



City of Phoenix
Planning and Development Department

CONDITIONAL APPROVAL – ABND 240039

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 24, 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 24, 2024

Abandonment Staff Report: **ABND 240039**

Project# **23-2020**

Council District: **6**

Location:

Alley located south of 817 West Jefferson Street and north of 119 South 9th Avenue and stretches west and east from lot 1 through 10 of Nearhs Addition Plat

Applicant:

Eric Barcon, Maricopa County Facilities Management

Request to abandon:

To abandon a 25-foot public utility easement (PUE) that is located between lots 1 through 10 of block 27 of the Nearhs Addition Plat

Purpose of request:

The applicant states the abandonment of the public utility easement is needed to support proposed development of the Maricopa County Downtown Election Facility Office Building.

[illegible]

PDD Civil Reviewer – Michelle Flores

PDD Traffic – Derek Fancon

Water Services Department – Donald Reynolds

1. 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. All work is to be done by a licensed contractor at no expense to the City of Phoenix.

PDD Site Planner – Dru Maynus

Recommend approval.

Street Transportation Department Utility – Marina H. Smith

Considering that the overhead fiber belongs to Maricopa County, who is the party requesting the abandonment, I would not take issue as long as they coordinate within themselves.

Street Transportation Streetlight Section – Jason Fernandez

No comment received.

Public Works Solid Waste– Megan Sheets

Recommend approval.

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 proposed abandonment request for the parcel located for the Alley South of Jefferson Street, North of Madison Street, East of 9th Avenue, and West of 8th Avenue, Phoenix AZ.

Based upon the supplied drawings/exhibit that you've submitted it has been determined that **COX has facilities within the Public Utility Easement (PUE)** and therefore has **denied your request to abandon**.

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 subject alley public utility easement. Southwest Gas would like to recommend abandonment of the alley public utility easement located at the above-referenced location.

Arizona Public Service – Kimberly Paxson

APS objects to this abandonment. Our objection is based on the existence of overhead Utility Lines located within the abandonment area. My understanding is that eventually these lines may be de-energized and removed as part of a redevelopment project and once the lines are de-energized and removed we would reconsider our objection.

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 the 25' PUE for the purpose of site development.

Lumen has active facilities located within the 25' PUE – buried cables, ducts, and aerial cables. Recommend having Lumen facilities located on a Results of Survey and resubmit for reconsideration.

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

If you would like to discuss possible alternative resolutions to this request for Vacate/Abandonment, please contact Tori Jacoby at tori.jacoby@lumen.com

Salt River Project – Michael Laguna

Salt River Project has no objection to the abandonment of the Public Utility Easement as shown and described in Exhibit A for ABND 240039. This is in an Arizona Public Service serving area.

Stipulations of Conditional Approval

The request of abandonment ABND 240039 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 **October 28, 2024**.

This conditional approval has been reviewed and approved.

Signature: Aracely Herrera **Date:** 11.18.24

REPORT SUBMITTED BY: Dru Maynus, Abandonment Coordinator

cc Eric Barcon, Maricopa County Facilities Management, Applicant/Representative
Abhay Khaire, Dibble Corp, Applicant/Representative
Miguel Victor, Deputy Director of PDD
Aracely Herrera, Site Planning Supervisor, Planner III