

Attachment B - Approval Report



City of Phoenix

Planning and Development Department

***Revised 08/28/19**

CONDITIONAL APPROVAL – 170053A

Your abandonment request was granted **CONDITIONAL APPROVAL** by the 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 Martinez at (602) 495-0156** for questions and notification of your completion of the stipulations.

Upon completion of the stipulations Cathy Chapman 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 October 31, 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

October 31, 2017

Preliminary Abandonment Staff Report: **V170053A**

Project# **17-430**

Quarter Section: **3-23**

Location:

NE 27th Ave & Southern Ave

Applicant:

Sean B. Lake or Valerie Claussen, Pew and Lake, PLC

Request to abandon:

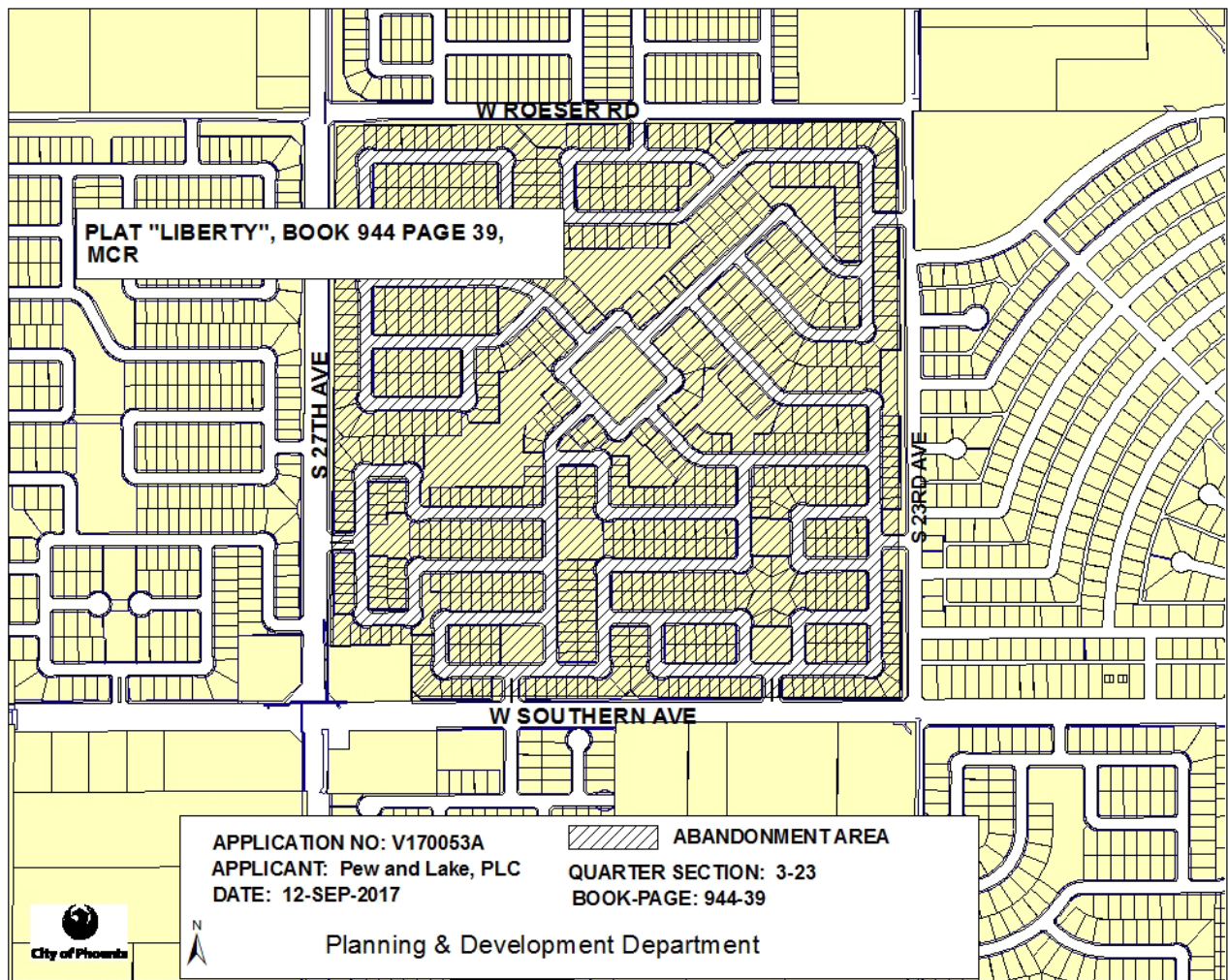
All of the public right-of-way and public easements dedicated in the plat "Liberty", Book 944 Page 39, MCR, except any right-of-way and adjacent PUE dedicated for Southern Ave., Roeser Rd., 27th and 23rd Avenues.

Purpose of request:

The applicant states: Area will be replatted with new right-of-way and easements.

Hearing date:

October 31, 2017



***Hearing Summary**

The above-named abandonment application was filed by Sean B. Lake or Valerie Claussen, Pew and Lake, PLC. The applicant states: Area will be replatted with new right-of-way and easements.

Sean Lake represented the applicant. Lake informed DePerro the Planning and Development Director informed him that new street dedications could be used partially in lieu of consideration fees of monetary value. DePerro deferred the decision to the director. Lake requested that stipulation four regarding bicycle and pedestrian connections be altered, DePerro denied the request. Lake requested that the abandonment approval last two years instead of one. DePerro agreed and modified the stipulation to allow two years. DePerro approved the request.

DePerro closed the hearing at 10:56am.

***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. 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.
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. The developer shall construct the remaining portion of Roeser Road and 23rd Avenue adjacent to the property with paving, curbing, gutter, sidewalks, and landscaping, as approved by Planning & Development Department.
4. If a modification or technical appeal to the Subdivision Ordinance is approved to allow the maximum block length to exceed 1500' (Subdivision Ordinance, 32-32A), a minimum of two bicycle/pedestrian connections, 30' wide, shall be constructed to connect 23rd Avenue to the interior of the subdivision, as approved by Planning & Development Department.
5. The applicant shall contact the Street Transportation Department (Jenny Quezada) 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. 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: 8/28/19

REPORT SUBMITTED BY: Amanda Murrietta, Abandonment Secretary

cc: Applicant/Representative, Sean B. Lake or Valerie Claussen, Pew and Lake, PLC
Christopher DePerro, Abandonment Hearing Officer