

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

DATE: August 19, 2019

CAR #: 2019-6734



## CITY COUNCIL ACTION REPORT

**SUBJECT:** Amendment to the Pebble Creek Marketplace PAD by amending the Pebble Creek Marketplace Comprehensive Sign Package

**CASE NUMBER:** 19-630-00002

**STAFF PRESENTER:** Jon Froke, Planner III

**APPLICANT:** Andy Gibson, Bootz & Duke Sign Company

**Summary:** Request to rezone approximately 25 acres from the Pebble Creek Marketplace Planned Area Development (PAD) by amending the Pebble Creek Marketplace Comprehensive Sign Package.

### Recommendation:

1. ADOPT RESOLUTION NO. 2019-1988 DECLARING AS PUBLIC RECORDS THOSE CERTAIN DOCUMENTS FILED WITH THE CITY CLERK TITLED "OFFICIAL SUPPLEMENTARY ZONING MAP 19-05B CITY OF GOODYEAR, AZ – REZONE CASE," "PEBBLE CREEK MARKETPLACE LEGAL DESCRIPTION" AND "COMPREHENSIVE SIGN PACKAGE FOR PEBBLE CREEK MARKETPLACE DATED JUNE 13, 2019."
2. ADOPT ORDINANCE NO. 2019-1445 AMENDING ORDINANCE 14-1314 ADOPTING THE PEBBLECREEK MARKETPLACE FINAL PAD BY AMENDING THE PEBBLE CREEK MARKETPLACE COMPREHENSIVE SIGN PACKAGE INCLUDED IN PEBBLECREEK MARKETPLACE FINAL PAD DATED OCTOBER 9, 2014; AMENDING THE ZONING MAP OF THE CITY OF GOODYEAR; PROVIDING FOR NON-ABRIDGMENT; PROVIDING FOR CORRECTIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR PENALTIES.

**Fiscal Impact:** Although a fiscal impact analysis has not been conducted on this specific project, all new development will have an ongoing fiscal impact on the City. The development is responsible for construction of all infrastructure necessary to serve the site and will generate one-time revenue for the City through payment of permits, construction sales tax and development impact fees. Longer term fiscal impacts include increased demands for municipal services, the costs of which may or may not be offset by increased property values/tax levies, city sales tax, state shared revenues and the increased demand for commercial and retail development.

## **Background and Previous Actions**

Pebble Creek Marketplace is a regional commercial development generally located at the northwest corner of I-10 and Pebblecreek Parkway. Retail and service uses are permitted within the Pebble Creek Marketplace PAD which consists of approximately 25 acres.

On March 26, 2007, the City Council approved the final PAD for Pebble Creek Village Marketplace with the adoption of Ordinance No. 2007-1061.

On November 17, 2014, the City Council approved the Pebble Creek Marketplace PAD (former name of PebbleCreek Village Marketplace) with the adoption of Ordinance No. 14-1314. The Pebble Creek Marketplace PAD including a comprehensive sign package.

The applicant is requesting to modify the Pebble Creek Marketplace PAD by replacing the existing Comprehensive Sign Package, dated October 9, 2014 that is included in the Pebble Creek Marketplace PAD adopted by Ordinance No. 14-1314 with the Comprehensive Sign Package, dated June 13, 2019.

The proposal would modify the regulations applicable to the freeway pylon sign on I-10 and the freestanding multi-tenant pylon signs on McDowell Road and Pebblecreek Parkway. The modification would reduce the height of the freeway pylon sign to be located adjacent to I-10 currently allowed under the existing zoning subject to the issuance of a Use Permit and would allow the 3 freestanding multi-tenant pylon signs at other locations in the shopping center. These signs would be located outside of public rights-of-way and public utility easements. The proposed rezoning will allow the shopping center to install a sign package that is similar to other commercial developments that have been approved through a PAD recently in the McDowell Road Business and Entertainment District.

The Planning and Zoning Commission considered this item at a public hearing held on August 7, 2019. The Commission unanimously voted (7-0) to forward a recommendation of approval to the City Council.

## **Staff Analysis**

### **Current Policy:**

Comprehensive Sign Packages are required for all Planned Area Developments (PAD). The existing Pebble Creek Marketplace PAD adopted by Ordinance No. 14-1314 includes a Comprehensive Sign Package, dated October 9, 2014. Because the Comprehensive Sign Package dated October 9, 2014 was adopted as part of the Pebble Creek Marketplace PAD adopted by Ordinance No. 14-1314, any amendment to the Comprehensive Sign Package requires an amendment to the Pebble Creek Marketplace PAD that was approved in 2014. Freeway pylon signs are subject to the issuance of a Use Permit.

### **Details of the Request:**

The applicant is requesting a modification to the Pebble Creek Marketplace Comprehensive Sign Package. The proposed modification would reduce the overall height of the one freeway pylon

sign provided for in the comprehensive sign package included in the existing Pebble Creek Marketplace PAD from 63'-4" to 58'-0", but the freeway pylon sign would still require a Use Permit. Three freestanding multi-tenant pylons signs are currently allowed under the 2014 approval. The proposed modification would relocate one of the three signs from McDowell Road to Pebblecreek Parkway. Each of the three signs are proposed at major driveway locations to the shopping center which is consistent with past approvals at other locations.

