

ATTACHMENT B



**City of Phoenix**

Planning and Development Department

**CONDITIONAL APPROVAL – ABND 210005**

Your abandonment request was granted **CONDITIONAL APPROVAL**.

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 Maggie Dellow at (602) 262-7399** for questions and notification of your completion of the stipulations.

Upon completion of the stipulations your request will be scheduled for City Council formal approval. You will receive a copy of the abandonment document after it has been recorded with Maricopa County.

If the stipulations of abandonment are not completed within **one year** from the date of your conditional approval (**your expiration date is March 24, 2022**), 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

**March 24, 2021**

Abandonment Staff Report: **ABND 210005**

Project# **20-1173**

**Location:**

1420 North 24<sup>th</sup> Street

**Applicant:**

Charles Huellmantel/Huellmantel & Affiliates

**Request to abandon:**

To abandon a portion of the PUE located in the center of the subject parcel west of 24<sup>th</sup> Street between Brill Street and Willetta Street.

**Purpose of request:**

The applicant states the PUE currently only contains a sewer line. The approved QuikTrip building will be located on top of the current PUE, but the sewer is planned to be relocated elsewhere on site.

## Planning and Development



### **City Staff Comments and Recommendations:**

**PDD Civil Reviewer:** “No building or permanent structures will be allowed to encroach on a sewer easement (Design Standards Manual for Water and Wastewater Systems, III.B.5). This stipulation will ultimately be imposed by the Water Services Department.”

**PDD Site Planner:** No comments received.

**Water Service Department:** “The entire right of way shall be retained as a sewer easement or as may be modified by the affected utilities with 24-hour maintenance access subject to the following standard stipulations:

1. No structure of any kind and/or block wall shall be constructed or placed within the easement except removable type fencing and/or paving. No planting except grass and/or approved ground cover shall be placed within the easement. It shall be further understood that the City of Phoenix shall not be required to replace any obstructions, paving or planting that must be removed during the course of required maintenance, reconstruction and/or construction.

OR

2. The applicant/property owners shall relocate all affected sewer utilities into an alternate easement or right of way prior to the Resolution of Abandonment in accordance with plans submitted to and approved by the Planning and Development Department, or as otherwise approved by the Water Services Department. All work is to be done by a licensed contractor at no expense to the City of Phoenix.”

**PDD Village Planner:** No comments received.

**Utility Company Comments and Recommendations:**

**Arizona Public Service:** “I have researched our records and found that the subject property is situated within the APS service territory. The PUE referenced in Abandonment Application number ABND 210005 does not contain active underground or overhead APS facilities. Therefore, APS does consent to the abandonment.”

**CenturyLink:** “Qwest Corporation d/b/a CENTURYLINK QC (“CenturyLink”) has reviewed the request for the subject Vacation-Abandonment of the 16’ Easement on the above referenced APN’s and has determined that it has no objections or reservations with respect to the areas proposed for vacation as shown and/or described on Exhibit “A”, said Exhibit “A” attached hereto and incorporated by this reference.

CenturyLink has no facilities located within the easement and recommends approval on the abandonment of said easement.

It is the intent and understanding of CenturyLink that this Vacation shall not reduce our rights to any other existing easement or rights we have on this site or in the area.

This vacation response is submitted WITH THE STIPULATION that if CenturyLink facilities are found and/or damaged within the vacated area as described, the Applicant will bear the cost of relocation and repair of said facilities.”

**Cox Communications:** “Recommend approval.”

**Salt River Project:** “Salt River Project has no objection to the abandonment of the PUE as shown in your application ABND 210005 at 1420 N 24<sup>th</sup> Street. This is in the Arizona Public Service serving area.”

**Southwest Gas:** “After reviewing the plans for the above-referenced project, it has been determined that there are no apparent conflicts between the Southwest Gas system and your proposed abandonment of the public utility easement. Southwest Gas would like to recommend abandonment of the public utility easement located at the above-referenced location.”

**Streets Utility Coordination Department:** No comments received.

**Stipulations of Conditional Approval**

The request of abandonment ABND 210005 is conditionally approved and the following stipulations will need to be met:

1. Either a or b shall be complied with:
  - a. The entire right of way shall be retained as a sewer easement or as may be modified by the affected utilities with 24-hour maintenance access subject to the following standard stipulations: No structure of any kind and/or block wall shall be constructed or placed within the easement except removable type fencing and/or paving. No planting except grass and/or approved ground cover shall be placed within the easement. It shall be further understood that the City of Phoenix shall

not be required to replace any obstructions, paving or planting that must be removed during the course of required maintenance, reconstruction and/or construction

- b. The applicant/property owners shall relocate all affected sewer utilities into an alternate easement or right of way prior to the Resolution of Abandonment in accordance with plans submitted to and approved by the Planning and Development Department, or as otherwise approved by the Water Services Department. All work is to be done by a licensed contractor at no expense to the City of Phoenix.
2. The above stipulations must be completed within **one year** from the conditional approval decision dated **March 24, 2021**.

**This conditional approval has been reviewed and approved.**

Signature:  \_\_\_\_\_ Date: 3/26/2021

REPORT SUBMITTED BY: Maggie Dellow, Abandonment Coordinator

cc Applicant/Representative, Charles Huellmantel/Huellmantel & Affiliates  
Christopher DePerro, Team Leader Site Planning