
CITY OF KELOWNA

MEMORANDUM

Date: May 28, 2021
File No.: DP21-0116
To: Urban Planning (KB)
From: Development Engineering Manager (JK)
Subject: 3802 Gordon Dr.

The Development Engineering comments and requirements regarding this Development Permit to update an existing gas station and to add a restaurant, residential unit and second floor office space rezoning application are as follows:

1) Domestic Water and Fire Protection

- a) 3802 Gordon Dr. is currently serviced with a 19mm-diameter water service. The developer's consulting mechanical engineer will determine the domestic, fire protection requirements of this proposed development and establish hydrant requirements and service needs. The applicant will arrange for the removal and disconnection of the existing services and the installation of one new larger service at the applicant's cost.

2) Sanitary Sewer

- a) Our records indicate that this property is currently serviced with a 100mm-diameter sanitary sewer service. The applicant's consulting mechanical engineer will determine the requirements of the proposed development and establish the service needs. Only one service will be permitted for this development. If required, the applicant will arrange for the removal and disconnection of the existing service and the installation of one new larger service at the applicant's cost.

3) Road Improvements

- a) Gordon Rd. frontage has damaged concrete panels and driveway letdown that will need to be replaced to current City standard. Landscaped boulevard requires to irrigation and maintenance as per bylaw 10425.
- b) Cook Rd. frontage has damaged concrete panels and driveway letdown that will need to be replaced to current City standard. Landscaped boulevard requires to irrigation and maintenance as per bylaw 10425.
- c) Existing landscaped retaining wall on Cook Rd. requires to be removed from City ROW and replaced with a landscaped boulevard.
- d) North east corner landscape must be reviewed to meet Bylaw 8120 2.2 Sight lines.

4) Subdivision and Dedication

- a) If any road dedication or closure affects lands encumbered by a Utility right-of-way (such as Hydro, Telus, Gas, etc.) please obtain the approval of the utility. Any works required by the utility as a consequence of the road dedication or closure must be incorporated in the construction drawings submitted to the City's Development Manager.

5) Electric Power and Telecommunication Services

- a) All proposed service connections are to be installed underground. It is the developer's responsibility to make a servicing application with the respective electric power, telephone and cable transmission companies to arrange for these services, which would be at the applicant's cost.

6) Geotechnical Report

As a requirement of this application the owner must provide a geotechnical report prepared by a Professional Engineer qualified in the field of hydro-geotechnical survey to address the following:

- (a) Area ground water characteristics.
- (b) Site suitability for development, unstable soils, etc.
- (c) Drill and / or excavate test holes on the site and install piezometers if necessary. Log test hole data to identify soil characteristics, identify areas of fill if any. Identify unacceptable fill material, analyse soil sulphate content, identify unsuitable underlying soils such as peat, etc. and make recommendations for remediation if necessary.
- (d) List extraordinary requirements that may be required to accommodate construction of roads and underground utilities as well as building foundation designs.
- (e) Additional geotechnical survey may be necessary for building foundations, etc.

7) Design and Construction

- a) Design, construction supervision and inspection of all off-site civil works and site servicing must be performed by a Consulting Civil Engineer and all such work is subject to the approval of the City Engineer. Drawings must conform to City standards and requirements.
- b) Engineering drawing submissions are to be in accordance with the City's "Engineering Drawing Submission Requirements" Policy. Please note the number of sets and drawings required for submissions.
- c) Quality Control and Assurance Plans must be provided in accordance with the Subdivision, Development & Servicing Bylaw No. 7900 (refer to Part 5 and Schedule 3).
- d) A "Consulting Engineering Confirmation Letter" (City document 'C') must be completed prior to submission of any designs.
- e) Before any construction related to the requirements of this subdivision application commences, design drawings prepared by a professional engineer must be

submitted to the City's Works & Utilities Department. The design drawings must first be "Issued for Construction" by the City Engineer. On examination of design drawings, it may be determined that rights-of-way are required for current or future needs.

8) Servicing Agreement for Works and Services

- a) A Servicing Agreement is required for all works and services on City lands in accordance with the Subdivision, Development & Servicing Bylaw No. 7900. The applicant's Engineer, prior to preparation of Servicing Agreements, must provide adequate drawings and estimates for the required works. The Servicing Agreement must be in the form as described in Schedule 2 of the bylaw.
- b) Part 3, "Security for Works and Services", of the Bylaw, describes the Bonding and Insurance requirements of the Owner. The liability limit is not to be less than \$5,000,000 and the City is to be named on the insurance policy as an additional insured.

