

ATTACHMENT B



City of Phoenix

Planning and Development Department

CONDITIONAL APPROVAL – ABND 220018

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 May 26, 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

May 26, 2022

Abandonment Staff Report: **ABND 220018**

Project# **99-40878**

Quarter Section: **32-32**

Council District: **5**

Location:

13220 North Cave Creek Road

Applicant:

Nicholas Taylor

Request to abandon:

The ROW on the eastern boundary of the parcel identified by APN 116-11-024C for approximately 15 feet.

Purpose of request:

The applicant states the abandonment is needed for the redevelopment of the parcel.

Hearing date:

May 26, 2022

Planning and Development



Hearing Summary

Mr. Christopher DePerro, the Abandonment Hearing Officer, called the hearing to order at 9:30 am on May 26, 2022.

Ms. Maggie Dellow, the Abandonment Coordinator, introduced the abandonment case ABND 220018 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 then started the discussion by asking the applicant if they would like to add any additional comments regarding the abandonment request.

Mr. Garry Hays, the applicant, indicated that he was happy with the recommended approval to abandon 10' of the right-of-way as suggested by the Street Transportation Department.

Ms. Dellow reviewed comments received by the City as well as recommend stipulations for abandonment approval.

The Hearing Officer granted a conditional approval subject to stipulations 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. 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.
2. No right-of-way within 45-feet of the Cave Creek Road monument line may be abandoned.
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: 8/10/22

REPORT SUBMITTED BY: Maggie Dellow, Abandonment Coordinator

cc: Nicholas Taylor, Applicant/Representative
Christopher DePerro, Abandonment Hearing Officer