

ATTACHMENT B



City of Phoenix

Planning and Development Department

CONDITIONAL APPROVAL – ABND 210068

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 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 action.

If the stipulations of abandonment are not completed within **two years** from the date of your conditional approval (**your expiration date is February 3, 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

February 3, 2022
Abandonment Staff Report: **ABND 210068**
Project# **21-3802**
Quarter Section: **46-25**
Council District: **1**

Location:

Parkview Lane and 17th Avenue

Applicant:

Matt Visnansky, The Opus Group

Request to waive:

Portions of eight (8) 33-foot federal patent easement running north to south on parcels identified by APNs 210-07-002, -026A, -026B, 210-08-002, -007, -017.

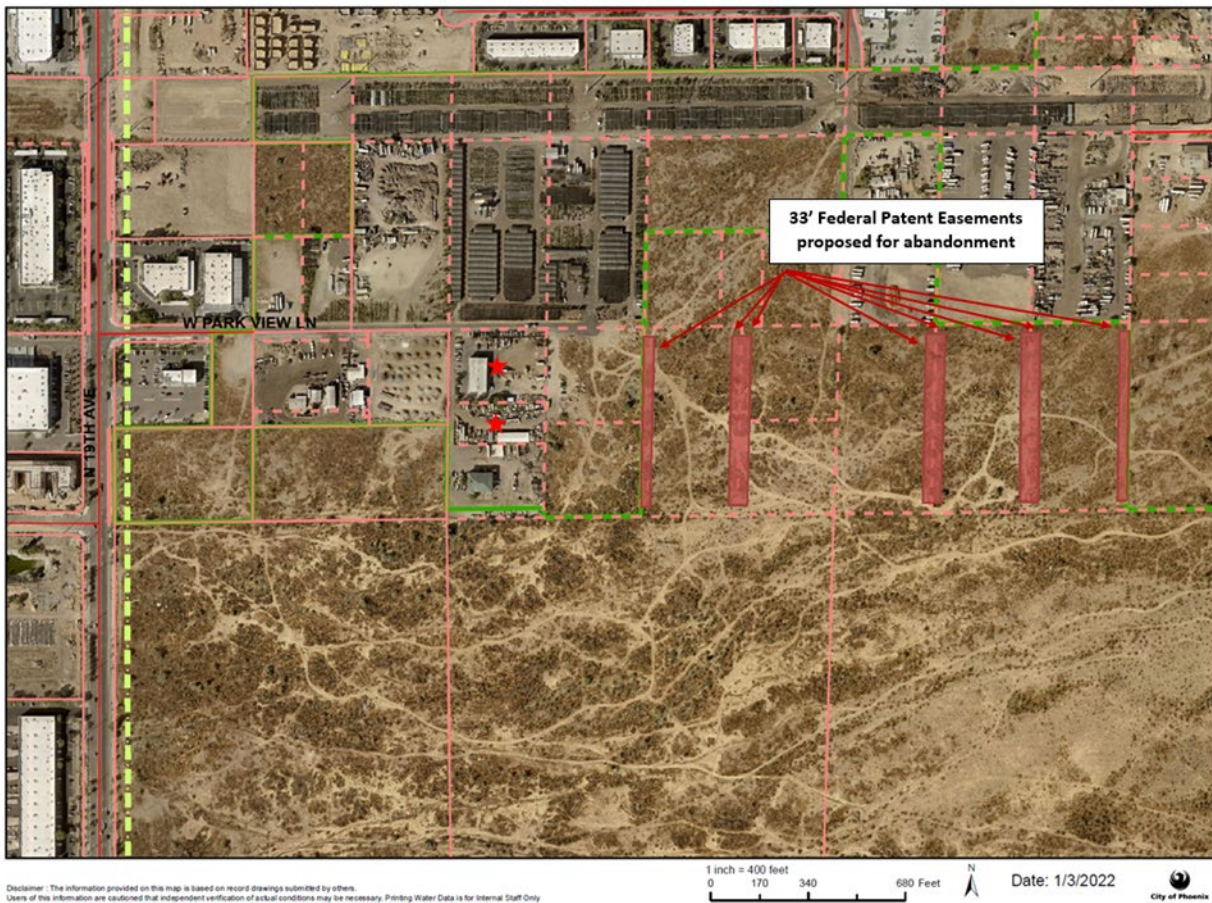
Purpose of request:

The applicant states the site is being developed with two Class A industrial warehouse buildings. There are no plans to construct right-of-way within the portions of the federal patent easements proposed to be waived in this application. The remaining portions of federal patent easement will remain in anticipation of the construction of Alameda Road, Parkview Lane, and 15th Avenue.

Hearing date:

February 3, 2022

Planning and Development



Hearing Summary

Mr. Christopher DePerro, the Abandonment Hearing Officer, called the hearing to order at 9:31 am on February 3, 2022.

Ms. Maggie Dellow, the Abandonment Coordinator first introduced associated ABND 210067 by reading the case into the record by stating the applicant, location, abandonment request, and purpose of the

Mr. DePerro suggested before making a decision on ABND 210067, the associated abandonment on the eastern site should be read into record, and then he could make a decision for both cases at the same time.

Ms. Dellow introduced the associated abandonment case ABND 210068 by reading the abandonment case into the record by stating the applicant, location, abandonment request, and purpose of the request, as well as City staff research.

Mr. DePerro asked if comments and stipulations between the two cases were identical. Ms. Dellow explained that the comments were identical with the exception of comments from Cox,

which indicated utilities were located within the area proposed in ABND 210067, but not within the area proposed in ABND 210068.

Mr. Bull asked if the request to waive the federal patent easement would be treated like any other right-of-way abandonment. Mr. DePerro confirmed that it would.

Mr. Bull asked to add it to the record that the request proposed at this hearing should not be construed as a request to abandon any right-of-way adjacent to any nearby or neighboring properties.

The Hearing Officer granted conditional approval to ABND 210068 subject to the stipulations stated in the staff report.

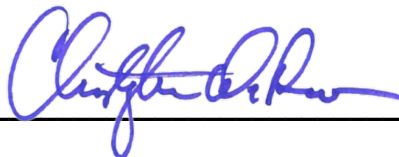
Stipulations of Conditional Approval

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 federal patent easement shall be retained as a public utilities easement with 24-hour vehicle maintenance access.
2. No abandonment shall be permitted within 40-feet of the property line and Alameda roadway alignment.
3. All landlocked parcels shall be replatted, legally combined, or have an alternate legal access provided (private ingress/egress easement) to a public street.
4. The abandonment shall run concurrent with the dedication of right-of-way as stipulated by PHO 1-21--Z-129-07.
5. 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: 4/28/2022

REPORT SUBMITTED BY: Maggie Dellow, Abandonment Coordinator

cc: Matt Visnansky, The Opus Group, Applicant
Christopher DePerro, Abandonment Hearing Officer