

## ATTACHMENT B



### **City of Phoenix**

Planning and Development Department

#### **CONDITIONAL APPROVAL – ABND 230052**

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 April 25, 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

**April 26, 2024**

Abandonment Staff Report: **ABND 230052**

Project# **21-4492**

Council District: **1**

**Location:**

Southwest of North 20<sup>th</sup> Avenue, West of West Monona Drive, Northeast of Tonopah Drive and South of North 21<sup>st</sup> Avenue

**Applicant:**

Andrew Dutton

**Request to abandon:**

To abandon a portion of the existing drainage easement that is within Tract A that was declared as a common area with the dedication of a drainage easement over it. Tract A is located on APN 209-18-423 which was recorded with the Final Plat for T C A Plaza (Fee No. 2010-0767398, 9/03/2010, Book 1064, Page 42).

**Purpose of request:**

The applicant states that a portion of the existing drainage easement is no longer required for conveyance of offsite flows based upon the latest grading and drainage and site plan for the area.



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

#### **PDD Civil Review – Michelle Flores**

Civil recommends for approval. The G&D plan (CPGD 2304744) has been submitted pending review and a new drainage easement will be dedicated per PLAT 230025 to account for the offsite flows that the DE within Tract A was retaining.

#### **PDD Site Planner – Dru Maynus**

Recommend approval based upon comments within PRLM 2300538.

#### **PDD Traffic – Derek Fancon**

Recommend approval.

#### **Street Transportation Department– Joshua Rogers**

Streets doesn't have any comments.

**Public Works Solid Waste– Robert Lopez**

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

**Water Service Department – Donald Reynolds**

WSD has One Stipulation for this abandonment.

1. The 30' ft. water easement shall be retained or maybe modified by the affected utilities with 24-hour maintenance access subject to the following standard stipulations:
  - a. 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.

**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 230052 APN 209-18-423** 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 review, SWG has determined that there are no existing or proposed facilities within the area proposed and have no objection to the request as presented.

Nothing in this is intended or shall be construed to affect, reduce, or diminish any other existing property rights or easement SWG may have at this site or within the area affected. SWG retains the right to use any other reservations, easements, licenses or other property rights in which it may have an interest or that otherwise may be located within the area proposed.

**Arizona Public Service – Kimberly Paxson**

APS has no objection to this abandonment.

**CenturyLink – Tori Jacoby**

No comments received.

**Salt River Project – Michael Laguna**

Salt River Project has no objection to the abandonment of the Drainage Easement as shown in the abandonment package. This is in an Arizona Public Service serving area.

### **Stipulations of Conditional Approval**

The request of abandonment ABND 230052 is conditionally approved, and the following stipulation will need to be met:

1. All utilities must be removed or 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. Verification of removal or relocation must be done by the applicant and provided to the City of Phoenix, Planning and Development Department.
2. Abandonment shall be recorded concurrently with PLAT 230025.
3. The above stipulations must be completed within **two years** from the conditional approval decision dated **April 26, 2024**.

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

Signature: Aracely Herrera Date: 4.30.24

REPORT SUBMITTED BY: Dru Maynus, Abandonment Coordinator

cc Andrew Dutton, Applicant/Representative  
Ramzi Georges Atwell, Applicant/Representative  
Miguel Victor, Deputy Director of PDD  
Aracely Herrera, Site Planning Supervisor, Planner III