



## **City of Phoenix**

Planning and Development Department

### **CONDITIONAL APPROVAL – V190033A**

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 Martinez at (602) 495-0156** for questions and notification of your completion of the stipulations.

Upon completion of the stipulations Robert 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 July 11, 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

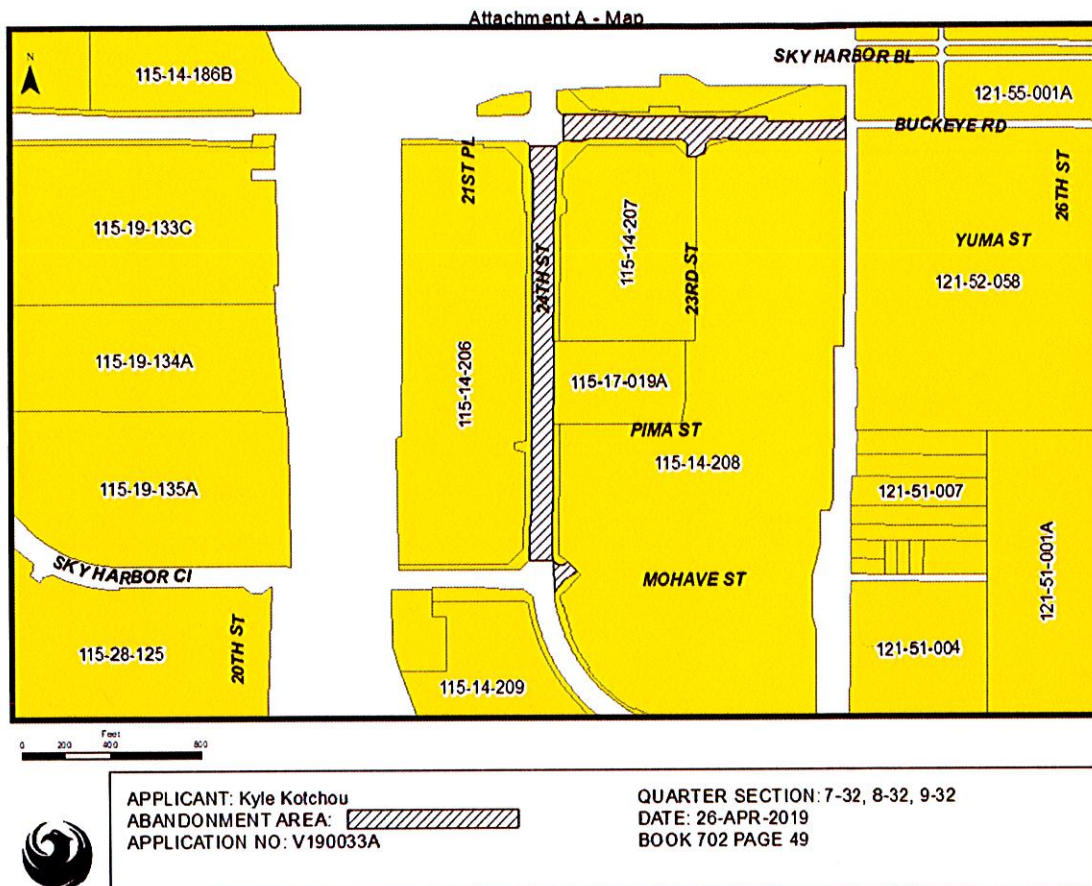
July 11, 2019

Abandonment Staff Report: **V190033A**

Project# **01-20316**

Quarter Section: **7-32, 8-32, 9-32**

<b><u>Location:</u></b>	24th Street south of Buckeye Road and North of Sky Harbor Circle South
<b><u>Applicant:</u></b>	Kyle Kotchou; City of Phoenix Aviation Department
<b><u>Request to abandon:</u></b>	To abandon 24th Street right of way running north to south, between Buckeye Road and Sky Harbor Circle and Buckeye Road running east to west, between 24th Street and Copperhead Drive; per Final Plat "Phoenix Sky Harbor Center East, Book 702 Page 49.
<b><u>Purpose of request:</u></b>	The applicant states: The purpose is to incorporate right of way into Phoenix Sky Harbor International Airport to support airport development needs. Public access to the abandoned right of ways and associated amenities will be maintained.
<b><u>Hearing date:</u></b>	<b>July 11, 2019 (Continued from June 13, 2019)</b>



## Hearing Summary

Mr. Christopher DePerro, the Hearing Officer started the hearing with staff introductions. Mr. DePerro then turned the hearing over to Ms. Emily Dawson, Planner I with Site Planning. Ms. Dawson read the abandonment request, purpose and staff research into the record.

Mr. DePerro opened the discussion by asking the applicant if the request and purpose were correct as read by Ms. Dawson.

Mr. Kyle Kotchou, applicant with the City of Phoenix Aviation Department stated yes, the request and purpose that was read into the record was correct. Mr. Kotchou then specified the main purpose of the abandonment is the 24<sup>th</sup> Street crossing and the amount of power required to run the Sky Train. Mr. Kotchou also stated that Arizona Public Service has indicated that in order to have the amount of voltage that is needed to get the Sky Train to the Rental Car Facility the right-of-way would need to be abandoned.

Mr. DePerro reviewed each drafted stipulation with Mr. Kotchou. Mr. Kotchou agreed to the drafted stipulations.

The Hearing Officer granted a conditional approval with stipulations.



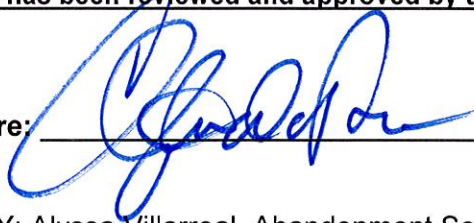
## **Stipulations of Conditional Approval**

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.
  - b. All right-of-way shall be retained as a public utilities easement or individual easement as approved by each utility company.
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 following easements shall be retained over the abandoned right-of-way: Sidewalk easement, Public Access easement, Traffic Control easement and drainage easement.
4. The entire right of way shall be retained as a water and sewer easement or as may be modified by the Water Services department.
5. All existing streetlights within proposed abandonment to be transferred from City of Phoenix Street Transportation Streetlighting to Aviation. All light poles within this section to be billed under Aviation.
6. 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: \_\_\_\_\_

7/19/19

REPORT SUBMITTED BY: Alyssa Villarreal, Abandonment Secretary

cc: Applicant/Representative, Kyle Kotchou; City of Phoenix Aviation Department  
Christopher DePerro, Abandonment Hearing Officer