



\*REVISED June 6, 2024

## Village Planning Committee Meeting Summary

### Z-92-23-8

<b>Date of VPC Meeting</b>	May 14, 2024
<b>Request From</b>	S-1 and R1-10
<b>Request To</b>	C-2, R-4, R-3, and R1-10
<b>Proposal</b>	Commercial, office, multifamily residential, and single-family residential
<b>Location</b>	Southeast corner of 19th Avenue and Baseline Road
<b>VPC Recommendation</b>	Approval, per the staff recommendation, with a modification and additional stipulations
<b>VPC Vote</b>	12-0-1

#### VPC DISCUSSION & RECOMMENDED STIPULATIONS:

*Item No. 5 (GPA-SM-13-23-8) and Item No. 6 (Z-92-23-8) are companion cases and were heard together.*

*Three members of the public registered to speak on this item, two in support and one in opposition.*

#### STAFF PRESENTATION

**Samuel Rogers**, staff, presented the request, the location of the subject site, the surrounding context, the General Plan Land Use Map designation, the site plan, proposed elevations, the staff recommendation, the staff findings, and concluded by presenting the proposed stipulations.

**Committee Member Marcia Busching** asked why there was a stipulation limiting proposed heights in the R-4 and R1-10 zoning districts, but not in the C-2 and R-3 zoning districts. **Mr. Rogers** stated that the stipulations limiting height were proposed by the applicant and that the question could be better answered by the applicant.

**Committee Member Emma Viera** stated her appreciation for the proposed stipulations and stated that the stipulations are in alignment with various sustainability plans.

**Committee Member Tamala Daniels** asked if there had been any stipulations regarding the consideration of the flood zone map. **Mr. Rogers** stated that in a previous case, a similar stipulation had been added by the committee but was ultimately removed because the floodplain reviewers assess plans according to specific ordinance criteria.

Committee Member T. Daniels spoke about a previous case where the committee had pushed for floodplain review to be a part of the rezoning application. Mr. Rogers stated he would be happy to investigate the case Committee Member T. Daniels referenced while the applicant presented.

### APPLICANT PRESENTATION

**Rick Jellies**, representing the applicant with City to City Commercial Real Estate and The Lead Group, introduced himself and the property owners, presented the request, described the public outreach and work with the neighbors, spoke about the importance of the site location to the area and community, spoke about how the project changed and the stipulations that were added in response to community conversations, spoke about concerns with a connection to Gary Way, asked for a stipulation to be added capping the number of units in the R-4 area to 360 units, spoke about pedestrian connectivity, and stated that the streets and park would be built as a part of Phase 1.

### PUBLIC COMMENT

**JoAnne Jensen** introduced herself, stated that she lives in Magdalena Estates, spoke about the applicant team's work with the neighborhood, stated that she has met with the applicant team many times, stated that the applicant team and neighborhood had developed a shared vision of what is best for the subject site, emphasized the importance of remembering that the development is transitioning from nothing to a significant project, acknowledged that changes are inevitable, and expressed that the plan represents the best vision for the area. Ms. Jensen expressed her approval for the inclusion of wide lots in the development plan and voiced her support for the R-3 townhomes, specifically highlighting the two-story design, orientation, open view fencing, and setback considerations. Ms. Jensen also mentioned the hope to avoid undesirable uses within the development through an agreement with the development team and noted that there is not a large contingent from Magdalena Estates opposing the project. Ms. Jensen stated that the team could not have done better with the plan, highlighted concerns with Gary Way, stated that the Gary Way is hardly a road, stated that Gary Way is paved but not striped, and raised concerns that 15th Avenue has not been approved beyond the area near the Charter School. Ms. Jensen emphasized the need to have faith in something, recognized the efforts of the applicant team, and noted that there is considerable support within Magdalena Estates for the project.

**Ed Depinto** introduced himself, stated he has lived in the area for 20 years, stated that the area is starved for responsible development, commended the proposed buffering to adjacent neighborhoods, stated approval of what the applicant is trying to do in the commercial area, and stated he looks forward to visiting the successful project.

