

## Responses to Review Comments

October 18, 2022

Re: 4-AB-2022

Khan Residence Land Addition

**Note: The city review comments are listed below with responses to review comments shown in Bold, Underlined Italics.**

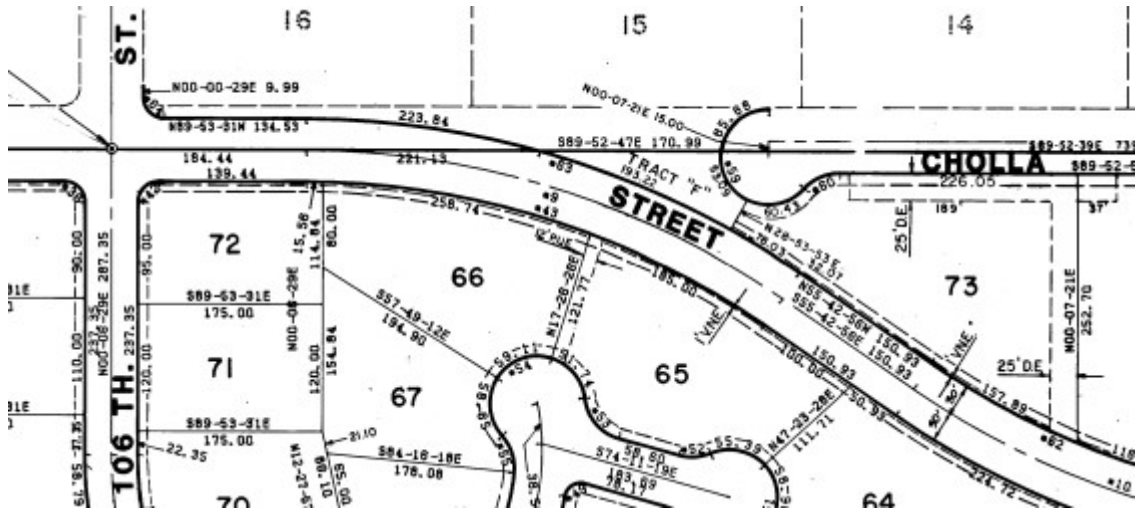
**Response: Please note: The owner is only seeking to obtain through abandonment the small parcel located directly to the south of his property (Identified as Parcel 3 on site exhibit). He is not seeking to obtain the triangular piece of property owned by the city further south. Where the city has a comment regarding the triangular piece of property the response will be noted as "Not part of this abandonment- comment does not apply."**

Transportation:

1. The Transportation Department does not support the abandonment request as proposed.
2. Please update the request to provide a fifty-foot-wide (50-ft) radius cul-de-sac right-of-way along the frontage that is proposed to be abandoned, not the forty-five-foot-wide (45-ft.) radius as currently shown (DSPM Section 5-3.800; Figure 5-3.44). **Response: The request has been updated to provide the fifty-foot-wide (50-ft) radius.**
3. Staff will not support the abandonment or sale of the portion of the right-of-way/tract as identified in the graphic below. Identified right-of-way is utilized for access by the parcel located to the west of the subject parcel. **Response: Not part of this abandonment-comment does not apply.**



4. The subdivision plat for the Preston Hills plat identifies the southern portion of the requested abandonment to be dedicated and owned by the Preston Dills subdivision. Therefore, this portion of the abandonment will not be provided to this property owner. The Preston Hills would need to deed the area to any other property. **Response: Not part of this abandonment-comment does not apply.**



- 5. There are water and sewer lines in the southern parcel that is being requested to be abandoned.

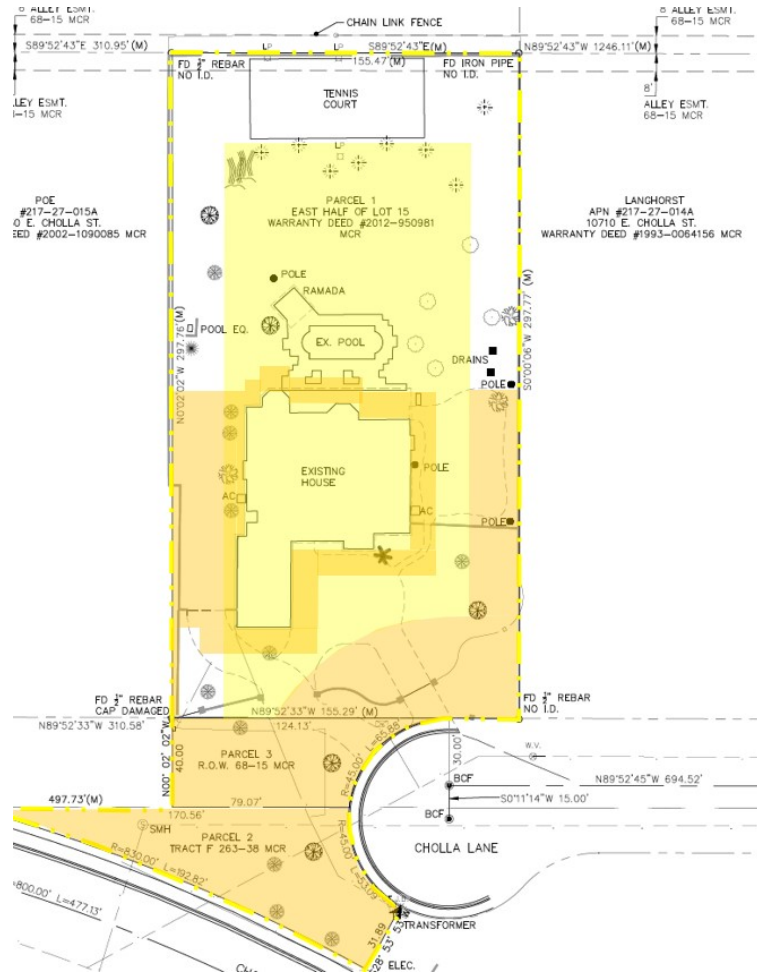
**Response: Not part of this abandonment-comment does not apply.**



