

Attachment B



City of Phoenix

Planning and Development Department

CONDITIONAL APPROVAL – ABND 230049

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

This request will **NOT** be completed until it is formally adopted by City Council. Please contact **Dru Maynus** at **(602) 262-7403** for questions regarding this report.

Upon approval of the legal description by our Real Estate division, **Dru Maynus** will schedule your request for City Council formal approval. You will receive a copy of the resolution from the City Clerk after Council adoption.

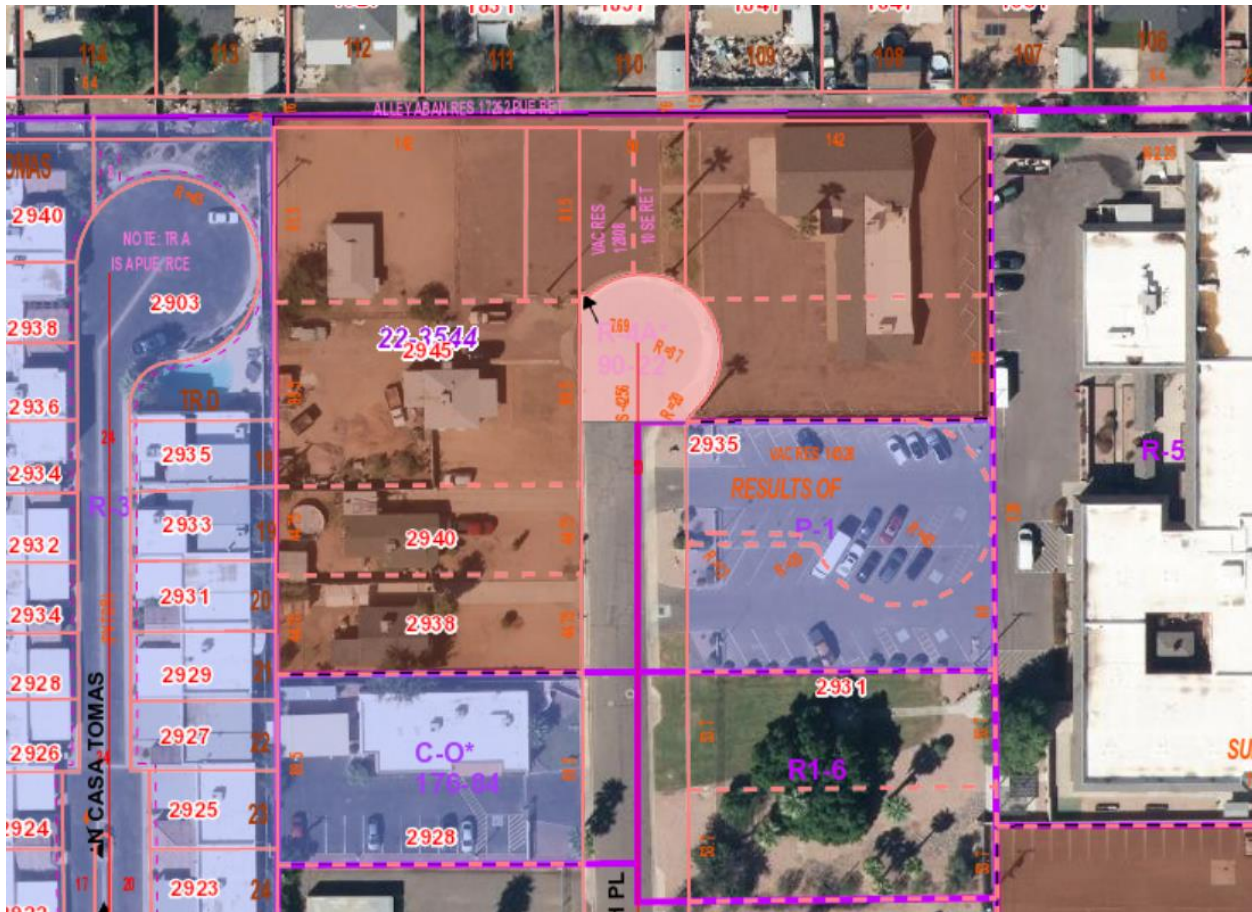


City of Phoenix

Planning and Development Department

October 12, 2023
Preliminary Abandonment Staff Report: **ABND 230049**
Project# **22-3544**
Quarter Section: **15-31**
District#: **4**

<u>Location:</u>	North of East Thomas Road and 18 th Place
<u>Applicant:</u>	Sender Associates, Chtd. Jennifer K. Boblick
<u>Request:</u>	To abandon the cul-de-sac on 18 th Place.
<u>Purpose of request:</u>	The applicant states is to relocate the cul-de-sac to accommodate affordable housing development adjacent to properties.
<u>Hearing date:</u>	October 12, 2023



City Staff Research

City Staff research shows the cul-de-sac was dedicated by S-Ordinance 4256 on January 9, 1968. If abandoned, the cul-de-sac will be conveyed back to the adjacent properties.

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. Sufficient right-of-way shall be dedicated to construct a 50-foot radius cul-de-sac as depicted on the site plan dated February 21, 2023
2. All unused driveways and replace any broken or out-of-grade curb, gutter, and sidewalk on all streets shall be removed.
3. All streets within and adjacent to the development shall be constructed with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.

Street Transportation Utility Coordination Department– Rozanna Brown

No comment received.

PDD Traffic Department – Derek Fancon

Recommend approval.

PDD Planning Department – Craig Messer

No comment received.

Streetlights – Jason Fernandez

Recommend approval.

Solid Waste - Robert Lopez

The proposed abandonment will have no operational impact for PW Solid Waste.

Water Services – Don Reynolds

WSD has one stipulation for this Abandonment. The cul-de-sac in 18th Place can be abandoned as requested.

The right-of-way shall be retained as a sewer easement or as may be modified by the affected utilities 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 – Sarah Stockham

No comment received.

PDD Civil Department – Alex Hernandez

Civil has no objection to this abandonment.

Neighborhood Services – Yvette Roder

No comment received.

Public Transit Department – Jorie Bresnahan

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

No comment received.

Southwest Gas – Susan R. Mulanax

No comment received.

Arizona Public Service – James Generoso

APS has no objection to the abandonment requested in ABND 230049.

CenturyLink – Shaun Giesler

CenturyLink of Arizona, Inc. d/b/a CENTURYLINK (“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 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 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 – Michael Laguna

Salt River Project has no objection to the abandonment and reconfiguration of 18th Place cul-de-sac north of Thomas Road as shown in the abandonment package. This is in an Arizona Public Service serving area.

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 utility 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. 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. Sufficient right-of-way shall be dedicated to construct a 50-foot radius cul-de-sac as depicted on the site plan dated February 21, 2023.
4. Remove all unused driveways and replace any broken or out-of-grade curb, gutter, and sidewalks on all streets.
5. All stipulations must be completed within **two years** from the Abandonment Hearing Officer’s decision.

The request of abandonment ABND 220049 is conditionally approved and will be forwarded to Council for formal adoption and recordation.

This conditional approval has been reviewed and approved.

A handwritten signature in black ink, appearing to be 'C. Messer', written over a horizontal line.

Signature: _____

Date: December 11, 2023

REPORT SUBMITTED BY: Craig Messer, Principal Planner – Site Planning Division

cc: Applicant/Representative, Jennifer K. Boblick
Christopher DePerro, 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.