

ATTACHMENT B



City of Phoenix

Planning and Development Department

CONDITIONAL APPROVAL – ABND 220005

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 the Abandonment Coordinator 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 April 14, 2024**), 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, **two-year** extension can be requested prior to the expiration date, with applicable extension fee due.



City of Phoenix

Planning and Development Department

April 14, 2022
Abandonment Staff Report: **ABND 220005**
Project# **20-4177**
Quarter Section: **12-21**
Council District: 4

Location:

1201 North 35th Avenue

Applicant:

Lauren Proper Potter, Huellmantel &
Affiliates

Request to abandon:

The portion of the 25-foot wide right-of-way
easement along the western half of 34th
Avenue, north of Moreland Street.

Purpose of request:

The applicant states the current street
terminus does not meet the City of Phoenix
standard. The abandonment allows the
applicant to work with the Streets
Department on an appropriate terminus of
34th Avenue in relationship to the ADOT
property and freeway location.

Hearing date:

April 14, 2022

Planning and Development



Hearing Summary

Mr. Christopher DePerro, the Abandonment Hearing Officer, called the hearing to order at 9:32 am on April 14, 2022.

Ms. Maggie Dellow, the Abandonment Coordinator introduced the abandonment case ABND 220005 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. Huellmantel, the applicant, explained that the proposed project at this location would be affordable housing and that the City had expressed interest in removing this piece of right-of-way as it was old and useless. Mr. Huellmantel explained that the goal in abandoning the right-of-way easement is to unencumber the west side of 34th Ave and landscape it, while having the east side of 34th Ave function as an alleyway.

Ms. Dellow reviewed the city staff and utility provider comments received during the review period. Ms. Dellow then reviewed the staff recommended stipulations of approval.

Mr. DePerro explained that in order to convert the right-of-way on the east side of Moreland to an alley, a resolution would need to be sent to City Council. This would be handled by the City at the time of final abandonment approval.

The Hearing Officer granted a conditional approval subject to stipulations in the staff report with a revision to stipulation #1.

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. Developer shall construct a 45-foot-radius knuckle at the intersection of 34th Avenue and Moreland Street and provide a driveway. In this circumstance, the 30-feet east of the monument line shall be designated by resolution as a public alley. The alley shall be paved to local street standards.
2. None of the existing right-of-way dedicated in fee title for 34th Avenue and Moreland Street may be abandoned.
3. 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: 5/24/2022

REPORT SUBMITTED BY: Maggie Dellow, Abandonment Coordinator

cc: Lauren Proper Potter, Applicant/Representative
Christopher DePerro, Abandonment Hearing Officer