

# SUBDIVISION REPORT -CONCEPT/DEVELOPMENT PLAN

FILE #: 9-SB-23-C	AGENDA ITEM #: 26
9-A-23-DP	AGENDA DATE: 9/14/2023
SUBDIVISION:	IGOR CHEBAN - SCHAAD ROAD
APPLICANT/DEVELOPER:	IGOR CHEBAN
OWNER(S):	Igor Cheban
TAX IDENTIFICATION:	91 161.01 View map on KGIS
JURISDICTION:	County Commission District 6
STREET ADDRESS:	0 BALL RD
LOCATION:	Northwest of Schaad Road, southeast of Ball Road
SECTOR PLAN:	Northwest County
GROWTH POLICY PLAN:	Urban Growth Area (Outside City Limits)
WATERSHED:	Grassy Creek
APPROXIMATE ACREAGE:	7.357 acres
ZONING:	PR (Planned Residential)
EXISTING LAND USE:	Agriculture/Forestry/Vacant Land
PROPOSED USE:	Attached residential subdivision
SURROUNDING LAND USE AND ZONING:	North: Single family residential - A (Agricultural) South: Agriculture/forestry/vacant - A (Agricultural), PR (Planned Residential) up to 3 du/ac East: Rural residential - A (Agricultural) West: Single family residential, agriculture/forestry/vacant - A (Agricultural)
NUMBER OF LOTS:	33
SURVEYOR/ENGINEER:	David Harbin Batson, Himes, Norvell and Poe
ACCESSIBILITY:	Access is via Schaad Road (under construction), a minor arterial street with 4 travel lanes and median within 102 ft of right-of-way.
SUBDIVISION VARIANCES REQUIRED:	VARIANCES 1. Reduce the minimum vertical curve on Road 'A' from K=25 to K=15 at STA 0+52 2. Reduce the minimum intersection spacing from 400 ft to 377 ft from the centerline of Road A to Lobetti Road.
	ALTERNATIVE DESIGN STANDARDS REQUIRING KNOXVILLE-KNOX COUNTY PLANNING COMMISSION APPROVAL 1. Increase the maximum grade of a street from 12 percent to 15 percent.
	ALTERNATIVE DESIGN STANDARDS REQUIRING KNOX COUNTY ENGINEERING AND PUBLIC WORKS APPROVAL
AGENDA ITEM #: 26 FILE #: 9-SB-2	23-C 9/7/2023 11:33 AM MIKE REYNOLDS <b>PAGE #: 26-1</b>

#### **STAFF RECOMMENDATION:**

Approve the variances and alternative design standard based on the justification provided by the applicant and recommendations of the Knox County Department of Engineering and Public Works.

### Approve the Concept Plan subject to 7 conditions.

1) Connection to sanitary sewer and meeting other relevant utility provider requirements.

2) Provision of street names consistent with the Uniform Street Naming and Addressing System within Knox County (County Ord. 91-1-102).

3) No building permits may be issued until the Schaad Road improvements are completed between Lobetti Road and the terminus of Schaad Road to the east, as determined by Planning staff and Knox County Engineering and Public Works staff.

4) Providing a stream determination study to the Knox County Department of Engineering and Public Works for review and approval regarding a potential stream located in the northeast corner of the property. If it is determined that this is a stream, the required stream buffers must be provided and lots may have to be eliminated. Changes to the location of dwelling units or the internal road system may require a new Concept Plan and Development Plan approval by the Planning Commission.

5) Providing a road stub-out to the property to the east with notification of future connection provided per section 3.04.C.2 of the Subdivision Regulations. The realignment of lots and the road alignment can be administratively approved by Planning staff and Knox County Engineering and Public Works during the design plan phase. If the potential stream referenced in condition #4 is determined to be a stream, the stub-out is not required.

6) Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
7) Meeting all applicable requirements of the Knox County Zoning Ordinance.

### Approve the development plan for a residential subdivision with up to 33 attached houses on individual lots, as shown on the plan, subject to 3 conditions.

1) Meeting all applicable requirements of the Knox County Zoning Ordinance.

2) The maximum height of the attached dwellings shall be 35 feet.

3) Providing a Type 'C' Landscape screening along the west and north boundaries outside of the 50 ft stream buffer. The existing healthy trees along these shared boundaries must be maintained and may count toward the required landscape screening. A landscape plan must be reviewed and approved by Planning staff before grading and clearing activities commence.

With the conditions noted, this plan meets the requirements for approval in the PR district and the criteria for approval of a development plan.

### COMMENTS:

This proposal is for a residential subdivision with up to 33 attached houses on individual lots on approximately 7.357 acres (4.49 du/ac). The property was rezoned from A (Agricultural) to PR (Planned Residential) up to 5 du/ac in February 2023 (1-F-23-RZ).

### ROAD STUB-OUT

Staff is recommending that a road stub-out be provided to the adjacent property to the east, 6140 Ball Road (parcel 091 16501). If approved, this condition is only applicable if the potential stream referenced in condition #4 is determined to be a wet weather conveyance. If it is determined to be a stream, a road connection between the two properties becomes less feasible. Extending Road 'A' to the northern lot line is not preferred as a stub-out because the adjoining lot is not large enough to be subdivided into enough lots to require a public right-of-way and, therefore, would not create the intended connectivity.

