

ATTACHMENT B



City of Phoenix

Planning and Development Department

CONDITIONAL APPROVAL – ABND 210058

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) 256-3487** 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 December 28, 2023**), 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

December 28, 2021

Abandonment Staff Report: **ABND 210058**

Project# **20-2345**

Quarter Section: **50-22**

District#: **1**

Location:

Federal patent easement reservations located on the northeast corner of 31st Avenue and Pinnacle Vista Drive and right-of-way dedicated on APN: 205-01-007C.

Applicant:

K. Hovnanian Homes

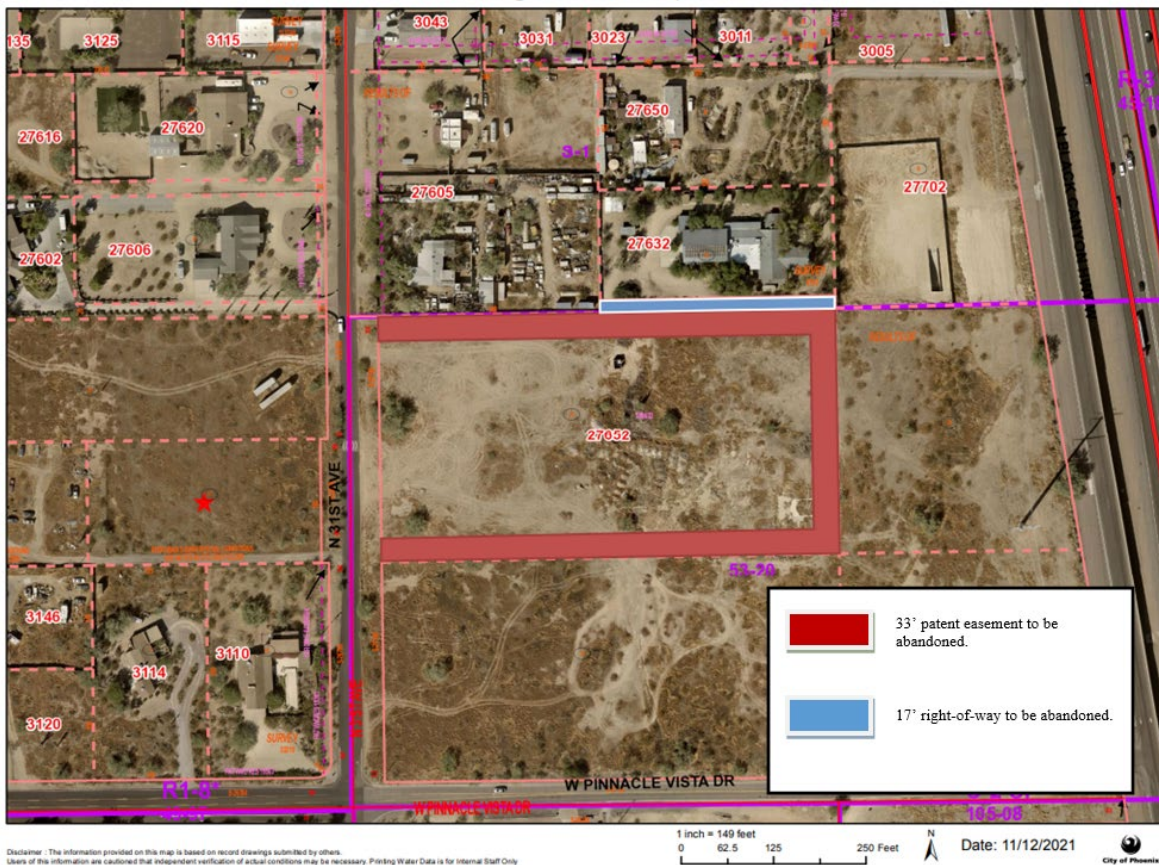
Request to waive:

33' Federal patent easement reservations located on the northeast corner of 31st Avenue and Pinnacle Vista Drive and 17' right-of-way dedicated on APN: 205-01-007C.

Purpose of request:

The applicant states that none of federal patent easements identified in the application have needed for legal access to right of way and the 17' right-of-way provide no public access to the site.