**Erin Hegedus** stated that she appreciates the work Ms. Jensen does for the neighborhood and stated that she came to support the community and ask for the trees

and shade to be maintained. Ms. Hegedus stated that she only attended one meeting with the applicant team and was not aware there were additional meetings. Ms. Hegedus stated that she liked what Ms. Jensen discussed regarding the townhomes but explained that she does not want to act on faith and wants to see real plans.

### APPLICANT RESPONSE

**Mr. Jellies** explained that there is a Zoning Ordinance limit on height in the R-3 zone, so a height limitation was not stipulated, stated that the list of stipulations had been abbreviated and explained that the full stipulations include shading and planting requirements, explained that the applicant team had requested stipulations to be added in response to conversations with the community, stated concerns about Gary Road, and reiterated that he would like to request a stipulation limiting the R-4-zoned area to a maximum of 360 units.

### QUESTIONS FROM THE COMMITTEE

**Committee Member Busching** stated that there was a stipulation regarding the maximum density in the R-3 zone. **Mr. Jellies** stated that there is a maximum density in the R-3 zoning district per the Zoning Ordinance and explained that the applicant team had agreed to stipulate the R-4 density below what is allowed per the Ordinance. Committee Member Busching stated that the R-3 has a max height of 48 feet, stated that the R-4 is stipulated to a maximum height of 30 feet, and asked what the max height in the C-2 district is. **Mr. Rogers** stated that the maximum height in the C-2 zoning district is two stories of 30 feet. **Chair Marchuk** clarified that the R-3 area would be stipulated to two stories or 30 feet and that the R-4 area would be stipulated to a maximum of 360 units. Mr. Jellies confirmed this clarification. Committee Member Busching asked if the highest intensity would be in the center of the development. Mr. Jellies responded that the community was given a choice in the proposed configuration and that the streetscape was more important and noted that the land slopes down from 19th Avenue. Committee Member Busching inquired about how someone would access their home in the northeast area. Mr. Jellies explained the route and stated that while land use restrictions cannot be stipulated, the developer will impose restrictions through other mechanisms.

**Mr. Jellies** stated that he was familiar with the subdivision that had flooding issues, stated he has been involved in flood issues in the area for 25 years, explained he worked on the Laveen Area Conveyance Channel, stated that a new plan had been put in place that uses retention basins and expands the storm pipe system, stated that rezonings are required to do a drainage study that accounts for the latest plans, and explained that it is in the best financial interest for the developer to properly manage water.

**Committee Member T. Daniels** stated there was not a stipulation regarding landscaping within the landscape setbacks. **Mr. Rogers** stated that tree size was stipulated in the parking areas and sidewalk detachments, but not within the landscape setbacks and

explained that the C-2 district requires enhanced landscape setbacks. Committee Member T. Daniels asked if solar canopies over the parking area were considered. Mr. Jellies stated that they are fans of solar canopies and they are a good idea depending on the government incentives available at the time. Committee Member T. Daniels stated she is a fan of landscaped parking lots so she will not push too hard. Mr. Jellies stated that the stipulation allows for a combination of landscaping and structural shade. Mr. Rogers clarified that the stipulation only allows for landscaping. **Chair Marchuk** asked if solar counts towards the landscaping plan. Mr. Rogers stated that there is no City requirement for solar, so it does not fit into the plans and explained how the stipulation could be modified to allow for structural shade.

