



City of Phoenix

Planning and Development Department

CONDITIONAL APPROVAL – ABND 240026

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 June 26, 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

June 26, 2024

Abandonment Staff Report: **ABND 240026**

Project# **24-558**

Council District: **6**

Location:

97 Biltmore Estates

Applicant:

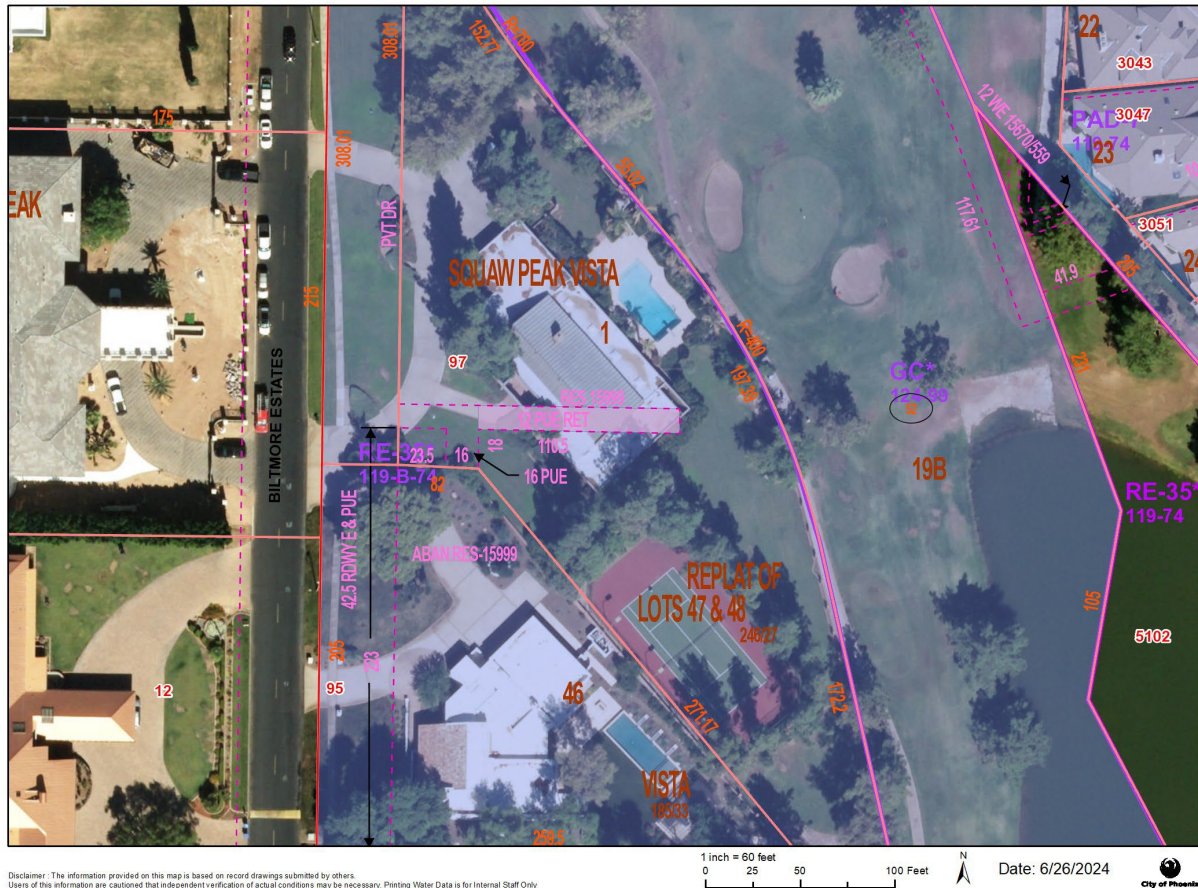
Kathleen L. Quirk

Request to abandon:

To abandon a 12-feet by 110-feet public utility easement (PUE).

Purpose of request:

The applicant states the portion of the abandonment area does not include utilities. Further the PUE is within the footprint of existing house and as such is no longer warranted.



City Staff Comments and Recommendations:

PDD Civil Reviewer – Darren Chapman

Civil recommends approval without stipulation.

Water Services Department – Donald Reynolds

WSD has a stipulation for this abandonment. Please Note: (The substandard water main has two services off of it. One for the property the other to the property on the south side. Please verify if these are active or not. If not active, please abandon the existing 4-inch substandard prior to the Resolution of Abandonment in accordance with plans submitted to and approved by the Planning and Development Department.) If active see #1 below before PUE can be abandoned along with the 4" main:

1. The existing water meter(s) shall be relocated onto the public right of way in accordance with plans submitted to and approved by the Planning and Development Department. All work is to be done by City forces at no expense to the City of Phoenix.

PDD Site Planner – Dru Maynus

Recommend approval.

Street Transportation Department Utility – Rozanna Brown

The City of Phoenix Street Transportation Utility Coordination Section has no comments.

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 240026 APN 164-12-982** 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 sidewalk easements proposed. Southwest Gas would like to recommend abandonment of the public sidewalk easements located at the above-referenced locations per the subject ABND request.

Arizona Public Service – Kimberly Paxson

APS has no objection to this abandonment as the subject property is outside of APS service territory.

CenturyLink – Tori Jacoby

CenturyLink of Arizona, Inc. d/b/a CENTURYLINK ("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.

If you have any questions please contact Tori Jacoby at (361) 275-4316 or tori.jacoby@lumen.com.

Salt River Project – Michael Laguna

Salt River Project has no objection to the abandonment of the 12' Public Utility Easement as described in Docket 16407-1179 and as shown on the provided survey for 97 Biltmore Estates Drive. There are no Salt River Project's facilities within the proposed abandonment area.

Stipulations of Conditional Approval

The request of abandonment ABND 240026 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 existing water meter(s) shall be relocated onto the public right of way in accordance with plans submitted to and approved by the Planning and Development Department. All work is to be done by City forces at no expense to the City of Phoenix.
3. The above stipulations must be completed within **two years** from the conditional approval decision dated **June 26, 2024**.

This conditional approval has been reviewed and approved.

Signature: Aracely Herrera Date: 7.10.24

REPORT SUBMITTED BY: Dru Maynus, Abandonment Coordinator

cc Kathleen L. Quirk, Applicant/Representative
David Dick, Architect, Applicant/Representative
Miguel Victor, Deputy Director of PDD
Aracely Herrera, Site Planning Supervisor, Planner III