



City of Phoenix

Planning and Development Department

CONDITIONAL APPROVAL – ABND 240038

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 the Abandonment Coordinator at (602) 262-7403** 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 **two years** from the date of your conditional approval (**your expiration date is October 29, 2026**), 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 28, 2024

Abandonment Staff Report: **ABND 240038**

Project# **04-4082**

Council District: **2**

Location:

5353 (Lot 10) & 5275 (lot 13) East City North Drive

Applicant:

Ryan Companies US, Inc., Kaushik Gandhi

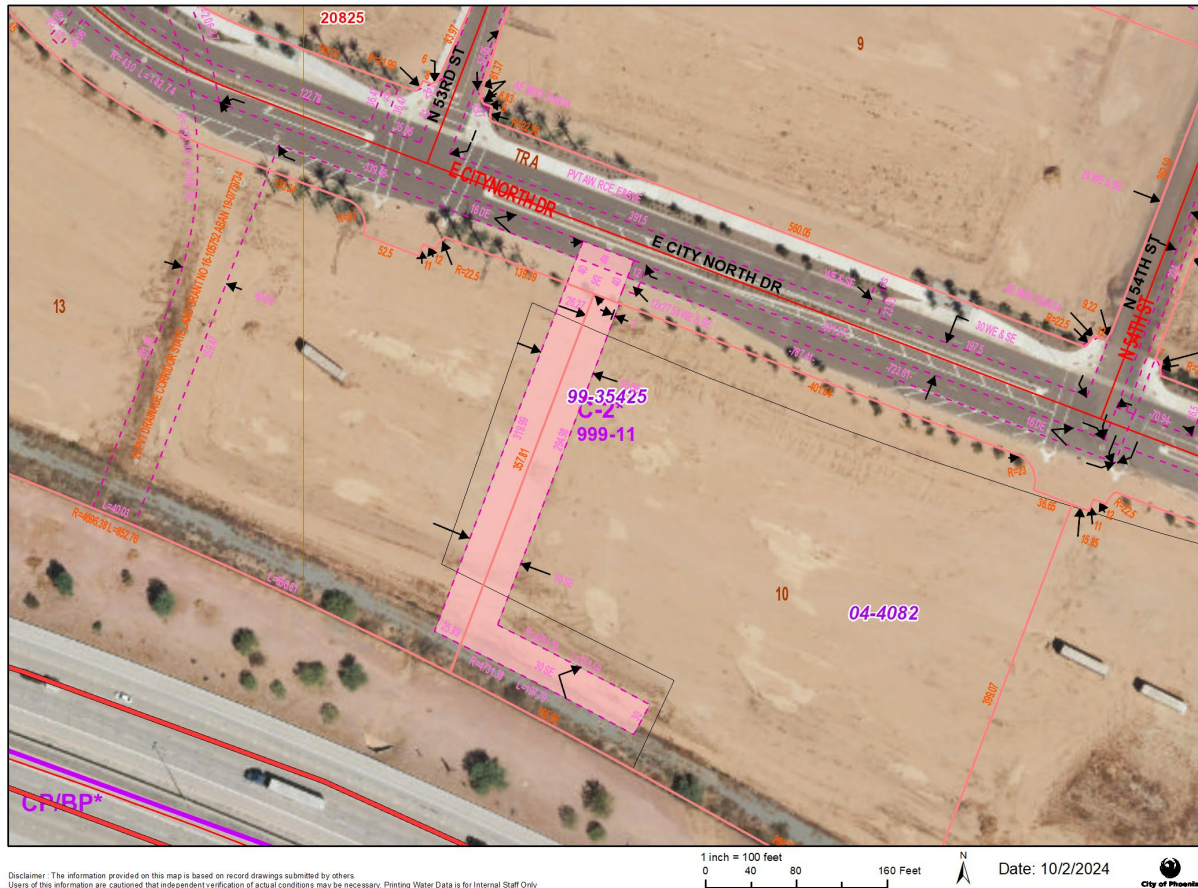
Request to abandon:

To abandon an existing sewer easement located on both 5353 (Lot 10) & 5275 (Lot 13) East City North Drive properties and within E City North Drive (private drive). The sewer easement was recorded within the Final Plat for City North (Recording No. 20210787583, 7/20/2021, Book 1606, Page 3).