**Chair Marchuk** asked if the floodplain concerns will be handled through the process and if a floodplain stipulation would be appropriate. **Committee Member T. Daniels** explained that she had worked with the City to require that floodplain review be a part of the rezoning process. Chair Marchuk asked for staff's opinion. **Mr. Rogers** explained that he was not a staff member when the process change Committee Member T. Daniels referenced occurred and stated that floodplain team reviews every rezoning case. **Elias Valencia**, staff, stated that the floodplain team reviews rezoning cases for any major concerns, stated that the plans will be required to submit grading and drainage plans during the site review process, stated that he thinks the committee should allow the process to run its course, and stated that the liability is always passed onto the developer. **Mr. Jellies** echoed Mr. Valencia's comments, stated that in the subdivision with flooding problems the review process had failed, but the liability process worked, and stated that an in-depth drainage analysis would be completed on the site and surrounding area. Committee Member T. Daniels inquired about the overlay of flood maps during the review of the proposal and shared an exercise she had participated in involving floodplain analysis. Mr. Jellies stated that any property that touches a floodplain must be reviewed by the City and FEMA and stated that once the project is built the plans get sent to FEMA so they can update their maps. Committee Members T. Daniels stated that she would be more comfortable if a stipulation is added regarding the floodplain. Mr. Jellies expressed concern about the potential misinterpretation of stipulations, emphasized the rationale behind code requirements, elaborated on the necessity for adherence to both state regulations, which provide large-scale requirements, and city-specific criteria, which address detailed specifics. Chair Marchuk asked if any specific stipulations were under consideration. Committee Member T. Daniels emphasized the importance of reviewing updated overflow maps, noting the dynamic nature of flow patterns, stressed that modifications to the design could impact flow dynamics, and emphasized the need to assess potential implications for homes situated within these flow areas. Chair Marchuk suggested collaborating with Mr. Rogers on refining the language of stipulations. Mr. Rogers indicated that he had never added a stipulation regarding floodplain that was not requested by the floodplain team and explained that when the VPC had added a floodplain stipulation on a previous project it had been removed because floodplain reviewers review specific codified criteria.

**Vice Chair Arthur Greathouse III** commended the applicant team for their exemplary communication with the VPC, requested further elaboration from the applicant on the intended commercial uses within the area, their compatibility with the residential character, and the potential inclusion of an urgent care facility. Mr. Jellies stated that the development team is looking to develop an urgent care facility, mentioned targeting a Fry's grocery store, and specified the intention to prohibit gas stations at the corner of 19th Avenue and Baseline Road.

**Committee Member Darlene Jackson** inquired about the responsibility for park maintenance. **Mr. Jellies** indicated that maintenance would likely fall under the purview of the R-4 development team and assured ongoing efforts to ensure proper upkeep of the park. Committee Member Jackson raised concerns about the illumination of the park. Mr. Jellies affirmed plans for adequate lighting, with adherence to any applicable dark sky ordinances.

**Chair Marchuk** inquired about the readiness of language concerning a floodplain stipulation. **Mr. Rogers** stated that while no language was currently available, it could be researched and potentially added at the Planning Commission stage. **Mr. Valencia** highlighted that a hydrological analysis would be required during the preliminary site plan review, cautioned against duplicating requirements with additional stipulations, and emphasized that preliminary approval meetings are open to the public.

**Committee Member Lee Coleman** stated that the City of Phoenix requires a grading and drainage plan to be submitted and reviewed.

#### FLOOR/PUBLIC DISCUSSION CLOSED: MOTION, DISCUSSION, AND VOTE

#### MOTION

**Vice Chair Arthur Greathouse III** made a motion to recommend approval of Z-92-23-8 per the staff recommendation with a modification and additional stipulations.

**Committee Member Emma Viera** seconded the motion.

#### VOTE

**12-0-1**, motion to recommend approval of Z-92-23-8 per the staff recommendation with a modification and additional stipulations passed with Committee Members Aldama, Beehler, Brooks, Busching, Coleman, F. Daniels, T. Daniels, Falcon, Holmerud, Jackson, Viera, and Greathouse in favor and Chair Marchuk abstained.

**Chair Marchuk** explained that he abstained because there was not tie to break.

#### VPC recommended stipulations:

#### OVERALL SITE

1. The conceptual site plan, elevations, and landscape plan for future development of the site shall be reviewed and approved by the Planning Hearing Officer through the public hearing process, including review by the South Mountain Village Planning Committee, for stipulation modification prior to preliminary site plan approval. This is a legislative review for conceptual purposes only. Specific development standards and requirements will be determined by the Planning Hearing Officer and the Planning and Development Department.
2. The sidewalk along Baseline Road shall be a minimum of 6 feet in width and detached with a minimum 10-foot wide landscape strip located between the sidewalk and back of curb and planted to the following standards, as approved by the Planning and Development Department.
  - a. Minimum 2-inch caliper, single-trunk, large canopy, drought-tolerant, shade trees planted 20 feet on center, or in equivalent groupings, that provide shade to a minimum 50.
  - b. Drought tolerant vegetation to achieve a minimum of 75% live coverage.

Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment for installing the required plants.

3. The sidewalk along 19th Avenue shall be a minimum of 6 feet in width and detached with a minimum 10-foot-wide landscape strip located between the sidewalk and back of curb and planted to the following standards, as approved by the Planning and Development Department.
  - a. Minimum 2-inch caliper, single-trunk, large canopy, drought-tolerant, shade trees planted 20 feet on center, or in equivalent groupings, that provide shade to a minimum 50 percent.
  - b. Drought tolerant vegetation to achieve a minimum of 75% live coverage.

Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment for installing the required plants.

4. The sidewalk along South Mountain Avenue shall be a minimum of 5 feet in width and detached with a minimum 5-foot-wide landscape strip located between the sidewalk and back of curb and planted with minimum 2-inch caliper, single-trunk, large canopy, drought-tolerant, shade trees planted 20 feet on center, or in equivalent groupings, that provide shade to a minimum 50%, as approved by the Planning and Development Department.

Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment for installing the required plants.

5. A minimum of 10% of the required shrubs, shall be a milkweed or other native nectar species, and shall be planted in groups of three or more, as approved by the Planning and Development Department.
6. A 30-foot-wide multi-use trail easement (MUTE) shall be dedicated along the south side of Baseline Road and a minimum 10-foot-wide multi-use trail (MUT) shall be constructed within the easement in accordance with the MAG supplemental detail and as approved or modified by the Planning and Development Department.
7. A 30-foot-wide multi-use trail easement (MUTE) shall be dedicated along the north side of South Mountain Avenue and a minimum 10-foot-wide multi-use trail (MUT) shall be constructed within the easement in accordance with the MAG supplemental detail and as approved or modified by the Planning and Development Department.
8. A minimum of 5.25 acres shall be reserved for open space, as shown on the conceptual landscape plan date stamped November 13, 2023.
9. Where pedestrian walkways cross a vehicular path, the pathway shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrasts parking and drive aisle surfaces, as approved by the Planning and Development Department.
10. All perimeter walls visible from street right-of-way shall include material and/or textural differences, such as stucco and/or split face block with a decorative element, such as tile or stamped designs, as approved by the Planning and Development Department.
11. A minimum of two green infrastructure (GI) techniques for stormwater management shall be implemented per the Greater Phoenix Metro Green Infrastructure and Low-Impact Development Details for Alternative Stormwater Management, as approved or modified by the Planning and Development Department.
12. Commercial landscaping and common areas shall be maintained by permanent and automatic/water efficient WaterSense labeled irrigation controllers or similar smart controller to minimize maintenance and irrigation water consumption for all on and offsite landscape irrigation.
13. Natural turf shall only be utilized on individual single-family lots (behind the front yard); required retention areas (bottom of basin), and functional turf areas located

on properties for uses such as parks and residential common areas, as approved by the Planning and Development Department.

14. A minimum 50-feet of right-of-way shall be dedicated for the east side of 19th Avenue, adjacent to the development.
15. A minimum 30-feet of right-of-way shall be dedicated for the north side of South Mountain Avenue, adjacent to the development.
16. A minimum 50-feet of right-of-way shall be dedicated for the full width of all public local streets, internal to the development.
17. A minimum 5-foot-wide sidewalk shall be constructed on both sides of all public local streets.
18. Right-of-way shall be dedicated for the connection of the internal road network to Gary Way on the southeastern boundary of the site.
19. Crosswalks shall be placed across internal roadways separating residential and commercial land at significant pedestrian crossings, as determined by the Street Transportation Department.
20. Improvements to Baseline Road shall be consistent with the Arterial CM cross section including the construction of a raised median.
21. A Traffic Impact Analysis (TIA) shall be submitted to the City for this development. No preliminary approval of plans shall be granted until the study is reviewed and approved by the Street Transportation Department. The TIA shall include signal warrant analysis for 19th Avenue and South Mountain Avenue. If the approved TIA determines that a signal is warranted at this intersection, the developer shall be required to fund 100% of the cost and construct the signal. If the TIA does not warrant the signal, the developer shall be required contribute 25% of traffic signal cost in an escrow account to the Street Transportation Department.
22. All existing electrical utilities within the public right-of-way shall be undergrounded, adjacent to the development. The developer shall coordinate with the affected utility companies for their review and permitting.
23. Existing SRP facilities along 19th Avenue are to be relocated outside of City right-of-way. Contact SRP to identify existing land rights and establish the appropriate process to relocate the facility. Relocations that require additional dedications or land transfer require completion prior to obtaining plat and/or civil plan review approval.



