

AGENDA ITEM #: \_\_\_\_\_

DATE: September 12, 2016

COAC #: 16-5899

**CITY OF GOODYEAR  
CITY COUNCIL ACTION FORM**

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**SUBJECT: Extension of Pebble Creek  
Marketplace Preliminary Plat Approval**

**STAFF PRESENTER:**  
Joe Schmitz, Long Range Planner

**CASE NUMBER:** 15-500-00001

**APPLICANT:** Brandon Johnson, SCJ  
Alliance Consulting Services, representing  
WINCO Food Stores and I-10 & Pebble  
Creek LLC (W.M. Grace Companies)

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**RECOMMENDATION:**

Approve an extension of the Pebble Creek Marketplace Preliminary Plat approval, extending the approval date for one year to September 14, 2017.

**PURPOSE:**

The Preliminary Plat for the Pebble Creek Marketplace was approved on September 14, 2015 and is due to expire on September 14, 2016. SCJ Alliance Consulting Services has been working on developing the final plat and engineering plans for the project for its client, WINCO Food Stores and I-10 & Pebble Creek LLC (W.M. Grace Companies). The applicant has requested an extension for the previously approved preliminary plat in order to further evaluate the market before submitting the final plat. (Joe Schmitz, Long Range Planner)

**BACKGROUND AND PREVIOUS ACTIONS:**

On November 17, 2014, the City Council approved an Amendment to the Pebble Creek Marketplace PAD (Ord. No. 14-1314); a Use Permit for a retail store (WINCO Food Store) over 60,000 sq. ft.; and a Comprehensive Sign Package. A site plan for the WINCO Food Store was approved on August 20, 2015.

At the regular meeting of City Council on September 14, 2015, the Council approved the preliminary plat for Pebble Creek Marketplace. This preliminary plat subdivided 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 24 stipulations.

**CURRENT POLICY:**

Pursuant to the City of Goodyear Subdivision Regulations, preliminary plat approvals expire 12 months from the date of 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 is obtained prior to the expiration date. Prior to the expiration of the preliminary plat approval, a subdivider may

request an extension of the preliminary plat approval. Council may grant an additional 12 month extension of the preliminary plat approval if the subdivider demonstrates that there has been no significant substantive change in the Engineering Standards; the approved preliminary plat, including the supporting documents, continue to comply with all applicable requirements; and the subdivider has expended substantial effort to create a final plat and engineering plans.

**DETAILS OF THE REQUEST:**

The Preliminary Plat for the Pebble Creek Marketplace was approved on September 14, 2015 and is due to expire on September 14, 2016. SCJ Alliance Consulting Services has been working on developing the final plat and engineering plans for the project for its client, WINCO Food Stores and I-10 & Pebble Creek LLC (W.M. Grace Companies). The applicant has requested an extension for the previously approved preliminary plat in order to further evaluate the market before submitting the final plat. The applicant has also submitted information (in *italics* below) to demonstrate compliance with the criteria for approving an extension of the preliminary plat as follows:

- There has been no significant substantive change in the Engineering Standards.  
*Since September 14, 2015 when the Preliminary Plat was approved by the City Council, there have been no changes to the Engineering standards.*
- The approved preliminary plat, including the supporting documents, continue to comply with all applicable requirements.  
*Since September 14, 2015 when the Preliminary Plat was approved by the City Council, there have been no changes to the applicable requirements and the preliminary plat, including the supporting documents, continue to comply with current standards and all applicable requirements.*
- The subdivider has expended substantial effort to create a final plat and engineering plans.  
*The applicant has indicated that they have developed design drawings to a level of 60% to 75%, which is greater than what is typically done at this stage of the process. The applicant has further indicated that due to changes in the economic climate and new competitors in the store's area of influence, the client has some concerns regarding the projected performance of the proposed store. Prior to pursuing building permits and initiating construction, the client intends to wait for the local market to stabilize and conduct further market analysis. The applicant has indicated that the market analysis will be completed in November or December of this year with an anticipated construction start in the spring of 2017.*

**STAFF ANALYSIS:**

The Subdivision Regulations provide that an approved preliminary plat expires after twelve months unless an extension is requested and the subdivider demonstrates compliance with the criteria for granting a 12-month extension. The applicant has correctly noted that there have been no significant substantive changes in the City's Engineering standards and the approved

preliminary plat continues to be in compliance with all applicable requirements. The applicant has also asserted that there have been changes in market conditions that has caused the client to conduct additional market studies before preparing detailed building and construction drawings and commencing construction. Since there have been no significant substantive changes in the City's Engineering standards or requirements, there would be nothing to be gained by requiring a re-review of the preliminary plat and it would be reasonable to allow the subdivider the additional time requested to conduct further market studies and prepare the final plat and the associated improvement plans.

**FISCAL ANALYSIS:**

At this time no fiscal impact analysis has been done.

**ATTACHMENTS:**

1. Aerial Photo
2. Extension Request
3. Pebble Creek Marketplace Staff Report, dated September 14, 2015
4. Pebble Creek Marketplace Preliminary Plat