

ATTACHMENT B



**City of Phoenix**

Planning and Development Department

**CONDITIONAL APPROVAL – ABND 180047**

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) 262-7399** 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 March 16, 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

**March 16, 2022**

Abandonment Staff Report: **ABND 180047**

Project# **15-41**

**Location:**

66<sup>th</sup> Street & Mayo Blvd.

**Applicant:**

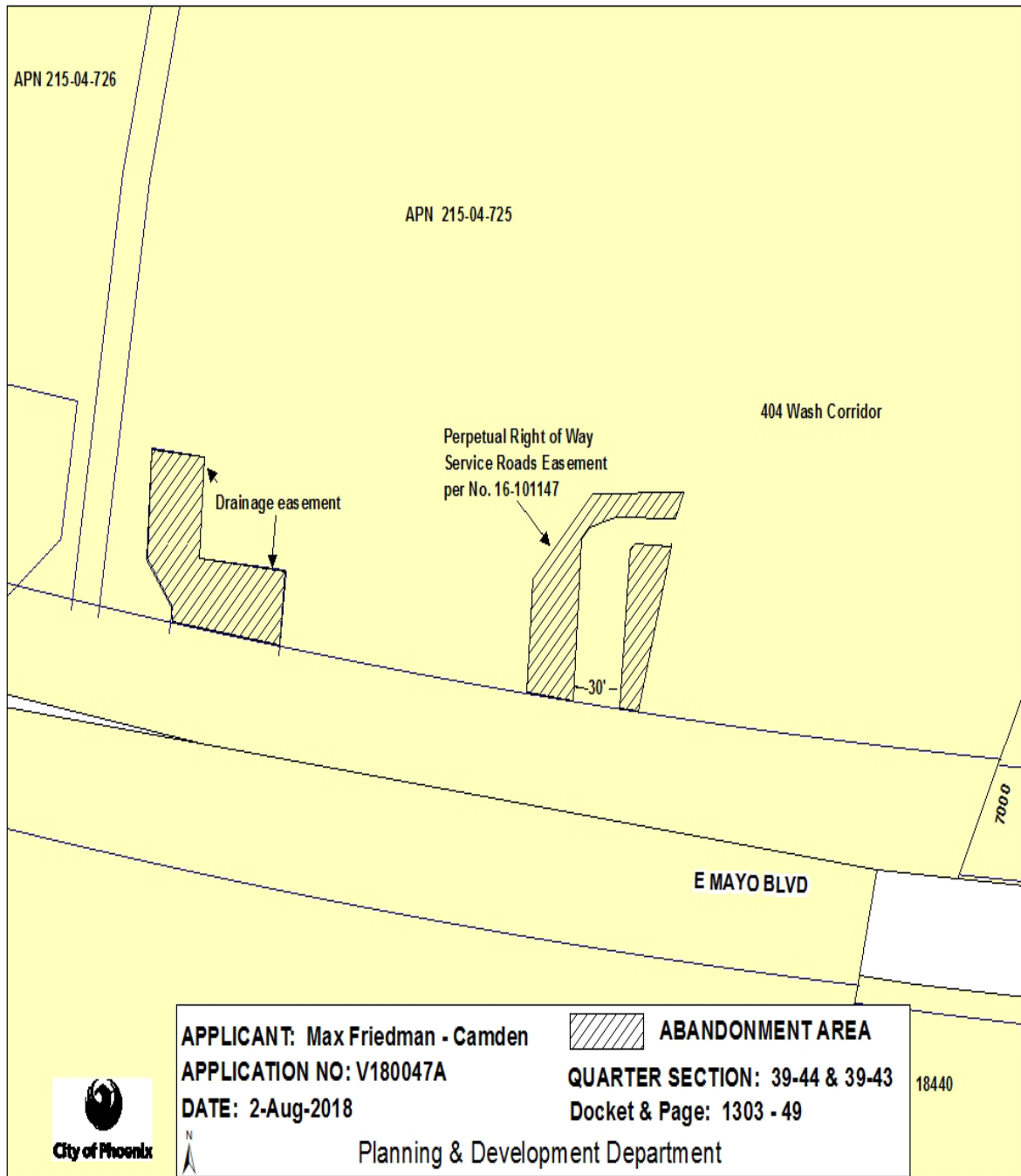
Max Friedman – Camden

**Request to abandon:**

To abandon a portion of the access easement and drainage easement on the parcel identified as APN 215-04-725, MCR.

