

AGENDA ITEM # _____

DATE: September 14, 2015

COAC NUMBER: 15-5662

**CITY OF GOODYEAR
CITY COUNCIL ACTION FORM**

SUBJECT: PRELIMINARY PLAT FOR PEBBLE CREEK MARKETPLACE	SS	STAFF PRESENTER: Joe Schmitz, Long Range Planner
		CASE NUMBER: 15-500-00001
		APPLICANT: I-10 & Pebble Creek, LLC, 2922 Eastwood, LLC and Winco Foods, LLC, represented by SCJ Alliance

RECOMMENDATION:

Approve the Preliminary Plat for Pebble Creek Marketplace, subdividing 25.16 acres into eight commercial lots located at the southwest corner of McDowell Road and PebbleCreek Parkway, within the Pebble Creek Marketplace Planned Area Development (PAD), subject to the following stipulations:

1. Compliance with the stipulations stated in Ordinance No. 14-1314 which approved the Pebble Creek Marketplace Planned Area Development;
2. The subdivision improvements proposed and/or stipulated in the preliminary plat approval may be constructed in phases. A subdivision improvement phasing plan shall be submitted for review and approval by the City Engineer which demonstrates that all drainage, traffic, circulation, utilities, and landscaping improvements, and any other elements of the total development plan, necessary to serve each phase will be provided for such phase. Subsequent to approval of a phasing plan, separate construction plan sets shall be designed for each construction phase and submitted for review and approval. Each plan set will be approved and permitted independently of other phases;
3. Approval of the preliminary plat does not constitute approval of a site plan. All future development will be subject to site plan review and approval by City staff, at which time all elements of site development will be reviewed, including, but not limited to, architecture, landscaping, grading and drainage, lighting, infrastructure, fire lanes, parking, access and circulation;
4. Any convenience use proposed on a lot within this subdivision is not approved by the approval of this preliminary plan and shall require review and approval of a Use Permit;
5. Any modifications to irrigation facilities are to be coordinated with the appropriate Irrigation District and/or private owner prior to the issuance of any construction permits on the site;

6. Prior to recordation of any final plat for all or part of the property, financial assurances providing assurance of the construction of the required infrastructure improvements shall be provided as required in Chapter 15 (Subdivision Regulations) of the City Code;
7. All new or existing utilities within the proposed development and the arterial street right-of-way abutting the development shall be placed underground, except for power lines of 69 kV or larger, prior to the issuance of the first Certificate of Occupancy in the subdivision;
8. The existing 10-foot electric easement across Lot 6 must be vacated and any existing lines removed or relocated prior to construction of any building on Lot 6. This shall be shown on the construction plans submitted with the final plat, noted on the final plat, and completed prior to the issuance of a Certificate of Occupancy on Lot 6;
9. The subdivider shall submit a current Phase I Environmental Survey designating the City of Goodyear as a named party to whom such survey is delivered and to whom such certification is made together with any additional environmental surveys which the City Engineer deems necessary dependent upon the contents of the Phase I survey. Such survey shall cover publicly dedicated rights-of-way, easements or other parcels of land dedicated to the public and shall be submitted with the final plat for the project. Any environmental conditions identified by the Phase I Environmental Survey shall be addressed and remediated to the satisfaction of the City Engineer or his designee prior to approval of any final plat for the project;
10. A current Soils Report, including all of the information outlined in the Engineering Design Standards and Policies Manual (Section 4.1.9.B.1), shall be submitted with the construction documents prior to approval of any final plat for the project;
11. Evidence of a City-approved fire cross-access easement, shared access easement, shared utilities easement, and drainage easement between applicable lots shall be provided prior to recording of any final plat for the development;
12. The City Engineering Department has authorized a 4-foot overall average retained high water depth in the single retention basin proposed in the southwest corner of the site provided that a fence is installed around the entire perimeter of the basin. City approval of said fence detail shall be obtained prior to the issuance of any site construction permits;
13. Submission of a site plan for any use involving motor fuel dispensing or storage or loading facilities shall include submission of a revised final drainage report and engineering plans must demonstrate compliance with the Type 2.04 General Permit for stormwater runoff;
14. Prior to recordation of any final plat for all or part of the property, a letter from the Arizona Department of Transportation (ADOT) must be submitted to the Engineering Department demonstrating their approval of the plan to remove the pipe that currently conveys surface runoff from the ADOT catch basin adjacent to the I-10 on-ramp in the southeast corner of the site to the existing retention basin in the southeast corner of the site. This pipe and associated headwall must be removed because the project is proposing removal of the existing retention basin;