24. Replace unused driveways with sidewalk, curb, and gutter. Also, replace any broken or out-of-grade curb, gutter, sidewalk, and curb ramps on all streets and upgrade all off-site improvements to be in compliance with current ADA guidelines.
25. All streets within and adjacent to the development shall be constructed with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
26. The property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Sky Harbor Airport to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.
27. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.
28. Prior to final site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

#### **C-2, R-3, AND R-4 ZONED SITES (Commercial and Multifamily)**

29. All uncovered surface parking lot areas shall be landscaped with **SPACES SHALL BE SHADED TO ACHIEVE A MINIMUM 25% SHADE WITH EITHER STRUCTURAL SHADE**, minimum 2-inch caliper size, single-trunk, large canopy, drought-tolerant, shade trees, **OR A COMBINATION OF THE TWO**. Landscaping shall be dispersed throughout the parking area and achieve 25% shade, as approved by Planning and Development Department.
30. A minimum of 2% of the required parking spaces shall include EV Installed infrastructure. A minimum of 5% of the required parking spaces shall include EV Capable spaces.
31. Site lighting shall be provided at building entrances/exits, and in public assembly and parking areas, as approved by the Planning and Development Department.
32. All public and private pedestrian pathways including sidewalks shall be shaded to a minimum 75%, as approved by the Planning and Development Department.

33. Pressure regulating sprinkler heads and drip lines shall be utilized in any turf areas to reduce water waste.
34. Only landscape materials listed in the Phoenix Active Management Area Low-Water-Use/Drought-Tolerant Plant List shall be utilized, as approved or modified by the Planning and Development Department.

### **C-2 ZONED SITES**

35. Drive-through windows adjacent to a perimeter street shall be screened by a minimum four-foot-tall mound, or other comparable screening, as approved by the Planning and Development Department.
36. Bicycle parking spaces shall be provided per the requirements of Section 1307.H of the Phoenix Zoning Ordinance through inverted U and/or artistic racks located near the office and installed per the requirements of Section 1307.H of the Phoenix Zoning Ordinance. Artistic racks shall adhere to the City of Phoenix Preferred Designs in Appendix K of the Comprehensive Bicycle Master Plan.
37. Bicycle parking spaces shall be shaded by a structure, landscaping, or a combination of the two to provide a minimum of 75% shade, as approved by the Planning and Development Department.
38. A minimum of 5% of the provided bicycle parking spaces shall include standard electrical receptacles for electric bicycle charging capabilities, as approved by the Planning and Development Department.
39. Prior to final site plan approval, documentation shall be provided that demonstrates a commitment to participate in the Water Efficiency Checkup program for a minimum of 15 years, or as approved by the Planning and Development Department.

### **R-3 AND R-4 ZONED SITES (Multifamily)**

40. Bicycle infrastructure shall be provided as described below, located in open space areas, near entrances of buildings, or in a secure location inside the building and installed per the requirements of Section 1307.H of the Phoenix Zoning Ordinance. Bicycle parking spaces shall be provided through inverted U and/or artistic racks. Artistic racks shall adhere to the City of Phoenix Preferred Designs in Appendix K of the Comprehensive Bicycle Master Plan, as approved by the Planning and Development Department
  - a. The developer shall provide secure bicycle parking per Section 1307 of the Zoning Ordinance.