9) Charges and Fees

- (a) Development Cost Charges (DCC's) are payable
- (b) Fees per the "Development Application Fees Bylaw" include:
 - (i) Street/Traffic Sign Fees: at cost if required (to be determined after design).
 - (ii) Survey Monument, Replacement Fee: \$1,200.00 (GST exempt) – only if disturbed.
 - (iii) Engineering and Inspection Fee: 3.5% of construction value (plus GST).



Ryan O'Sullivan
Development Engineering Manager

AS

August 12, 2021

**Design Rationale for Form and Character:
Development Permit Kiran Building 3802 Gordon Dr.**

Overview:

Located at the corner of Gordon & Cook, the existing building consists of a 1980's single-storey structure with a convenience store, Husky gas bar, and car wash.

We propose to create a more urban model of mixed-use using multiple new uses in a remodel and second floor addition in order to activate all four facades.

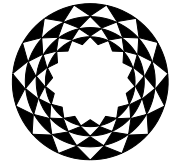
The entire building form will be modern with dynamic rooflines, canopy and overhangs. The proposed building uses a "gridiron" form to showcase the pointed corner on the trapezoidal site, and uses (and re-uses) a combination of steel frame, curtain wall, stucco and concrete block to provide a professional looking signature building at the intersection. This proposal combines the needs of an expressway commercial gas station, with the walkable neighbourhood uses of a formal restaurant and professional services and then transitions to residential use facing the adjacent housing.

The existing gas pumps will be retained on the east side facing Gordon Dr, the associated C-Store will be reduced in area, and the car wash and rear drive removed, and EV charging stations provided. A new restaurant will occupy the south side of the main floor, oriented to the adjacent shopping mall, while the new entrances to the new second floor will face north oriented towards Cook St. Upstairs, professional offices will face north, east and south, while a residential unit and private yard will face the adjacent condos to the west.

Vehicle and bicycle parking areas have been re-designed to meet both the City of Kelowna's current Section 7 Landscaping & Screening as well as Section 8 Parking & Loading requirements, with interlocking and overlapping planting and parking areas. The parking is broken into a variety of smaller locations each addressing the adjacent use.

Multiple access points at grade will serve pedestrian-oriented uses, and an outdoor south-facing seating area will help activate the site. Generous glazing on all sides will further create a vibrant street presence, provide the occupants a dynamic experience of street and agricultural views, while also assisting in CPTED "eyes on the street". Site lighting will respect Kelowna's "Dark Skies" ambitions and will consist of "Full-Cutoff" fixtures to minimize light pollution off-site.

This building is intended to be an innovative and exciting prototype rethinking the use and form of a 21st C neighbourhood store and gas bar.



City of
Kelowna

Development Permit DP21-0116

This permit relates to land in the City of Kelowna municipally known as

3802 Gordon Drive

and legally known as

LOT A DISTRICT LOT 134 OSOYOOS DIVISION YALE DISTRICT PLAN 40137

and permits the land to be used for the following development:

Gas Bar, Retail Stores - Convenience, Offices and Food Primary Establishment

The present owner and any subsequent owner of the above described land must comply with any attached terms and conditions.

Date of Council Decision September 20, 2021

Decision By: COUNCIL

Development Permit Area: Comprehensive Development Permit Area

Existing Zone: C2 – Neighbourhood Commercial

Future Land Use Designation: COMM - Commercial

This is NOT a Building Permit.

In addition to your Development Permit, a Building Permit may be required prior to any work commencing. For further information, contact the City of Kelowna, Development Services Branch.

NOTICE

This permit does not relieve the owner or the owner's authorized agent from full compliance with the requirements of any federal, provincial or other municipal legislation, or the terms and conditions of any easement, covenant, building scheme or agreement affecting the building or land.

Owner: THE PIT STOP C-STORE & GAS BAR LTD., INC. NO. BC0566689

Applicant: Fox Architecture Inc.

Planner: K. Brunet

Terry Barton
Community Planning Department Manager
Planning & Development Services

Date

1. SCOPE OF APPROVAL

This Development Permit applies to and only to those lands within the Municipality as described above, and any and all buildings, structures and other development thereon.

This Development Permit is issued subject to compliance with all of the Bylaws of the Municipality applicable thereto, except as specifically varied or supplemented by this permit, noted in the Terms and Conditions below.

The issuance of a permit limits the permit holder to be in strict compliance with regulations of the Zoning Bylaw and all other Bylaws unless specific variances have been authorized by the Development Permit. No implied variances from bylaw provisions shall be granted by virtue of drawing notations that are inconsistent with bylaw provisions and that may not have been identified as required Variances by the applicant or Municipal staff.

