

ATTACHMENT B



City of Phoenix

Planning and Development Department

CONDITIONAL APPROVAL – ABND 210016

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) 256-3487** for questions and notification of your completion of the stipulations.

Upon completion of the stipulations your request will be scheduled 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 May 13, 2023**), 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

May 13, 2021

Abandonment Staff Report: **ABND 210016**

Project# **19-39**

Quarter Section: **15-23**

Location:

24th Avenue and Avalon Drive

Applicant:

Ryan Hatch

Request to abandon:

The 5 feet of right-of-way approximately 900 ft north of the intersection at Thomas Road and 24th Avenue on the west side of 24th Avenue adjacent to 3030 and 3020 North 24th Avenue.

Purpose of request:

The applicant states to amend previous dedication to provide 50-feet total right-of-way: 20-feet on the west side of 24th Avenue and 30-feet on the right.

Hearing date:

May 13, 2021

Planning and Development



Hearing Summary

Mr. Christopher DePerro the Abandonment Hearing officer introduced abandonment case ABND 210016.

Ms. Maggie Dellow, the Abandonment Coordinator introduced the case by reading the abandonment case into the record by stating the applicant, location, abandonment request, and purpose of the request, as well as City staff research.

Mr. DePerro then started the discussion by asking the applicant if they would like to add any additional comments regarding the abandonment request.

Mr. Ryan Hatch explained that he represents the owner of 3030 and 3020 N 24th Avenue. Their proposal to abandon the extra 5' of right-of-way is the result of being asked by the City to clean up the area.

The Hearing Officer and Abandonment Coordinator reviewed the stipulations with the applicant.

The Hearing Officer granted a conditional approval subject to the stipulations in the staff report.

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 20 feet of the 24th Avenue monument line may be abandoned.
4. The existing water meter(s) shall be relocated onto the public right of way or a water easement in accordance with plans submitted to and approved by the Planning and Development Department. All work is to be done by City forces at no expense to the City of Phoenix
5. Final approval of this abandonment shall run concurrently with the plat.
6. 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: 7/14/21

REPORT SUBMITTED BY: Maggie Dellow, Abandonment Coordinator

cc: Ryan Hatch, Applicant/Representative
Christopher DePerro, Abandonment Hearing Officer