

**KNOXVILLE/KNOX COUNTY METROPOLITAN PLANNING COMMISSION
 USE ON REVIEW REPORT**

▶ **FILE #:** 2-A-14-UR

AGENDA ITEM #: 41

AGENDA DATE: 2/13/2014

▶ **APPLICANT:** HARDEE'S RESTAURANTS, LLC

OWNER(S): Horne Properties, Inc.

TAX ID NUMBER: 132 02810

JURISDICTION: City Council District 2

STREET ADDRESS:

▶ **LOCATION:** East side of N. Cedar Bluff Rd., north of Kingston Pike.

▶ **APPX. SIZE OF TRACT:** 0.95 acres

SECTOR PLAN: Southwest County

GROWTH POLICY PLAN: Urban Growth Area

ACCESSIBILITY: The primary access to the site will be via the internal access driveway system serving the Kingston Corner Subdivision with access out to N. Cedar Bluff Rd. and Kingston Pike, both of which are 6 lane median divided arterial streets at this location.

UTILITIES: Water Source: First Knox Utility District

Sewer Source: First Knox Utility District

WATERSHED: Ten Mile Creek

▶ **ZONING:** PC-1 (Retail and Office Park)

▶ **EXISTING LAND USE:** Vacant land

▶ **PROPOSED USE:** Restaurant

HISTORY OF ZONING: Property was rezoned to PC-1 (Retail and Office Park) on November 17, 2009.

SURROUNDING LAND USE AND ZONING: North: Approved Zaxby's Restaurant / PC-1 (Retail and Office Park)

South: Approved Retail Shops / PC-1 (Retail and Office Park)

East: Vacant Land in Kingston Corner Commercial Subdivision / PC-1 (Retail and Office Park)

West: Shopping Center / PC-1 (Retail and Office Park)

NEIGHBORHOOD CONTEXT: This site is located in an area that is dominated by shopping centers and general commercial uses. The zoning in the area is O-1, C-3, C-6, SC, SC-3, PC-1 and PC-2 commercial zones.

STAFF RECOMMENDATION:

▶ **APPROVE the request for a restaurant containing approximately 3,037 square feet of floor area as shown on the development plan, subject to 9 conditions**

1. Connection to sanitary sewer and meeting any other relevant requirements of the Knox County Health Department.
2. Meeting all applicable requirements of the Knoxville Zoning Ordinance

3. An occupancy permit shall not be issued for this development until the internal access driveways serving the Kingston Corner Commercial Subdivision and any required off-site street improvements are installed by the developer and approved by the Knoxville Department of Engineering. If the driveway and street improvements are phased for the subdivision, the access driveways that adjoin this site must be completed prior to issuance of the occupancy permit.
4. An occupancy permit shall not be issued for this development until the stormwater facilities serving the Kingston Corner Commercial Subdivision and this proposed development are installed by the developer and approved by the Knoxville Department of Engineering.
5. Obtaining approval from the Knoxville Department of Engineering on the final design details for the right-in/right-out only access to the main access drive to N. Cedar Bluff Rd. for Kingston Corner Subdivision.
6. Meeting all applicable requirements of the Knoxville Department of Engineering.
7. Installation of landscaping as shown on the landscape plan within six months of the issuance of an occupancy permit for this project.
8. Meeting all applicable requirements of the Knoxville City Arborist.
9. Proposed signage subject to approval by the Planning Commission staff and Knoxville's Sign Enforcement Inspector.

With the conditions noted, this plan meets the requirements for approval of a use on review in the PC-1 District.

COMMENTS:

The applicant is proposing to develop a Hardee's restaurant with approximately 3,037 square feet of floor area on a 0.95 acre lot that is a part of the Kingston Corner Commercial Subdivision. The site is located on the east side of N. Cedar Bluff Rd., north of Kingston Pike. While the lot has frontage along N. Cedar Bluff Rd., there will be no direct access from the site to the arterial street. Access to the site will be through the driveway network for the commercial subdivision which provides access to N. Cedar Bluff Rd. and Kingston Pike. The lot is located on the north side of the main access drive to N. Cedar Bluff Rd. at the signalized intersection.

Stormwater management for this site will be tied into the overall stormwater system for the subdivision. The applicant has submitted plans for a 12' high monument sign for the restaurant along the N. Cedar Bluff Rd. frontage.

EFFECT OF THE PROPOSAL ON THE SUBJECT PROPERTY, SURROUNDING PROPERTIES AND THE COMMUNITY AS A WHOLE

1. All public utilities are available to serve the site.
2. The traffic impact study that had been prepared for the Kingston Corner Commercial Subdivision recommended improvements that will address the traffic impacts of this development.
3. The proposed restaurant is compatible with the scale and intensity of the surrounding development and zoning pattern.

CONFORMITY OF THE PROPOSAL TO CRITERIA ESTABLISHED BY THE KNOX COUNTY ZONING ORDINANCE

1. With the recommended conditions, the proposal meets all requirements of the PC-1 zoning as well as the general criteria for approval of a use on review.
2. The proposed commercial development with the recommended conditions is consistent with the following general standards for uses permitted on review: The proposal is consistent with the adopted plans and policies of the General Plan and Sector Plan. The use is in harmony with the general purpose and intent of the Zoning Ordinance. The use is compatible with the character of the neighborhood where it is proposed. The use will not significantly injure the value of adjacent property. The use will not draw additional traffic through residential areas since the development is located off of two arterial streets. No surrounding land uses will pose a hazard or create an unsuitable environment for the proposed use.

CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS

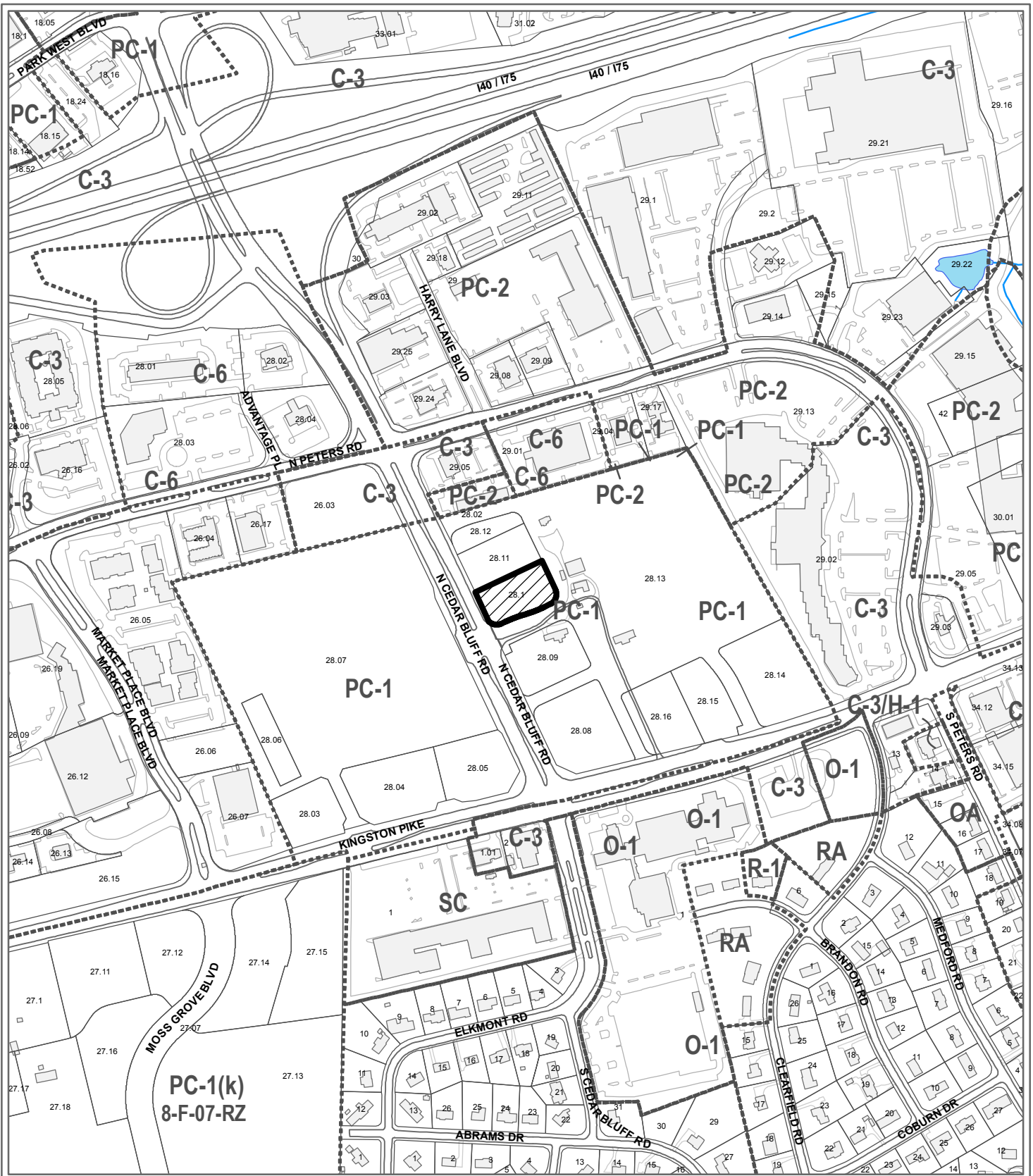
1. The Knoxville One Year Plan the Southwest County Sector Plan propose commercial use for this site.
2. The site is located within the Urban Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

ESTIMATED TRAFFIC IMPACT: 1507 (average daily vehicle trips)

Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate during a 24-hour day (Monday through Friday), with a "trip" counted each time a vehicle enters or exits a proposed development.

ESTIMATED STUDENT YIELD: Not applicable.

MPC's approval or denial of this request is final, unless the action is appealed to the Knoxville City Council. The date of the Knoxville City Council hearing will depend on when the appeal application is filed. Appellants have 15 days to appeal an MPC decision in the City.



**2-A-14-UR
USE ON REVIEW**

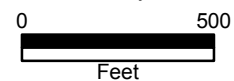


Restaurant in PC-1 (Retail and Office Park)

Petitioner: Hardee's Restaurants, LLC

Map No: 132

Jurisdiction: City



Original Print Date: 1/27/2014
Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902



9147 KINGSTON PIKE KNOXVILLE, TN



Vicinity Map
NOT TO SCALE

OWNER:
MICHAEL PATTERSON INC.
412 N. CEDAR BLUFF RD., SUITE 205
KNOXVILLE, TN 37904
PH: 615-562-1102

DEVELOPER:
HARBOR'S RESTAURANTS LLC
SUITE 1030 BROADWAY
ST. LOUIS, MO. 63106
PH: 314-259-6144

CONTACT:
JAMES CAMPBELL
HARBOR'S RESTAURANTS LLC
321 JEFFERSON RD.
KNOXVILLE, TN 37904
PH: 314-259-6144



GENERAL NOTES:

1. FURNISHING EXISTING UTILITIES, INCLUDING PROPERTY LINES, UTIL DESCRIPTION, EXISTING UTILITIES, AND CONFORMANCE WITH ALL CITY AND STATE REGULATIONS AND ALL APPLICABLE CODES, ORDINANCES, AND REGULATIONS, SHALL BE THE RESPONSIBILITY OF THE OWNER.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL APPLICABLE AGENCIES AND AUTHORITIES.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL APPLICABLE AGENCIES AND AUTHORITIES.
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10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL APPLICABLE AGENCIES AND AUTHORITIES.