Zoning:

- Please submit a setback exhibit assuming that the proposed abandonment is approved. Staff has created a “conceptual” graphic that identifies the areas that will not allow for structure locations. These areas may conflict with the owners’ overall reasoning for the proposed abandonment.

**Response: A revised Site Plan exhibit has been provided to show the proposed building footprint.**



- Staff has received communications in opposition to the abandonment request. Residents have stated that they do not support the abandonment as it will encourage the parking of vehicles within the proposed abandonment area. Please update the project narrative to address this concern and to confirm that the proposal will include creating more parking area than allowed by ordinance.

**Response: The project narrative has been revised to address concerns.**



8. Aerial records identify vehicle being parked within City right-of-way and City owned property. Please provide evidence of vehicle being removed form these areas until such time the abandonment has been decided. Vehicle shall not be parked in these areas if the abandonment is not approved.

**Response: The very temporary vehicle situation has been resolved by the vehicles being moved some time ago by consistently parking the vehicles at the west side of the residence (See aerial exhibit)**

#### **Significant Policy Related Issues**

The following policy related issues have been identified in the first review of this application. Even though some of these issues may not be critical to scheduling the application for public hearing, they may affect the City Staff's recommendation pertaining to the application and should be addressed with the resubmittal of the revised application material. Please address the following:

#### **Water and Wastewater:**

9. Please note that the potential purchase of City Owned parcel, APN 217-47-355, located south of the proposed right-of-way abandonment area, a twenty-foot (20-ft) water and sewer services easement will be required to be dedicated over the eight-inch (8-in) ACP water main and eight-inch (8-in) VCP gravity sewer located on the parcel. A minimum of six (6) feet is required between the water or sewer main and the edge of the easement (DSPM Section 6-1.419 and 7-1.412). The easement is required to be accessible from a public right-of-way, be free of obstructions, and always accessible to city service equipment (i.e., vacuum trucks and backhoes) (DSPM Section 6-1.402). Water lines shall not be located within ten (10) feet of a building or retaining wall without providing additional protection.

**Response: Not part of this abandonment-comment does not apply.**

#### **Engineering:**

10. Per Preston Hills Unit I subdivision final plat, MCR 263-38, Tract F, APN 217-47-355 is reserved for drainage or any other public use and benefit. If purchase of this parcel goes through, a land assemblage plat will be required, to incorporate purchased land into project parcel. When doing so, all easements, Drainage and Flood Control and Public Utility, will be called out as existing, per MCR 263-38, over entirety of portion of land being incorporated into lot 15B, project parcel. Any subsequent request for release of easements will need to follow city processes. Approval for their release are not guaranteed (public utility easement will be needed for public water and sewer mains contained within APN 217-47-355 + traffic control). Applicant to acknowledge parcel restrictions and future city process obligations.

**Response: Not part of this abandonment-comment does not apply.**

#### **Technical Corrections**

The following technical ordinance or policy related corrections have been identified in the first review of the project. While these items are not as critical to scheduling the case for public hearing, they will likely affect a decision on the final plans submittal (construction and improvement documents) and should be addressed as soon as possible. Correcting these items before the hearing may also help clarify

#### **Circulation:**

11. The City should retain a minimum 8-foot-wide traffic control easement and public utility easement along the E. Cholla Street frontage, if any right-of-way is abandoned to allow traffic control signs.

**Response: Not part of this abandonment-comment does not apply.**

#### **Water and Wastewater:**

12. The water service line, extending from parcel 10630 E. Cholla Lane, extends within the proposed right-of-way abandonment area. If abandoned, the owner would be required to provide a private easement (5-foot minimum, with service line centered in private easement) for this water service line.

**Response: Not part of this abandonment-comment does not apply.**

#### **Fire:**

13. Please update project narrative to identify how access to parcel located at 10630 E. Cholla Lane will be provided.

**Response: Not part of this abandonment-comment does not apply.**

Please resubmit the revised application requirements and additional information identified in Attachment A, Resubmittal Checklist, and a written summary response addressing the comments/corrections identified above as soon as possible for further review. The City will then review the revisions to determine if the application is to be scheduled for a hearing date, or if additional modifications, corrections, or additional information is necessary.

**Response: The revised application requirements and additional information are part of this resubmittal.**

Please contact us if you have any questions or comments.

Thank you

Jeff Wagner

WAGNER ARCHITECTS, LLC

[wagnerarch@msn.com](mailto:wagnerarch@msn.com)

Phone: 602-689-5187