

ATTACHMENT B



**City of Phoenix**

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Planning and Development Department

**CONDITIONAL APPROVAL – ABND 210050**

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 January 20, 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

**January 20, 2022**

Abandonment Staff Report: **ABND 210050**

Project# **99-817**

Quarter Section: **19-22**

District#: **5**

**Location:**

Northeast Corner of 29<sup>th</sup> Avenue and Georgia Avenue

**Applicant:**

Baird Fullerton

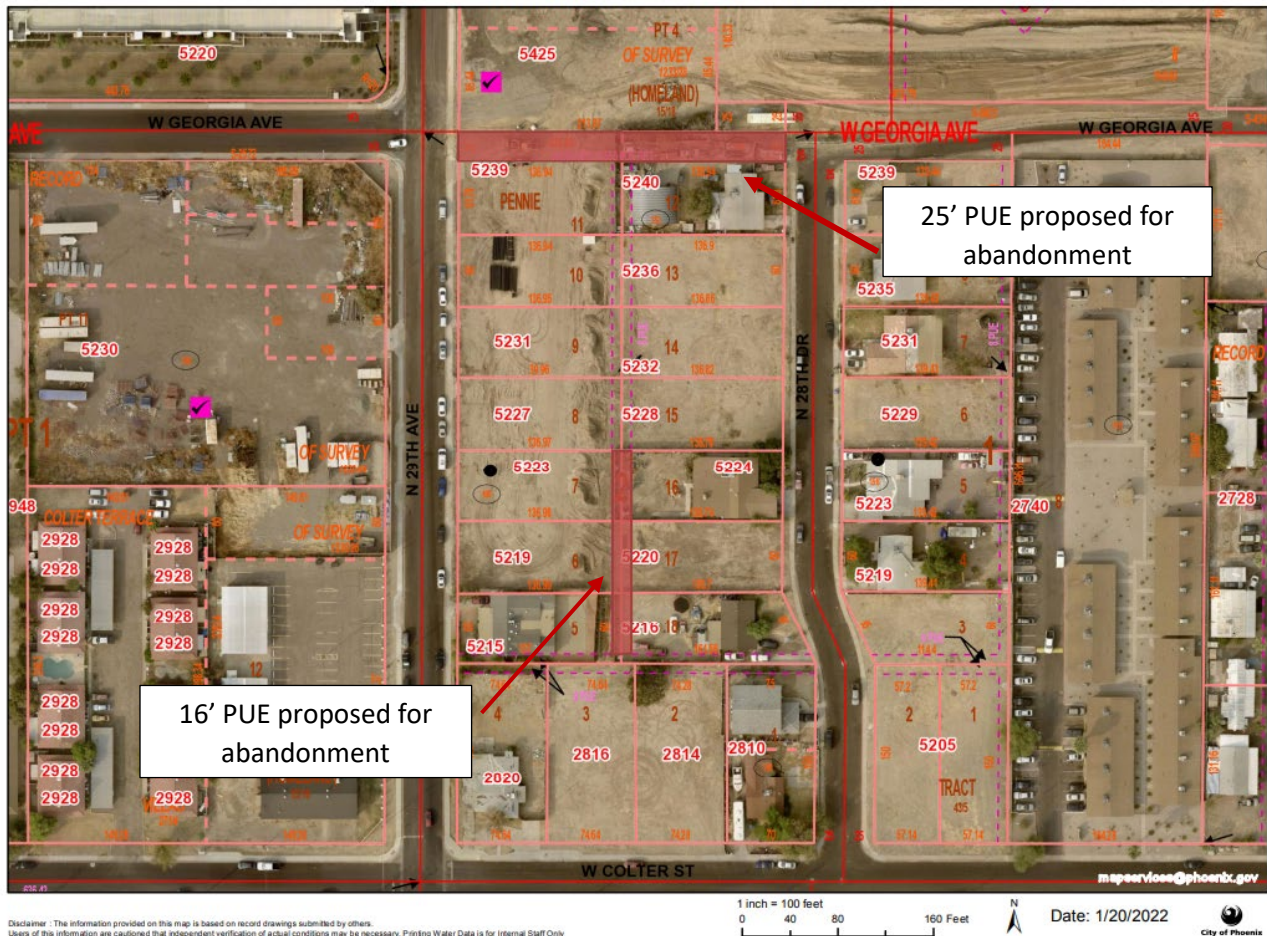
**Request to abandon:**

25-foot PUE abutting Lots 11 and 12 and the 16-foot public utility easement abutting the east side lots 5, 6, and 7 and the west side of 16,17,18 in the Pennie Tract subdivision recorder on Book 43, Page 51 of the Maricopa County Recorder.

**Purpose of request:**

The applicant states the abandonment would increase land for redevelopment.

## Planning and Development



### City Staff Comments and Recommendations:

#### **Street Transportation Department – Maja Brkovic**

“No comments.”

#### **PDD Traffic Department – Derek Fancon**

“Recommend approval.”

#### **Street Lights – Jason Fernandez**

“Recommend approval.”

#### **PDD Civil Reviewer – Don Gerkin**

“I recommend APPROVAL for this ABND case. No Issues/Comments. I reviewed this case for the existence of City owned storm water infrastructure. There are no city owned storm water infrastructure in the abandonment area.”

#### **Water Services Department – Don Reynolds**

“The entire right of way and PUE shall be retained as a water and 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.

OR

The applicant/property owners shall abandon all affected water and sewer utilities or relocate all affected water and 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.”

**Village Planner – Nick Klimek**

No Comments Received

**Neighborhood Services- Lynda Lee**

No Comments Received

**Utility Provider Comments and Recommendations:**

**SRP – Sherry Wagner**

“Salt River Project has no objection to the abandonment of the Right of way/PUE of Georgia Avenue between 29th Ave and 28th Drive.

Salt River Project DOES object to the abandonment of the PUE going south of Georgia Avenue between 29th Ave and 28th Drive. At this time there is an overhead line with poles in this area. Once the electric facilities have been removed/relocated SRP can give approval.”

**APS – James Generoso**

“APS has no objection to ABND210050, the subject property is outside of our service territory.

**Cox Communications – Zach Lawson**

“ABND 210050 is a new conflict review that will go with the abandonment/ conflict review I sent earlier this month (ABND 210041).”

**Southwest Gas – Tami Garcia**

“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. Southwest Gas would like to recommend abandonment of the public utility easements located at the above referenced location.”

**Centurylink – Mary Hutton**

No comments received.

**Streets Utility Coordination – Rozanna Brown**

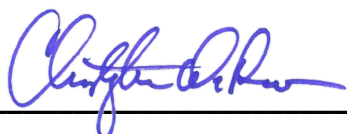
No Comments Received

**Stipulations of Conditional Approval**

The request of abandonment ABND 210050 is conditionally approved, and the following stipulations will need to be met:

1. 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.
2. The applicant/property owners shall relocate all affected water and 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.
3. The abandonment must be completed within **two years** from the conditional approval decision dated **January 20, 2022**.

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

Signature:  \_\_\_\_\_ Date: 2/14/22

REPORT SUBMITTED BY: Maggie Dellow, Abandonment Coordinator

cc Baird Fullerton, Applicant/Representative  
Christopher DePerro, Team Leader Site Planning