Access to the proposed subdivision is not ideal. It is right-in / right-out only because of the central median in Schaad Road and comes in at a 75-degree angle to Schaad Road to assist with traversing the steep grade down to the buildable area of the site. The stub-out will provide connectivity between adjacent developments and secondary access to both properties. The adjacent property has frontage on Ball Road and Schaad Road.

#### VARIANCES AND ALTERNATIVES DESIGN STANDARDS

Variance #1: The connecting vertical curve ("k value") is the transition of the grade of Road 'A' from 15 percent to 2 percent as it approaches the Schaad Road intersection. The lower the k value, the more abrupt the transition between the two road grades. At intersections with a classified street (collector or arterial), the

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minimum k value is 25, allowing a smoother transition from the smaller local road to the larger classified street. This larger k value also allows the classified street to be expanded in the future and to tie in grades of side streets more easily. For this request, the County does not anticipate the need for additional right-of-way acquisition and expansion of Schaad Road once it is complete, and the k value of 15 should not be a safety concern.

Variance #2: The minimum intersection spacing along an arterial street is 400 ft. Road 'A' is 377 ft from Lobetti Road to the west. Schaad Road is being constructed with a center median, making Road 'A' intersection function as right-in, right-out only. Oncoming traffic can only come from the east (westbound), rendering the 400 ft intersection separation less necessary for safety purposes.

Alternative Design Standard #1: The maximum road grade is 12 percent for local street, but the Planning Commission can approve up to 15 percent with the recommendation of Knox County Engineering and Public Works. The increased road grade is approximately 200-300 ft of the entry road. The road grade is less than 12 percent at the first residential lot.

DEVELOPMENT PLAN ANALYSIS PER ARTICLE 6, SECTION 6.50.06 (APPROVAL OR DENIAL) In the exercise of its administrative judgment, the Planning Commission shall determine if the proposed plan is in harmony with the general purpose and intent of the zoning ordinance and adopted plans.

#### 1) ZONING ORDINANCE

PR (Planned Residential) up to 5 du/ac:

a) The PR zone allows houses and attached houses as a permitted use. The administrative procedures for the PR zone require the Planning Commission to approve the development plan before permits can be issued (Article 5, Section 5.13.15).

B) This PR zone district is approved for a maximum of 5 du/ac. The proposed density for the subdivision is 4.49 du/ac.

C) The maximum height for any use other than houses and duplexes is determined by the Planning Commission. Staff recommends a maximum height of 35 ft for the attached dwellings, consistent with the maximum height allowed on surrounding properties.

### 2) GENERAL PLAN - DEVELOPMENT POLICIES

a) Policy 4.2, Require vehicular and pedestrian connections between subdivisions to encourage safe access to community facilities and to reduce reliance on the automobile. – Staff is recommending a road stub-out be provided to the eastern property boundary (Concept Plan condition #5).

B) Policy 9.3, Ensure that the context of new development, including scale and compatibility, does not impact existing neighborhoods and communities – The proposed attached houses are 2 stories with front-facing garages, consistent with most newer houses constructed in the area.

C) Policy 9.8, Encourage a mixture of housing sizes and prices within planned residential developments – The existing residential development in the area consists predominantly of detached houses. This development will help diversify the housing stock in the general area.

D) Policy 10.11, Allow higher densities, smaller yards and narrower lots for portions of planned developments that do not abut or face conventional suburban developments. In exchange, deeper setbacks, wider lots or landscape buffers shall be provided where the new development abuts lower density housing. – Staff is recommending the installation of a landscape buffer on the west and north boundary lines (Development Plan condition #3).

#### 3) NORTHWEST COUNTY SECTOR PLAN

a) The property is classified as MU-SD (Mixed Use Special District), NWCO-9 (Hines Valley/Amherst), which allows consideration of LDR (Low Density Residential) and MDR (Medium Density Residential). These classifications allow consideration of up to 5 du/ac and 12 du/ac. The proposed density is 4.49 du/ac.
B) There are approximately 2.75 acres of Hillside Protection (HP) area on the southern portion of the property, along the Schaad Road frontage. The slope analysis recommends disturbing up to 1.8 acres in the HP area. The Schaad Road construction project disturbed approximately 0.55 acres of the HP area. According to the preliminary grading plan, approximately 0.43 acres will remain undisturbed. If the area disturbed for the Schaad Road project is not counted against the developer, the proposed disturbance is very close to the recommended maximum disturbance.

### 4) KNOXVILLE – FARRAGUT – KNOX COUNTY GROWTH POLICY PLAN

a) The property is within the Urban Growth Boundary. The purposes of the Urban Growth Boundary designation are to encourage a reasonably compact pattern of development, promote the expansion of the Knoxville-Knox County economy, offer a wide range of housing choices, and coordinate the actions of the

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public and private sectors, particularly with regard to the provision of adequate roads, utilities, schools, drainage and other public facilities and services.

ESTIMATED TRAFFIC IMPACT: 352 (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: 2 (public school children, grades K-12)

Schools affected by this proposal: Amherst Elementary, Karns Middle, and Karns High.

