

ATTACHMENT B



**City of Phoenix**

Planning and Development Department

**CONDITIONAL APPROVAL – ABND 210053**

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 December 13, 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

**December 9, 2021**

Abandonment Staff Report: **ABND 210053**

Project# **05-1603**

Quarter Section: **01-29**

District#: **8**

**Location:**

East Cactus Road and North Tatum  
Boulevard

**Applicant:**

Scott Wagner

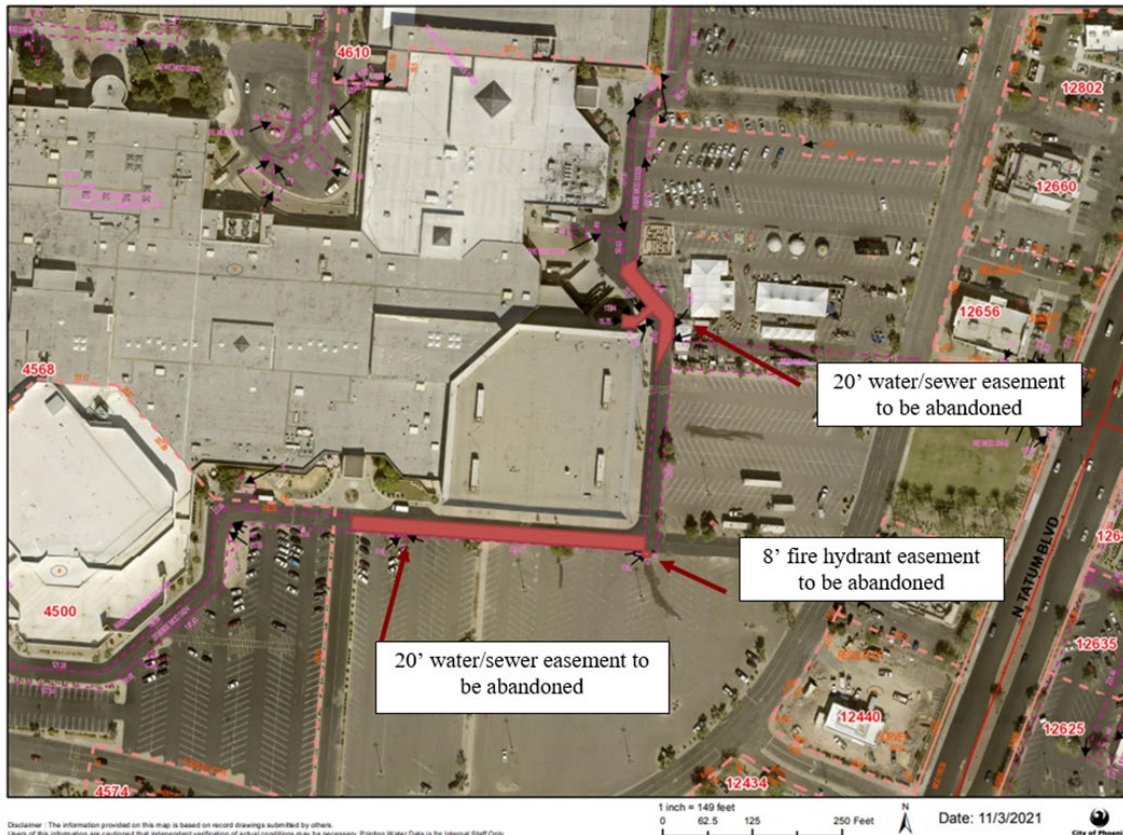
**Request to abandon:**

A portion of 20-foot Water/Sewer easement per book 195, page 30, Maricopa County Recorder, including the adjacent 8' x 12' Fire Hydrant Easement (FHE), and a portion of 20-foot Water/Sewer easement per book 333, page 26, Maricopa County Recorder.

**Purpose of request:**

The applicant states is for the proposed redevelopment of the Paradise Valley Mall mixed use project which requires the abandonment of the existing water/sewer easement and removal of water and sewer lines, as well as the dedication of the new water/sewer easement (by Final Plat), and installation of new water and sewer lines.

## Planning and Development



### **City Staff Comments and Recommendations:**

#### **PDD Civil Reviewer – Alex Hernandez**

“Any stipulation will ultimately be imposed by the Water Services Department.”

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

“WSD has a couple stipulations for these abandonments. (Reference project 00-4403, PRLM 2108507)

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. (There was a Technical Appeal that was approved for reduce water and sewer easements. Please see DSAP 21135 for details.)*
2. *The development will be required to submit a water and wastewater master plan for all projects' development submittals within the Paradise Valley Mall area. The master plan shall be based on the full build out of the projects within the development. Master plans are required to be submitted before any of the preliminary site plan submittal.*

*GENERAL NOTE: There are three approved methods of abandoning water and sewer mains in public ROW and easements:*

- a. Total removal of pipe.*
- b. Crush pipe in place by mechanical means. This cannot be applied to asbestos cement pipe.*
- c. Leave pipe in place and fill with low strength grout.*

*No other methods are acceptable.”*

**Village Planner – David Simmons**

No Comments Received

**Neighborhood Services- Lynda Lee**

No Comments Received

**Utility Provider Comments and Recommendations:**

**SRP – Sherry Wagner**

No Comments Received

**APS – Beverly Metevia**

“Per your request for Arizona Public Service Company's (APS) concurrence to abandon a portion of a 20-foot water/sewer easement per Book 195, Page 30 Maricopa County Records, and a portion of a 20-foot water/sewer easement per Book 333, Page 26, Maricopa County Records, and located in the Paradise Valley Mall area, per your request dated November 3, 2021, the following information is provided.

I have researched our records and found the subject property is situated in APS service territory. Our records indicate that there are abandoned underground APS facilities in the vicinity of the easements. APS has no objection to the abandonments, as long as the following conditions and guidelines are met:

- Any construction is to take place after a valid Bluestake is marked and the Bluestake digging guidelines are met when digging within the vicinity of any electrical lines. Any damage caused to active power lines will be repaired at property owner's cost. More specifically, any excavation taking place within 24 inches of a marked utility must be "carefully exposed with hand tools."
- The safe operation and maintenance of our facilities are not impaired, and the necessary National Electrical Safety Code clearances are met.
- Use extreme caution when working in the areas where APS facilities exist.”

**Cox Communications – Zach Lawson**

“I have reviewed the abandonment request at ABND 210053 PARADISE VALLEY MALL 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 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 – 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 abovereferenced location.

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

**Centurylink – Mary Hutton**

"Recommended Approval"

**Streets Utility Coordination – Rozanna Brown**

No Comments Received

**Stipulations of Conditional Approval**

The request of abandonment ABND 210053 is conditionally approved, and the following stipulations will need to be met:

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.
2. Abandonment must run concurrently with the PLAT 210075.
3. The abandonment must be completed within **two years** from the conditional approval decision dated **December 13, 2021**.

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

Signature:  \_\_\_\_\_ Date: 12/27/2021

REPORT SUBMITTED BY: Matt Roth, Abandonment Coordinator

cc Scott Wagner, Applicant/Representative  
Christopher DePerro, Team Leader Site Planning