15. Prior to the issuance of any civil construction permits, a revised final drainage report must be submitted to the Engineering Department that demonstrates that the proposed retention basin in the southwest corner of the site has sufficient capacity to retain 100% of the 100-year 6 hour storm falling over the contributing drainage area that is conveyed to the existing scupper on PebbleCreek Parkway in the southeast corner of the site;
16. Prior to recordation of any final plat for all or part of the property, the construction improvement plans for Phases 1 shall show the improvements necessary to hydraulically connect the existing scupper on PebbleCreek Parkway in the southeast corner of the site to the on-site retention basin and a revised final drainage report must be submitted to the Engineering Department that includes a hydraulic analysis for the said improvements;
17. Prior to the issuance of any civil construction permits, the subdivider shall submit a revised sewer report with a sewer model/capacity calculations(s) for the future offsite area upstream and to the west of the project;
18. Prior to recordation of any final plat for all or part of the property, the subdivider shall provide a financial assurance in a form and amount acceptable to the City Attorney to guarantee the installation of the Phase 2 portions of the public water and sewer lines when needed to serve Lots 1, 7, or 8 within the project or the adjoining property to the west of the project;
19. The subdivider is financially responsible for 50% of the cost to construct the traffic signal at the intersection of McDowell Road and the main entry drive onto McDowell Road. The traffic signal is warranted with the first phase of construction; therefore, the developer shall administer an update to the previously approved construction plans and construct the traffic signal with the first phase of the project. The City shall contribute 50% of the cost of the signal which is estimated at \$240,653 (\$481,307 total cost). The City's contribution will be provided in the form of traffic signal equipment, with an estimated value of \$214,940 and, if necessary, a cash payment to make up the balance of the City's 50% contribution. An inventory of equipment shall be provided by the City to the developer prior to the submittal of the traffic signal plans;
20. The location of all fire hydrants and access ways for emergency equipment shall be reviewed and approved by the Fire Chief, or his designee, prior to commencement of any vertical construction within each phase of the subdivision;
21. The final plat shall include dedications, in form and substance acceptable to the City Attorney and at no cost to the City, of all rights-of-way and easement including public utility easements;
22. The developer shall control dust as required by the State, City, and the County Bureau of Air Pollution on temporary access ways with a dust proof road surface and throughout the site during construction;

23. Any common landscape improvements and landscape improvements along the arterial roadways shall be assured prior to recording of the final plat and completed prior to issuance of any certificate of occupancy for any new building within such final plat;
24. The final plat shall include a statement that Pebble Creek Marketplace is subject to attendant noise vibrations dust and all other effects that may be caused by overflights and by the operation of aircraft landing at or taking off from Luke Air Force Base and or the Phoenix Goodyear Airport.

PURPOSE:

The applicant, I-10 & Pebble Creek, LLC, 2922 Eastwood, LLC and Winco Foods, LLC, all represented by SCJ Alliance, is requesting approval of a preliminary plat for the Pebble Creek Marketplace to subdivide 25.16 acres into eight commercial lots for a commercial center anchored by a Winco Foods store, pursuant to the Pebble Creek Marketplace Planned Area Development (PAD). The lots will be accessed by way of two driveways off of McDowell Road and two driveways off of PebbleCreek Parkway. Staff finds that the preliminary plat is consistent with the land use, zoning standards, and technical requirements of the City's Subdivision Regulations and the Pebble Creek Marketplace PAD.

BACKGROUND AND COMMUNITY BENEFIT:

Current Policy:

Prior to subdividing a property, the owner must submit a preliminary plat that demonstrates compliance with public objectives, subdivision design principles and standards, and streets and thoroughfare planning. The preliminary plat also must be accompanied by information demonstrating the adequacy of utilities and other public facilities necessary to serve the subdivision. An approved preliminary plat expires within 12 months from the date of City Council approval unless either a final plat has been submitted for all or part of the property included in the preliminary plat, or an extension has been obtained.