FLOOD CERTIFICATION:

THIS PROPERTY IS NOT LOCATED WITHIN ANY PRESENTLY ESTABLISHED 100-YEAR FLOOD PLAIN, AS SHOWN BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP (FIRM) NO. 26080C0100, DATED 08/01/07, AND THE LOCAL COMMUNITY PANEL NUMBER ATR0300001, EFFECTIVE DATE MAY 2, 2007.

PLAN INDEX:

- C-0 COVER SHEET
- C-1 EXISTING PLAN (NOT INCLUDED WITH THIS SUBMITTAL)
- C-2 SITE PLAN
- C-3 GRADING PLAN
- C-4 SWMP - PHASE I (NOT INCLUDED WITH THIS SUBMITTAL)
- C-5 SWMP - PHASE II (NOT INCLUDED WITH THIS SUBMITTAL)
- C-6 UTILITY PLAN (NOT INCLUDED WITH THIS SUBMITTAL)
- C-7 LANDSCAPE PLAN
- C-8 PROPOSED PLAN (NOT INCLUDED WITH THIS SUBMITTAL)
- C-9 DETAIL SHEET (NOT INCLUDED WITH THIS SUBMITTAL)
- C-10 DETAIL SHEET (NOT INCLUDED WITH THIS SUBMITTAL)
- C-11 DETAIL SHEET (NOT INCLUDED WITH THIS SUBMITTAL)

APPROVED _____ DATE _____

KNOX COUNTY MDC
CITY OF KNOXVILLE

RESOURCE LIST:

ARCHITECT: KNOX COUNTY MDC CITY OF KNOXVILLE PHONE: 615-520-2222 FAX: 615-520-2222	ENGINEER: KNOX COUNTY MDC CITY OF KNOXVILLE PHONE: 615-520-2222 FAX: 615-520-2222	PLUMBING ENGINEER: KNOX COUNTY MDC CITY OF KNOXVILLE PHONE: 615-520-2222 FAX: 615-520-2222	ELECTRICAL ENGINEER: KNOX COUNTY MDC CITY OF KNOXVILLE PHONE: 615-520-2222 FAX: 615-520-2222	MERIT: KNOX COUNTY MDC CITY OF KNOXVILLE PHONE: 615-520-2222 FAX: 615-520-2222
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NOTICE TO BIDDERS:

ALL BIDDERS RECEIVING THE INFORMATION OF THE GENERAL CONTRACTOR SHOULD CONTACT THE GENERAL CONTRACTOR IMMEDIATELY UPON RECEIVING THIS INFORMATION THROUGH THE GENERAL CONTRACTOR'S WEBSITE TO OBTAIN A BIDDING PACKET THROUGH THE GENERAL CONTRACTOR'S WEBSITE. BIDDERS MUST OBTAIN AUTHORIZATION FROM THE GENERAL CONTRACTOR TO PARTICIPATE IN THE BIDDING PROCESS.

