



## **City of Phoenix**

Planning and Development Department

### **CONDITIONAL APPROVAL – V190040A**

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 Martinez at (602) 495-0156** for questions and notification of your completion of the stipulations.

Upon completion of the stipulations Robert 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 August 1, 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.



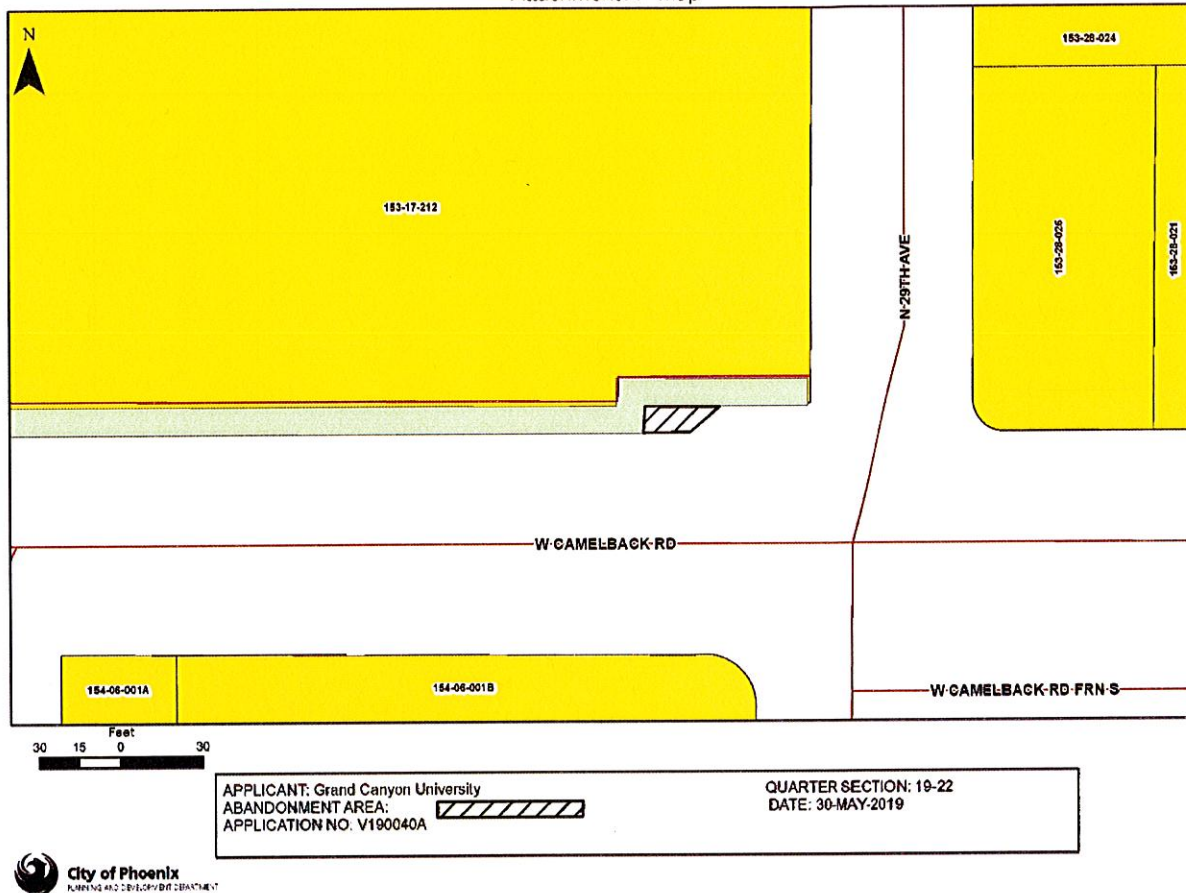
## **City of Phoenix**

Planning and Development Department

August 1, 2019  
Abandonment Staff Report: **V190040A**  
Project# **01-21183**  
Quarter Section: **19-22**

|                                   |   |
|-----------------------------------|---|
| <b><u>Location:</u></b>           | 3300 West Camelback Road  |
| <b><u>Applicant:</u></b>          | Baird Fullerton, P.E.   |
| <b><u>Request to abandon:</u></b> | To abandon 10 feet of excess right-of-way at the northwest corner of 29th Avenue and Camelback Road.                    |
| <b><u>Purpose of request:</u></b> | The applicant states: To remove excess right-of-way to increase land available for redevelopment on parcel 153-17-212A. |
| <b><u>Hearing date:</u></b>       | <b>August 1, 2019</b>   |

Attachment A - Map



## Hearing Summary

Mr. Christopher DePerro, the Hearing Officer opened the hearing with staff introductions. Mr. DePerro then turned the hearing over to Ms. Rocio Iniguez, the Abandonment Coordinator.

Ms. Iniguez read the abandonment request, purpose and City staff research into the record.

Mr. DePerro, opened the discussion by asking the applicant to expand on the abandonment request.

Mr. Baird Fullerton, the applicant presented an extra exhibit to the Hearing Officer, Mr. Alan Hilty of the Street Transportation Department and Ms. Iniguez. This exhibit showed the proposed abandonment, proposed apartments and the proposed realignment.

Mr. Hilty stated he was willing to change his proposed stipulation based off the exhibit Mr. Fullerton provided.

Mr. DePerro agreed and stated that the modified stipulation will read; no right-of-way necessary to construct the improvements shown on the 29<sup>th</sup> Avenue realignment shall be abandoned as shown on the attached exhibit signed and dated by the Abandonment Hearing Officer. Mr. DePerro then reviewed the drafted stipulations with Mr. Fullerton.

The Hearing Officer granted a conditional approval with modified 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.
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 necessary to construct the improvements shown on the 29<sup>th</sup> Avenue realignment shall be abandoned as shown on the attached exhibit signed and dated by the Abandonment Hearing Officer.
4. 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: \_\_\_\_\_

8.8.19

REPORT SUBMITTED BY: Alyssa Villarreal, Abandonment Secretary

cc: Applicant/Representative, Baird Fullerton, P.E.  
Christopher DePerro, Abandonment Hearing Officer