Historical Information:

The subject property is located in the Pebble Creek Marketplace Planned Area Development (PAD) which was originally approved in 2007 as the Pebble Creek Village Marketplace and subsequently amended and renamed on November 17, 2014 by the City Council's adoption of Ord. No. 14-1314. The 2014 PAD Amendment changed the commercial center's name to Pebble Creek Marketplace and modified the conceptual site plan and design standards to accommodate the development of an 85,000 square foot Winco Foods grocery store. A Use Permit was approved at the same time for a single-tenant retail store over 60,000 square feet as required by the City Center Gateway Overlay District. Likewise, a revised Comprehensive Sign Package was also approved to allow larger sign area for the proposed Winco Foods store.

Surrounding Properties:

Land uses and existing zoning surrounding the subject property, include the following:

- North – McDowell Road, the Cobblestone Creek commercial center zoned PAD.
- South – Interstate 10.

- East – PebbleCreek Parkway and the Goodyear Centerpointe commercial center zoned C-2 General Commercial.
- West – Undeveloped property zoned AG Agricultural designated as Business and Commerce with a Transit Oriented Development Overlay for commercial use in the Goodyear 2025 General Plan.

Details of the Request:

The applicant is requesting approval of a preliminary plat for the Pebble Creek Marketplace to subdivide 25.16 acres into eight commercial lots for a commercial center anchored by a Winco Foods store, pursuant to the Pebble Creek Marketplace Planned Area Development (PAD). The lots, which range in size from .68 acres to 9.58 acres, will be developed with general commercial uses consistent with the C-2 General Commercial District in the City's Zoning Ordinance, as provided for by the approved PAD.

The lotting pattern proposed is based on a conceptual site plan which includes large retail users on Lots 1 and 2 and smaller commercial uses on the other lots. Lot 1 was originally the site for a proposed Arizona Tile retail/warehouse store, but that development was abandoned. Lot 2 is the site of a proposed Winco Foods grocery store. The site plan for the Winco Foods store and associated Phase 1 improvements was approved administratively by staff on August 20, 2015 subject to stipulations. While the proposed development plan includes several convenience uses, such as a convenience store, fuel station, and drive-through restaurant, these convenience uses are shown for illustrative purposes only, and will be subject to separate review and approval of a Use Permit from the Planning and Zoning Commission and City Council, as required by the Zoning Ordinance. If a Use Permit is not approved on any lot, the lots are of sufficient size to be developed with other retail uses as platted.

The development will be accessed by way of two driveways off of McDowell Road and two driveways off of PebbleCreek Parkway. The eastern driveway off McDowell Road will be a right-in/right-out only, while the westerly driveway will have full traffic movements and a new traffic signal. The developer is responsible for 50% of the cost to install the traffic signal, however, a proposal is being considered to have the traffic signal installed by the developer in coordination with other construction on the site with the City participating in 50% of the cost by providing a combination of cash and signal equipment previously provided by the developer on the opposite side of McDowell Road. Although Lots 6 and 7 have frontage on McDowell Road, no driveways are planned at this location due to the presence of the Roosevelt Irrigation District canal. Access to and from Lots 1, 6, 7 and 8 will be by way of cross access agreements through the parking lot driveways on the other lots pursuant to a set of Covenants, Restrictions and Easements that have already been placed of record for this property.

The property is proposed for development in two phases with the first phase including construction of all planned driveways on McDowell Road and PebbleCreek Parkway; 543 parking spaces of which 471 will be for Winco; extension of existing water and sewer utilities for all of the lots (except Lots 7 and 8); and the landscaping along all of the arterial roadway frontages. Development of Phase 2 will extend the utilities necessary to serve Lots 7 and 8 when those lots are submitted for development, as well as provide stub-outs of water and sewer lines to serve the properties to the west. Installation of these improvements will be guaranteed by the developer.

Stormwater retention on the site is being provided by a single large retention basin located along the subdivision's southerly boundary line. Since the depth of the retention basin will exceed three feet (high water mark), it must be enclosed by a fence. The applicant has proposed installing a six-foot tall, black powder coated, galvanized steel fence with vertical pickets about five inches on center. All of the stormwater from this site will be directed to this single retention area. The preliminary drainage report has not yet been approved due to unresolved questions regarding how the half-street drainage from PebbleCreek Parkway and an existing scupper will be addressed. Shared use of this retention facility is also addressed in the Covenants, Restrictions and Easements that have already been placed of record for this property.