2-A-14-01R
REVISED
1-30-14

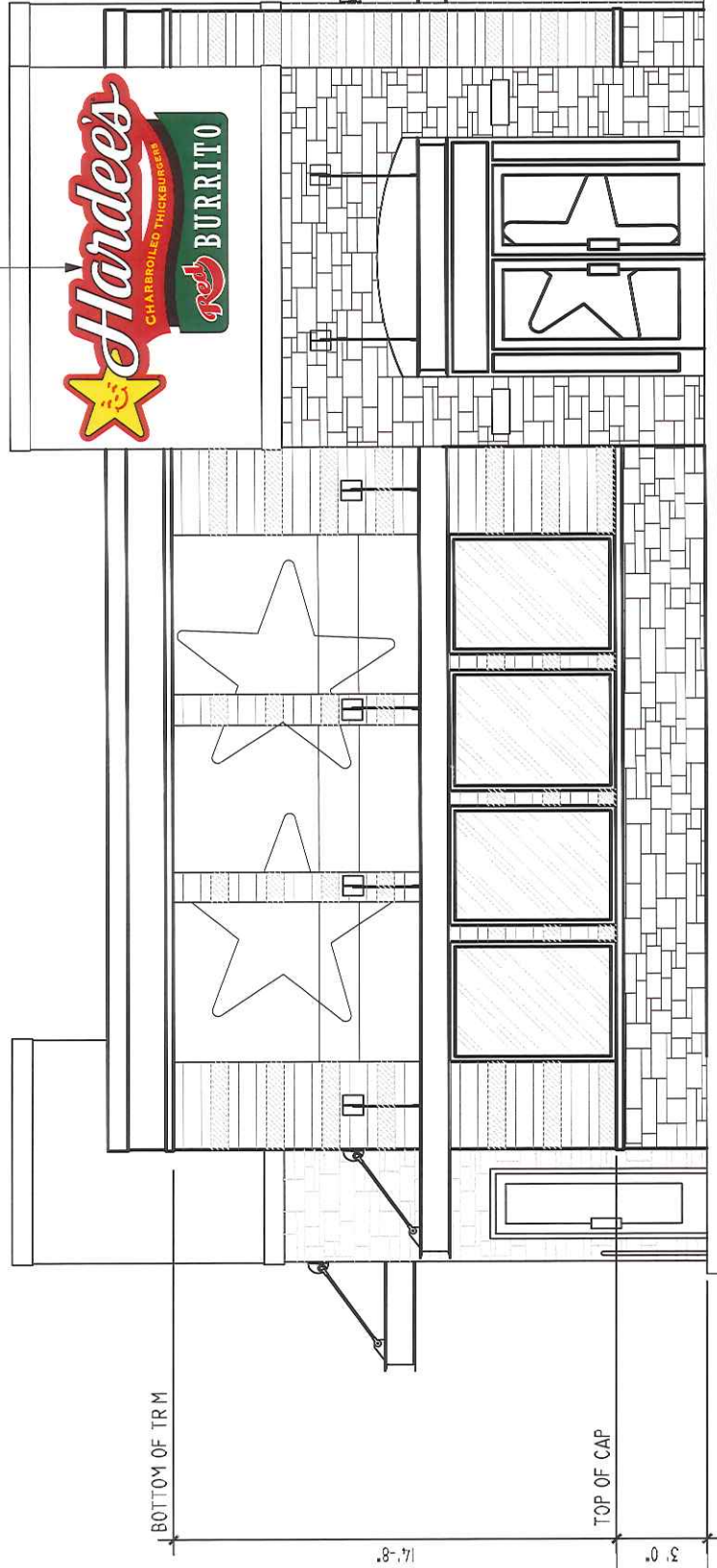
DATE: 1/30/14
REVISED: 1-30-14
C-0

BLOCK: 46104 CLT: 132

Arkansas * California * Georgia * Minnesota * Pennsylvania * Texas

A 65.75"x146" Hardee's with Red Burrito Cabinet

A



2-A-14-DR
REVISED
 1-30-14



731-925-446 • 800-953-3744 • Fax 731-926-202
 g i l l

Client:	Hardee's
Location:	
Drawn By:	CM
Approved By:	
Sheet:	Scale:
File:	z:\corpres\hardees\knoxville\TF\frontElev
Date:	1/28/14

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APPROVAL INFORMATION & CONFIRMATION

Proof is approved. Proceed with production of order.

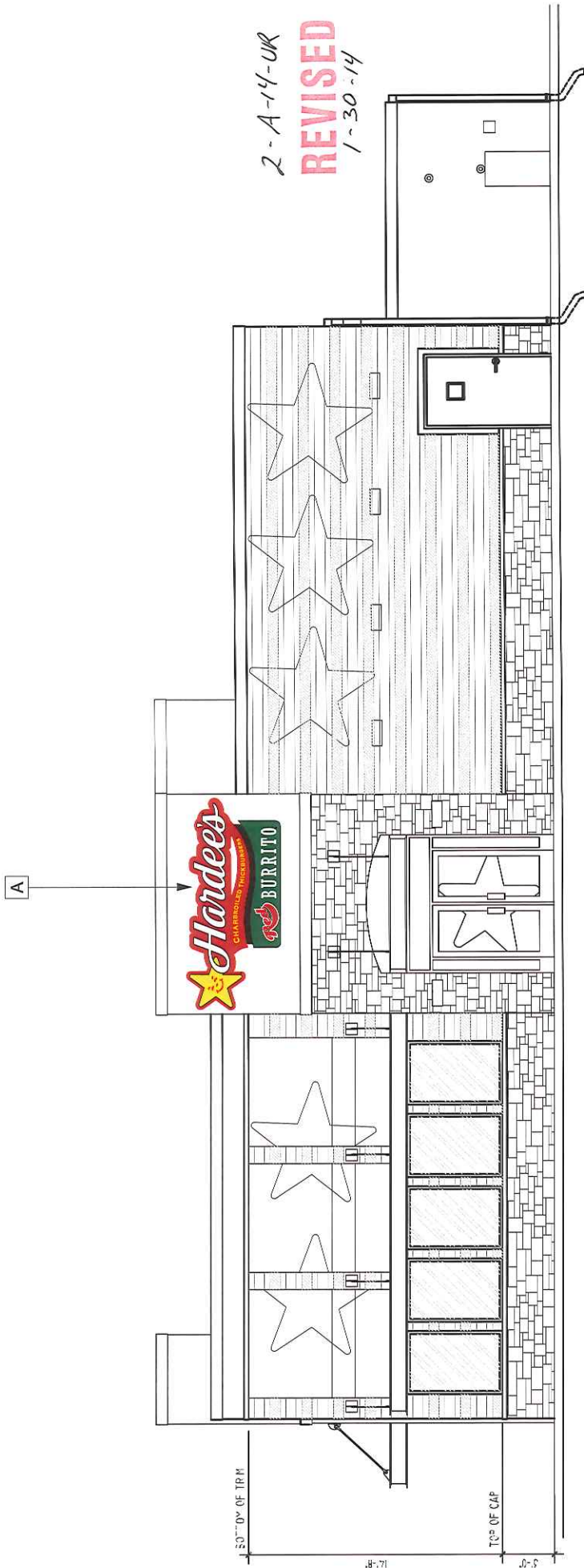
Proof is approved with corrections. Make corrections as indicated and proceed with production of order.