**Purpose of request:**

The applicant states: See attached exhibit. The existing access easement encroaches into proposed site improvements per the preliminary site plan (PRLM 1803771). This request is to abandon the portion of the access easement and the drainage easement that conflict with a proposed building and other site improvements, leaving in place the portion necessary to maintain culvert access originally intended.



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

#### **PDD Civil Reviewer – Todd Coy:**

“The drainage easement takes on offsite flows and will need to remain as a dedicated easement. They will need to resubmit a CGD to abandon this portion.”

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

“The developer shall dedicate a new roadway access easement over remaining easement area as depicted on the public easement abandonment exhibit or as approved by the City of Phoenix,

Street Transportation Department, Maintenance Division. Contact Ryan Stevens @ ryan.stevens@phoenix.gov for any questions.”

**PDD Site Planner – Maggie Dellow:**

“The customer shall ensure that necessary area for maintenance access is retained in the existing service roads easement.”

**PDD Traffic – Derek Fancon:**

“Recommend approval.”

**Water Services Department – Donald Reynolds:**

“WSD has NO stipulations for this abandonment. There is no water or sewer within the requested abandonment area.”

**PDD Village Planner – Julianna Pierre:**

No comments provided.

**Floodplain Management – Tina Jensen:**

“Response to only the Drainage Easement: Per the Master Drainage Report 6.3 Offsite Street Improvements for Camden Mayo Parcel A, the Drainage Easement (DE) was originally used to capture offsite flows and it was also designed to capture street runoff. The DE was considered temporary until permanent drainage facilities were constructed during the development of Parcel B and C. Per the Grading & Drainage plans for Parcel B, the temporary DE was to be revised with a new DE boundary line around the permanent drainage facility. Floodplain Management agrees to revise the DE to encompass only the new permanent drainage facility per plans”.

**Solid Waste – Michael Dwyer:**

“Recommend approval. This abandonment will not affect solid waste service.”

**Street Transportation Department Streetlights – Jason Fernandez:**

“Recommend approval.”

**Utility Coordination Department – Rozanna Brown:**

“The City of Phoenix Utility Coordination Department has no comments.”

**Utility Comments**

**COX – Zach Lawson:**

“This will be a conflict review. There is a lot of Cox fiber in the area feeding the Mayo Clinic as well as this property.”

**APS – Beverly Metevia:**

“I have researched our records and found that the subject property is situated within the APS service territory. Our records indicate that APS has active underground facilities, transformers, and other possible appurtenances in the immediate vicinity of the Access Easement. APS does concur to the abandonment of the Access Easement dedicated by Instrument 16-101147, as long as full and safe access and all utility rights are retained for the active APS facilities and as long as the following guidelines are met:

- APS does not concur to the abandonment of its Utility Easement recorded as Instrument 2020-0331056, Maricopa County, AZ (attached). The above-referenced electrical facilities are located within and in the vicinity of this easement.

- APS does not concur to the abandonment of the 8-foot Public Utility Easement (PUE) dedicated by the Camden North End Final Plat, Book 1303, Page 49, Maricopa County, AZ

- APS does not concur to the abandonment of the 140-foot Easement for Public Roadways and Public Utilities as dedicated by Instrument 1996-0019713, Maricopa County, AZ

- All 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 owners 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."

**CenturyLink – Mary Hutton:**

"Qwest Corporation 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."

**SRP – Michael Laguna:**

"SRP approves of the Abandonment as shown in your letter of February 7, 2022. This is in an Arizona Public Service serving area."

**Southwest Gas – Tami Garcia:**

"After reviewing your request, it has been noted that we have a gas line running in the area proposed. Please contact Conflict Review at 480-730-3845 to discuss and review your request further."


**Stipulations of Conditional Approval**

The request of abandonment ABND 180047 is conditionally approved and the following stipulations will need to be met:

1. Either a or b shall be complied with:
  - a. 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.

- b. The access easement shall be retained as a public utilities easement with 24-hour vehicle maintenance access.
2. The developer shall dedicate a new roadway access easement over remaining easement area as depicted on the public easement abandonment exhibit or as approved by the City of Phoenix, Street Transportation Department, Maintenance Division. Contact Ryan Stevens @ ryan.stevens@phoenix.gov for any questions.”
3. The customer shall submit a new Grading and Drainage plan for review. The plan must be approved by the city before the abandonment can be approved.
4. The above stipulations must be completed within **two years** from the conditional approval decision dated **March 16, 2022**.

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

Signature:  Date: 4/25/2022

REPORT SUBMITTED BY: Maggie Dellow, Abandonment Coordinator

cc Max Friedman, Applicant/Representative  
Christopher DePerro, Team Leader. Site Planning