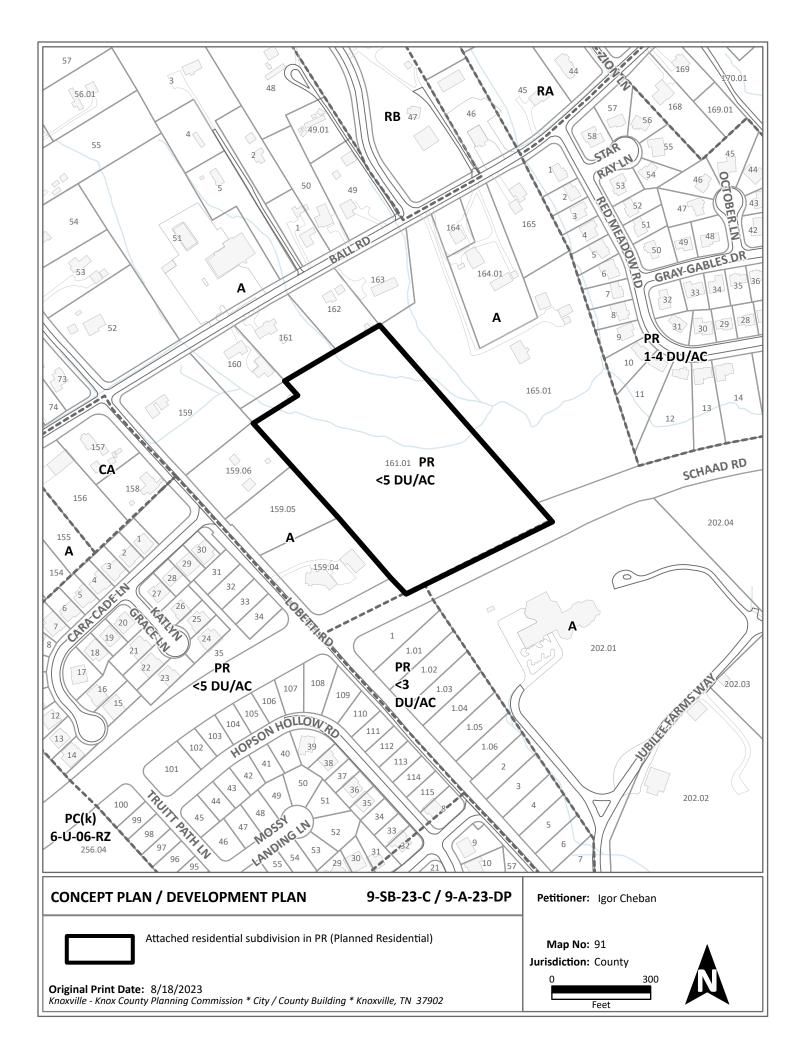
• Potential new school population is estimated using locally-derived data on public school student yield generated by new housing.

Students are assigned to schools based on current attendance zones as determined by Knox County Schools. Students may request transfers to different zones, and zone boundaries are subject to change.
Estimates presume full build-out of the proposed development. Build-out is subject to market forces, and timing varies widely from proposal to proposal.

• Student yields from new development do not reflect a net addition of children in schools. Additions occur incrementally over the build-out period. New students may replace current population that ages through the system or moves from the attendance zone.

Knoxville-Knox County Planning Commission's approval or denial of this concept plan request is final, unless the action is appealed to Knox County Chancery Court. The date of the Knox County Chancery Court hearing will depend on when the appeal application is filed.

The Planning Commission's approval or denial of this development plan request is final, unless the action is appealed either to the Board of Zoning Appeals or to a court of competent jurisdiction within thirty (30) days of the decision being appealed (Knox County, Tennessee Code of Ordinances, Appendix A, Zoning, 6.50.08).



### Requested Variances & Alternative Design Standards

### 9-SB-23-C / 9-A-23-DP – IGOR CHEBAN – SCHAAD ROAD

### VARIANCES

- 1. Reduce the minimum vertical curve on Road 'A' from K=25 to K=15 at STA 0+52
- 2. Reduce the minimum intersection spacing from 400 ft to 377 ft from the centerline of Road A to Lobetti Road.

# ALTERNATIVE DESIGN STANDARDS REQUIRING KNOXVILLE-KNOX COUNTY PLANNING COMMISSION APPROVAL

1. Increase the maximum grade of a street from 12 percent to 15 percent.

### ALTERNATIVE DESIGN STANDARDS REQUIRING KNOX COUNTY ENGINEERING AND PUBLIC WORKS APPROVAL

- 1. Increase the maximum intersection grade from 1 to 2 percent on Road A at the Schaad Road intersection.
- 2. Increase the maximum intersection grade from 1 to 2 percent on Road B at the Road A intersection.
- 3. Reduce the minimum intersection right-of-way radius from 25 ft to 15 ft on the east side of Road A at Schaad Road.

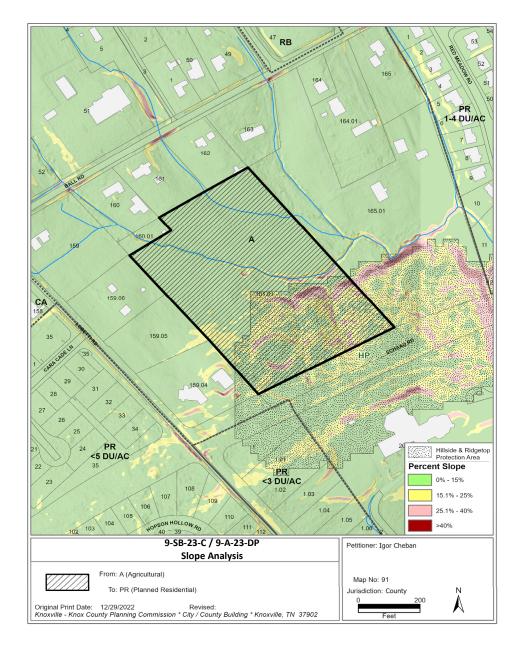
### KNOX COUNTY ENGINEERING AND PUBLIC WORKS RECOMMENDATION:

Approve since these variances do not create any unsafe conditions.

