

ATTACHMENT B



City of Phoenix

Planning and Development Department

CONDITIONAL APPROVAL – ABND 220023

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 the Abandonment Coordinator at (602) 256-3487** 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 May 26, 2024**), this request will then expire. At that time a new submittal will be required along with the required payment for the easement waiver 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

May 26, 2022

Preliminary Abandonment Staff Report: **ABND 220023**

Project# **93-00003726**

Quarter Section: **42-26**

Council District: **1**

Location:

21411 North 14th Avenue

Applicant:

Hogan Properties, LLC

Request to abandon:

The temporary turnaround easement located on 21411 North 14th Avenue.

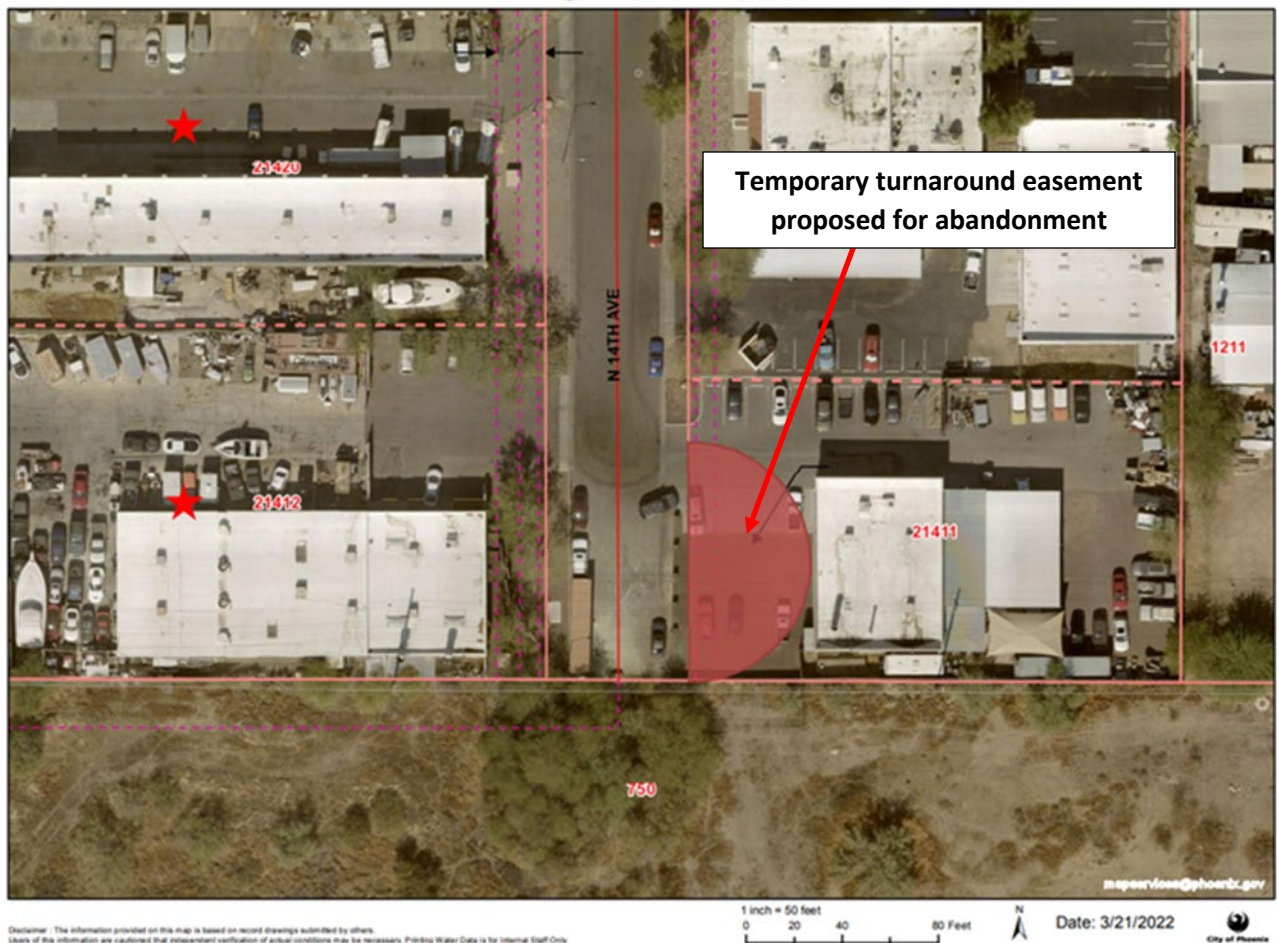
Purpose of request:

The applicant states the proposed expansion of the building cannot proceed. The current owner of the parcel to the south has no intention of extending 14th Avenue through that parcel as stated in the recorded plat.

Hearing date:

May 26, 2022

Planning and Development



Hearing Summary

Mr. Christopher DePerro, the Abandonment Hearing Officer, called the hearing to order at 9:30 am on May 26, 2022.

Ms. Maggie Dellow, the Abandonment Coordinator introduced abandonment ABND 220023 and read the case into the record by stating the applicant, location, waiver request, 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. Luis Gonzalez, the applicant's representative, explained that the abandonment of the temporary turnaround easement was being sought in order to provide more room for building expansion needed due to business growth. Mr. Gonzalez stated that he understood that the easement would be removed once 14th Avenue extended to the south. Mr. Gonzalez stated that when he asked the developer representing the parcel to the south if there were plans to extend 14th Avenue to the south, the developer stated that they would not extend 14th Avenue. Because of this Mr. Gonzalez is seeking formal abandonment of the temporary turnaround easement.

In response to Mr. Gonzalez's statement, Ms. Dellow shared comments from the Street Transportation Department which state the project to the south is required to extend 14th Avenue and construct a cul-de-sac for its termination. Ms. Dellow explained that this improvement is shown within their project plans and is under review.

Mr. Gonzalez asked how this would impact their abandonment request.

Mr. DePerro explained that the plat showing the new cul-de-sac would need to be completed and recorded before ABND 220023 could receive final Council approval.

Mr. Gonzalez asked if he would need to reapply for abandonment once approval of the plat was completed.

Mr. DePerro explained that he would not need to reapply for abandonment and that the abandonment case could be completed once the plat to the south is done.

The applicant asked if the City had a timeline for completion of the plat, stating that they have been working towards abandonment for quite a while.

Mr. DePerro explained that without the plat to the south, the abandonment of the temporary turnaround easement would be denied.

Ms. Dellow reviewed the remaining comments received from staff reviewers and utility providers.

The Hearing Officer granted a conditional approval subject to stipulations in the 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. The plat for APN 209-09-992 or alternative dedication for 14th Avenue extension or terminus must be approved by City Council prior to final abandonment approval.
2. 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: 2/2/2023

REPORT SUBMITTED BY: Maggie Dellow, Abandonment Coordinator

cc: Hogan Properties, LLC, Applicant/Representative
Luis Gonzalez, Applicant/Representative
Christopher DePerro, Abandonment Hearing Officer