

Attachment B



City of Phoenix

Planning and Development Department

CONDITIONAL APPROVAL – ABND 200560

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 Alyssa Neitzel will schedule your request 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 January 14, 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

January 14, 2021
Abandonment Staff Report: **ABND 200560**
Project# **94-0002212**
Quarter Section: **15-30**

Location:

East of Randolph Road and West of 15th
Street, North of Pinchot Avenue

Applicant:

Thomas S. Maroun

Request to abandon:

To abandon 14-foot alleyway, bounded by properties addressed 1426, 1422 East Pinchot Avenue, 3021, 3027, 3031 North Randolph Road, and 3026, 3030 N 15th Street.

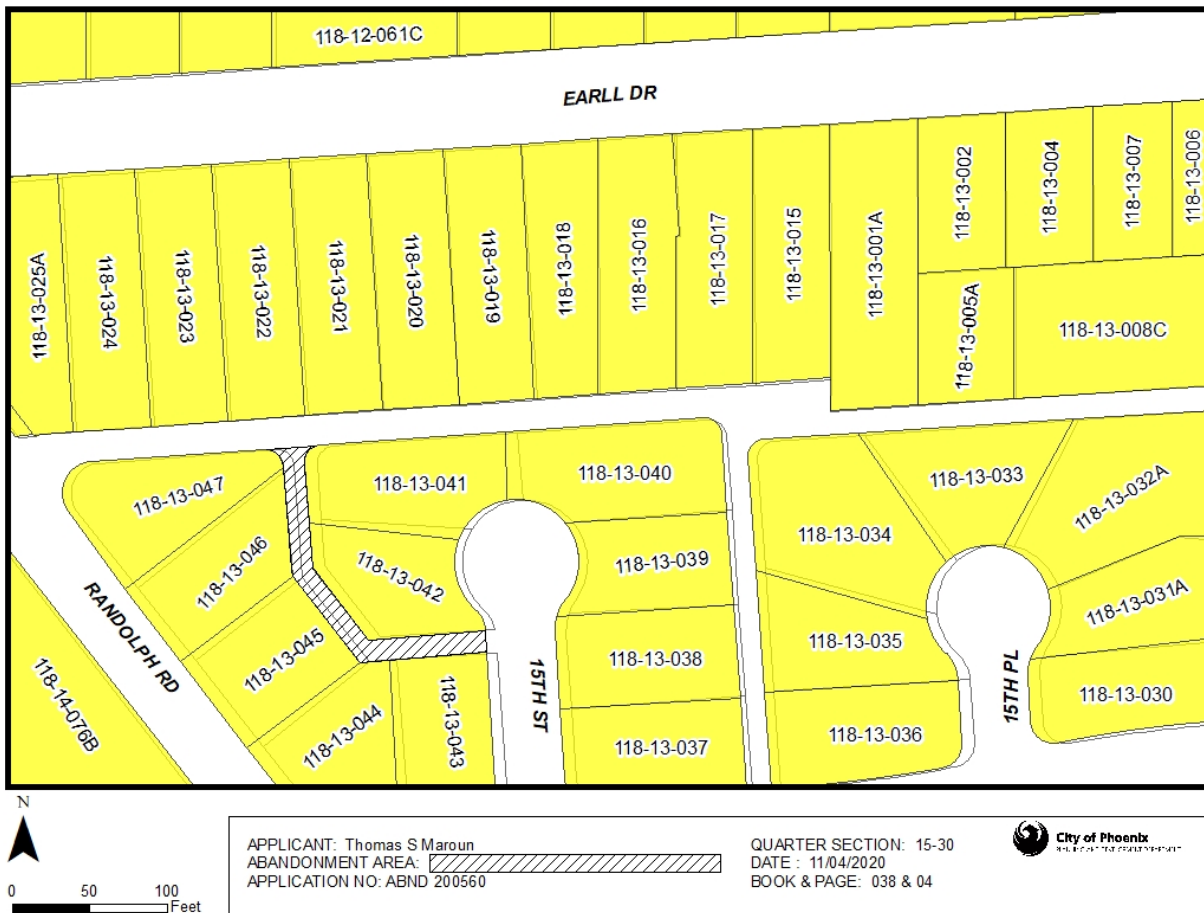
Purpose of request:

The applicant states the easement has not been maintained by the City of Phoenix for several years. Neighbors (adjacent lot owners) have kept the area free of debris. Vandals and vagrants have used the area in the past and have taken property from the adjacent owners.

Hearing date:

January 14, 2021

ATTACHMENT A -- MAP



Hearing Summary

Mr. Christopher DePerro, the Abandonment Hearing Officer opened the hearing. He informed the applicant, Mr. Thomas Maroun, that the neighbors who were previously attending the hearing virtually were no longer online. Mr. Maroun confirmed that this was okay since the neighbors were all in support of the abandonment.

Ms. Maggie Dellow, the Abandonment Coordinator, read the case into the record by stating the location, applicant, abandonment request, reason to abandon and staff research conducted on the proposed abandonment site.

Mr. DePerro asked the applicant if he would like to add anything else to the case. Mr. Maroun explained that the alley was previously overgrown and used for dumping trash. Mr. Maroun indicated that the alley was lightly used by APS.

The Hearing Officer discussed the stipulations with the applicant.

The Hearing Officer granted a Conditional Approval with revised stipulations.

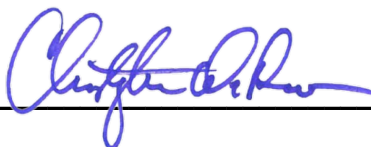
Stipulations of Conditional Approval

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 25 feet of the 15th Street monument line may be abandoned.
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: 1/29/2021

REPORT SUBMITTED BY: Maggie Dellow, Abandonment Coordinator

cc: Thomas S. Maroun
Christopher DePerro, Abandonment Hearing Officer