SIGNATURE _____ PRINT NAME _____ DATE _____

I have reviewed this proof in regard to sign type, order quantity, and accuracy of icons, symbols, and text (if applicable) and hereby confirm my approval.

A 65.75"x146" Hardee's with Red Burrito Cabinet

MPC February 13, 2014



2-A-14-UK
REVISED
 1-30-14



Client:	Hardee's
Location:	
Drawn By:	CM
Approved By:	
Sheet:	Scale:
File:	z:\c00\pres\hardees\knoxville\TW\RightElev

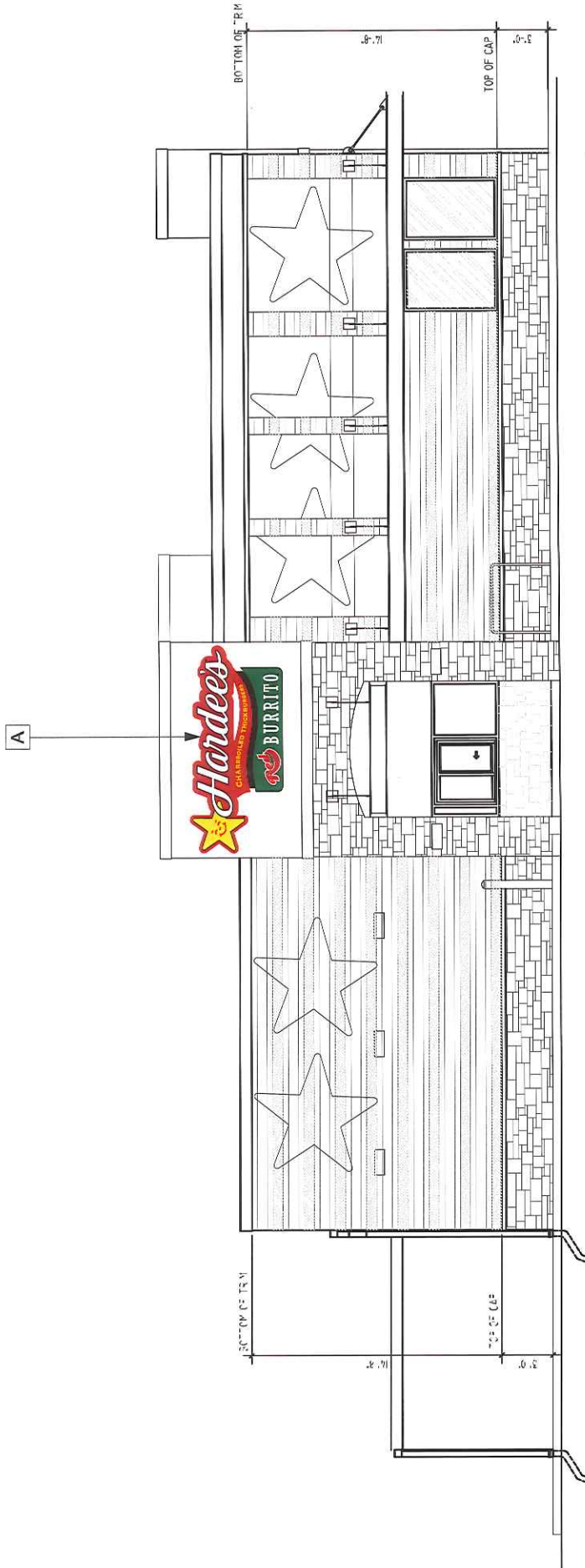
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APPROVAL INFORMATION & CONFIRMATION

Proof is approved. Proceed with production of order.
 Proof is approved with corrections. Make corrections as indicated and proceed with production of order.

SIGNATURE _____ DATE _____
 PRINT NAME _____

A | 65.75"x146" Hardee's with Red Burrito Cabinet



2-A-14-UR
REVISED
 1-30-14



Client: Hardee's
 Location: CM
 Drawn By: CM
 Date: 1/28/14
 Approved By:
 Sheet: Scale:
 File: #/compress/hardees/KnoxvilleTN/LeftElev



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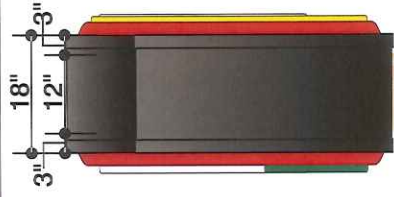
APPROVAL INFORMATION & CONFIRMATION

Proof is approved. Proceed with production of order.

Proof is approved with corrections. Make corrections as indicated and proceed with production of order.

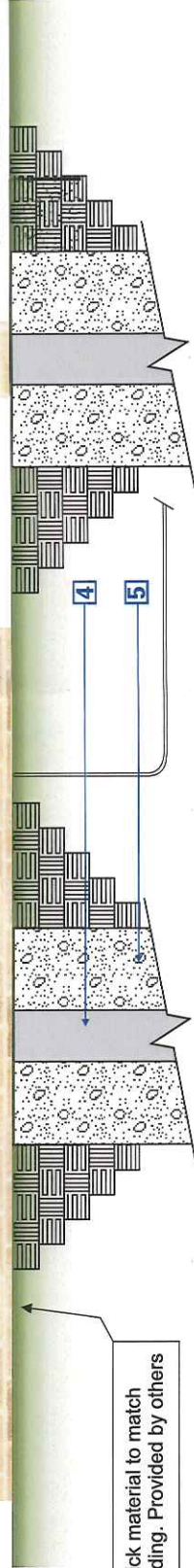
SIGNATURE _____ PRINT NAME _____ DATE _____

I have reviewed the proof in regard to: Sign type, order quantity, and accuracy of colors, graphics, and text (to the extent applicable). I hereby certify that the information is correct and accurate.



