

**AGENDA
URBAN COUNTY PLANNING COMMISSION
SUBDIVISION ITEMS**

August 11, 2022

- I. **CALL TO ORDER** - The meeting will be called to order at 1:30 p.m. in the Council Chambers, Urban County Government Building at 200 East Main Street, Lexington, Kentucky.
- II. **APPROVAL OF MINUTES** – The July 14, 2022 minutes will be considered at this time.
- III. **POSTPONEMENTS AND WITHDRAWALS** - Requests for postponement and withdrawal will be considered at this time.
- IV. **LAND SUBDIVISION ITEMS** – The Subdivision Committee met on Thursday, August 4, 2022, at 8:30 a.m. The meeting was attended by Commission members Anthony de Movellan, Frank Penn, Janice Meyer, Judy Worth, and Ivy Barksdale. Staff members in attendance were: Traci Wade, Tom Martin, Hal Baillie, Cheryl Gallt, Autumn Goderwis, Daniel Crum, Sam Castro, Chris Taylor, and Chris Woodall. Other staff members present were: Stephen Parker, Division of Traffic Engineering; Doug Burton and Vaughan Adkins, Division of Engineering; Embry Beatty, Division of Fire and Emergency Services; and Tracy Jones, Department of Law. The Committee made recommendations on plans as noted.

General Notes

The following automatically apply to all plans listed on this agenda unless a waiver of any specific section is granted by the Planning Commission:

1. *All preliminary and final subdivision plans are required to conform to the provisions of Article 5 of the Land Subdivision Regulations.*
2. *All development plans are required to conform to the provisions of Article 21 of the Zoning Ordinance.*

- A. **NO DISCUSSION ITEMS** – Following requests for postponement or withdrawal, items requiring no discussion will be considered.

Criteria: (1) The Subdivision Committee recommendation is for approval, as listed on this agenda, and
(2) the Petitioner agrees with the Subdivision Committee recommendation and conditions listed on the agenda, and
(3) no discussion of the item is desired by the Commission, and
(4) no person present at this meeting objects to the Commission acting on the matter without discussion, and
(5) the matter does not involve a waiver of the Land Subdivision Regulations.

- B. **DISCUSSION ITEMS** – Following requests for postponement, withdrawal and no discussion items, the remaining items will be considered.

The procedure for these hearings is as follows:

- Staff Report(s), including subcommittee reports (30 minute maximum)
- Petitioner's report(s) (30 minute maximum)
- Citizen Comments
 - (a) Proponents (10 minute maximum OR 3 minutes each)
 - (b) Objectors (30 minute maximum OR 3 minutes each)
- Rebuttal & Closing Statements
 - (a) Petitioner's comments (5 minute maximum)
 - (b) Citizen objectors (5 minute maximum)
 - (c) Staff comments (5 minute maximum)
- Commission discusses and/or votes on the plan.

* - Denotes date by which Commission must either approve or disapprove request, unless agreed to a longer time by the applicant.

1. Final Subdivision Plans

- a. PLN-FRP-22-00028: PARK HILLS SUBDIVISION UNIT 1-C, LOT 3 (10/3/22)* - located at 3120 PIMLICO PARKWAY, LEXINGTON, KY
Council District: 8
Project Contact: CMW, Inc.

Note: The purpose of this amendment is to revise an access note and request a waiver of the Land Subdivision Regulations.

The Subdivision Committee Recommended: **Approval**, subject to the following conditions:

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers, and floodplain information.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Landscape Examiner's approval of landscaping.
4. Urban Forester's approval of tree protection areas.
5. Department of Environmental Quality's approval of environmentally sensitive areas.
6. Bike and Pedestrian Planner's approval of bike trails and pedestrian facilities.
7. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
8. United States Postal Service Office's approval of kiosk locations or easement.
9. Provided the Planning Commission grants the requested waiver to Articles 6-8 (q)(3)(b) of the Land Subdivision Regulations.

2. Development Plans

- a. PLN-MJDP-21-00055: SHRINERS HOSPITAL / MASONIC TEMPLE ASSOCIATION OF LEXINGTON KENTUCKY (12/06/21)* - located at 4085 HARRODSBURG ROAD, LEXINGTON, KY
Project Contact: Vision Engineering

Note: The purpose of this plan is to depict a commercial development and parking layout on 7.4 acres and a single family development for attached and detached dwelling units on 3.4 acres.

