



City of Phoenix

Planning and Development Department

CONDITIONAL APPROVAL – 180061A

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 November 13, 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.

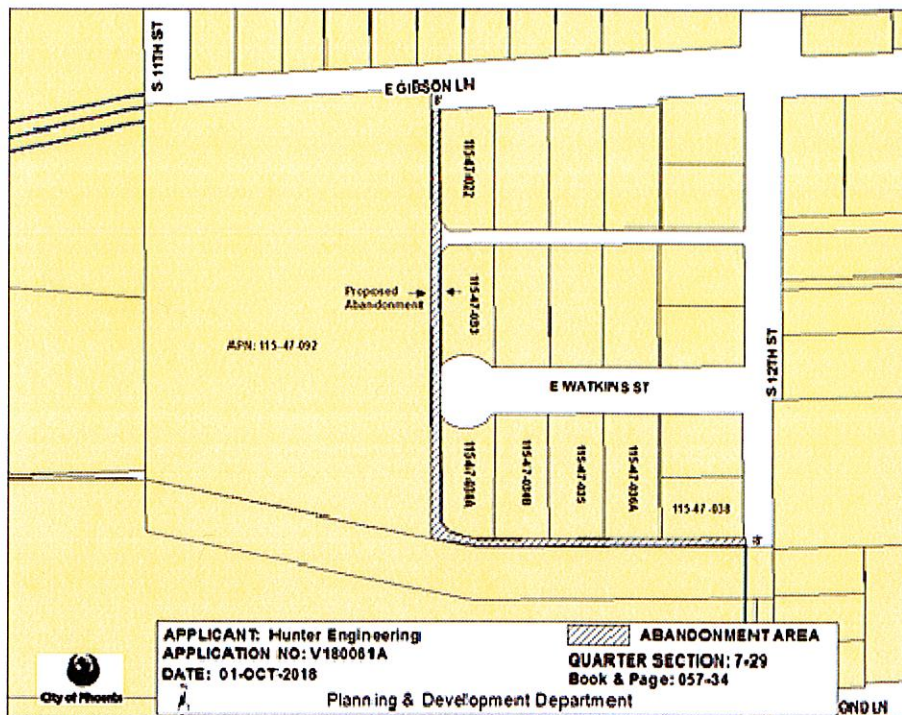


City of Phoenix

Planning and Development Department

November 13, 2018
Abandonment Staff Report: **V180061A**
Project# **17-1149**
Quarter Section: **7-29**

<u>Location:</u>	1105 East Gibson Lane
<u>Applicant:</u>	Hunter Engineering
<u>Request to abandon:</u>	To abandon an 8-foot alley dedicated on the west and south line of the Plat of "Dorothy Virginia Place" as recorded in Book 57 of maps, Page 34, of official records, Maricopa County, Arizona.
<u>Purpose of request:</u>	The applicant states: The City stipulated in project/KIVA# 17-1149, that the alley is to be abandoned per stipulation on PRLM 1705879.
<u>Hearing date:</u>	November 13, 2018



Hearing Summary

Mr. Christopher DePerro, Hearing Officer, started the discussion by asking the applicant to explain the request to abandon the alley.

Mr. Grant Hirneise, Project Manager with Hunter Engineering, explained the project and purpose for the request to abandon the 8-foot alley dedicated on the west and south line of the Plat of "Dorothy Virginia Place."

Mr. DePerro asked Mr. Alan Hilty, Street Transportation Department, how he felt about leaving a dead-end alley. Mr. Alan Hilty stated he had no issues with leaving it as a dead-end alley but did have an issue with the Watkins cul-de-sac bulb. Mr. Hilty stated the area where the alley cuts across the end of the cul-de-sac would need to be retained.

The Hearing Officer approved the abandonment with a conditional approval with stipulations.

Stipulations of Conditional Approval

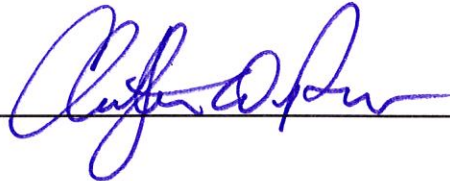
The request of abandonment, is conditionally approved by the Abandonment Hearing Officer. The following stipulations will need to be met:

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 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 25 feet of the Gibson Lane monument line may be abandoned.
4. No right-of-way within 33 feet of the 12th Street monument line may be abandoned
5. No right-of-way within the 40-foot radius cul-de-sac on Watkins Street may be abandoned
6. 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: 11.20.18

REPORT SUBMITTED BY: Alyssa Villarreal, Abandonment Secretary

cc: Applicant/Representative, Hunter Engineering
Christopher DePerro, Abandonment Hearing Officer

¹ 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.