COLORS	
	3M 3630-73 DARK RED VINYL
	3M 3630-015 YELLOW VINYL
	MATCH PROCESS BLACK
	MATCH #403 WHITE LACRYL
	MATTE BLACK PAINT
	3M 3630-156 GREEN VINYL

MATERIALS	
1	ALUMINUM SIDES OVER INTERNAL ANGLE
2	.177 CLEAR SOLAR GRADE POLYCARBONATE
	PAN-FORMED
3	DISCONNECT SWITCH AT BASE OF SIGN
	PRIMARY ELECTRICAL BY OTHERS
4	FOUNDATION



2-A-14-UR
REVISED
 1-30-14



Client:	Hardee's
Location:	Columbus, GA
Drawn By:	ANS
Date:	5/29/13
Approved By:	
Sheet:	Scale:
File:	compress/hardees/ga/columbus/proofs



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APPROVAL INFORMATION & CONFIRMATION

Proof is approved. Proceed with production of order.

Proof is approved with corrections. Make corrections as indicated and proceed with production of order.

SIGNATURE _____ PRINT NAME _____ DATE _____

I have reviewed this proof in regard to: Sign type, order quantity, and accuracy of colors, symbols and text (i.e. spelling, punctuation, punctuation)

THIS IS A PRELIMINARY DRAWING AND IS NOT TO BE USED FOR CONSTRUCTION. ANY CHANGES TO THIS DRAWING MUST BE APPROVED BY THE ARCHITECT. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL JURISDICTIONS AND AGENCIES. THE CLIENT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL JURISDICTIONS AND AGENCIES.