Staff Analysis and Findings:

Staff finds that the preliminary plat is consistent with the land use, zoning standards, and technical requirements of the City's Subdivision Regulations and the Pebble Creek Marketplace PAD, subject to the stipulations in the recommendation section of this staff report. The proposed subdivision provides for the orderly development of the property by identifying and providing the required infrastructure needed to serve future development within the subdivision.

The proposed subdivision will provide additional location opportunities for businesses joining the inventory of Goodyear' retail stores and employers. The development of the property will also provide an increase in the City's construction sales tax revenues.

FUNCTIONAL/DEPARTMENTAL IMPACT:

Phoenix-Goodyear Airport:

The subject property is within the traffic pattern airspace of the Phoenix-Goodyear Airport but is about 2.5 miles from the 65 Ldn noise contour. The subdivision should have no impact on airport operations, nor be impacted by airport operations. A general note will be included on the final plat to inform lot purchasers of the airport and the potential for over-flights.

Luke Air Force Base:

The subject property is within the vicinity of Luke Air Force Base but about 2.5 miles from the 65 Ldn noise contour. The subdivision should have no impact on base operations, nor be impacted by base operations. A general note will be included on the final plat to inform lot purchasers of the military base and the potential for over-flights.

Fire Response:

The closest fire station to the subject property is Fire Station No. 185 at PebbleCreek Parkway and Clubhouse Drive, which is approximately 1.5 miles from the property.

Police Services:

The subject property is located within an existing patrol beat and the current level of service within the patrol beat can accommodate development of the property.

Streets/Access:

The subject property is bounded by PebbleCreek Parkway, McDowell Road and I-10. All three roadways are improved in this area with the exception of right-of-way landscaping along PebbleCreek Parkway and McDowell Road. The location of the center's driveways onto these adjacent public streets have been identified and constructed. The property owner is responsible for

50% of the costs associated with the future traffic signal to be located at McDowell Road and the center's main drive aisle as stipulated in Ordinance No. 14-1314. The intersection of PebbleCreek Parkway and McDowell Road is already signalized.

Storm Water:

A storm water management system will be developed in this commercial development to accommodate the drainage needs of the individual lots and the run-off from the adjacent half-streets in accordance with City of Goodyear Engineering Design Standards and Policies Manual. A large, shared retention basin is planned at the southwest corner of the site.

Water/Wastewater Water:

This subdivision will be served by City of Goodyear water and wastewater utilities. There is adequate capacity for water and sewer to accommodate this development based on standard generation rates for commercial uses. Uses that substantially exceed standard generation rates will be addressed on a case by case basis.

Solid Waste/Recycling:

In accordance with City of Goodyear standard solid waste collection policy, commercial solid waste and recyclables collection will be provided by direct contract with a private solid waste hauler.

PREVIOUS ACTION AND DISCUSSION:

The City Council approved the Pebble Creek Village Marketplace Planned Area Development (PAD) in 2007. On November 17, 2014 the City Council adopted Ord. No. 14-1314 for a PAD Amendment that changed the commercial center's name to Pebble Creek Marketplace and modified the conceptual site plan and design standards to accommodate the development of an 85,000 square foot Winco Foods grocery store. A Use Permit was approved at the same time for a single-tenant retail store over 60,000 square feet as required by the City Center Gateway Overlay District. Likewise, a revised Comprehensive Sign Package was also approved to allow larger sign area for the proposed Winco Foods store.

Planning and Zoning Commission:

The Planning and Zoning Commission considered this item at its regular meeting of August 19, 2014. The Commission unanimously voted (5-0) to forward a recommendation of approval to the City Council for this preliminary plat without Stipulation No. 24 which required conveyance of grandfathered groundwater credits to the City since that item had just recently been completed. No one from the public spoke on this item.

FISCAL IMPACT:

Although a financial analysis has not been prepared for the development of this subdivision, commercial development generates sales tax revenue for the City and also results in the creation of jobs, thereby having a positive impact to the General Fund. In addition, the development of the lots and construction of buildings will result in the payment of construction sales taxes.

ATTACHMENTS:

1. Aerial Photo
2. Preliminary Plat Drawing
3. Utilities and Drainage Plans
4. Landscape Plan