2. CONDITIONS OF APPROVAL

- The dimensions and siting of the building to be constructed on the land be in accordance with Schedule "A";
- The exterior design and finish of the building to be constructed on the land be in accordance with Schedule "B";
- Landscaping to be provided on the land be in accordance with Schedule "C"; and
- The applicant be required to post with the City a Landscape Performance Security deposit in the form of a "Letter of Credit" in the amount of 125% of the estimated value of the landscaping, as determined by a Registered Landscape Architect.

This Development Permit is valid for two (2) years from the date of approval, with no opportunity to extend.

3. PERFORMANCE SECURITY

As a condition of the issuance of this Permit, Council is holding the security set out below to ensure that development is carried out in accordance with the terms and conditions of this Permit. Should any interest be earned upon the security, it shall accrue to the Developer and be paid to the Developer or his or her designate if the security is returned. The condition of the posting of the security is that should the Developer fail to carry out the development hereby authorized, according to the terms and conditions of this Permit within the time provided, the Municipality may enter into an agreement with the property owner of the day to have the work carried out, and any surplus shall be paid over to the property owner of the day. Should the Developer carry out the development permitted by this Permit within the time set out above, the security shall be returned to the Developer or his or her designate. There is filed accordingly:

- An Irrevocable Letter of Credit **OR** certified cheque in the amount of **\$47,125.00**

Before any bond or security required under this Permit is reduced or released, the Developer will provide the City with a statutory declaration certifying that all labour, material, workers' compensation and other taxes and costs have been paid.