The original plan submittal was in conjunction with a zoning map amendment for the subject property. The plan and the zone change were both recommended for disapproval by staff. The Planning Commission followed that recommendation on the zone change and the plan was indefinitely postponed. Subsequently the Urban County Council recommended approval of the zone change but did not act on the plan per their statutory role in the development process.

The Subdivision Committee Recommended **Approval**, subject to the following conditions:

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Landscape Examiner's approval of landscaping and landscape buffers.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree preservation plan.
6. Department of Environmental Quality's approval of environmentally sensitive areas.
7. Bike & Pedestrian Planner's approval of the treatment of bike trails and pedestrian facilities.
8. Greenspace Planner's approval of the treatment of greenways and green space.
9. Division of Fire, Water Control Office's approval of the locations of fire hydrants, fire department connections and fire service features.
10. Division of Waste Management's approval of refuse collection locations.
11. Documentation of Division of Water Quality's approval of the Capacity Assurance Program requirements prior to plan certification.
12. United States Postal Service Office's approval of kiosk locations or easement.
13. Dimension all proposed commercial buildings.

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14. Correct the total square footage in the site statistics.
 15. Correct the total required parking in the site statistics.
 16. Clarify the identified significant trees status per the requirements of Article 26 of Zoning Ordinance.
 17. Provide a typical townhouse unit insert on plan.
 18. Denote that a finding on the proposed access easement for the townhouses shall be required at time of a final development plan/preliminary subdivision plan.
 19. Provided the Planning Commission approves the requested waiver to 6-8(q)(2)(b) of the Land Subdivision Regulations.
- b. PLN-MJDP-22-00031: LAKEVIEW PLAZA LOT 3-A (AMD) (08/31/22)* - located at 2905 RICHMOND ROAD, LEXINGTON, KY
Council District: 7
Project Contact: Sands Decker

Note: The purpose of this amendment is to add building square footage for pick-up windows and a drive-thru lane.

The Subdivision Committee Recommended Postponement. There are questions regarding meeting the requirements of Articles 21 and 26 of the Zoning Ordinance.

Should this plan be approved, the following requirements should be considered:

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers, and floodplain information.
 2. Urban County Traffic Engineer's approval of street cross-sections and access.
 3. Landscape Examiner's approval of landscaping.
 4. Addressing Office's approval of street names and addresses.
 5. Urban Forester's approval of tree protection area(s) and required street tree information.
 6. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
 7. Division of Fire, Water control Office's approval of the locations of fire hydrants, fire department connections, and fire service features.
 8. Division of Waste Management's approval of refuse collection locations.
 9. Documentation of Division of Water Quality's approval of the Capacity Assurance Program requirements, prior to plan certification.
 10. United States Postal Service Office's approval of kiosk locations or easement.
 11. Correct note #4 per Article 21-6 (a)(14) of the Zoning Ordinance.
 12. Addition of adjoining property zoning and record plat information.
 13. Clarify area of amendment on vicinity map, showing the service road as the access point per Article 21-6 (a)(3) of the Zoning Ordinance.
 14. Denote access point for construction vehicles per Article 21-6 (a)(5) of the Zoning Ordinance.
 15. Addition of street cross location on plan face, per Article 21-6 (a)(6) of the Zoning Ordinance.
 16. Dimension size and height of building.
 17. Addition of proposed and existing easements and building line per plot L-879.
 18. Addition of tree inventory map per Article 26 of the Zoning Ordinance.
 19. Addition of Planning Commission certification for a major development plan, per Article 21-6(a)(16) of the Zoning Ordinance.
 20. Denote 5 stacking spaces, not including the window space, per Article 16-9 of the Zoning Ordinance.
- c. PLN-MJDP-22-00035: HOOVER & FORD PHILPOT EVANGELISTIC ASSOCIATION PROPERTY (THE FOUNTAINS OF PALOMAR) (AMD) (08/31/22)* - located at 3801 HARRODSBURG ROAD, LEXINGTON, KY
Council District: 9
Project Contact: Vision Engineering

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Note: The purpose of this amendment is to revise the development on Lot 3.

The Staff recommends **Approval**, subject to the following conditions:

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Landscape Examiner's approval of landscaping and landscape buffers.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree preservation plan.
6. Department of Environmental Quality's approval of environmentally sensitive areas.
7. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
8. Greenspace Planner's approval of the treatment of greenways and greenspace.
9. Division of Fire, Water Control Office's approval of the locations of fire hydrants, fire department connections, and fire service features.
10. Division of Waste Management's approval of refuse collection locations.
11. Documentation of Division of Water Quality's approval of the Capacity Assurance Program requirements, prior to plan certification.
12. United States Postal Service Office's approval of kiosk locations or easement.
13. Submit architectural details per Note #12.
14. Resolve status of landscaping installation along Man O' War Boulevard and Harrodsburg Road.
15. Correct conditional zoning restrictions.

