

ATTACHMENT B



City of Phoenix

Planning and Development Department

CONDITIONAL APPROVAL – ABND 210064

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 January 28, 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

January 28, 2022

Abandonment Staff Report: **ABND 210064**

Project# **99-817**

Quarter Section: **19-22**

District#: **5**

Location:

Northeast Corner of 29th Avenue and Colter Street

Applicant:

Baird Fullerton, Grand Canyon University

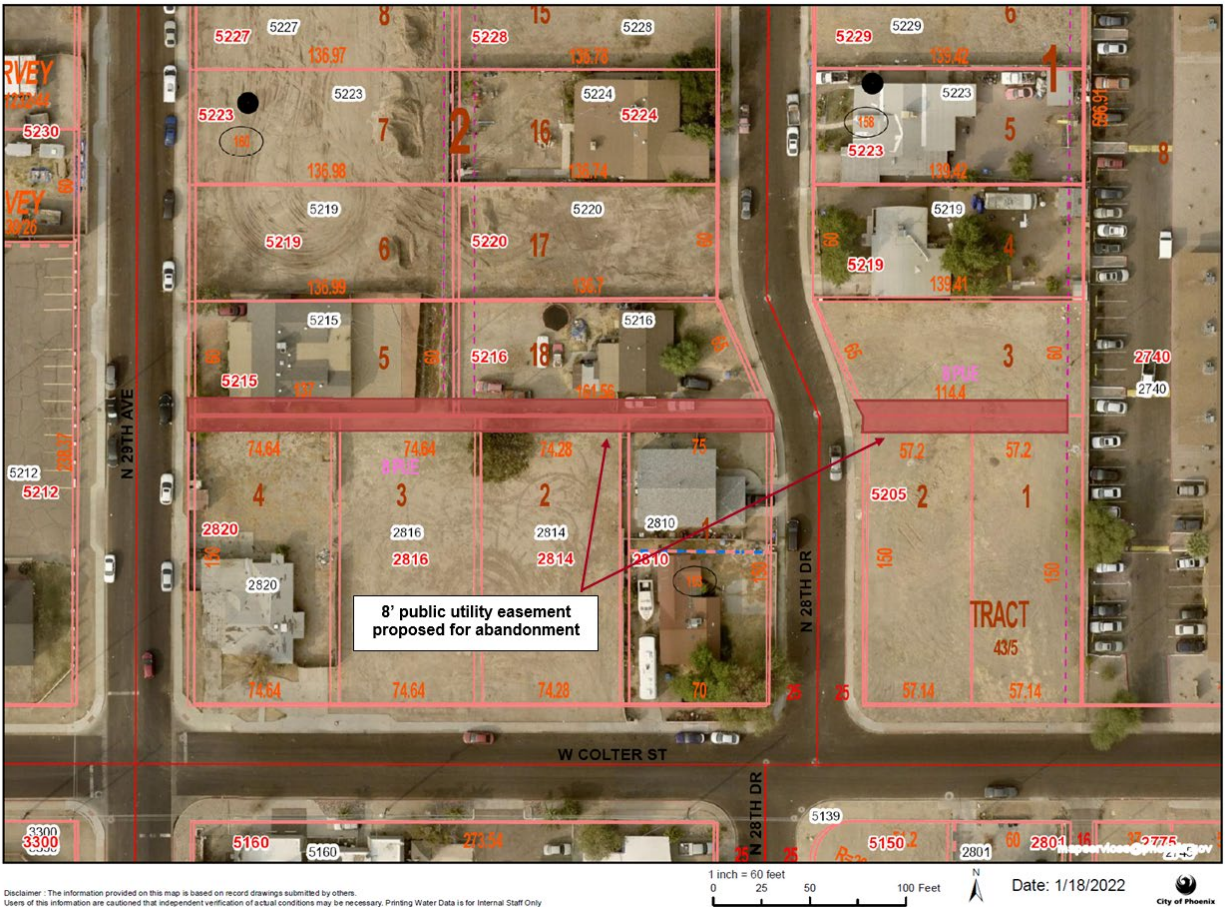
Request to abandon:

8-foot wide Public Utility Easement north of Colter Street, north of parcel identified by APN 153-19-034 and east to the parcel identified by 153-19-005.

Purpose of request:

The applicant states to increase land available for redevelopment.

Planning and Development



City Staff Comments and Recommendations:

PDD Civil Reviewer – Travis Tomich

“Recommend approval with the following stipulations or improvements that must be satisfied to complete this application for abandonment: An existing sewer main is located within the proposed abandonment area. The abandonment of the alley may result in a 25-foot (minimum) sewer easement. No building or permanent structures will be allowed to encroach on a water or sewer easement (Design Standards Manual for Water and Wastewater Systems, III.B.5). This stipulation will ultimately be imposed by the Water Services Department.”

Water Services Department – Don Reynolds

“WSD has one stipulation for this abandonment. The proposed property has existing water and sewer mains that can potentially serve the development.”

1. The entire requested PUE shall be retained as a sewer easement or as may be modified by the affected utilities with 24-hour maintenance access subject to the following standard stipulations:

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.

OR

2. The applicant/property owners shall relocate all affected 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 – Maggie Dellow

All affected utilities shall be relocated to locations approved by each affected utility company.

Village Planner – Nick Klimek

No Comments Received

Neighborhood Services- Lynda Lee

No Comments Received

Utility Provider Comments and Recommendations:

SRP – Sherry Wagner

“Salt River Project does NOT approve of the abandonments as shown in your application ABND 10064 for the PUE’s north of Colter Street east of 29th Avenue. At this time there is an overhead electric line in this area. If the customer would like to have the facilities removed/relocated at their expense and resubmit the request we will re-review at that time.”

APS – James Generoso

No comments received.

Cox Communications – Zach Lawson

This is a conflict review.

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 above-referenced location.”

Centurylink – Mary Hutton

“Qwest Corporation d/b/a CENTURYLINK QC (“CenturyLink”) has reviewed the request for the subject vacation/abandonment and has determined that in order to protect its facilities CenturyLink must reserve its rights.

Please SAVE AND EXCEPT an EASEMENT to CenturyLink over the following area/s:

THE 8-FOOT PUBLIC UTILITY EASEMENT ABUTTING THE NORTH SIDE LOTS 1 AND 2, BLOCK 1; THE NORTH SIDE OF LOTS 1, 2, 3 AND 4, BLOCK 2; THE SOUTH SIDE OF LOT 3, BLOCK 1; AND LOTS 5 AND 18, BLOCK 2, ALL IN THE PENNE TRACT, AS RECORDED IN BOOK 43 OF MAPS, PAGE 5, RECORDS OF MARICOPA COUNTY, ARIZONA AS DESCRIBED ON THE ATTACHED EXHIBIT "A", SAID EXHIBIT 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 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."


Streets Utility Coordination – Rozanna Brown
No Comments Received

Stipulations of Conditional Approval

The request of abandonment ABND 210064 is conditionally approved, and the following stipulations will need to be met:

1. 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. 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 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.
3. The abandonment must be completed within **two years** from the conditional approval decision dated **January 28, 2022**.

This conditional approval has been reviewed and approved.

Signature:  _____ Date: 4/28/2022

REPORT SUBMITTED BY: Maggie Dellow, Abandonment Coordinator

cc Baird Fullerton, Applicant/Representative
Christopher DePerro, Team Leader Site Planning