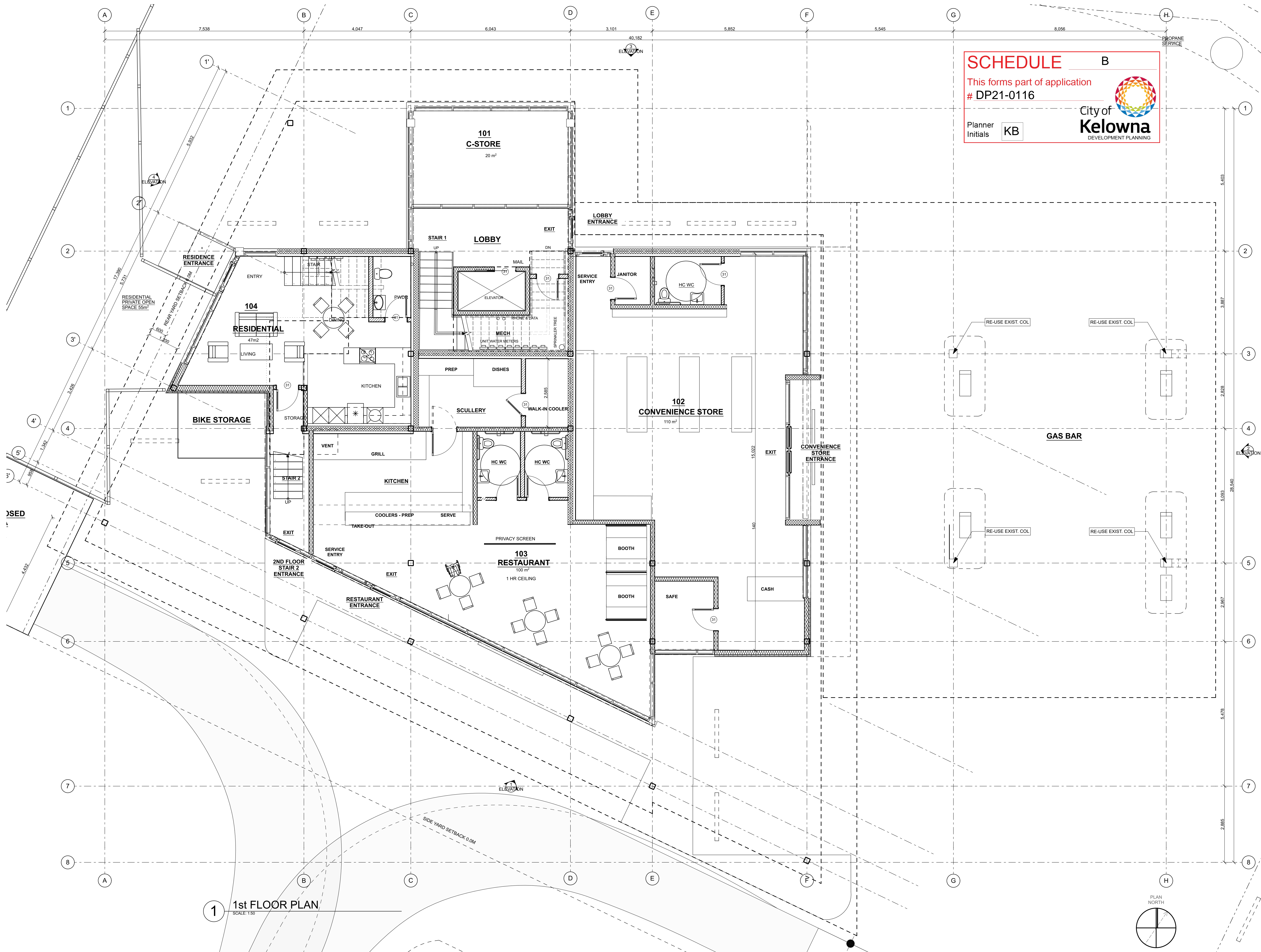
5. INDEMNIFICATION

Upon commencement of the works authorized by this Permit the Developer covenants and agrees to save harmless and effectually indemnify the Municipality against:

- All actions and proceedings, costs, damages, expenses, claims, and demands whatsoever and by whomsoever brought, by reason of the Municipality said Permit.

All costs, expenses, claims that may be incurred by the Municipality where the construction, engineering or other types of works as called for by the Permit results in damages to any property owned in whole or in part by the Municipality or which the Municipality by duty or custom is obliged, directly or indirectly in any way or to any degree, to construct, repair, or maintain.

**The PERMIT HOLDER is the CURRENT LAND OWNER.
Security shall ONLY be returned to the signatory of the
Landscape Agreement or their designates.**



