

Attachment B - Approval Report



City of Phoenix

Planning and Development Department

CONDITIONAL APPROVAL – 180068A

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 G. Martinez at (602) 495-0806** for questions and notification of your completion of the stipulations.

Upon completion of the stipulations, Robert G. Martinez will schedule your request for City Council action.

If the stipulations of abandonment are not completed within **one year** from the date of your conditional approval (**your expiration date is January 8, 2020**), 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

January 8, 2019

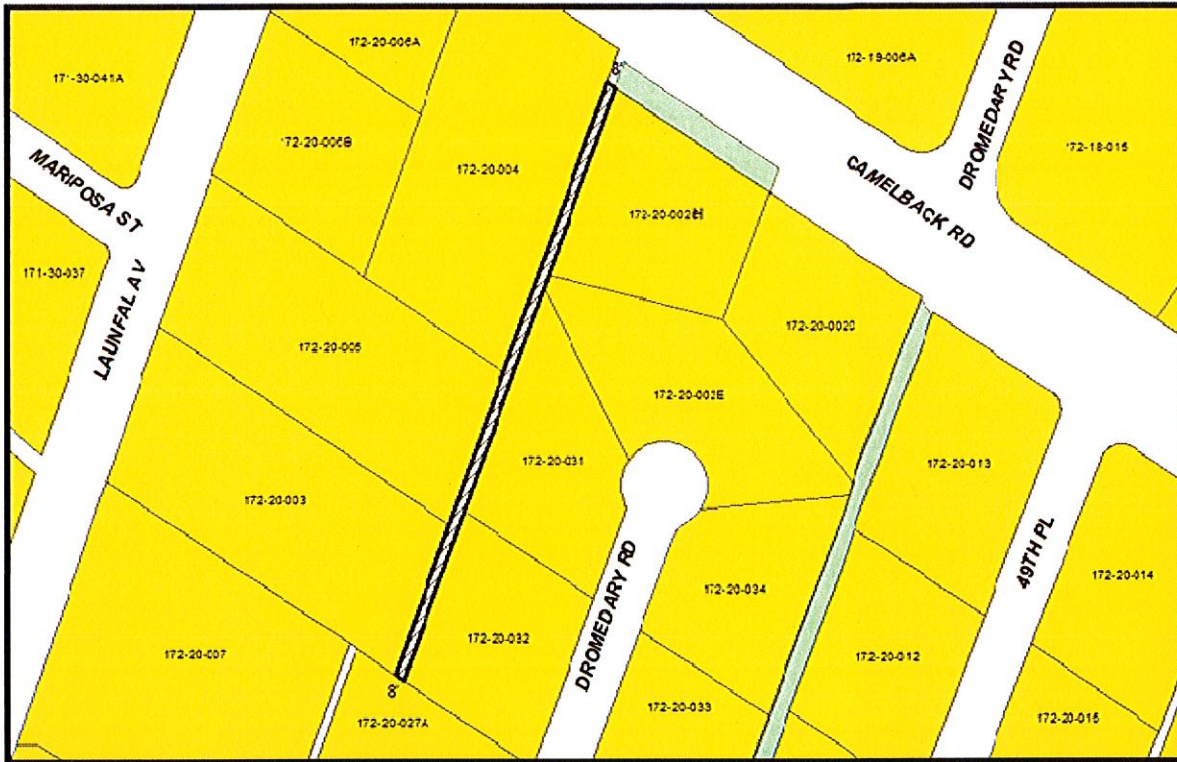
Abandonment Staff Report: **V180068A**

Project# **99-40961**

Quarter Section: **18-39**

<u>Location:</u>	4935 East Camelback Road
<u>Applicant:</u>	Glen Faester
<u>Request to abandon:</u>	To abandon 8' alley bounded by APN 172-20-004, 172-20-002H, 172-20-002E, 172-20-031, 172-20-032, 172-20-027A, 172-20-003, and 172-20-005.
<u>Purpose of request:</u>	The applicant states: He would like to acquire additional land for more square footage. RE-24 Zoning, to use 25 percent of the square footage. The alley is not used for trash pickup and dead ends into a block wall of the one home, other neighbors coincidentally have fenced off portions of the same alley.
<u>Hearing date:</u>	January 8, 2019

Planning and Development Department



APPLICANT: Glen Faester
ABANDONMENT AREA:
APPLICATION NO: V180068A

QUARTER SECTION: 18 - 39
DATE: 11/08/2018
BOOK and PAGE: 015-49

Hearing Summary

Mr. Christopher DePerro, the Hearing Officer started the Abandonment Hearing with case number two on the agenda, V180068A.

Staff research was read by Mr. Anthony Chattley, Abandonment Coordinator.

Ms. Leodra Bowdell, representative of applicant Glen Faester, started the discussion by describing the requested abandonment alley area. Ms. Bowdell stated the alley is very highly vegetated and that some of the neighbors have put up fencing claiming areas as part of their yards. Ms. Bowdell also stated the alley is mostly used for utilities and serves no other purpose.

Mr. DePerro reviewed stipulations with Ms. Bowdell.

The Hearing Officer granted the abandonment a conditional approval with 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:

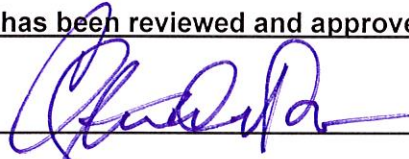
1. Either a or b shall be complied with:
 - a. All utilities shall be relocated to locations approved by each affected utility company. All

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 Value¹ 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 one year from the Abandonment Hearing Officer's decision.

This conditional approval has been reviewed and approved by the Abandonment Hearing Officer.

Hearing Officer Signature: _____



Date: _____

1.14.19

REPORT SUBMITTED BY: Alyssa Villarreal, Abandonment Secretary

cc: Applicant/Representative, Glen Faester
Christopher DePerro, Abandonment Hearing Officer

¹ If the area to be abandoned is within or adjacent to a redevelopment area established pursuant to A.R.S. §36-1471 ET.SEQ., Consideration may be given to the restrictions upon the property and the covenants, conditions and obligations assumed by the redeveloper in the determination of fair market value.