

Attachment B



City of Phoenix

Planning and Development Department

CONDITIONAL APPROVAL – ABND 240005

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 February 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

February 29, 2024

Abandonment Staff Report: **ABND 240005**

Project# **22-2990**

Council District: **6**

Location:

5108 East Taylor Street

Applicant:

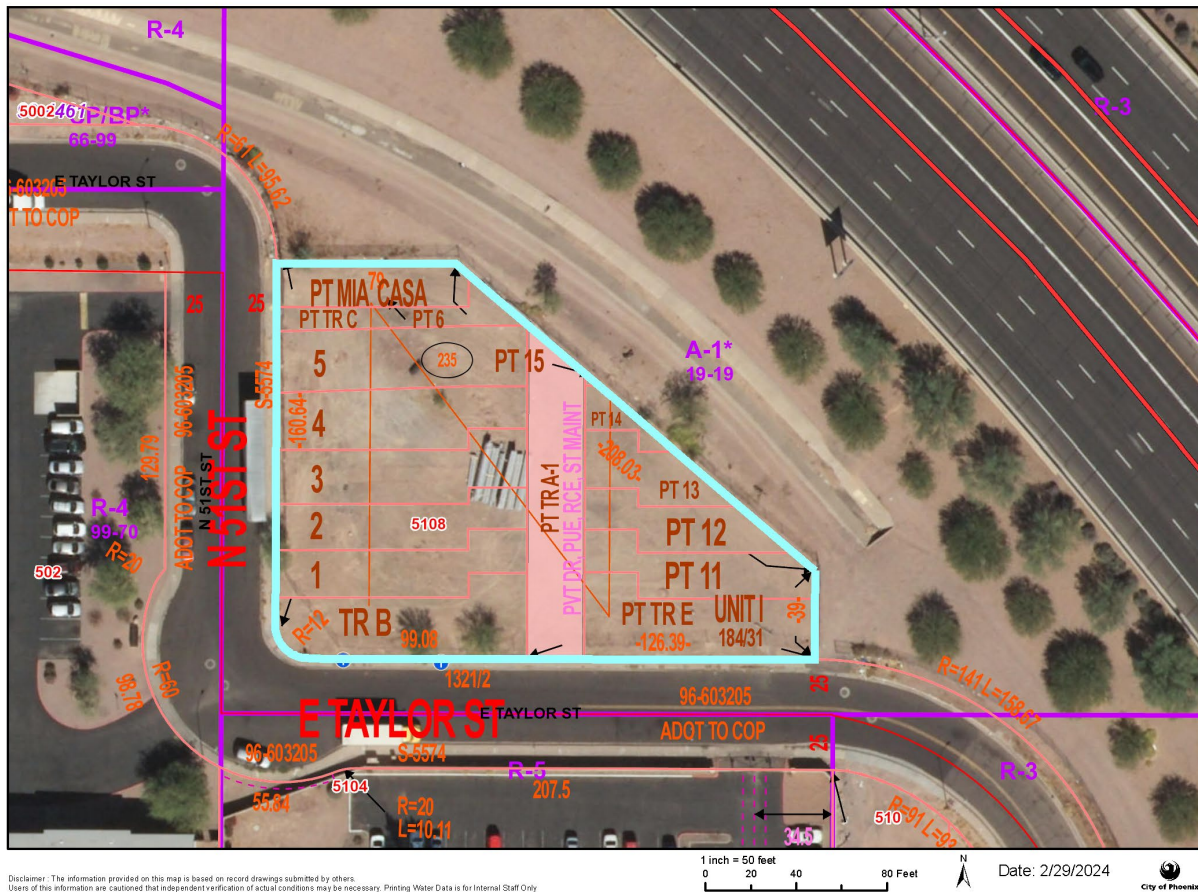
Blue Box Holdings LLC

Request to abandon:

To abandon a 24-foot public utility easement (PUE); a 24-foot street maintenance easement (ST MAINT) for the private accessway, curbs, and gutters; emergency and service easement; and a 24-foot refuse collection easement (RCE).

Purpose of request:

The applicant states the existing abandonments were in conjunction with a previous development that never was constructed. The site is planned as a new development that doesn't require the easements.



City Staff Comments and Recommendations:

PDD Civil Review – Alejandro Hernandez
Recommend approval with no stipulations.

PDD Traffic – Derek Fancon
Recommend approval.

Water Services Department – Donald Reynolds
WSD has no stipulations for this abandonment.

PDD Site Planner – Matthew Roth
No comment received.

Street Transportation Department Utility – Rozanna Brown
No comment received.

Street Transportation Streetlight Section – Jason Fernandez
Recommend Approval with the following stipulation.

1. Future development will require 2 new underground feed streetlights along Taylor St and 51st Street.

Public Works Solid Waste– Robert Lopez

Recommend approval, proposed abandonment will have no impact on public works solid waste services. .

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 240005 APN 125-05-042A 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.

Arizona Public Service – Kimberly Paxson

APS has no objection to this/these abandonment(s).

CenturyLink – Tori Jacoby

CenturyLink of Arizona, Inc. d/b/a CENTURYLINK ("CenturyLink") has reviewed the request for the subject Vacate/Abandonment and has determined that to protect its facilities CenturyLink must deny the request at this time for the abandonment of a portion of the Tract A-1 24' Easement for Public Utilities, Maintenance of Private Accessway, Refuse Collection, Emergency & Service Type Vehicles, Bk. 184, Pg. 31, on APN 125-05-042A Doc. No. 2016-198064 M.C.R. for the purpose of site development.

Lumen facilities may be located within the 24' Tract A-1. Recommend to have Lumen's facilities located on a Results of Survey and submit for further consideration. If Lumen's facilities are found to be within the Tract A-1, Lumen would approve an abandonment request provided the owner pays for the relocation of Lumen's facilities or dedicates a new easement protecting them in place.

In the event Lumen facilities need to be removed, all associated costs will be at the expense of the sponsoring agency/owner.

Salt River Project – Michael Laguna

Salt River Project has no objection to the abandonment of the 24' Tract A-1 Easement Lot (APN 125-05-042A). This is in an Arizona Public Service serving area.

Stipulations of Conditional Approval

The request of abandonment ABND 240005 is conditionally approved, and the following stipulation will need to be met:

- ~~1. All utilities within the subject PUEs 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 above stipulations must be completed within **two years** from the conditional approval decision dated **February 29, 2024**.~~

This conditional approval has been reviewed and approved.

Stipulations no longer apply.
No conflicts or existing utility
services exist within the
easement to be abandoned.
C. Messer 5.24.24

Signature: Aracely Herrera

Date: 3.18.24

REPORT SUBMITTED BY: Dru Maynus, Abandonment Coordinator

cc Blue Box Holdings LLC, Applicant/Representative
Miguel Victor, Deputy Director of PDD
Aracely Herrera, Site Planning Supervisor, Planner III