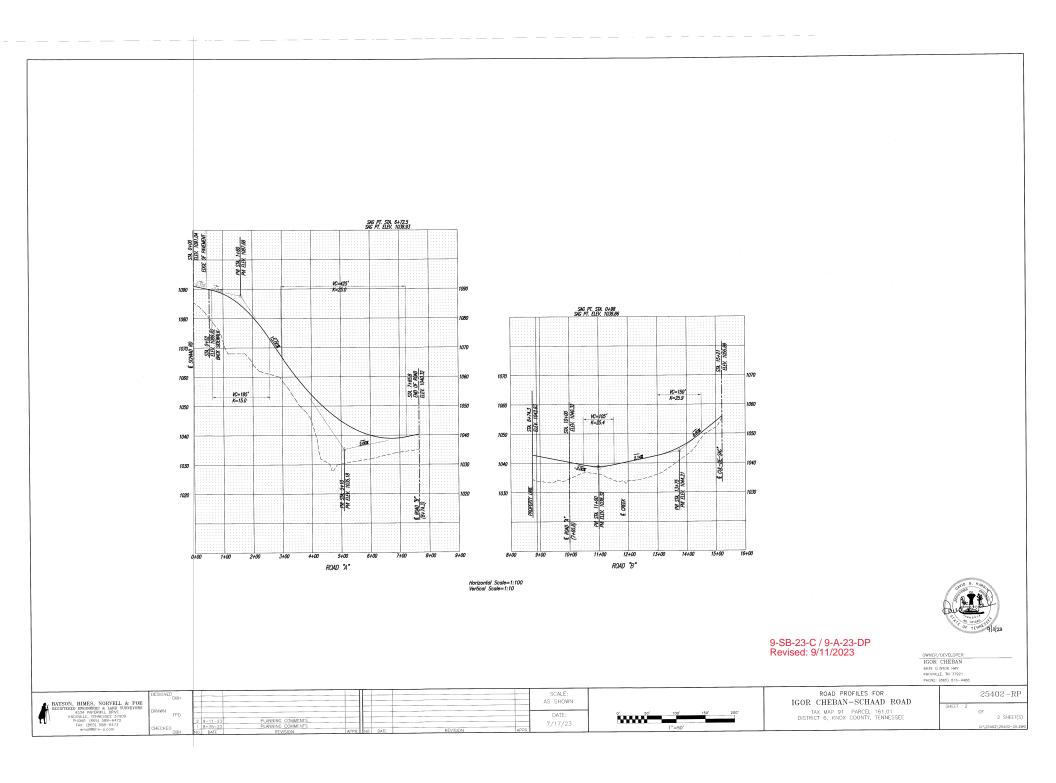
Steve Elliott 9/7/2023

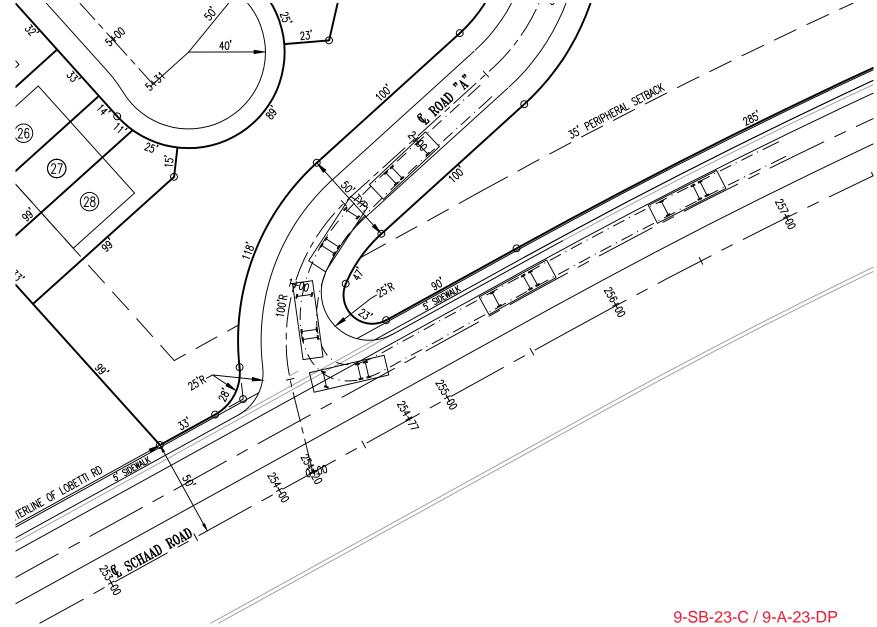
#### Staff - Slope Analysis Case: 9-SB-23-C / 9-A-23-DP

