

Attachment B - Approval Report



City of Phoenix

Planning and Development Department

CONDITIONAL APPROVAL – 180016A

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

Upon completion of the stipulations Cathy Chapman 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 May 8, 2019**), 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 8, 2018

Preliminary Abandonment Staff Report: **V180016A**

Project# **05-4400**

Quarter Section: **47-25**

Location:

25255 N 19th Avenue & PT GLO Lot 43

Applicant:

Happy Valley 19, LLC c/o Irene Carroll and/or
Sean McGraw

Request to abandon:

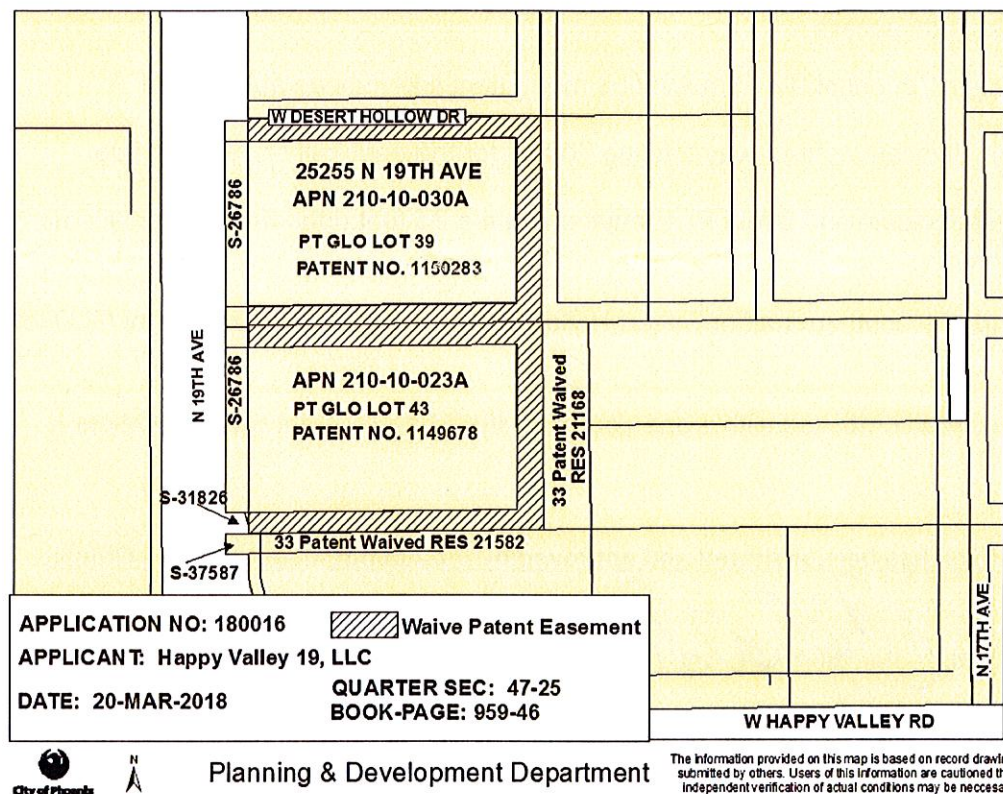
To abandon the remaining Federal Patent easements on the parcel addressed 25255 N. 19th Avenue (APN 210-10-030A, PT GLO Lot 39) and the parcel identified as APN 210-10-023A (PT GLO Lot 43).

Purpose of request:

The applicant states: No need for GLO's going forward; unneeded ROW. Abutting properties have access otherwise.

Hearing date:

May 8, 2018



Hearing Summary

Irene Carroll represented the applicant, Happy Valley 19, LLC. She informed the hearing that there is no longer a need for the patent easements on site. Alan Hilty explained the necessity of federal patent easements in the past as land was developed. Christopher DePerro mentioned that the zoning case Z-155-05 did not request any dedication of public right of ways.

Bill and Lisa Trott (adjacent neighbors to the east) had concerns with access, as their property required accessibility through their gates in order to allow emergency and service vehicles into their site. DePerro confirmed that access will be granted through the 25 feet dedication on the northern portion of lot 39. Bill Trott supported the abandonment. DePerro removed stipulation four and added a stipulation to require an adjacent 8 foot PUE dedication to the 25-foot right of way dedication on Desert Hallow Drive. DePerro approved the waiver.

Stipulations of Conditional Approval

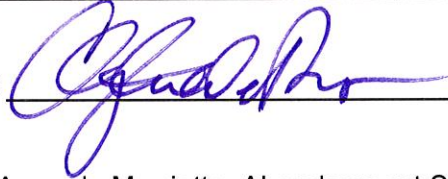
The request of abandonment, is conditionally approved by the Abandonment Hearing Officer. The following stipulations will need to be met:

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 waived patent easements shall be retained as a public utilities easement with 24-hour vehicle maintenance access.
2. No right-of-way within 70 feet of the 19th Avenue monument line may be abandoned.
3. The applicant shall dedicate right-of-way totaling 70 feet for the east half of 19th Avenue.
4. The applicant must dedicate and 8 foot PUE adjacent to the 25-foot right of way dedication on Desert Hollow Drive.
5. Dedicate 25 feet for the southern half of Desert Hollow Drive (northern property line of GLO lot 39).
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: _____

5.16.18

REPORT SUBMITTED BY: Amanda Murrietta, Abandonment Secretary

cc: Applicant/Representative, Happy Valley 19, LLC c/o Irene Carroll and/or Sean McGraw

Christopher DePerro, Abandonment Hearing Officer