SUBMITTAL DATES:
 DATE: 09/23/14
 DESCRIPTION: HARD.03

REVISION DATES:
 NO. DESCRIPTION

PROJECT NUMBER: 13090

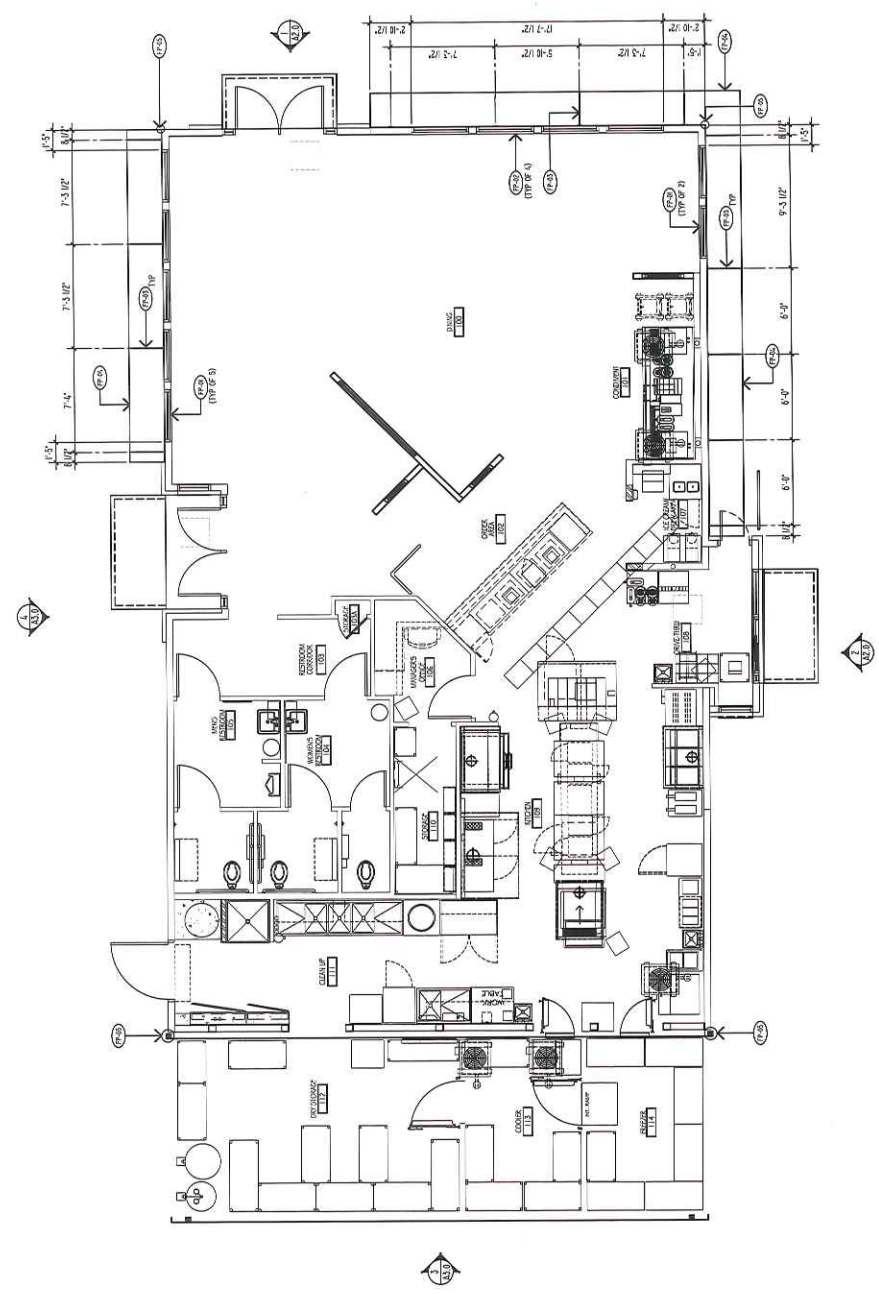
TITLE:
 NOTED FLOOR / EGRESS PLAN
 FURNISHING PLAN

SHEET NUMBER: AI.0

KEY NOTES

- FP-1: 60" HIGH PANELED WHEELCHAIR TURNING RADIUS
- FP-2: 30" HIGH X 48" WIDE CLEAR FLOOR SPACE - FIRST FORWARD APPROACH
- FP-3: PROPOSED LOCATION OF WARE EXTENDING/ISSUER - VERIFY LOCATION WITH FIRE MARSHALL AND OWNER
- FP-4: DIMENSIONED ACCESS SURFACE - COMPLY WITH ADA REGULATIONS - REFER TO DETAILS S401 AS WELL AS DETAILS S402 AND S403
- FP-5: FOOD SERVICE EQUIPMENT DIMENSIONS AND INSTALLED BY FINISHES - IFC - DIMENSIONS AND FRAMING CONNECTIONS BY CONTRACTOR
- FP-6: WIP FLOOR - REFER TO PLUMBING AND FOOD SERVICE DIMENSIONS - REFER TO DETAILS S404
- FP-7: FABRICATED METAL ACCESS LADDERS - SEE DETAIL S304
- FP-8: EXISTING STRUCTURAL POST TO REPAIR - PROTECT IN PLACE - CLAD POST IN STAINLESS STEEL IN KITCHEN
- FP-9: CO2 TANK WITH REMOTE EXHAUST FLEET SPOUT - REFER TO DETAIL S404
- FP-10: ELECTRICAL RINGS - REFER TO ELECTRICAL DIMENSIONS - FINISHES 2 HIGH CONCRETE UNDERSTAIRS AND FOR SWITCHES
- FP-11: 2" X 6" WIP FLOOR INSULATION WALL CAVITY - INSULATE WALLS - REFER TO DETAIL S405 FOR WIP FLOOR INSULATION WALLS AND CONCRETE WALLS OF RESTROOM
- FP-12: WATER SINKETS - REFER TO PLUMBING DIMENSIONS
- FP-13: ALUMINUM THRESHOLD - REFER TO DETAIL S303
- FP-14: START POINT OF TILE PATTERNS
- FP-15: FLOOR DRAIN OR FLOOR SINKS - REFER TO PLUMBING DIMENSIONS
- FP-16: WALK-IN COOLER - ADJACENT FLOOR AND BASE INSTALLED AFTER COOLER / FREEZER UNIT HAVE BEEN SET
- FP-17: MANUFACTURER'S FREEZER FLOOR AND AMP BY COOLER MANUFACTURER
- FP-18: O.S. IS TO BE SLOPED TO FLOOR DRAIN - REFER TO PLUMBING DIMENSIONS AND DETAIL S404
- FP-19: NO TILE UNDER FILLWORK
- FP-20: WATERPROOFING MEMBRANE UNDER TILE IF AND UP WALL IF AT ALL KITCHEN AND RESTROOM WALLS
- FP-21: DIMENSIONED ACCESSIBLE TABLE - HEIGHT OF TABLES AND COUNTERS SHALL BE 28" MINIMUM - 30" MAXIMUM - MANUFACTURING CLEARANCE SHALL BE 30" X 48" - BASE CLEARANCE SHALL BE 27" HIGH - W/ REEF AND NO OF RISE
- FP-22: CORNER GLAZING - REFER TO DETAIL S406
- FP-23: CONCRETE PATTERNS - REFER TO DETAIL S406
- FP-24: STAINLESS STEEL CLOTHES STRIP TO SEAL COOLER / FREEZER TO WALL
- FP-25: CHAIR RAIL - REFER TO INTERIOR ELEVATIONS
- FP-26: STAINLESS STEEL JAMB - REFER TO DETAIL S406
- FP-27: LINE OF FLOOR BUMP ABOVE - REFER TO DETAIL S406
- FP-28: LINE OF EXTERIOR CANYON - REFER TO DIMENSIONS S401
- FP-29: IF TYPED WALL CORNER - REFER TO DETAIL S406
- FP-30: EXTERIOR LANDING AREA TO BE 24" WIDE X 48" DEEP
- FP-31: TRASH RECEPTACLE PROVIDED AND INSTALLED BY SEATING VENDOR
- FP-32: PRECASTING WALL PROVIDED AND INSTALLED BY SEATING VENDOR
- FP-33: FIBER SEATING PROVIDED AND INSTALLED BY SEATING VENDOR
- FP-34: LOOSE TABLES AND CHAIRS PROVIDED AND INSTALLED BY SEATING VENDOR
- FP-35: AFTER INTERNAL ACCESSIBILITY SURVEY AT ALL ACCESSIBLE ENTRANCES
- FP-36: PROVIDE TACTILE EXIT SIGN AT MAIN DOOR - REFER TO DETAIL S401
- FP-37: EXISTING PATIO FURNITURE TO REMOVE
- FP-38: FURNITURE - INSTALLER INSIDE THE BUILDING