SCHEDULE

B

This forms part of application
DP21-0116

Planner
Initials

KB

City of
Kelowna
DEVELOPMENT PLANNING

FOX ARCHITECTURE
SUSTAINABLE MODERN DESIGN

510 West Ave
Kelowna BC V1Y 4Z4
foxarchitecture.ca
778.484.3696

CONSULTANTS

PRELIMINARY

NOT FOR CONSTRUCTION

20-061

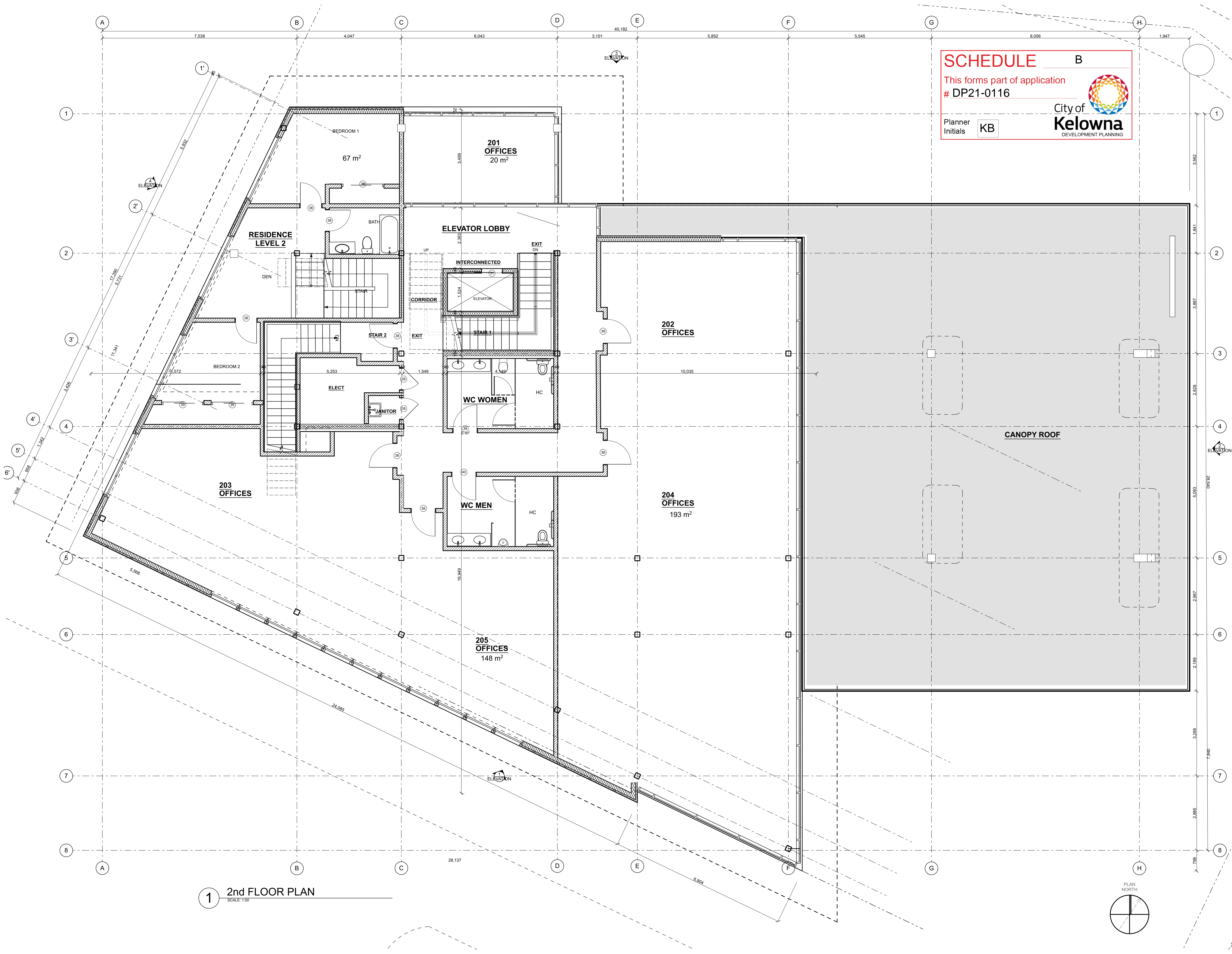
Kiran Building

3802 GORDON DR
KELOWNA BC V1W 3Y3
Lot A, Pln 40137, DL 134 ODYD.

MAIN FLOOR PLAN

06.04.21 ISSUED FOR DP
07.29.21 ISSUED FOR DP - Rev.1

A-101



SCHEDULE B

This forms part of application
DP21-0116

Planner Initials KB

City of Kelowna

DEVELOPMENT PLANNING

1 2nd FLOOR PLAN
SCALE: 1:50

FOX ARCHITECTURE

SUSTAINABLE MODERN DESIGN

510 West Ave
Kelowna BC V1Y 4Z4
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778.484.3696

CONSULTANTS

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Kiran Building

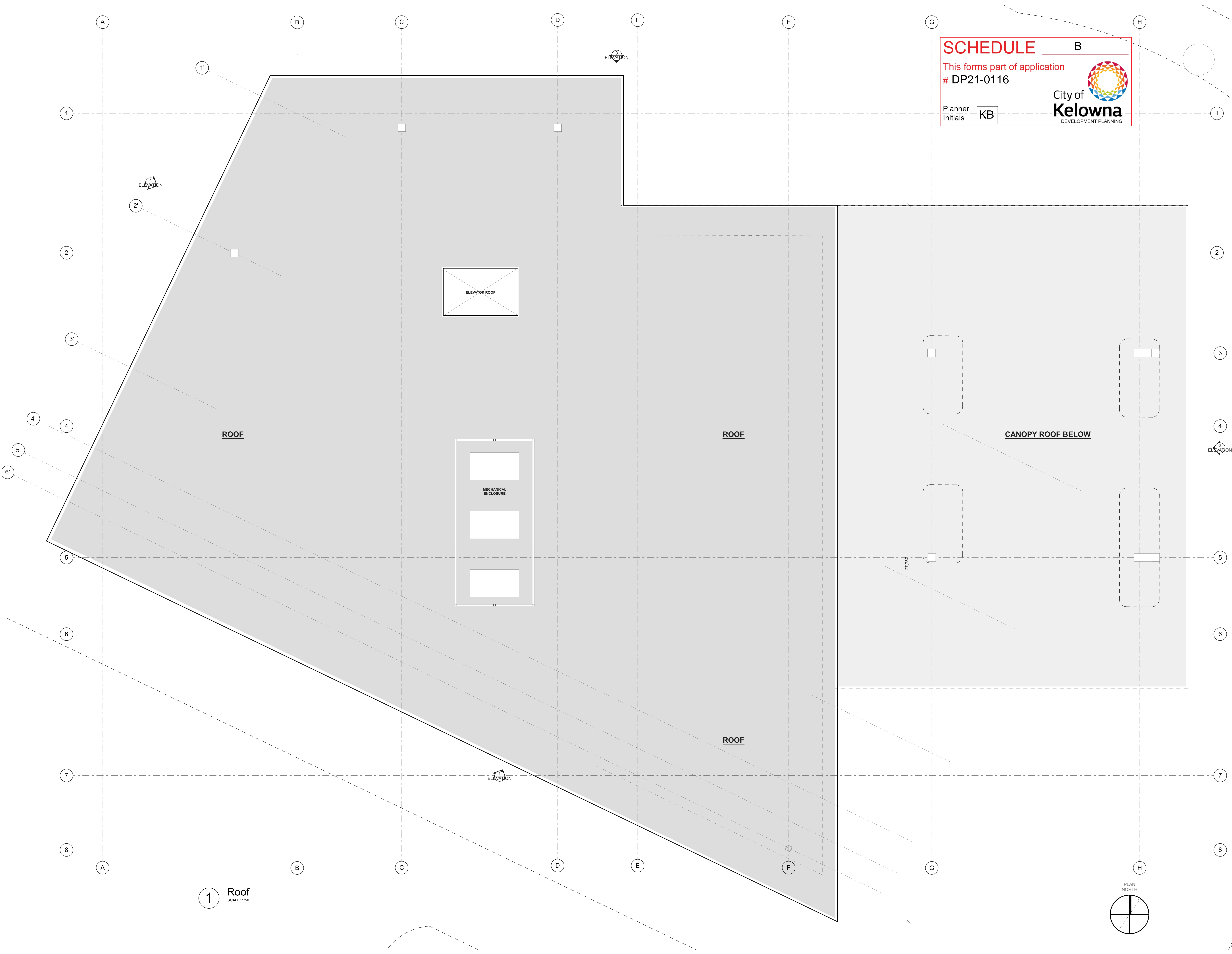
20-061

3802 GORDON DR
KELOWNA BC V1W 3Y3
Lot A, Pln 40137, DL 134 ODYD.

2ND FLOOR PLAN

06.04.21 ISSUED FOR DP
07.29.21 ISSUED FOR DP - Rev.1

