

ATTACHMENT B



City of Phoenix

Planning and Development Department

CONDITIONAL APPROVAL – ABND 200565

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) 262-7399** 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 February 4, 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.



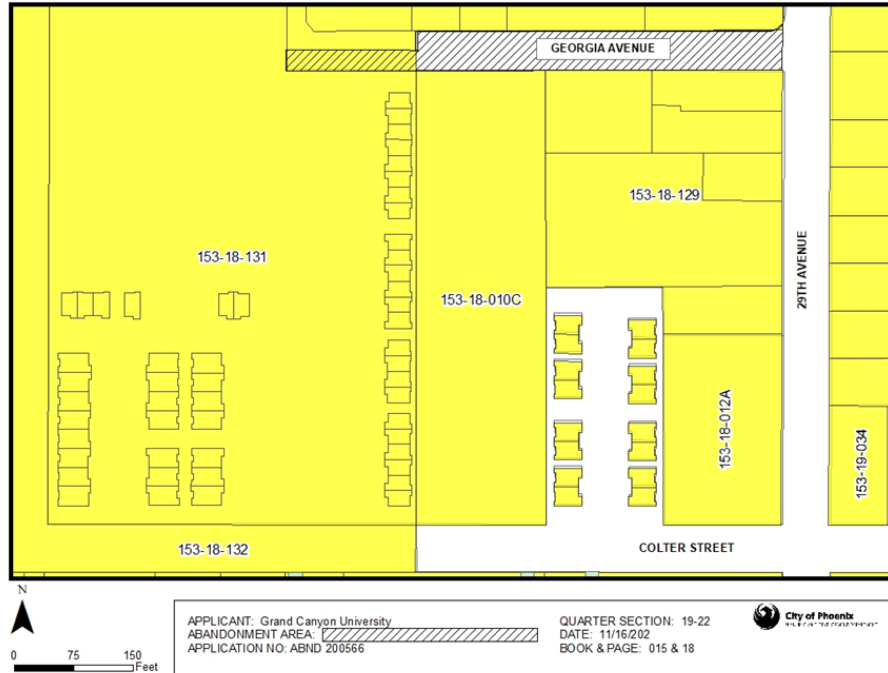
City of Phoenix

Planning and Development Department

February 4, 2021
Abandonment Staff Report: **ABND 200565**
Project# **99-817**
Quarter Section: **19-22**

<u>Location:</u>	Georgia Avenue and 29 th Avenue
<u>Applicant:</u>	Grand Canyon University
<u>Request to abandon:</u>	To abandon the full width of Georgia Avenue right-of-way from 29th Avenue to its terminus, located approximately 462 feet to the west on the Grand Canyon University campus.
<u>Purpose of request:</u>	The applicant states the purpose of the abandonment is for site redevelopment.
<u>Hearing date:</u>	February 4, 2021

ATTACHMENT A – MAP



Hearing Summary

Ms. Maggie Dellow, the Abandonment Coordinator read 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. Christopher DePerro, the Hearing Officer then started the discussion by asking the applicant if they would like to add any additional comments regarding the abandonment request.

Mr. Taylor Earl, the applicant representative shared some slides providing additional details relating to the abandonment request. Mr. Earl explained that it is his understanding that a portion of the Georgia Avenue right-of-way to the west was already abandoned, even though it was included in the ABND 200565 request. Mr. Taylor proceeded to explain that they are now in the position to abandon the rest of the Georgia Avenue right-of-way after working out how to provide alternative site access to a church that is currently bounded by Georgia Avenue and would lose access as a result of the Georgia Avenue abandonment.

The Hearing Officer then reviewed the report and draft stipulations with the applicant. Mr. DePerro revised stipulations by deleting stipulation number 6 and renumbering stipulations number 7, number 8, and number 9 to be consecutive with the rest.

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. 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 30 feet of the 29th Avenue monument line may be abandoned.
 4. All landlocked parcels shall be replatted, legally combined, or have an alternate legal access provided (private ingress/egress easement) to a public street.
 5. The applicant shall contact the Street Transportation Department (Michael Cano) at 602-495-7149 to coordinate the removal, salvage or purchase all existing City owned signs. No sign is to be removed until a copy of the abandonment resolution is provided to the Street Transportation Department.
 6. The applicant shall contact the Street Transportation Department (Jason Fernandez) at (602) 256-4168 to coordinate the removal, relocation or transfer of ownership of all City owned streetlights within the subdivision. This shall be done at no cost to the City.
 7. 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.
 8. 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: 3.24.2021

REPORT SUBMITTED BY: Alyssa Neitzel, Abandonment Secretary

cc: Applicant/Representative, Grand Canyon University
 Christopher DePerro, Abandonment Hearing Officer