

## Attachment B



### **City of Phoenix**

Planning and Development Department

#### **CONDITIONAL APPROVAL – 180069A**

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 **one year** from the date of your conditional approval (**your expiration date is January 8, 2020**), 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 8, 2019

Abandonment Staff Report: **V180069A**

Project# **17-1360**

Quarter Section: **28-26**

**Location:**

Southeast Corner of Cinnabar Avenue and North 10<sup>th</sup> Avenue

**Applicant:**

Kenton Drury; CRS Ironwood Housing Corporation

**Request to abandon:**

To abandon alley running east/west, between 9th Avenue 10th Avenue, in the block bordered by Ironwood Drive to the south, and Cinnabar Avenue to the north. Approximately, 281 feet in length and 20' in width.

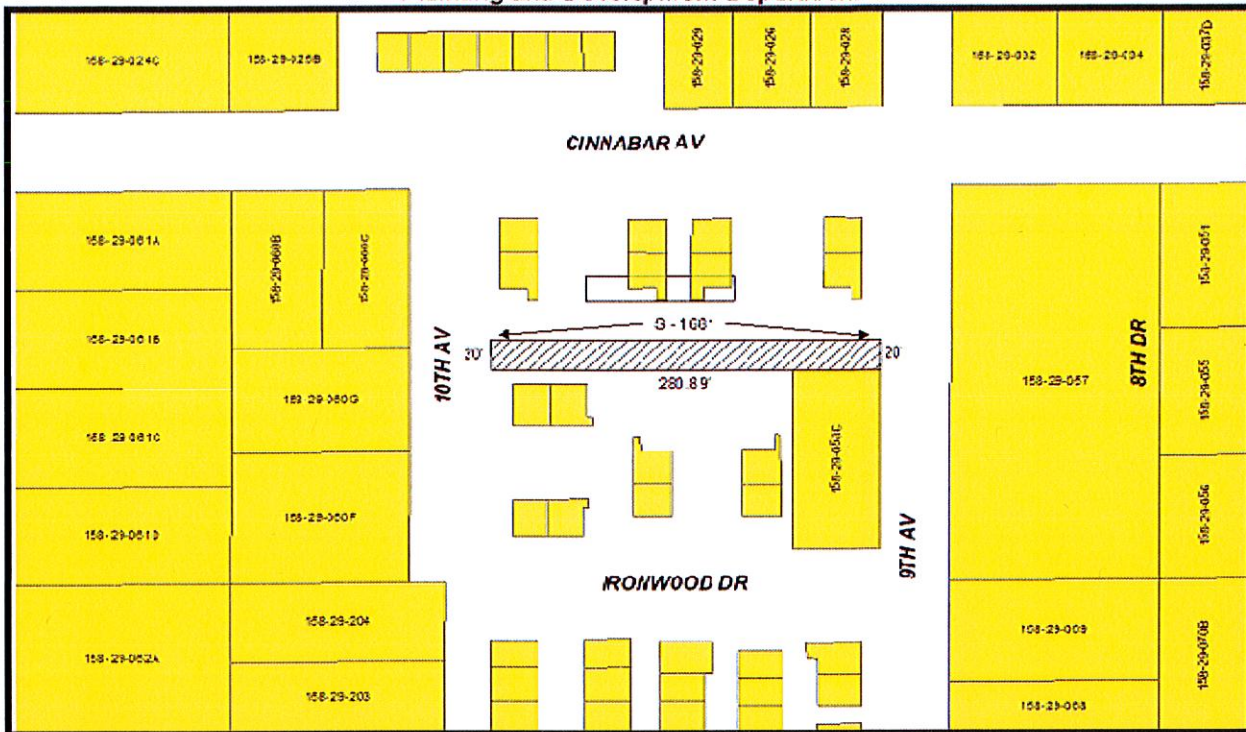
**Purpose of request:**

The applicant states: public access creates an unsafe security issue for the residents of the CRS Ironwood Housing Corporation rental community. The annual maintenance and future replacements costs will no longer be an obligation of the City of Phoenix. This alley is only used by the residents of the CRS Ironwood Housing Corporation rental community.

**Hearing date:**

**January 8, 2019**

Planning and Development Department



APPLICANT: CRS Ironwood Housing Corp.  
ABANDONMENT AREA  
APPLICATION NO: V180069A

QUARTER SECTION: 28-26  
DATE: 16 Nov 2018  
BOOK and PAGE: 174-361

## Hearing Summary

Mr. Christopher DePerro, the Hearing Officer started the discussion by asking the applicant representative, if there was any additional background she would like to add to the staff research that was read by Mr. Anthony Chattley, the Abandonment Coordinator.

Ms. Claudia Rodriguez, Manager of the property, representing the applicant Mr. Kenton Drury; CRS Ironwood Housing Corporation stated everything was correct and covered in the staff research.

Mr. DePerro explained to Ms. Rodriguez the way abandonments operate. With CRS Ironwood Housing Corporation owning the property to the north and south of the abandonment, the parcels could be combined to become one property.

Mr. DePerro discussed the comments received by APS, which would explain the reasoning for stipulation number 1a and reviewed the rest of the stipulations as well with Ms. Rodriguez.

The Hearing Officer granted a conditional approval with stipulations.

## Stipulations of Conditional Approval

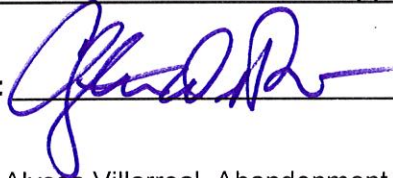
The request of abandonment, is conditionally approved by the Abandonment Hearing Officer. The following stipulations will need to be met:

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<sup>1</sup> 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 9th & 10th Avenue monument line may be abandoned
  4. 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: \_\_\_\_\_

1.14.19

REPORT SUBMITTED BY: Alyssa Villarreal, Abandonment Secretary

cc: Applicant/Representative, Kenton Drury; CRS Ironwood Housing Corporation  
Christopher DePerro, Abandonment Hearing Officer

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<sup>1</sup> If the area to be abandoned is within or adjacent to a redevelopment area established pursuant to A.R.S. §36-1471 ET.SEQ., Consideration may be given to the restrictions upon the property and the covenants, conditions and obligations assumed by the redeveloper in the determination of fair market value.