- b. Guest bicycle parking shall be provided at a minimum rate of 0.05 spaces per dwelling unit, up to a maximum of 50 spaces required.
  - c. A bicycle repair station (“fix it station”) shall be provided and maintained on site within an amenity area or near a primary site entrance. The bicycle repair station (“fix it station”) shall be provided in an area of high visibility and separated from vehicular maneuvering areas, where applicable. The repair station shall include, but not be limited to:
    - i. Standard repair tools affixed to the station;
    - ii. A tire gauge and pump affixed to the base of the station or the ground;
    - iii. A bicycle repair stand which allows pedals and wheels to spin freely while making adjustments to the bike.
41. A minimum of 10% of the provided bicycle parking spaces shall include standard electrical receptacles for electric bicycle charging capabilities, as approved by the Planning and Development Department.

### **R-3 ZONED SITES**

- 42. Perimeter fencing adjacent to 19th Avenue shall be a minimum of 50% open view fencing, as approved by the Planning and Development Department.
- 43. Buildings adjacent to 19th Avenue shall have units oriented towards 19th Avenue and shall include individual porches or patios.
- 44. THE MAXIMUM BUILDING HEIGHT SHALL BE LIMITED TO TWO STORIES OR 30 FEET.**

### **R-4 ZONED SITES**

- 44. The maximum building height shall be limited to two stories or 30 feet.
- 45.
- \*46. THE DEVELOPMENT WITHIN THE R-4 AREA SHALL BE LIMITED TO A MAXIMUM OF 360 UNITS.**

### **R1-10 ZONED SITES**

- 45. Building elevations shall be developed to the following standards, as approved by
- 47. the Planning and Development Department:

- a. Building elevations shall contain multiple colors, exterior accent materials and textural changes that exhibit quality and durability such as brick, stone, colored textured concrete or stucco, or other materials to provide a decorative and aesthetic treatment.
  - b. A minimum of 50% of the elevations for each floor plan shall provide a covered front porch in the front yard with a minimum of 60 square feet in area at a depth of at least 6 feet. No porch shall terminate within the plane of a door or window.
  - c. Pitched roofs shall be provided on all building elevations.
- ~~46.~~ The maximum building height shall be limited to one story or 24 feet.  
~~48.~~
- ~~47.~~ Lots along the south perimeter shall be a minimum of 160 feet in depth.  
~~49.~~
- ~~48.~~ Lots shall be a minimum of 75 feet in width.  
~~50.~~
- ~~49.~~ Prior to preliminary plat approval, documentation shall be provided that  
~~51.~~ demonstrates participation in the Environmental Protection Agency's WaterSense certification program, or an equivalent program, as approved by the Planning and Development and Water Services Departments.
- ~~50.~~ A WaterSense inspection report from a third-party verifier shall be submitted that  
~~52.~~ demonstrates successful participation in the Environmental Protection Agency's WaterSense certification program, or an equivalent program, prior to certificate of occupancy, as approved by the Planning and Development Department.
- ~~51.~~ Participation in the City of Phoenix Homeowner's Association Water Efficiency  
~~53.~~ Program shall be incorporated into to Covenants, Conditions, and Restrictions for the subdivision, prior to final site plan approval.
- ~~52.~~ Swimming pools on individual single-family lots shall be limited to 600 square feet in  
~~54.~~ size.
- ~~53.~~ Only landscape materials listed in the Phoenix Active Management Area Low-  
~~55.~~ Water-Use/Drought-Tolerant Plant List shall be utilized in the common areas and within the front yards of individual residential lots, as approved or modified by the Planning and Development Department.

**R1-10, R-3, AND R-4 ZONED SITES (SINGLE-FAMILY AND MULTIFAMILY)**

- 56. ALL LANDSCAPE SETBACKS SHALL BE PLANTED WITH MINIMUM 2-INCH CALIPER, LARGE CANOPY, DROUGHT-TOLERANT TREES, 20 FEET ON CENTER, OR IN EQUIVALENT GROUPINGS, WITH FIVE 5-GALLON SHRUBS PER TREE, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT. WHERE UTILITY CONFLICTS EXIST, THE DEVELOPER SHALL WORK WITH THE PLANNING AND DEVELOPMENT DEPARTMENT ON ALTERNATIVE DESIGN SOLUTIONS CONSISTENT WITH A PEDESTRIAN ENVIRONMENT FOR INSTALLING THE REQUIRED PLANTS.**

**Staff comments regarding VPC recommendation:**

Staff has no comments.