



Policy 24

APPEALED CONCEPT OR USE-ON-REVIEW PLAN

In order to address issues arising when concept or use-on-review plans approved by the Metropolitan Planning Commission are appealed to the City Council and the appeal is upheld by City Council, the engineering department will not issue site development permits until the final plat is approved and the appeal period has expired, or if appealed, until the appeals process (including any litigation) has been resolved.

Furthermore, as contemplated by the Metropolitan Planning Commission's minimum subdivision regulations, as adopted by the City, no resubmittal of the appealed concept or use-on-review plan to the Metropolitan Planning Commission will be required prior to design plan submittal. The applicant will move forward to the design plan review process correcting the deficiencies in the concept plan or use-on-review plan as designated by City Council. After the design plan has been approved by the appropriate reviewing agencies and upon application for final plat approval, the Metropolitan Planning Commission will consider the concept / use-on-review plan and final plat simultaneously, thus, fulfilling the Metropolitan Planning Commission's minimum subdivision regulations' final plat requirements of an approved concept / use-on-review plan and an approved design plan.