CATEGORY	ACRES	RECOMMENDED DISTURBANCE BUDGET (Percent)	DISTURBANCE AREA (Acres)
Total Area of Site	7.59		
Non-Hillside	4.83	N/A	
0-15% Slope	1.15	100%	1.15
15-25% Slope	1.23	50%	0.61
25-40% Slope	0.32	20%	0.06
Greater than 40% Slope	0.05	10%	0.01
Ridgetops			
Hillside Protection (HP) Area	2.75	Recommended disturbance budget within HP Area (acres)	1.8
		Percent of HP Area	0.7









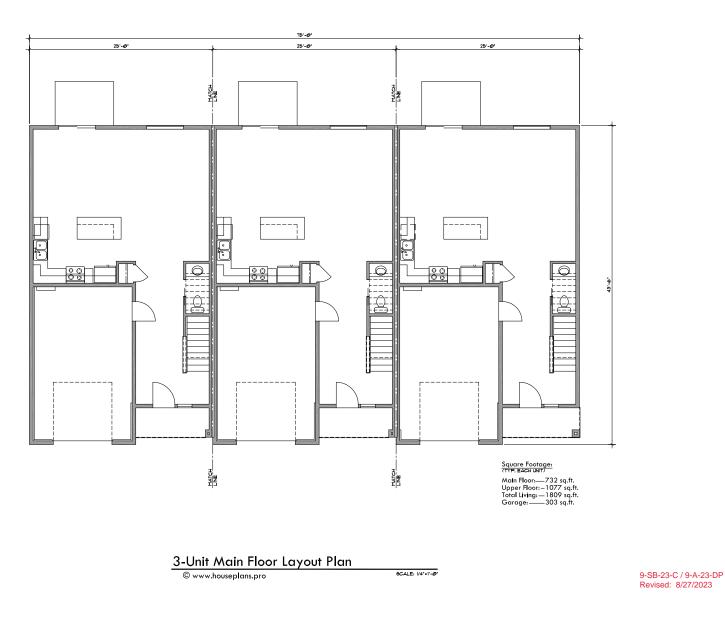
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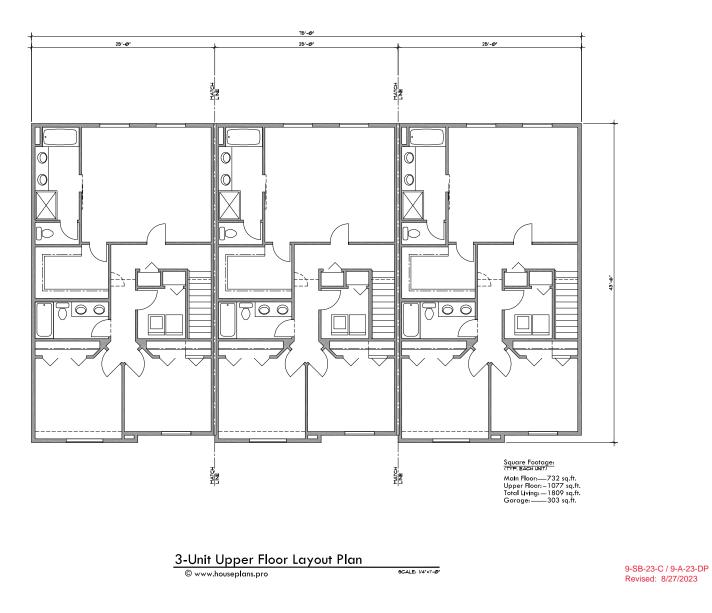
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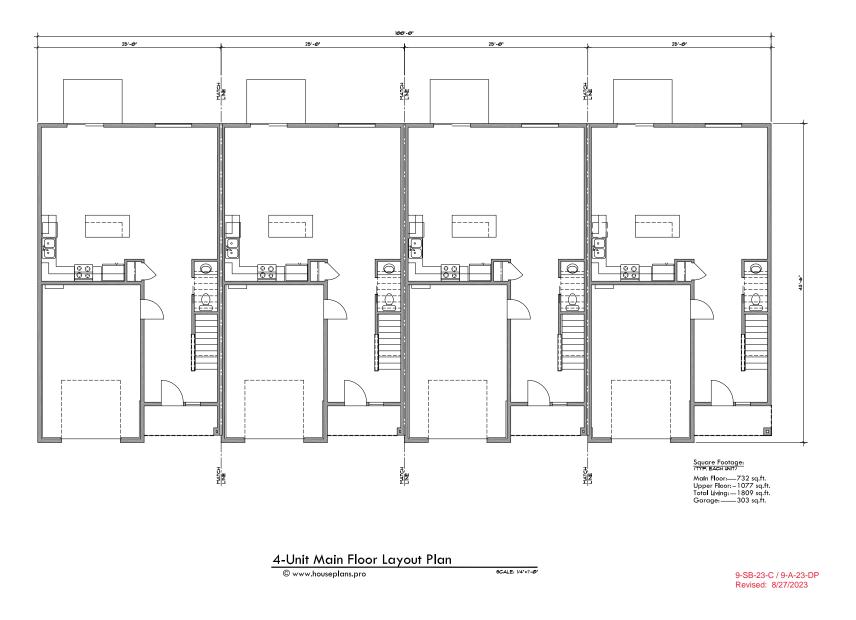


