

## ATTACHMENT B



### **City of Phoenix**

Planning and Development Department

#### **CONDITIONAL APPROVAL – ABND 200556**

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 Maggie Dellow at (602) 262-7399** for questions and notification of your completion of the stipulations.

Upon completion of the stipulations Alyssa Neitzel 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 December 10, 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.



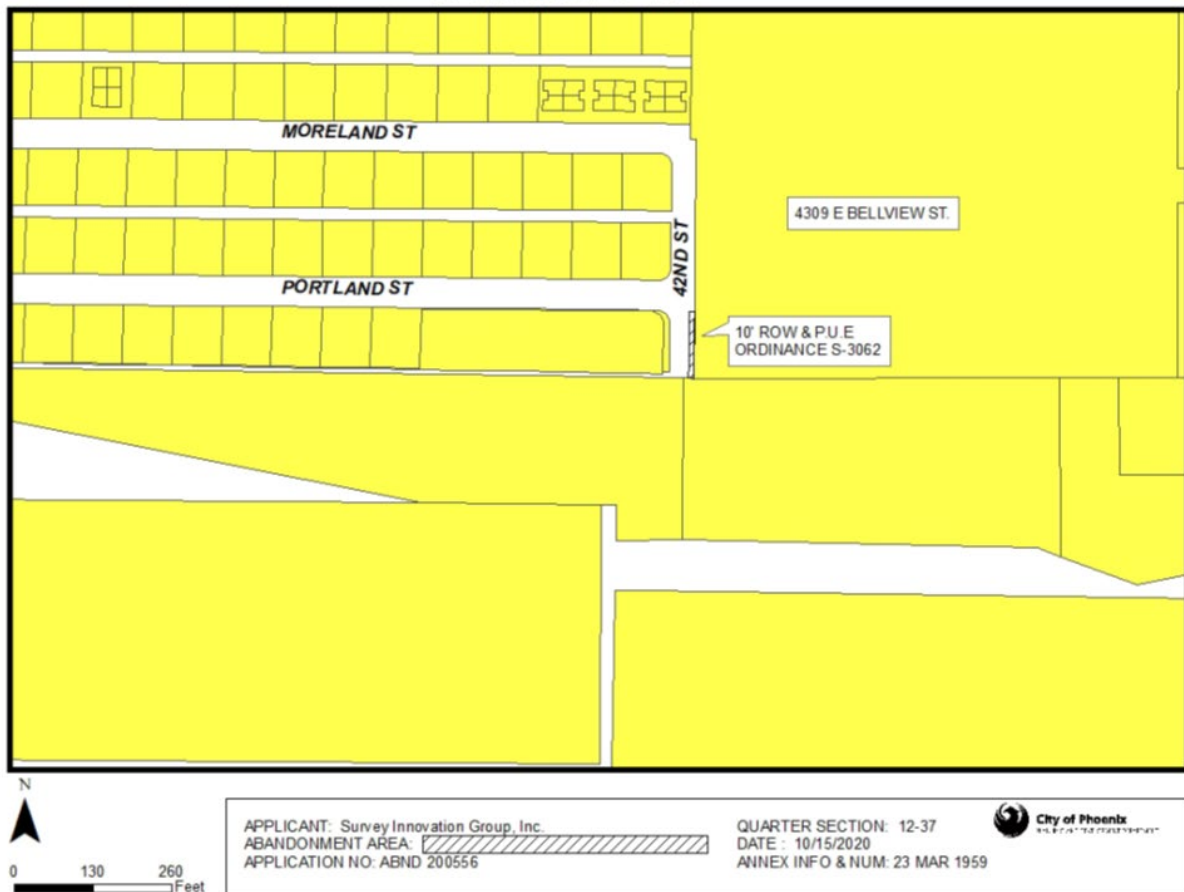
## **City of Phoenix**

Planning and Development Department

December 10, 2020  
Abandonment Staff Report: **ABND 200556**  
Project# **01-20014**  
Quarter Section: **12-37**

<b><u>Location:</u></b>	Southwest Corner of 42nd Street and Portland Street
<b><u>Applicant:</u></b>	Laurie Castillo; Survey Innovation Group, Inc
<b><u>Request to abandon:</u></b>	To abandon a portion of right-of-way and public utility easements; per Ordinance S-3062.
<b><u>Purpose of request:</u></b>	The applicant states that this was requested by City Staff in June 4, 2020 hearing for Abandonment case 200513. The “leftover” 10-foot 42nd Street right-of-way (east half) should also be abandoned.
<b><u>Hearing date:</u></b>	<b>December 10, 2020</b>

## ATTACHMENT A -- MAP



### Hearing Summary

Mr. Christopher DePerro, the Abandonment Hearing Officer opened the hearing and provided instructions.

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

Mr. DePerro then asked the applicant if the request and purpose read into the record was correct.

Ms. Laurie Castillo, the applicant stated that her concern is that this new abandonment will hold up the previous abandonment application and plat.

Mr. DePerro confirmed that the improvement plans would need to be approved and the bonds paid prior to Council approval. Mr. DePerro also mentioned that if the abandonment area is not included in the plat, then the abandonment may not need to run concurrently with the

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. No right-of-way within 25 feet of the Portland Street monument line may be abandoned.
4. The applicant shall contact the Street Transportation Department (Michael Cano) at 602-495-7149 to coordinate the removal, salvage or purchase all existing City owned signs. No sign is to be removed until a copy of the abandonment resolution is provided to the Street Transportation Department.
5. The applicant shall close the street entrance on Portland Street with new curb, gutter, sidewalk and incidentals or a driveway, or as otherwise approved by the Street Transportation Department.
6. All work in public right-of-way is to be done in accordance with plans approved by the Planning and Development Department and at no cost to the City.
7. 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: 4.8.21

REPORT SUBMITTED BY: Alyssa Neitzel, Abandonment Secretary

cc: Applicant/Representative, Laurie Castillo; Survey Innovation Group, Inc.  
Christopher DePerro, Abandonment Hearing Officer