Purpose of request:

The applicant states the existing sewer easement is no longer needed due to the future development of the site.

ABND 240038



City Staff Comments and Recommendations:

PDD Civil Review – Jonathan Bunch

This sewer easement abandonment is approved. Please note the sewer abandonment in City North Dr (PVT Accessway) roadway has an overlapping 16' drainage easement that is not being abandoned per this application.

No building or permanent structures will be allowed to encroach on a water or sewer easement (Design Standards Manual for Water and Wastewater Systems, III.B.5).

Water Services Department – Donald Reynolds

WSD cannot allow abandonment of any portion of this Easement as it contains a very important sewer main that drains most of City North properties through it to the existing 36- inch sewer main on the south side of the properties. Along with a 48-inch RGRCP storm drain runs through it and along the side of the easement being requested to be abandoned. Sewer Easement Encroachments (Gravity)

Buildings, building slabs or structures proposed outside of the easement but parallel to a sewer main at a horizontal distance less than or equal to the depth (invert) of the sewer main, shall be required to submit structural analysis and a geotechnical soil survey report with each signed and sealed by an Arizona Registered Professional Engineer. These reports shall be submitted to the City for review and approval. The reports shall verify the integrity of the proposed structure under the condition of a sewer main failure, as well as verifying that the proposed structure and

its foundations will not compromise the structural integrity of the sewer main.

Street Transportation Department Utility Coordination – Andrea Diaz

No comment.

PDD Site Planner – Dru Maynus

No comments received.

Utility Comments

The request was also routed to outside utility companies for their input. Listed below are the responses from each utility.

Cox – Zach Lawson

I have reviewed the abandonment request at **ABND 240038 APN 212-35-585 & APN 212-35-582**, in Phoenix, {Maricopa County}, AZ. Based upon the supplied drawings/exhibits that you've submitted it has been determined that COX has no facilities within the easement and therefore we approve your request to abandon.

Please note that although Cox Communications approves this abandonment, we do so with the understanding that we will not assume any construction, relocation and/or repairs costs associated or in result of this abandonment.

Southwest Gas – Susan R. Mulanax

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.

Thank you for your cooperation on this project. Please contact me if you have any questions or require additional information.

Arizona Public Service – Kim Paxon

APS has no objection to this abandonment.

CenturyLink – Bill Paul

CenturyLink of Arizona, Inc. d/b/a CENTURYLINK ("CenturyLink") has reviewed the request CenturyLink Engineering has No Reservations with this request.

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

This abandonment response is submitted with the stipulation that if CenturyLink facilities are found and/or damaged within the abandonment area as described, the Applicant will bear the cost of relocation and repair of said facilities.

If you have any questions, please contact Bill Paul 727-494-3544 or bill.paul@lumen.com

Salt River Project – Michael Laguna

Salt River Project has no objection to the abandonment of the existing 50' sewer easement as shown in the abandonment package. This is in an Arizona Public Service serving area.

If you have any questions or need further information, please feel free to contact me on 602-236-3116.

Recommended Stipulations of Approval

The request of abandonment, if approved by the Abandonment Hearing Officer, will be subject to the following stipulations:

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. An appropriate performance agreement, in an approved form and cost amount, must be posted with the Planning and Development Department to guarantee the improvements.
 - b. All easement areas shall be retained as a public utilities easement with 24-hour vehicle maintenance access.
2. All stipulations must be completed within **two years** from the Abandonment Hearing Officer's decision.

For assistance regarding the above stipulations, please contact the Abandonment Coordinator at 602-262-7403.

This conditional approval has been reviewed and approved.

Signature: Aracely Herrera **Date:** 11.26.24

REPORT SUBMITTED BY: Dru Maynus, Abandonment Coordinator

cc Ryan Companies US, Inc., Kaushik Gandhi, Applicant/Representative
Miguel Victor, Deputy Director of PDD
Aracely Herrera, Site Planning Supervisor, Planner III