



City of Phoenix

Planning and Development Department

CONDITIONAL APPROVAL-190018A

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 **two years** from the date of your conditional approval (**your expiration date is April 25, 2021.**), 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

April 25, 2019

Abandonment Staff Report: **V190018A**

Project# **18-3896**

Quarter Section: **18-30**

Location:

16-foot alleyway running north and south, east of lots 1-5 and west of lots 6 & 7 between East Elm Street and East Highland Avenue east of 12th Street

Applicant:

Tom Frenkel; Clayton 12th Street, LLC

Request to abandon:

To abandon 16-foot alleyway running north and south between East Elm Street and East Highland Avenue per Ordinance Number S-13137 and S-14107

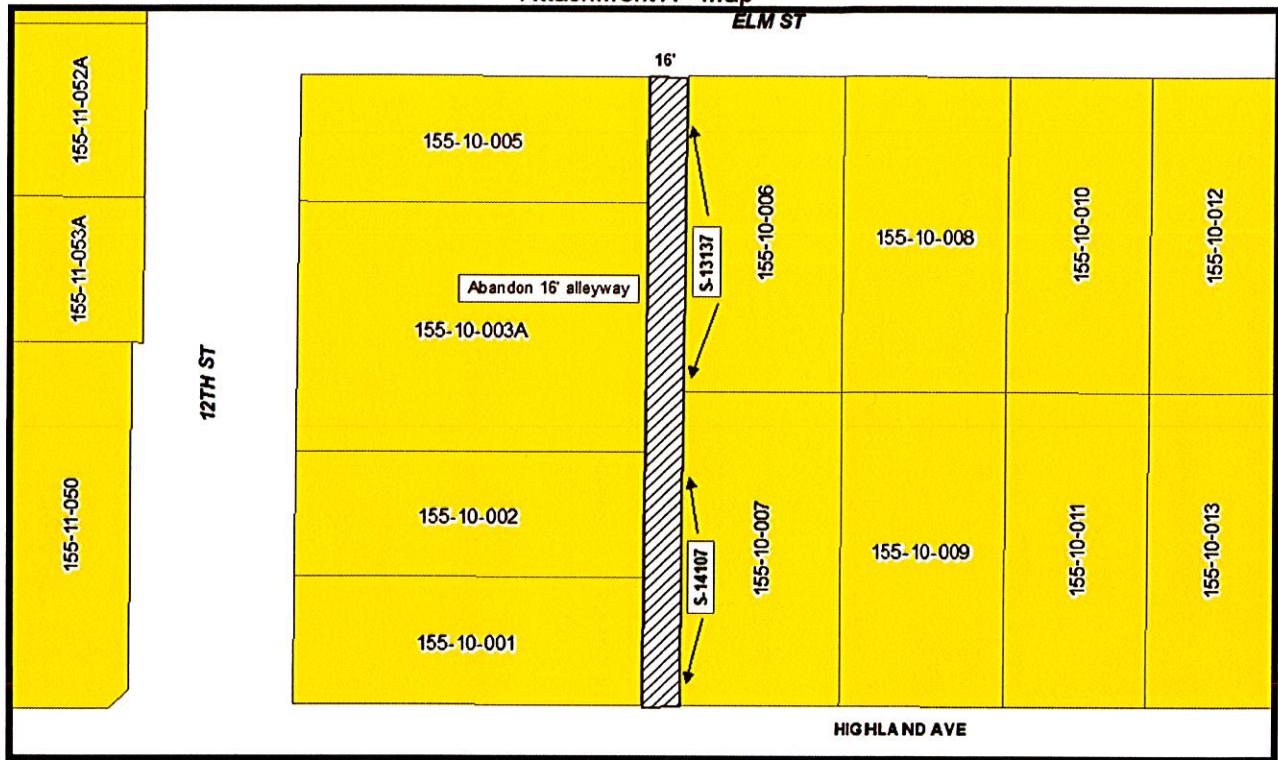
Purpose of request:

The applicant states the purpose is: to allow the use of existing parking lot located on Lot 7 for the proposed multi-family project on Lots 1-5. The parcels must be made continuous and not be separated by an alley.

Hearing date:

April 25, 2019

Attachment A - Map



APPLICANT: Tom Frenkel - Clayton 12th Street, LLC
 ABANDONMENT AREA: 
 APPLICATION NO: V190018A

QUARTER SECTION: 18- 30
 DATE: 14-MAR-2019
 BOOK & PAGE: 006 - 09

Hearing Summary

Mr. Christopher DePerro, the Hearing Officer started the discussion by asking the applicant to explain the abandonment request.

Mr. Kristian Sigurdsson with K & I Homes, the architect on the project for Clayton 12th Street, LLC, explained the project and the need for the abandonment of the alley.

Mr. DePerro and Mr. Alan Hilty of the City of Phoenix Street Transportation Department discussed having an alley access easement with Mr. Sigurdsson.

Mr. DePerro then reviewed the drafted stipulations with Mr. Sigurdsson.

Mr. DePerro revised stipulations number 3 and 5, striking number 7 which renumbered number 8 to 7, revising number 8 to read two years instead of one year.

The Hearing Officer granted a conditional approval with revised stipulations.

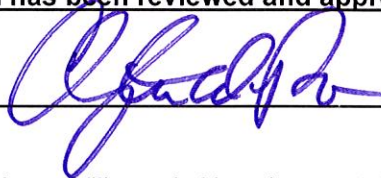
Stipulations of Conditional Approval

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.
 - b. All right-of-way shall be retained as a public utilities easement with 24-hour vehicle maintenance access. No structure of any kind and/or block wall shall be constructed or placed within the easement except removable type fencing and/or paving. No planting except grass and/or approved ground cover shall be placed within the easement. It shall be further understood that the City of Phoenix shall not be required to replace any obstructions, paving or planting that must be removed during the course of required maintenance, reconstruction and/or construction
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 alley right-of-way north of the south property line of lot 6 addressed as 1215 East Elm Street shall be abandoned.
4. No right-of-way within 30 feet of the Highland Avenue monument line may be abandoned.
5. Retain a public Ingress/Egress Easement for the portion of alley that is to be abandoned.
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: 6.25.19

REPORT SUBMITTED BY: Alyssa Villarreal, Abandonment Secretary

cc: Applicant/Representative, Tom Frenkel-Clayton; 12th Street, LLC
Christopher DePerro, Abandonment Hearing Officer