- d. PLN-MJDP-22-00036: PIERSON & TRAPP COMPANY TRACT 1 (DAWAHARES ASSOCIATION) (AMD) (08/31/22)* - located at 1801 ALEXANDRIA DRIVE, LEXINGTON, KY
Council District: 11
Project Contact: Palmer Engineering

Note: The purpose of this amendment is to add additional building square footage and revise the parking layout.

The Subdivision Committee Recommended **Postponement**. There are questions regarding meeting the requirements of Article 21 and 26 of the Zoning Ordinance.

Should this plan be approved, the following requirements should be considered:

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers, and floodplain information.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Landscape Examiner's approval of landscaping.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree protection area(s).
6. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
7. Division of Fire, Water control Office's approval of the locations of fire hydrants, fire department connections, and fire service features.
8. Division of Waste Management's approval of refuse collection locations.
9. Documentation of Division of Water Quality's approval of the Capacity Assurance Program requirements, prior to plan certification.
10. United States Postal Service Office's approval of kiosk locations or easement.
11. Dimension existing walkways.
12. Dimension all existing buildings.
13. Addition of floor area in site statistics.
14. Addition of uses in buildings in site statistics.
15. Addition of existing and proposed utility easements.
16. Addition of tree inventory map per article 26 of Zoning Ordinance.
17. Correct Note #4 to refer "Chapter 16 of the Code Ordinance", per Article 21-6(a)(14) of the Zoning Ordinance.

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18. Remove notes in reference "to be shown on construction drawings", and place them on the final development plan. (Notes 20, 21, 22,24,25,26, and 27).
 19. Correct note #23 referencing the Engineering Manuals.
 20. Adjust drive thru to meet vehicular use area (VUA) requirements.
 21. Discuss drive thru space relative to parking lot access.
 22. Discuss required parking of the Zoning Ordinance.
- e. PLN-MJDP-22-00037: CRESTVIEW SUBDIVISION UNIT 1-B, BLOCK A, LOT 16 (08/31/22)* - located at 300 LINDENHURST DRIVE, LEXINGTON, KY
Council District: 8
Project Contact: Banks Engineering

Note: The purpose of this amendment is to depict building and parking layout.

The Subdivision Committee Recommended **Approval**, subject to the following conditions;

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers.
 2. Urban County Traffic Engineer's approval of street cross-sections and access.
 3. Landscape Examiner's approval of landscaping and landscaping buffers.
 4. Addressing Office's approval of street names and addresses.
 5. Urban Forester's approval of tree preservation plan.
 6. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
 7. Greenspace Planner's approval of treatment of greenways and greenspace.
 8. Division of Fire, Water control Office's approval of the locations of fire hydrants, fire department connections, and fire service features.
 9. Division of Waste Management's approval of refuse collection locations.
 10. Documentation of Division of Water Quality's approval of Capacity Assurance Program requirements, prior to plan certification.
 11. United States Postal Service Office's approval of kiosk locations or easement.
- f. PLN-MJDP-22-00038: GENERAL TELEPHONE COMPANY, LOT 6 (AMD) (10/3/22)* - located at 3715 NICHOLASVILLE ROAD, LEXINGTON, KY
Council District: 9
Project Contact: Roberts Group, PSC

Note: The purpose of this amendment is to add 144 square feet for freezer on lot 6.

The Subdivision Committee Recommended **Approval**, subject to the following conditions:

1. Urban County Engineer's acceptance of drainage, and storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Landscape Examiner's approval of landscaping.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree preservation plan.
6. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
7. Division of Fire, Water control Office's approval of the locations of fire hydrants, fire department connections, and fire service features.
8. Division of Waste Management's approval of refuse collection locations.
9. Addition of record plat information for development for Lot 6.
10. Addition of floor area on site statistics.
11. Total site statistics for entire development plan.

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- g. PLN-MJDP-22-00039: SHADOW WOOD PHASE II (RICHWOOD BEND) (10/3/22)* - located at 96 & 100 CODELL DRIVE and 601 OLD TODDS ROAD, LEXINGTON, KY
Council District: 7
Project Contact: Prime Engineering

Note: The purpose of this amendment is to depict multi-family development.

