

Attachment B - Approval Report



City of Phoenix

Planning and Development Department

CONDITIONAL APPROVAL – ABND 200521

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 Robert Martinez at (602) 495-0156** for questions and notification of your completion of the stipulations.

Upon completion of the stipulations Robert Martinez will schedule your request 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 June 4, 2022**), 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

June 4, 2020

Abandonment Staff Report: **ABND 200521**

Project# **19-3156**

Quarter Section: **11-40**

Location:

North of Taylor Street and East of 52nd Street

Applicant:

Lorne Wallace; RAS Developments Inc.

Request to abandon:

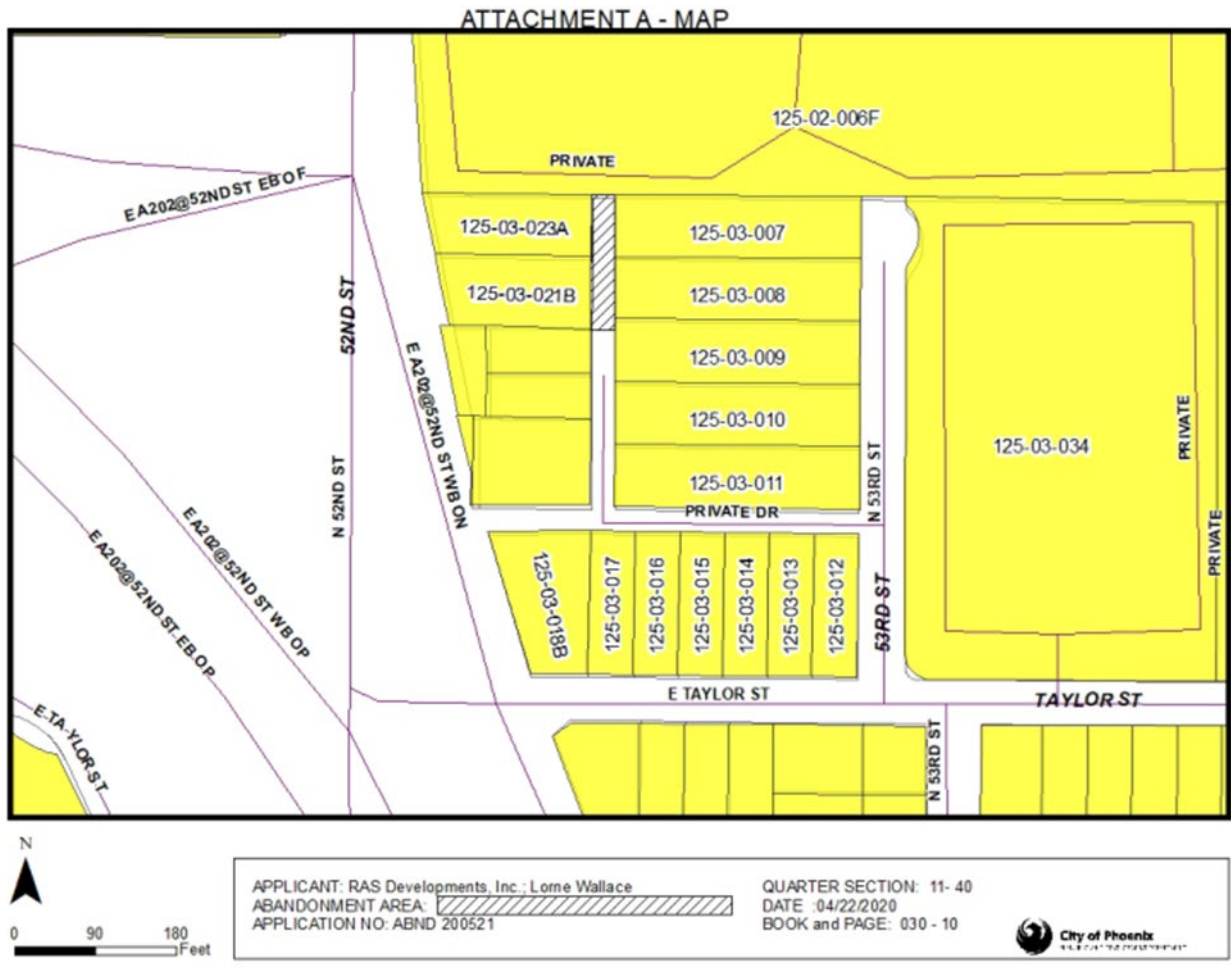
To abandon a 20-foot right-of-way easement, bounded by north eastern portion of Tract B and lots 7, 8 and portion of lot 9, per final plat for "Papago Addition", recorded with MCR, Book 030, page 10.

Purpose of request:

The applicant states: Joining parcels with subdivision plat for multi-family residential development.

Hearing date:

June 4, 2020



Hearing Summary

Ms. Wendy Turner, the Abandonment Coordinator, read the case into the record.

Mr. Christopher DePerro, the Abandonment Hearing Officer then opened the discussion by asking the applicant if he would like to expand on the abandonment request.

Mr. Lorne Wallace, the applicant responded by stating that this alley is a dead-end alley that is not being used and this would join parcels for multi-family residential development.

The Hearing Officer discussed the stipulations with the applicant.

The Hearing Officer granted a Conditional Approval with revised stipulations.

Stipulations of Conditional Approval

The request of abandonment, is conditionally approved by the Abandonment Hearing Officer. The following stipulations will need to be met:

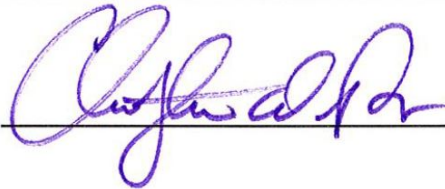
1. Either a or b shall be complied with:
 - a. All utilities shall be relocated to locations approved by each affected utility company.

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. 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: 9/11/2020

REPORT SUBMITTED BY: Alyssa Neitzel, Abandonment Secretary.

cc: Applicant/Representative, Lorne Wallace; RAS Developments Inc.
Christopher DePerro, Abandonment Hearing Officer