

## ATTACHMENT B



### **City of Phoenix**

Planning and Development Department

#### **CONDITIONAL APPROVAL – ABND 220043**

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 September 22, 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

September 22, 2022  
Preliminary Abandonment Staff Report: **ABND 220043**  
Project# **21-1515**  
Quarter Section: **3-35**  
District#: **6**

**Location:** 3218 East Southern Avenue

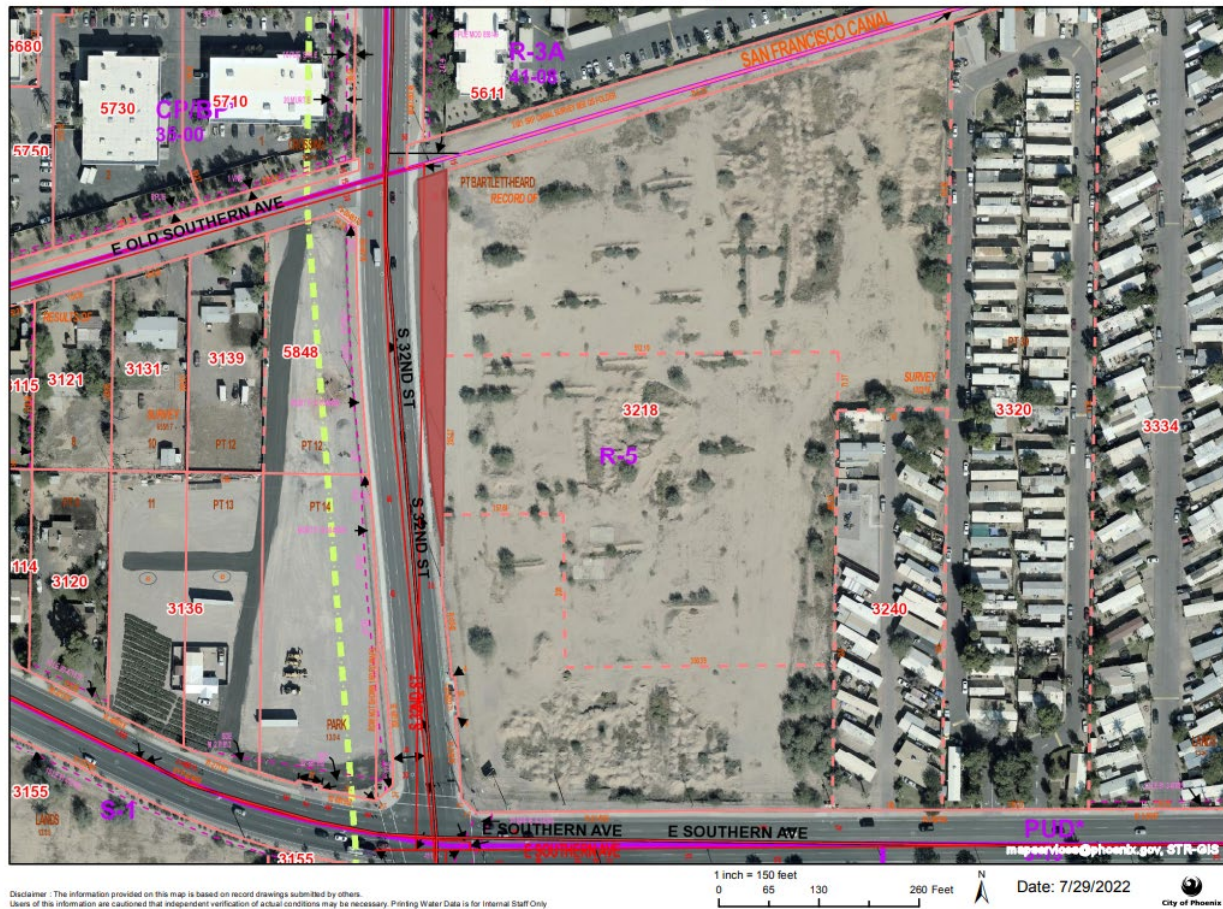
**Applicant:** Noel Griemsmann

**Request:** To abandon a portion of the east half of 32<sup>nd</sup> Street

**Purpose of request:** Applicant states, "excess right-of-way approved for abandonment in 2008. Case V080031A, never vested. Area includes SRP irrigation that needs to be removed from right-of-way."

**Hearing date:** **September 22, 2022**

## Planning and Development



### Hearing Summary

Mr. Christopher DePerro, the Abandonment Hearing Officer requests for the Abandonment Coordinator, Alyssa Neitzel to proceed with the next case.

Ms. Alyssa Neitzel introduced abandonment ABND 220043 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, applicant presents Power Point presentation.

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

The Hearing Officer granted a conditional approval for abandonment 220043 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 50 feet of the centerline of 32nd Street may be abandoned.
4. Existing streetlights on SRP power poles must be converted to new underground feed streetlights and be located in remaining right-of-way. Streetlighting plans are required and is to be submitted to Planning and Development Streetlighting.
5. 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: 1/6/2023

REPORT SUBMITTED BY: Paulina Hernandez, Abandonment Secretary

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