A-102



SCHEDULE B

This forms part of application
DP21-0116

Planner Initials KB

City of Kelowna
DEVELOPMENT PLANNING

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Kelowna BC V1Y 4Z4
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778.484.3696

FOX ARCHITECTURE
SUSTAINABLE MODERN DESIGN

CONSULTANTS

PRELIMINARY
NOT FOR CONSTRUCTION

Kiran Building

20-061

3802 GORDON DR
KELOWNA BC V1W 3Y3
Lot A, Pln 40137, DL 134 ODYD.

ROOF PLAN

05.04.21 ISSUED FOR DP
07.29.21 ISSUED FOR DP - Rev.1

A-103

SCHEDULE

B

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DP21-0116

Planner Initials

KB

City of Kelowna

DEVELOPMENT PLANNING

mm to PL

FOX ARCHITECTURE

DESIGN

SUSTAINABLE

MODERN

510 West Ave

Kelowna BC V1Y 4Z4

foxarchitecture.ca

778.484.3696

CONSULTANTS

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20-061

Kiran Building

3802 GORDON DR
KELOWNA BC V1W 3Y3

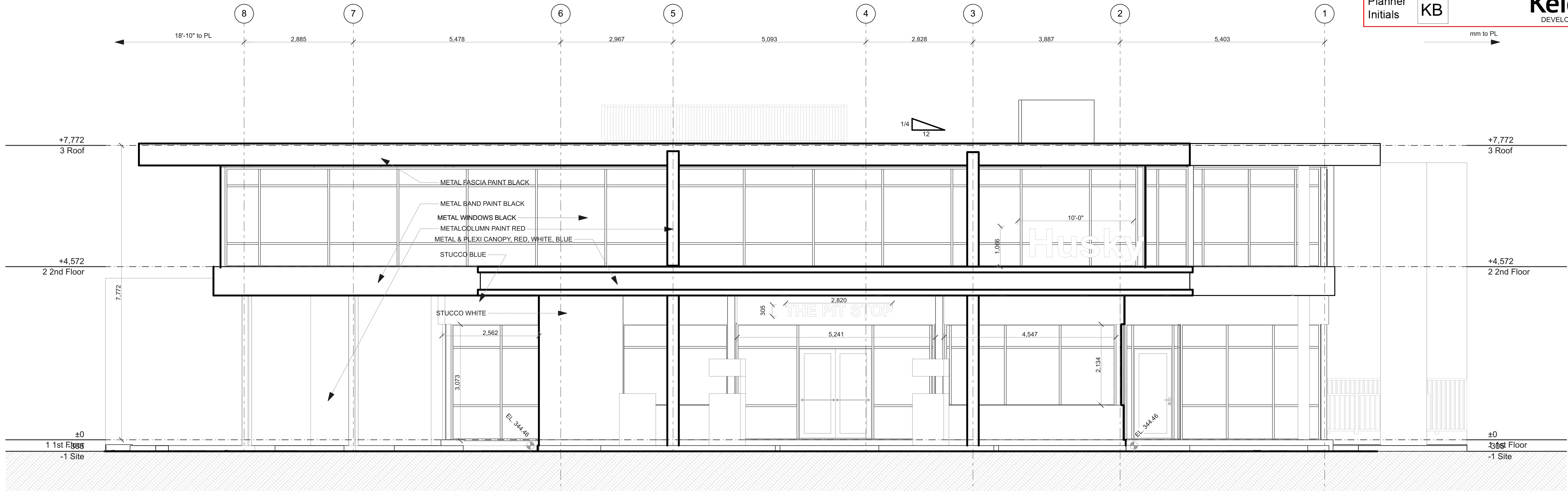
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ELEVATIONS

