

ATTACHMENT B



City of Phoenix

Planning and Development Department

CONDITIONAL APPROVAL – ABND 210045

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) 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 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, 2023**), 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 29, 2021

Abandonment Staff Report: **ABND 210045**

Project# **05-4228**

Quarter Section: **05-15**

District#: **8**

Location:

Southwest Corner 55th Avenue and Carver Road

Applicant:

Zach Hill, Kimley-Horn

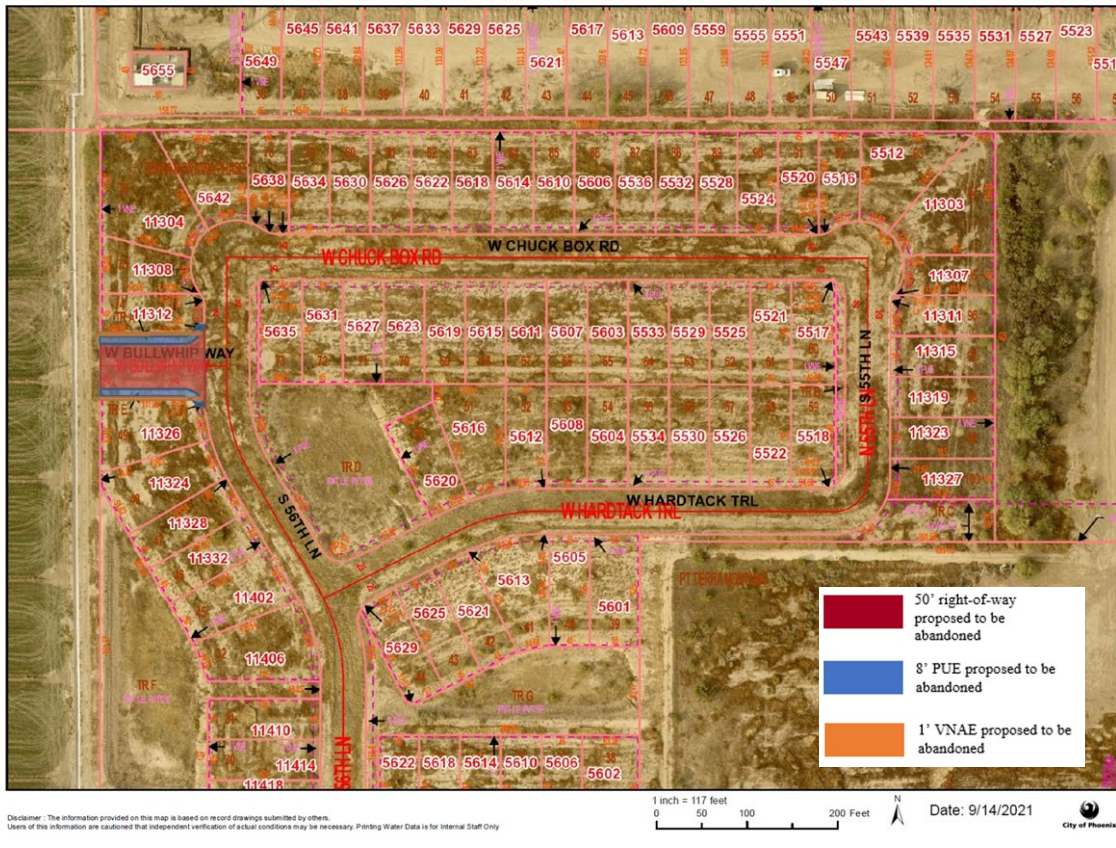
Request to abandon:

The right-of-way and adjacent public utility easement and vehicular non-access easement for Bullwhip Way.

Purpose of request:

The applicant states that the right-of-way, public utility easement, and vehicular non-access will be rededicated approximately 20-feet south with a new final plat.

Planning and Development



City Staff Comments

This request was routed to various City departments for their recommendations. Listed below are the responses from each department.

Street Transportation Department – Maja Brkovic

“The Street Transportation Department does not support the abandonment of Bullwhip Way.

The City Code provides direction that stub streets be provided when abutting undeveloped land. The intent of Bullwhip, per the original plat, met this requirement.”

Street Transportation Utility Coordination Department - Rozanna Brown

No comments received.

PDD Traffic Department – Derek Fancon

“Recommend approval.”

PDD Site Planning Department – Emily Dawson

“Recommend approval. They need to abandon that ROW to meet the requirements of a replat they have submitted.”

Solid Waste – Robert Lopez

“Solid Waste approves this abandonment.”

Street Lights – Jason Fernandez

“Recommend approval.”

Water Services – Don Reynolds

“WSD has no utility conflicts.”

PDD Village Planner – Sofia Mastikhina

No comments received.

PDD Civil Department – Don Gerkin

“Recommend Approval.”

Neighborhood Services – Lynda Lee

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

“Based upon the supplied drawings/exhibits that you’ve submitted it has been determined that COX has no facilities within the easements 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 – Nancy Almanzan

“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 easements and adjacent right-of-way. Southwest Gas would like to recommend the abandonments located at the above-referenced locations.”

Arizona Public Service – James Generoso

“The subject properties are outside of APS service territory and APS has no facilities within the proposed abandonment area, so APS has no objection to the proposed abandonments in ABND210034.”

CenturyLink – Gladys Zeilstra

“QWEST COMMUNICATIONS d/b/a CENTURYLINK QC (“CenturyLink”) has reviewed the request for the subject vacation and has determined that it has no objections 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.

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.”

Salt River Project – Sherry Wagner

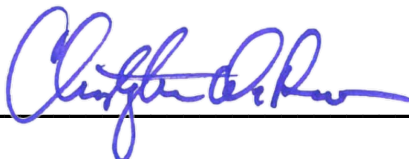
“Salt River Project has no objection to the abandonment as shown in application ABND 210034 for the SWC of 66 Ave & Elliot road with the condition that new easements are granted with the new plat.”

Stipulations of Conditional Approval

The request of abandonment ABND 210045 is conditionally approved, and the following stipulations will need to be met:

1. The abandonment of Bullwhip Way and associated easements is approved solely to modify the location this street connection in conjunction with the revised subdivision plat. This approval does not allow the elimination of this street connection to the west.
2. Final approval of this abandonment shall run concurrently with the plat.
3. The abandonment must be completed within **two years** from the conditional approval decision dated **October 29, 2021**.

This conditional approval has been reviewed and approved.

Signature:  Date: 10/29/21

REPORT SUBMITTED BY: Matt Roth, Abandonment Coordinator

cc Zach Hill, Kimley-Horn, Applicant/Representative
Christopher DePerro, Team Leader Site Planning