Planning and Development



City Staff Comments and Recommendations:

Street Transportation Department – Maja Brkovic

1. No right-of-way within 30 feet of the 31st Avenue monument line may be abandoned.
2. The applicant shall contact the Street Transportation Department (Michael Vellotti) @ michael.vellotti@phoenix.gov to coordinate the removal, salvage or purchase all existing City owned signs. No sign is to be removed until a copy of the abandonment resolution is provided to the Street Transportation Department.
3. The applicant shall contact the Street Transportation Department (Jason Fernandez) at (602) 256-4168 to coordinate the removal, relocation or transfer of ownership of all City owned streetlights within the subdivision. This shall be done at no cost to the City.

4. 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.

PDD Traffic Department – Derek Fancon

“Recommend approval.”

Street Lights – Jason Fernandez

“Recommend approval.”

PDD Civil Reviewer – Darren Chapman

“Recommended Approval.”

Water Services Department – Don Reynolds

“Domestic Water Stipulations:

- Existing System
Pressure zone (4AW)
8-inch ACP within 31st Ave. (4AW)
- Main Extension and Upsizing Requirement
None.
- Connection Points and Water Taps
WSD maps shows No services.
- Easement Stipulation
None.
- Other Stipulations
None.

Sewer Stipulations:

- Existing System
12-inch VCP within Pinnacle Vista Dr.
- Main Extension and Upsizing Requirement
None.
- Connection Points and Sewer Taps
WSD maps shows No services.
- Easement Stipulation
None.

Miscellaneous Stipulations:

- Repayment

None.

- Abandonments

WSD has No stipulations for this abandonment request.

General Stipulations:

Per City Code Chapter 37-33, all public streets bounding (along property frontage) and within a proposed development must have public water mains within them, if none exists, developer must install.

The information contained above is based on existing conditions and circumstances. Please be advised that available capacity is a dynamic condition that can change over time due to a variety of factors. For that reason, the City of Phoenix is only able to provide assurance of water and sewer capacity at the time of preliminary site plan approval, building permit, or PCD master plan approval. If you are in the City's service area, it is our intent to provide water and sewer service. However, the requirements for such water and sewer service are not determined until the time of application for site plan, PCD master plan, or building permit approval. These requirements will be based on the status of our water and sewer infrastructure at the time the application is submitted. For any given property, these requirements may vary over time to be less or more restrictive depending on the status of our infrastructure."

Village Planner – David Simmons

No Comments Received

Neighborhood Services- Lynda Lee

No Comments Received

Utility Provider Comments and Recommendations:

SRP – Sherry Wagner

"Salt River Project has no objection to the abandonment of the Federal Patent easement and the right of way as shown in your application ABND210058. This is in the Arizona Public Service serving area."

APS – Beverly Metevia

"APS has no objection to the abandonments requested in ABND210058."

Cox Communications – Zach Lawson

"I have reviewed the abandonment request at ABND 210058 APN 205-01-006A 27652 N BLACK CANYON HWY 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 – Tami Garcia

No Comment Received

Centurylink – Mary Hutton

No Comment Received

Streets Utility Coordination – Rozanna Brown

No Comments Received


Stipulations of Conditional Approval

The request of abandonment ABND 210058 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. No right-of-way within 30 feet of the 31st Avenue monument line may be abandoned.
3. The applicant shall contact the Street Transportation Department (Michael Vellotti) @ michael.vellotti@phoenix.gov to coordinate the removal, salvage or purchase all existing City owned signs. No sign is to be removed until a copy of the abandonment resolution is provided to the Street Transportation Department.
4. The applicant shall contact the Street Transportation Department (Jason Fernandez) at (602) 256-4168 to coordinate the removal, relocation or transfer of ownership of all City owned streetlights within the subdivision. This shall be done at no cost to the City.

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. The abandonment must be completed within **two years** from the conditional approval decision dated **December 28, 2021**.

This conditional approval has been reviewed and approved.

Signature:  _____ Date: 1/18/22

REPORT SUBMITTED BY: Matt Roth, Abandonment Coordinator

cc K. Hovnanian Homes, Applicant/Representative
Christopher DePerro, Team Leader Site Planning