Handwritten notes:
 2-A-11-14
 2-A-11-14
 2-A-11-14



PROPOSED FLOOR PLAN - EXTERIOR MODIFICATIONS
 SCALE: 1/4" = 1'-0"

2650 El Presidio Street
 Long Beach, CA 90810
 T 1 310 537 8200
 F 1 310 604 3827
 www.jbi-interiors.com

REVISIONS

LTR	DATE	BY	CHKD
A	12-06-13	DB	

REVISED PER CLIENT REQUEST



BUILDING TYPE: -

STORE NUMBER: -

KNOXVILLE,
 TENNESSEE

SEATING LAYOUT PLAN

DATE: 11-21-13

SCALE: 3/16" = 1'-0"

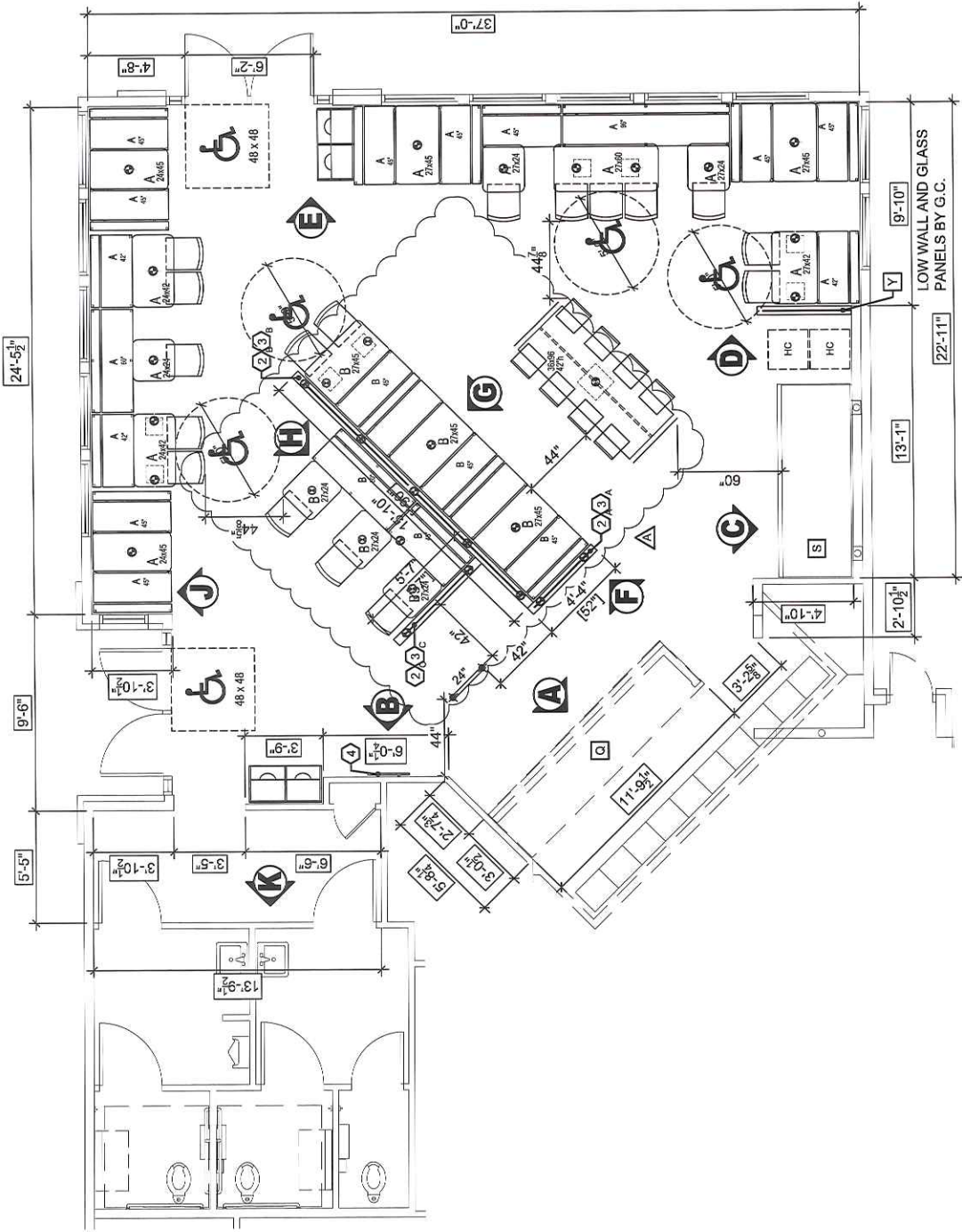
DESIGNER: LT

DRAWING NUMBER

CHKD:
 O-HD9122

PAGE
 1

CONTEMPORARY



2-A-14-UR

SEATING CAPACITY:	66
ADA SEATS REQ'D.:	4
ALL BOXED DIMENSIONS ARE TO BE FIELD VERIFIED	
SERVICE COUNTER TO BE AT 34" AFF (INCLUDES TOP) TO MEET ADA REQUIREMENTS	

JBI STRIVES TO PROVIDE ADA COMPLIANT INTERIORS. WE RECOMMEND THE OWNER / OPERATOR OR CONSTRUCTION MANAGER HAVE A LOCAL LICENSED ARCHITECT OR ADA SPECIALIST REVIEW AND APPROVE THE PLANS.

