

ATTACHMENT B



City of Phoenix

Planning and Development Department

CONDITIONAL APPROVAL – ABND 230014

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 Alyssa Neitzel at 602-534-7321** 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 11, 2025**), 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 11, 2023

Abandonment Staff Report: **ABND 230014**

Project# **94-0001579**

Quarter Section: **16-39**

District: **6**

Location: Behind addresses 4102 North 50th Place, 5085, 5091, 5101, 5111 East Calle Redonda and 4101 North 51st Place

Applicant: Dan McIntyre

Request: To abandon the alley behind addresses 4102 North 50th Place, 5085, 5091, 5101, 5111 East Calle Redonda and 4101 North 51st Place.

Purpose of request: Applicant states: The alley is no longer being used. The abandonment will increase lot size and help increase security. The alleys to the East and West have already been abandoned.

Hearing date: **May 11, 2023**



Hearing Summary

Mr. Christopher DePerro, the Abandonment Hearing Officer calls the meeting to order on May 11, 2023.

Mr. Craig Messer, acting Abandonment Coordinator, introduced abandonment ABND 230014 and read the case into the record by stating the applicant, location, and purpose of the request, as well as City staff research.

Mr. DePerro asks the applicant if they would like to add comment.

Mr. Dan McIntyre, applicant expands on purpose of request and background of the properties. The East and West portions have already been abandoned and they would like to incorporate the alley, if abandoned, into their property.

Mr. DePerro asks Mr. Messer to review any comments of concern from utilities and City staff.

Mr. McIntyre explains how SRP and Cox would still have access to utilities.

Mr. Messer looks at application to determine the location of request to be abandoned.

Mr. DePerro states that a stipulation will be added which states “No portion of the intersecting North/South alleys shall be abandoned which results in anything less than a sixteen-foot-wide dedicated alley.”

Mr. Messer reads stipulations and verifies zoning for consideration fee.

The Hearing Officer grants conditional approval for abandonment 230014 subject to 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 portion of the intersecting alleys on the east end and the west end of the requested abandonment area shall be abandoned that reduces the north/south running alleys to anything less than sixteen-feet-wide.

4. 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: 7/19/2023

REPORT SUBMITTED BY: Paulina Hernandez, Abandonment Secretary

cc: Applicant/Representative, Dan McIntyre
Christopher DePerro, Abandonment Hearing Officer