator

cc Jared Vidales, Applicant/Representative
Christopher DePerro, Team Leader, Site Planning