

Attachment B



City of Phoenix

Planning and Development Department

CONDITIONAL APPROVAL – 180070A

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 **one year** from the date of your conditional approval (**your expiration date is January 8, 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

January 8, 2019

Abandonment Staff Report: **V180070A**

Project# **17-1360**

Quarter Section: **28-26**

<u>Location:</u>	Southwest Corner of Ironwood Drive and 9 th Avenue
<u>Applicant:</u>	Kenton Drury; CRS Ironwood Housing Corporation
<u>Request to abandon:</u>	To abandon 20-foot alley running north – south and east – west bounded Ironwood Dr., 9th Avenue and Mountain View Rd.
<u>Purpose of request:</u>	The applicant states: Public access creates an unsafe security issue for the residents of the CRS Ironwood Housing Corporation. The annual maintenance and future replacement costs no longer be an obligation of the City of Phoenix. This alley is only used by the residents of the CRS Ironwood Housing Corporation rental community.
<u>Hearing date:</u>	January 8, 2019

[illegible]

QUARTER SECTION: 28-26
DATE: 19-Nov-2018
BOOK and PAGE: 174-35

Mr. Christopher DePerro, the Hearing Officer started the discussion by reviewing the abandonment area with Ms. Claudia Rodriguez, Manager of the property, representative for Mr. Kenton Drury; CRS Ironwood Housing Corporation.

Mr. DePerro went over the stipulations with Ms. Rodriguez. While Mr. DePerro was explaining the stipulations to Ms. Rodriguez he asked her if the trash for the property was picked up by the City of Phoenix or by a contracted company.

Ms. Rodriguez replied with saying the trash for the property was picked up by the City of Phoenix.

Mr. DePerro then explained the reasoning for stipulation number five which was given by the City of Phoenix Public Works Department Solid Waste Division.

The Hearing Officer granted a conditional approval with stipulations.

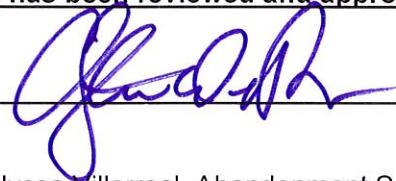
The request of abandonment, is conditionally approved by the Abandonment Hearing Officer. The following stipulations will need to be met:

- 3

- 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 Value¹ 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 Ironwood Drive monument line may be abandoned.
 4. No right-of-way within 30 feet of the Mountain View Road monument line may be abandoned.
 5. Retain the entire abandonment area as a Refuse Collection Easement.
 6. 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: _____

1.14.19

REPORT SUBMITTED BY: Alyssa Villarreal, Abandonment Secretary

cc: Applicant/Representative, Kenton Drury; CRS Ironwood Housing Corporation
Christopher DePerro, Abandonment Hearing Officer

¹ If the area to be abandoned is within or adjacent to a redevelopment area established pursuant to A.R.S. §36-1471 ET.SEQ., Consideration may be given to the restrictions upon the property and the covenants, conditions and obligations assumed by the redeveloper in the determination of fair market value.