

ATTACHMENT B



City of Phoenix

Planning and Development Department

CONDITIONAL APPROVAL – V180071A

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 Robert G. Martinez at (602) 495-0806** for questions and notification of your completion of the stipulations.

Upon completion of the stipulations, Robert G. Martinez 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 22, 2024)(EXTENSION FEES PAID February 25, 2021)**, 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 22, 2019
Abandonment Staff Report: **V180071A**
Project# **18-1533**
Quarter Section: **12-15**

Location:

5546 W Latham Street

Applicant:

Rod Jarvis and Greg Loper; Earl, Curley and Lagarde

Request to abandon:

To abandon right-of-way and public utility easements, bounded by parcels APN 103-27-018, 103-27-017C, and 103-27-062B.

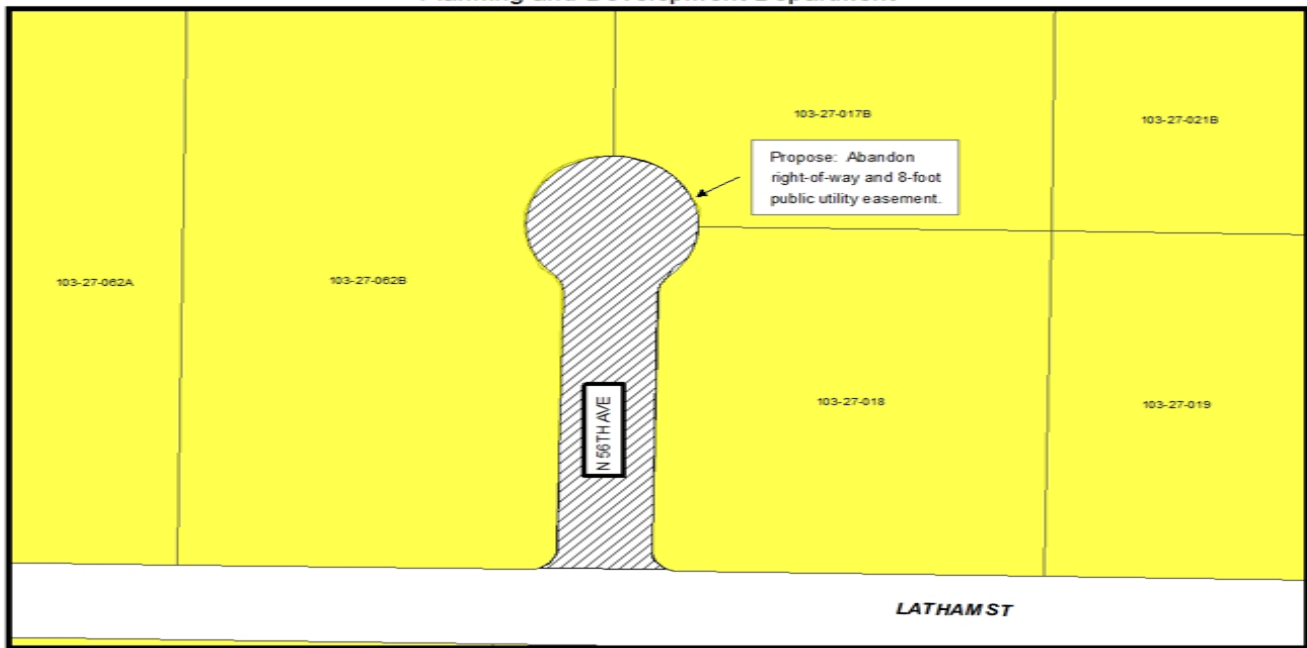
Purpose of request:


The applicant states: to accommodate the new Loop 202/I-10 interchange, additional right-of-way was needed along the north-side of the affected properties, and ADOT is selling Ryder Truck. The properties west of the 56th Avenue cul-de-sac (north of Latham Street), so that Ryder Truck will own both sides of this portion of 56th Avenue and therefore the cul-de-sac is no longer needed. The area will be incorporated into a new/redevelopment Ryder Truck site.

Hearing date:

January 22, 2019

Planning and Development Department



APPLICANT: Earl, Curley & Lagarde; Rod Jarvis/Greg Loper
ABANDONMENT AREA: 
APPLICATION NO: V180071A

QUARTER SECTION: 12-15
DATE: 06-DEC-2018
BOOK and PAGE: 234-48

Hearing Summary

Ms. Rocio Iniguez, the Abandonment Coordinator, started the discussion by reading the abandonment request and staff research for the record.

Mr. Rod Jarvis with Earl, Curley and Lagarde, representing the applicant Ryder Truck, described the abandonment area, noting the exchange deal with ADOT, which is the purpose for the abandonment request. Mr. Jarvis suggested given the amount of time needed to meet stipulations with all parties involved if they could request that stipulation number six be changed to read two years instead of one year for completion of the proposed stipulations.

Mr. Christopher DePerro, the Hearing Officer responded agreed to the two years and then asked if there was a plan to re-plat the project area.

Mr. Greg Loper with Earl, Curley and Lagarde, representing the applicant Ryder Truck, stated that their intention is to re-plat the project area.

Mr. DePerro then stated he would be adding a stipulation to re-plat of the project area including the proposed abandonment, making this stipulation number six and moving existing stipulation six to be stipulation number seven.

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 Value¹ 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 33 feet of the Latham Street monument line may be abandoned.
4. The applicant shall close the street entrance on Latham Street with new curb, gutter, sidewalk and incidentals. 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.
5. The applicant shall contact the Street Transportation Department (Carl Langford) at 602-262-4684 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 abandonment must record concurrently with new project area plat.
7. All stipulations must be completed within two years from the Abandonment Hearing Officer's decision. **(Extension fees paid February 25, 2021)**

This conditional approval has been reviewed and approved by the Abandonment Hearing Officer.

Hearing Officer Signature: _____



Date: 2/25/21

REPORT SUBMITTED BY: Alyssa Villarreal, Abandonment Secretary

cc: Applicant/Representative, Rod Jarvis and Greg Loper; Earl, Curley and Lagarde
Christopher DePerro, Abandonment Hearing Officer