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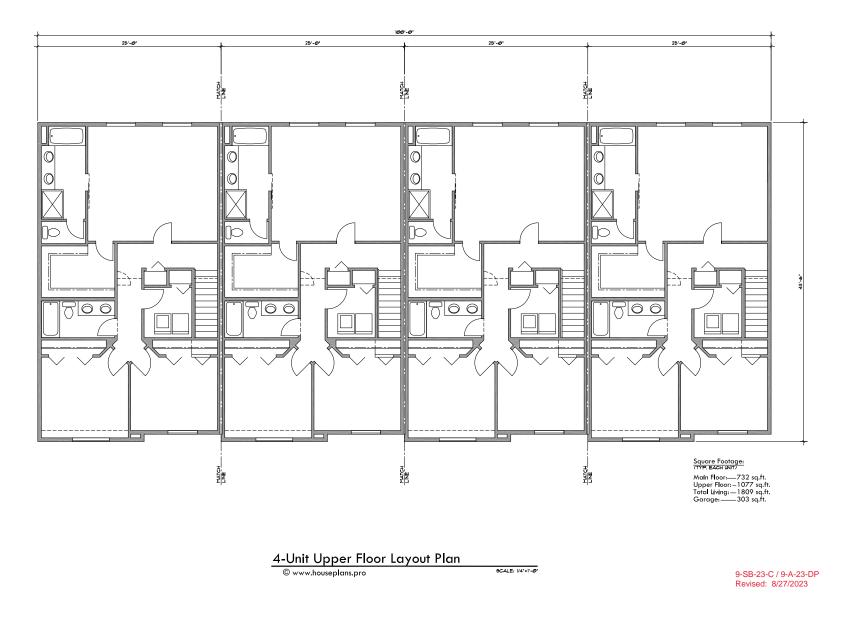
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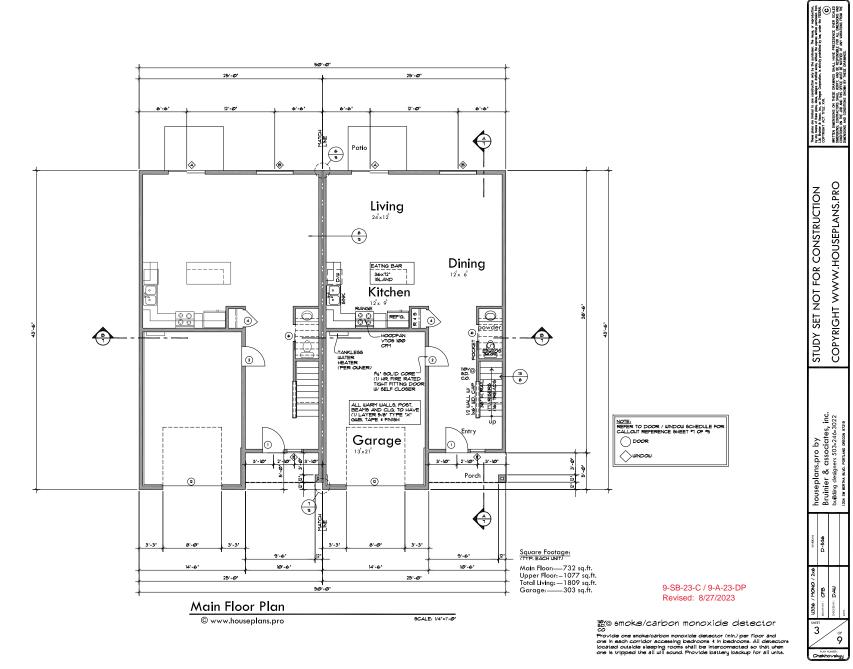
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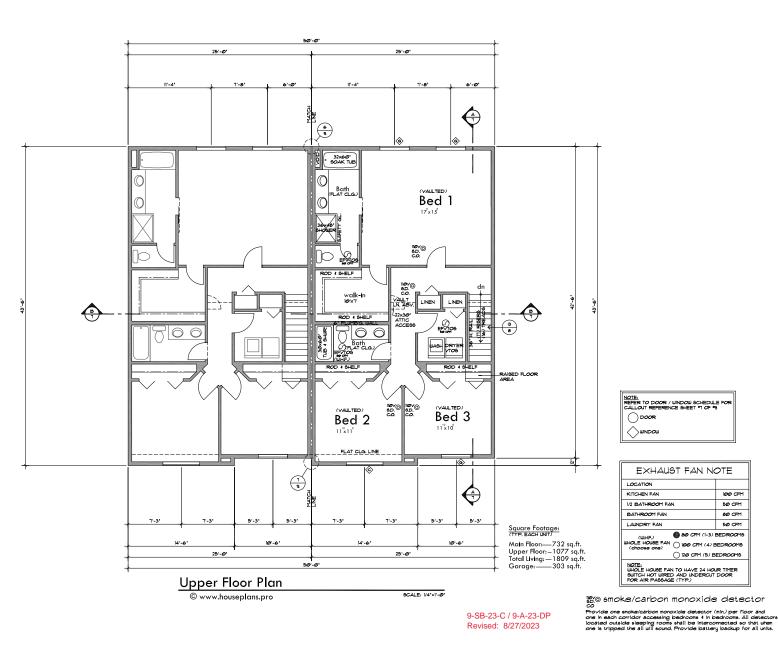
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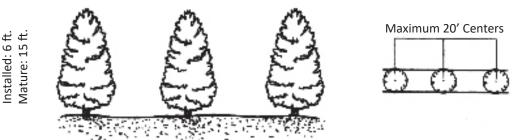
### EXHIBIT A Design Guidelines Landscape Screening

# Type "C" Screen: Partial

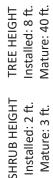
**APPROPRIATE LOCATION:** Between parking lots and public streets; boundaries of industrial and office development

**NOTE:** Landscape buffer strips should be a minimum of 8 feet in width, and sown with grass or ground cover for their full width, allowing for mulch at the base of plantings.

