



Legislation Text

File #: 19-271, Version: 1

TO: Mayor Bien-Willner and Town Council Members

FROM: Jill Keimach, Town Manager
Dawn-Marie Buckland, Deputy Town Manager
Jeremy Knapp, Community Development Director
George Burton, Planner

DATE: June 13, 2019

DEPARTMENT: Community Development

AGENDA TITLE:

Adoption of Resolution 2019-10; Replat to Relocate Drainage Easement, Abandon Public Utility Easements, and Add Access Easements on Five Star Parcel C- Located at 7000 E. Lincoln Drive

RECOMMENDATION:

Adopt Resolution 2019-10, subject to the stipulation in the Action Report.

STIPULATION

1. The applicant shall provide the Town with letters from the utility companies authorizing the abandonment of the affected public utility easements.

REQUEST:

The applicant is requesting a replat of Parcel C to relocate a drainage easement, abandon several public utility easements (P.U.E), and add driveway access easements.

BACKGROUND:

History and Scope of Request

Five Star Parcel C is comprised of thirty-nine single family residential lots. The applicant is proposing to:

- 1) relocate a drainage easement from Lot 9 to Lot 5
- 2) abandon portions of public utility easements on Lots 18 - 24 and Lots 35 - 39
- 3) add a typical shared access easement detail for shared driveways.

Relocation of Drainage Easement. The relocation of the drainage easement from Lot 9 to Lot 5 is needed to lower the proposed grades of the site to accommodate an inverted crown roadway and to bring the site outfall to its historic location. Placing the drainage easement on Lot 5 moves the site outfall closer to the historic outfall (which enables the grades to be lowered). The drainage easement relocation meets the Town Code and Storm Drainage Design Manual requirements.

Abandonment of Public Utility Easements. All the lots in Parcel C have public utility easements adjoining the front and rear property lines. Through discussion with the utility companies, it was determined by the applicant that the utility easements along both property lines are not needed. As a result, the applicant is proposing to abandon the utility easement adjoining the south property lines on Lots 18 - 24 and on Lots 35 - 39.

The applicant provided letters from APS and Century Link authorizing the abandonment of these utility easements on the subject properties. However, since approval letters from all affected utility companies (e.g. EPCOR, Southwest Gas, and Cox Communications) have not been provided, a stipulation was added to identify that the replat will not be recorded until the Town receives approval from all the utility companies.

Access Easement. The applicant is adding a typical access easement detail on the plat to accommodate any lots that may need a shared driveway. The detail illustrates a typical access easement and identifies a minimum easement width of 32'.

Since easements are a permanent interest in land, only the Town Council can approve the abandonment or modification of such permanent interests. As a result, Resolution 2019-10 will authorize the relocation of the drainage easements, the abandonment of the public utility easements on Lots 18 - 24 and 35 -39, and the addition of an access easement detail to accommodate shared driveways as needed.

ATTACHMENT(S):

1. Application
2. Vicinity Map & Aerial Photo
3. Narrative
4. Resolution 2019-10
5. Replat of Parcel C
6. Parcel C Drainage Report
7. APS PUE Abandonment Letter
8. Century Link PUE Abandonment Letter