



City of Phoenix

Planning and Development Department

CONDITIONAL APPROVAL – ABND 220053

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 Alyssa Neitzel at 602-534-7321** for questions and notification of your completion of the stipulations.

Upon completion of the stipulations your request will be scheduled 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 13, 2024**), 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 13, 2022
Abandonment Staff Report: **ABND 220053**
Project# **21-5083**
Quarter Section: **36-29**
District#: **3**

Location:

Northeast Corner of 9th Street and
Greenway Parkway

Applicant:

Noel Griemsmann

Request:

To abandon the right-of-way and
deceleration lane approximately 125-feet
from the northwest corner of 9th Street and
Greenway Parkway.

Purpose of request:

Applicant states: "the abandonment of the
current right-of-way and deceleration lane
and proposal of new right-of-way and
deceleration lane approximately 160' to the
east of the current dedication will support the
development of a new multi-family project."

Hearing date:

October 13, 2022

Planning and Development



Hearing Summary

Mr. Christopher DePerro, the Abandonment Hearing Officer calls the meeting to order on October 13, 2022. He asks Ms. Alyssa Neitzel, the Abandonment Coordinator to introduce the case 220053.

Ms. Alyssa Neitzel, introduced abandonment ABND 220053 and read the case into the record by stating the applicant, location, and purpose of the request, as well as City staff research.

Mr. DePerro then started the discussion by asking the applicant if they would like to add any additional comments regarding the abandonment request.

Mr. Maerowitz presents Power Point presentation.

Ms. Alyssa Neitzel reads stipulation recommendations from various city departments as well as stipulations of approval.

Ms. Maja Brkovic, Streets Transportation Department Representative, reads comments and corrects number 3 to change 19th Avenue to Greenway Parkway.

Mr. DePerro reads recommended stipulations and revises number 3 to state "no right-of-way within 55-feet of the monument line may be abandoned along Greenway Parkway." Removes stipulation number 4.

The Hearing Officer grants conditional approval for abandonment 220053 subject to stipulations in staff report.

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.
 - 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 55-feet of the monument line may be abandoned along Greenway Parkway.
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: 6/6/2023

REPORT SUBMITTED BY: Paulina Hernandez, Abandonment Secretary

cc: Applicant/Representative, Noel Griemsmann
Christopher DePerro, Abandonment Hearing Officer