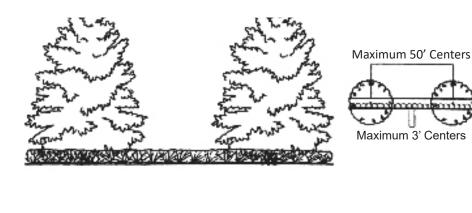
A row of small evergreen trees



• A row of large broad leaf evergreen trees with a 3 ft. high wall or hedge (deciduous species of similar size & form could be used for every second tree)

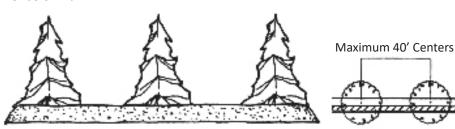


**TREE HEIGHT** 



• A row of evergreen conifers with a 3 ft. high earth berm or solid fence or wall

TREE HEIGHT Installed: 6 ft. Mature: 15 ft.



### INTRODUCTION

Landscape screening reduces the impact of intense development upon adjacent land uses by providing visual separation, reducing the transmission of glare and air pollution, and limiting access. Screening also promotes the aesthetic appeal of a neighborhood and promotes higher property values.

This series of design guidelines defines several types of landscape screen. Each type is applicable to a certain intensity of conflict between adjacent land uses. Each screen type is illustrated by several planting schemes with an equivalent height, density and opacity of landscaping.

Planning uses these guidelines to illustrate desirable levels of screening appropriate to various site planning situations. Creative alternatives which achieve a comparable effect are encouraged.

The contents of these guidelines are advisory and are intended to supplement, but not replace, the requirements of the Knoxville Zoning Ordinance and the Knox County Zoning Ordinance.



# **Development Request**

# DEVELOPMENT SUBDIVISION

### ZONING

Development PlanPlanned Development

□ Use on Review / Special Use □ Hillside Protection COA

Concept Plan
Final Plat

Plan Amendment
 Sector Plan
 One Year Plan

Rezoning

Igor Cheban		
Applicant Name		Affiliation
7/25/2023	9/14/2023	9-SB-23-C / 9-A-23-DP
Date Filed	Meeting Date (if applicable)	File Number(s)
CORRESPONDENC	E All correspondence related to this application	on should be directed to the approved contact listed below.
David Harbin Batson, H	limes, Norvell and Poe	
Name / Company		
4334 Papermill Dr. Dr.	Knoxville TN 37909	
Address		
865-588-6472 / harbin(	֎bhn-p.com	
Phone / Email		
CURRENT PROPER	TY INFO	
lgor Cheban	6939 Clinton Highway Knoxvi	lle TN 37921 865-816-4488 / 1stchoiceheatai
Owner Name (if differer	nt) Owner Address	Owner Phone / Email
0 BALL RD		
Property Address		
91 161.01		8.38 acres
Parcel ID	Part	of Parcel (Y/N)? Tract Size
Knoxville Utilities Board	d Knoxville Utiliti	es Board
Sewer Provider	Water Provider	Septic (Y/N)
STAFF USE ONLY		
	oad, southeast of Ball Road	
General Location		
City <b>Commission I</b>	District 6 PR (Planned Residential)	Agriculture/Forestry/Vacant Land
City Commission □ County District	Zoning District	Existing Land Use
Northwest County	MU-SD (Mixed Use Special District), HP (Hil	Iside Protectio Urban Growth Area (Outside City Limit
Planning Sector	Sector Plan Land Use Classification	Growth Policy Plan Designation

DEVELOPMENT REQUEST				
✓ Development Plan □ Planned Deve	lopment 🗌 Use on R	Review / Special Use	Related City	Permit Number(s)
Hillside Protection COA	🗌 Resident	ial 🗌 Non-residential		
Home Occupation (specify)				
Other (specify)				
SUBDIVSION REQUEST				
Igor Cheban - Schaad Road			Related Rezc	oning File Number
Proposed Subdivision Name				
		37		
Unit / Phase Number Split Parc	els	Total Number of Lots Created	<u> </u>	
Additional Information				
Attachments / Additional Requirements				
ZONING REQUEST				
Zoning Change			Pending Pl	at File Number
Proposed Zoning				
Plan     Amendment     Proposed Plan Design	nation(s)			
Proposed Density (units/acre) Previous	Zoning Requests			
Additional Information				
STAFF USE ONLY				
PLAT TYPE		Fee 1		Total
Staff Review Planning Commi	ssion	\$1,475.00		
ATTACHMENTS				
Property Owners / Option Holders	Variance Request	Fee 2		
ADDITIONAL REQUIREMENTS				
<ul> <li>Design Plan Certification (Final Plat)</li> </ul>		Fee 3		
🖌 Site Plan (Development Request)				
Traffic Impact Study				
Use on Review / Special Use (Concept P	lan)			
AUTHORIZATION				
□ I declare under penalty of perjury the fore all associated materials are being submitte			perty, AND 2) th	e application and
IĮ	gor Cheban			7/25/2023
Applicant Signature P	lease Print			Date

