

**MEMO****Case # ABDN24-004**

To: Honorable Mayor and City Council
 From: Alexander Bosworth, Planner
 Through: Rodolfo Lopez, Development Services Director
 Meeting Date: August 20, 2024

REQUEST

A request by the City of Maricopa to abandon +/- 0.265 acres of right-of-way on W. Bowlin Rd., N. Maya Angelou Dr., and N. Robert Frost Dr., which will subsequently be acquired by the adjacent property owner without compensation.

APPLICANT/ADJACENT PROPERTY OWNER

Applicant: City of Maricopa
 Case Planner: Alexander Bosworth
 39700 W. Civic Center Plaza
 Maricopa, AZ 85138

Adjacent Property Owner:
 TIBIRIN LLC
 1824 E. South Mountain Ave.
 Phoenix, AZ 85042

FINDINGS

The first section of right-of-way, currently known as W. Bowlin Rd., currently runs east-west from N. Porter Rd. to N. Hartman Rd. The subject section of W. Bowlin Rd. is adjacent to parcel APN # 502-03-0430. It was determined by City staff that this 20-foot wide portion on the northern half of W. Bowlin Rd. is no longer needed as public right-of-way. The current width of the W. Bowlin Rd. right-of-way is 150 feet, which subsequent to the concurrent abandonments on the north side of the road, will be reduced to 110 feet.

The second section of right-of-way, currently known as N. Maya Angelou Dr., currently runs north-south from W. Civic Center Plaza S. to W. Bowlin Rd., adjacent to the Maricopa Library and Cultural Center. The subject section of N. Maya Angelou Dr. is adjacent to parcel APN # 502-03-0430. It was determined by City staff that this 29.5-foot wide portion on the western half of N. Maya Angelou Dr., is no longer needed as public right-of-way.

The third section of right-of-way, currently known as N. Robert Frost Dr., also runs north-south similar to the previously discussed roadway. The subject section of N. Robert Frost Dr. is adjacent to parcel APN # 502-03-0430. It was determined by City staff that this 29.5-foot wide portion on the eastern half of N. Robert Frost Dr., is no longer needed as public right-of-way.

The adjacent property to which the abandoned portions of right-of-way will be returned to is currently owned by TIBIRIN LLC. However, the City is currently in the process of obtaining the property. Subsequent to this, the abandoned portions of right-of-way will be owned by the City of Maricopa.

The total contiguous acreage of public right-of-way to be abandoned on W. Bowlin Rd., N. Maya Angelou Dr., and N. Robert Frost Dr. is +/- 0.265 acres.

Staff supports the abandonment request as it satisfies the following findings:

- The portions of right-of-way that are a part of this request are not identified for any improved planned transportation facility, or any adopted plan, study, or capital improvement plan. The ultimate 110-foot width will match the current plans for W. Bowlin Rd. to the east, which is the goal of the roadway abandonments in this segment of right-of-way. The excess 40 feet are not needed nor are they a part of future roadway expansion plans, therefore they are to be returned to their adjacent parcels. Furthermore, the abandoned 33' on N. Maya Angelou Dr. are not needed by the City.
- The City does not have plans to improve or use the right-of-way in question in the future.
- The existing conditions are not serving any transportation purpose.

PUBLIC NOTIFICATION

Prior to recommending approval of the abandonment request, the City conducted notification to utilities and the public as required per the City Code. A copy of the Notification Report is available to be reviewed upon request.

- Sign Posting on 07/18/2024
- Notices to Utilities mailed out on 08/01/2024
- Public Hearing scheduled for 08/20/2024

CONCLUSION:

Staff recommends **approval** of **case ABDN24-004**, subject to the conditions of approval stated in this memo, and as amended by the Mayor and City Council.

1. The City shall ensure that all utilities located in the subject site have obtained approval for their respective easements. The location of easements shall be approved by the City and recorded with Pinal County, prior to the final recordation of the right-of-way abandonment.

ATTACHMENTS:

Exhibit A: Legal Description & Map

Exhibit B: Notification Report

-- End of staff report --