

Attachment B



City of Phoenix

Planning and Development Department

CONDITIONAL APPROVAL – ABND 210006

Your abandonment request was granted **CONDITIONAL APPROVAL**.

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 formal approval. You will receive a copy of the abandonment document after it has been recorded with Maricopa County.

If the stipulations of abandonment are not completed within **one year** from the date of your conditional approval (**your expiration date is March 1, 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

March 1, 2021

Abandonment Staff Report: **ABND 210006**

Project# **18-1748**

Location:

SWC 7TH St and Windsor Ave

Applicant:

Stuart Rayburn, RCC Design Group, LLC

Request to abandon:

To abandon the southern 2' of the existing 27' right-of-way on Windsor Avenue. The 2' abandoned right-of-way will be retained as a sidewalk easement.

Purpose of request:

The applicant states: the adjacent right-of-way to the west is 25'. Staff states that only 25' is needed. There is also some conflicting information with recorded documents with most showing 25' right-of-way.

Planning and Development



City Staff Comments and Recommendations:

PDD Civil Reviewer – Darren Chapman:

"Recommend approval."

PDD Site Planner – Wendy Turner:

"Recommend approval."

PDD Traffic Reviewer - Derek Fancon:

"Recommend approval."

Street Transportation - Alan Hilty:

"The Street Transportation Department has reviewed the attached abandonment application and has the following comments:

1. No right-of-way within 25 feet of the Windsor Avenue monument line may be abandoned.

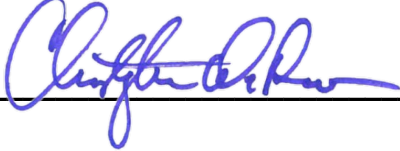
2. No right-of-way within the right-of-way triangle and its extension may be abandoned.
3. The applicant shall dedicate a 10-foot sidewalk easement along the west side of 7th Street.
4. A sidewalk easement shall be retained over the abandoned right-of-way."

Stipulations of Conditional Approval

The request of abandonment ABND 210006 is conditionally approved and 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 Windsor Avenue monument line may be abandoned.
4. No right-of-way within the right-of-way triangle and its extension may be abandoned.
5. The applicant shall dedicate a 10-foot sidewalk easement along the west side of 7th Street.
6. A sidewalk easement shall be retained over the abandoned right-of-way.
7. The abandonment shall run concurrently with PLAT 200612.
8. The above stipulations must be completed within **one year** from the conditional approval decision dated **March 1, 2021**.

This conditional approval has been reviewed and approved.

Signature:  Date: 3/2/2021

REPORT SUBMITTED BY: Maggie Dellow, Abandonment Coordinator
Cc Stuart Rayburn, RCC Design Group, LLC
Christopher DePerro, Team Leader Site Planning