Phone / Email

**Igor Cheban** Please Print **7/25/2023** Date

Property Owner Signature

Planning KNOXVILLE I KNOX COUNTY	<b>Development</b> <ul> <li>Development Plan</li> <li>Planned Development</li> <li>Use on Review / Special Use</li> <li>Hillside Protection COA</li> </ul>	t Reque SUBDIVISION Concept Plan Final Plat	<b>St</b> ZONING Plan Amendment SP OYP Rezoning
I GOR CHEBAN Applicant Name		Affilia	tion
			File Number(s)
Date Filed	Meeting Date (if applicable)	9-SB	-23-C / 9-A-23-DP
CORRESPONDENCE All a	orrespondence related to this application s	hould be directed to the a	pproved contact listed below.
Applicant Property Owner	Option Holder      Project Surveyor	r 🗷 Engineer 🗌 Arch	itect/Landscape Architect
DAVIO HARBIN	BATSON HIN Compa		F POE
4334 Papermin	LED Knowill	e To State	37909 ZIP
BUS-588-6472 Phone	harbin@bhr	n-p.com	
CURRENT PROPERTY INFO			
Property Owner Name (if different)	6939 Clinton + Knowille TN 37 Property Owner Address		BILe- 4488 Property Owner Phone
SCHAAD ROA Property Address	70 Tax Map	91 Par	Cel 161.01
KUB	KUB		MO
Sewer Provider	Water Provider		Septic (Y/N)
STAFF USE ONLY			
General Location		Tract S	)ize
City County District	Zoning District	Existing Land Use	
Planning Sector	Sector Plan Land Use Classification	Growt	h Policy Plan Designation

### DEVELOPMENT REQUEST

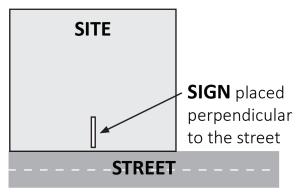
<ul> <li>Development Plan</li> <li>Use on Review / Special Use</li> <li>Hillside</li> <li>Residential</li> <li>Non-Residential</li> <li>Home Occupation (specify)</li> </ul>		Related City Permit Number
Other (specify)		
SUBDIVISION REQUEST		
		Related Rezoning File Numb
Proposed Subdivision Name		
Combine Parcels Divide Parcel	33 LO+S	
Unit / Phase Number	Total Number of Lots Create	ed
Other (specify)		
Attachments / Additional Requirements		
ZONING REQUEST		
		Pending Plat File Number
Zoning Change Proposed Zoning		
Plan Amendment Change Proposed Plan Designation(s)		
Proposed Density (units/acre) Previous Rezoning Req		
Other (specify)		
STAFF USE ONLY	E	1
	Fee 1	Total
Staff Review Planning Commission		
Property Owners / Option Holders  Variance Request	Fee 2	
ADDITIONAL REQUIREMENTS		
Design Plan Certification (Final Plat)		
Use on Review / Special Use (Concept Plan)	Fee 3	
<ul> <li>Traffic Impact Study</li> <li>COA Checklist (Hillside Protection)</li> </ul>		
AUTHORIZATION	fan fan ferste fan in ferste fan en ferste fan de ferste fan de fan en fan in fan in ferste fan it ferste fan e	
1) He/she/it is the owner of the property AND 2) The application and all a	associated materials are being s	submitted with his/her/its consent
A in Rettail is a in it		771177
Applicant Signature Please Print	arbin	7.24.23 Date
		Date
Phone Number Harbin @ t	onn-p.com	1
n n		SG, 07/25/2023
Louto IGOR CH	leban	
Property Owner Signature Please Print		Date Paid



# Sign Posting & Removal Requirement

Revised April 2021

The Administrative Rules and Procedures of the Knoxville-Knox County Planning Commission require a sign to be posted on the property for each application subject to consideration by the Planning Commission, including the following applications: rezoning, plan amendment, concept plan, use on review/special use, planned development, right-of-way closure, and name change.



The required public notice sign(s) will be provided by Planning to the applicant when an application is submitted. If an application is submitted electronically, Planning staff will post the required sign. If a replacement sign(s) is needed, the applicant is responsible for picking up the new sign(s) from Planning and will be charged \$10 for each replacement.

### LOCATION AND VISIBILITY

The sign must be posted on the nearest adjacent/frontage street and in a location clearly visible to vehicles traveling in either direction. If the property has more than one street frontage, the sign should be placed along the street that carries more traffic. Planning staff may recommend a preferred location for the sign to be posted at the time of application.

### TIMING

The sign(s) must be posted **not less than 12 days prior to the scheduled Planning Commission public hearing** and must remain in place until the day after the meeting. In the case of a postponement, the sign can either remain in place or be removed and reposted not less than 12 days prior to the next Planning Commission meeting. The applicant is responsible for removing the sign after the application has been acted upon by the Planning Commission.

The individual below is responsible for posting and removing the sign(s) provided consistent with the above guidelines and between the dates of:

September 1, 2023	and	September 15, 2023
(applicant or staff to post sign)		(applicant to remove sign)
Applicant Name: Igor Cheban		
Date: 7/25/2023		Sign posted by Staff
File Number: 9-SB-23-C / 9-A-23-DP		Sign posted by Applicant