Design of the proposed signs in the Comprehensive Sign Package will be compatible with the building design found in the shopping center. The shopping center is currently under construction.

**Evaluation Criteria:**

1. *Consistency with the General Plan.*

The existing PAD zoning provides for commercial development that has been previously determined to be consistent with the McDowell Road Business and Entertainment District.

2. *Suitability of the subject property's physical and natural features for the uses permitted under the proposed zoning district.*

The subject property's physical and natural features have been previously determined to be suitable for commercial development. The proposed PAD amendment does not change the suitability of the property for the uses permitted under the existing PAD Zoning, nor will the proposed amendment to the Comprehensive Sign Package affect the suitability of this request.

3. *Compatibility of all potential uses allowed in the proposed zoning district with surrounding uses and zoning.*

Existing land uses and zoning surrounding the subject property include the following:

North – Walgreens, across McDowell Road, zoned PAD.

East – Goodyear Centerpointe shopping center, across Pebblecreek Parkway, zoned PAD.

South – Interstate 10.

West – Future commercial, zoned PAD.

The uses allowed within the existing PAD zoning have previously been determined to be compatible with surrounding uses and zoning. The proposed PAD amendment does not change this compatibility with surrounding uses and zoning.

4. *Proposed zoning district's consistency with other land uses within the immediate area and whether uses allowed under the proposed zoning district would be better suited to the subject property than the uses allowed under the current zoning.*

The proposed PAD amendment does not change the commercial uses currently permitted in the existing PAD zoning for the subject property. As such, the zoning remains consistent with other land uses existing and planned within the immediate area along Interstate 10.

5. *Demand for the types of uses permitted in the proposed zoning district in relation to the amount of land currently zoned and available to accommodate the demand.*

The proposed PAD amendment does not change the permitted uses or the demand for those uses.

6. *Demands for public services that will be generated by the uses permitted in the proposed zoning district.*

School Districts:

The proposed PAD amendment does not impact the school districts.

Fire Department:

The proposed PAD amendment does not impact Fire Department response times.

Police Department:

The proposed PAD amendment does not impact the Police Department. The Pebble Creek Marketplace PAD is located within an existing patrol beat and the current level of service within the patrol beat can accommodate development of the property.

Solid Waste/Recycling:

The proposed PAD amendment does not change the provision of solid waste/recycling services.

Water/Wastewater:

The proposed PAD amendment does not change the provision of water and wastewater services.

Streets/Transportation:

The proposed PAD amendment does not change the transportation network.

7. *Potential adverse fiscal impacts that will result from providing services to areas not in proximity to where existing public services are provided.*

Public services exist and are being expanded adjacent to and in the vicinity of the amendment area. The proposed PAD amendment does not change the public services needed.

8. *General public concerns.*

Public Participation:

In accordance with the City's Citizen Review Process, an alternative notification process was used for this request. A formal citizen review meeting was not involved, but notice providing information on the request was mailed to surrounding property owners within 500 feet of the subject property. To date, staff has not received any public inquiries as a result of this notice.

Notice for the public hearings before the Planning and Zoning Commission and City Council included a postcard mailed to the owners of property located within 500 feet of the subject property; a legal notice published in the Arizona Republic Southwest Edition on July 19, 2019; and a notice of public hearing sign posted on the property. To date, staff has not received any public inquiries as a result of this notice.

At their regular meeting on August 7, 2019, the Planning and Zoning Commission held a public hearing regarding the request. After the staff presentation, the applicant addressed the Commission. There were no members of the public who spoke regarding the request. The Planning and Zoning Commission recommended approval of the rezone by unanimous vote (7-0).

9. *Whether the amendment promotes orderly growth and development.*

The proposed PAD amendment does not change the planned orderly growth and development of the area in accordance with the existing PAD Zoning.

10. *Any other factors related to the impact of the amendment on the general health, safety and welfare of the citizens of the city and the general public.*

As stipulated, the proposed PAD amendment will not have any negative affect on the general health, safety and welfare of the citizens of the city and the general public.

**Staff Analysis:**

The requested amendment to the existing PAD zoning will be in conformance with the General Plan and compatible with the surrounding area. The amended Comprehensive Sign Package is similar to existing signs in the I-10 corridor and will not be detrimental to the neighborhood.

**Attachments**

1. Resolution No. 2019-1988
  - a. Exhibit A – Supplementary Zoning Map No. 19-05B
  - b. Exhibit B – Pebble Creek Marketplace Legal Description
  - c. Exhibit C – Pebble Creek Marketplace Comprehensive Sign Package, dated June 13, 2019
2. Ordinance No. 2019-1445
3. Aerial Photo
4. Project Narrative

## 5. Conceptual Site Plan