The Subdivision Committee Recommended **Approval**, subject to the following conditions:

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Landscape Examiner's approval of landscaping.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree preservation plan.
6. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
7. Greenspace Planner's approval of the treatment of greenways and greenspace.
8. Division of Fire, Water control Office's approval of the locations of fire hydrants, fire department connections, and fire service features.
9. Division of Waste Management's approval of refuse collection locations.
10. Documentation of Division of Water Quality's approval of the Capacity Assurance Program requirements, prior to plan certification.
11. United States Postal Service Office's approval of kiosk locations or easement.
12. Denote building #2 as clubhouse.
13. Denote number of units and bedrooms in site statistics.
14. Label retaining wall and denote height.
15. Consolidate parcels to remove setback conflict for building #1.

Note: The purpose of this amendment is to depict multi-family development.

- h. PLN-MJDP-22-00040: HYMSON PROPERTIES, LOTS 7-15 (AMD) (10/3/22)* - located at 2895 RICHMOND ROAD, LEXINGTON, KY
Council District: 7
Project Contact: EA Partners

Note: The purpose of this amendment is to revise the development for two lots.

The Subdivision Committee Recommended **Approval**, subject to the following conditions:

1. Urban County Engineer's acceptance of drainage, and storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Landscape Examiner's approval of landscaping and landscaping buffers.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree preservation plan.
6. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
7. Division of Fire, Water control Office's approval of the locations of fire hydrants, fire department connections, and fire service features.
8. Division of Waste Management's approval of refuse collection locations.
9. Documentation of Division of Water Quality's approval of Capacity Assurance Program requirements, prior to plan certification.
10. United States Postal Service Office's approval of kiosk locations or easement.
11. Revise title on plan to match staff report.
12. Resolve access easement configuration.

- i. PLN-MJDP-22-00041: FEATHERIDGE PARK, UNIT 5-A and 5-B, (SUMMERHILL) (AMD) (10/3/22)* - located at 3550 KENESAW DRIVE, LEXINGTON, KY
Council District: 8
Project Contact: EA Partners

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Note: The purpose of this amendment is add two apartment building to the existing development.

The Subdivision Committee Recommended **Postponement**. There are questions regarding conflicts with existing easements, 25' floodplain setback, development in the floodplain, and improvements to Armstrong Mill Road.

Should this plan be approved, the following requirements should be considered:

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers, and floodplain information.
 2. Urban County Traffic Engineer's approval of street cross-sections and access.
 3. Landscape Examiner's approval of landscaping and landscaping buffers.
 4. Addressing Office's approval of street names and addresses.
 5. Urban Forester's approval of tree preservation plan.
 6. Department of Environmental Quality's approval of environmentally sensitive areas.
 7. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
 8. Greenspace Planner's approval of treatment of greenways and greenspace.
 9. Division of Fire, Water control Office's approval of the locations of fire hydrants, fire department connections, and fire service features.
 10. Division of Waste Management's approval of refuse collection locations.
 11. Documentation of Division of Water Quality's approval of Capacity Assurance Program requirements, prior to plan certification.
 12. United States Postal Service Office's approval of kiosk locations or easement.
 13. Denote 25' floodplain setback.
 14. Addition of site statistics for Lot 1.
 15. Discuss resolution of easement conflicts.
 16. Discuss proposed development in the 100 year floodplain.
 17. Discuss access to Armstrong Mill Road.
 18. Discuss pedestrian access public to the right-of-way.
 19. Discuss improvements to Armstrong Mill Road per approved development plan.
- j. PLN-MJDP-22-00042: PARK HILLS SHOPPING CENTER, LOT3 (AMD) (10/3/22)* - located at 3120 PIMLICO PARKWAY, LEXINGTON, KY
Council District: 8
Project Contact: CMW, Inc.

Note: The purpose of this plan is to depict a right-in/ right-out access to Man O' War Boulevard and reconfigure the parking lot.

The Subdivision Committee Recommended **Approval**, subject to the following conditions:

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers, and floodplain information.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Landscape Examiner's approval of landscaping and landscaping buffers.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree preservation plan.
6. Department of Environmental Quality's approval of environmentally sensitive areas.
7. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
8. Division of Fire, Water control Office's approval of the locations of fire hydrants, fire department connections, and fire service features.
9. United States Postal Service Office's approval of kiosk locations or easement.
10. Provided the Planning Commission grants the requested waiver on PLN-FRP-22-00028.

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- k. PLN-MJDP-22-00043: ETHINGTON AND ETHINGTON TRACT 1 (AMD) (10/3/22)* - located at 4235 HARRODSBURG ROAD, LEXINGTON, KY
Council District: 9
Project Contact: Vision Engineering

Note: The purpose of this amendment is to revise building sizes and layouts, vehicular circulation for Lots 2A and 2B, and to reduce the number of gas pumps on Lot 3.

The Subdivision Committee Recommended Postponement. There are questions regarding the traffic impact of another drive-thru in the development. A traffic study was requested by the committee.

Should this plan be approved, the following conditions should be considered;

1. Urban County Engineer's acceptance of drainage, and storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Landscape Examiner's approval of landscaping and landscaping buffers.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree preservation plan.
6. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
7. Division of Fire, Water control Office's approval of the locations of fire hydrants, fire department connections, and fire service features.
8. Division of Waste Management's approval of refuse collection locations.
9. Documentation of Division of Water Quality's approval of Capacity Assurance Program requirements, prior to plan certification.
10. United States Postal Service Office's approval of kiosk locations or easement.
11. Dimension all buildings (new and old).
12. Denote location of drive-thru order points and/or menu board.
13. Discuss additional drive thru lanes for the undeveloped lots.

- C. PERFORMANCE BONDS AND LETTERS OF CREDIT – Any bonds or letters of credit requiring Commission action will be considered at this time. The Division of Engineering will report at the meeting.

- VI. COMMISSION ITEMS – The Chair will announce that any item a Commission member would like to present will be heard at this time.

- a. PFR 2022-6: FAYETTE COUNTY PUBLIC SCHOOLS, CAREER & TECHNICAL EDUCATION (CTE) CENTER – a Public Facility Review of the proposed renovation and reuse an existing building for the Career & Technical Education Center at 100 Midland Avenue (Council District 3).

VII. STAFF ITEMS

- A. ARTICLE 4-5(B) IMPROVEMENT PLAN PROGRESS REPORT - When the project engineer has completed approximately fifty percent (50%) of the infrastructure design for the development, the project engineer shall submit a preliminary report to the Planning Commission informing the Commission of how storm water, sanitary sewer and environmental conditions imposed by the Commission at the time of the approval of the preliminary subdivision plan will be addressed in the improvement plan. The report shall be distributed to the Commission at the next convenient meeting. The report is for information only, and no action by the Commission shall be taken; however, there shall be no issuance of the Notice to Proceed, as outlined in section 4-5(d), until the Planning Commission meeting is complete.

1. PLN-FRP-22-00010: HILLENMEYER PROPERTY & SFH PROPERTIES, UNIT 2-J – located at 2405 SANDERSVILLE ROAD, LEXINGTON, KY
Project Contact: EA Partners

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- 2. PLN-FRP-22-00025: THE PENINSULA, UNIT 1-C – located at 478 SQUIRES ROAD, LEXINGTON, KY
Project Contact: EA Partners

- 3. PLN-FRP-22-00031: SEBASTIAN PROPERTY, UNIT 3-F - located at 2826 LEESTOWN ROAD, LEXINGTON KY
Project Contact: EA Partners

VIII. AUDIENCE ITEMS – Citizens may bring a planning related matter before the Commission at this time for general discussion or future action. Items that will NOT be heard are those requiring the Commission’s formal action, such as zoning items for early rehearing, map or text amendments; subdivision or development plans, etc. These last mentioned items must be filed in advance of this meeting in conformance with the adopted filing schedule.

IX. MEETING DATES FOR AUGUST AND SEPTEMBER

Work Session, Thursday, 1:30 p.m., 3rd Floor Conference Room, Phoenix Building August 18, 2022
Technical Committee, Wednesday, 8:30 a.m., 3rd Floor Conference Room, Phoenix Building..... August 24, 2022
Zoning Items Public Hearing, Thursday, 1:30 p.m., 2nd Floor Council Chambers, Government Center **August 25, 2022**
Subdivision Committee, Thursday, 8:30 a.m., 3rd Floor Conference Room, Phoenix Building.....September 1, 2022
Subdivision Items Public Hearing, Thursday, 1:30 p.m., 2nd Floor Council Chambers, Government Center.... **September 8, 2022**

X. ADJOURNMENT

PS/TW/TM/CG

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