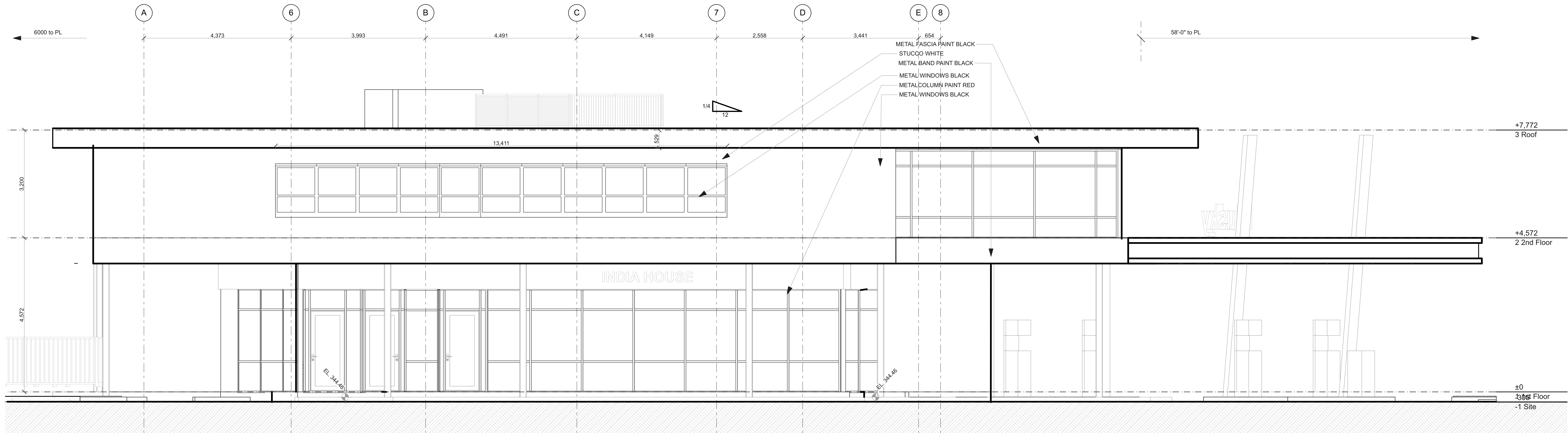
05.04.21 ISSUED FOR DP

07.29.21 ISSUED FOR DP - Rev.1

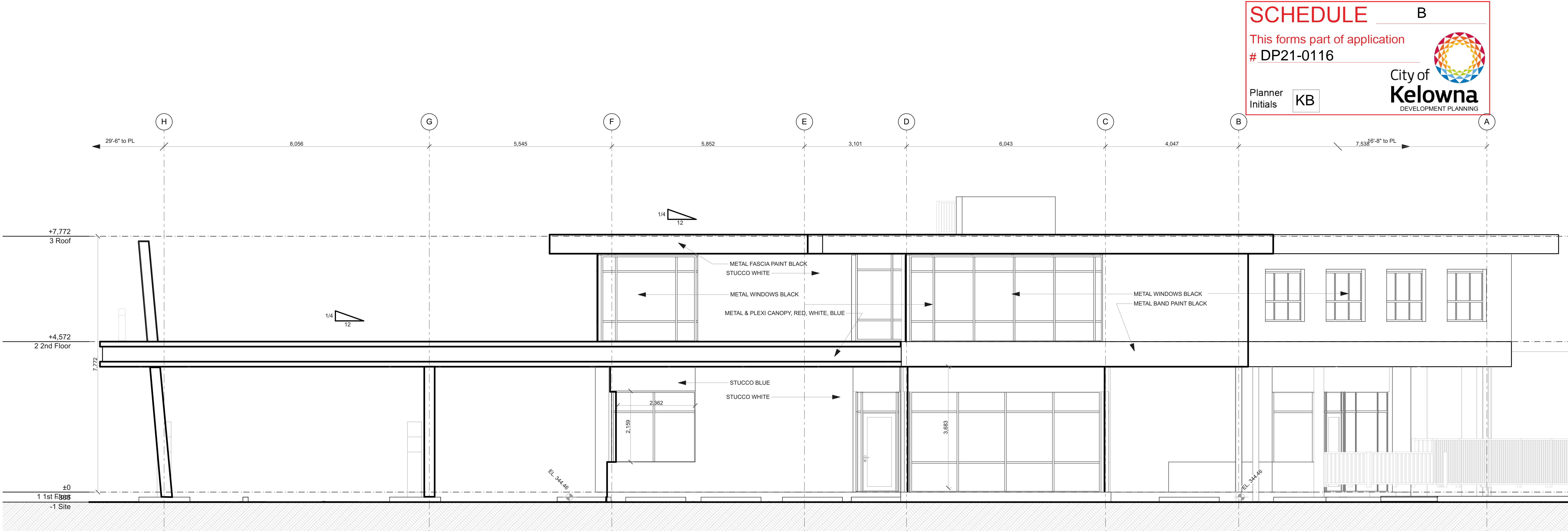
A-201



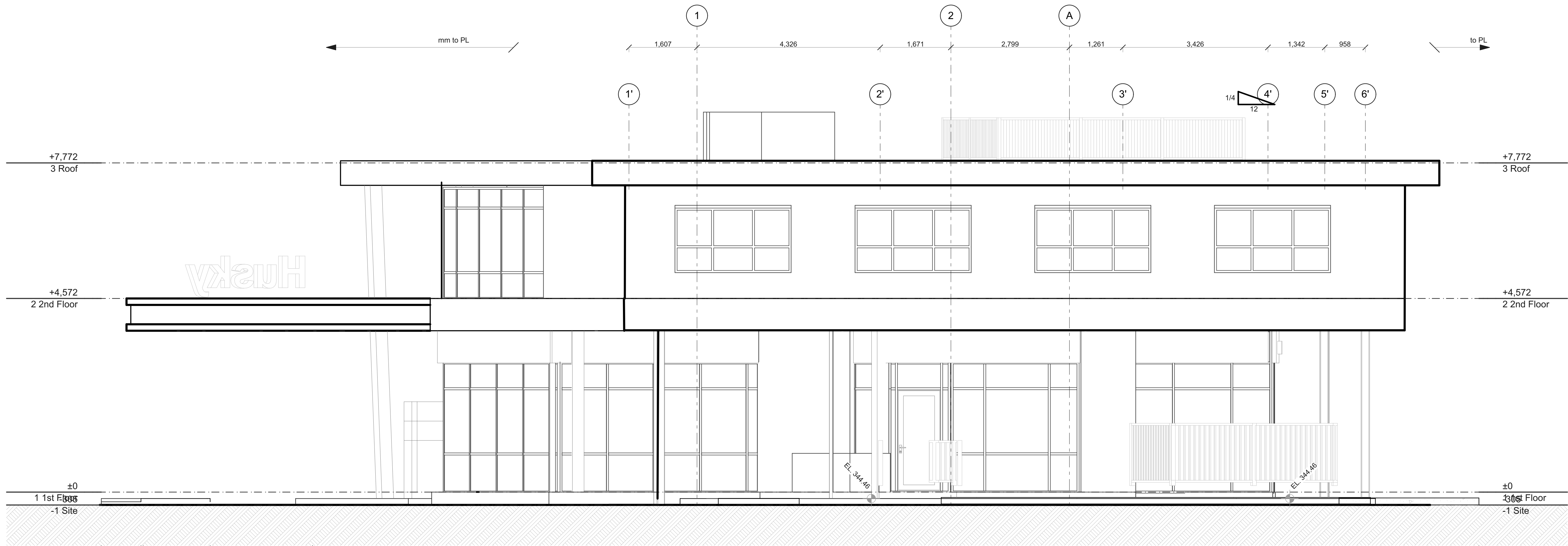
1 EAST ELEVATION
SCALE: 1:50



2 SOUTH ELEVATION
SCALE: 1:50



1 NORTH ELEVATION
SCALE: 1/50



2 WEST ELEVATION
SCALE: 1/50

SCHEDULE B

This forms part of application
DP21-0116

Planner Initials **KB**

City of Kelowna
DEVELOPMENT PLANNING

FOX ARCHITECTURE
SUSTAINABLE MODERN DESIGN

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Kelowna BC V1Y 4Z4
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CONSULTANTS

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Kiran Building

20-061

3802 GORDON DR
KELOWNA BC V1W 3Y3
Lot A, Pln 40137, DL 134 ODYD.

ELEVATIONS

05.04.21 ISSUED FOR DP
07.29.21 ISSUED FOR DP - Rev.1

A-202



1 VIEW TO SW
SCALE: 1:0.5215



2 VIEW TO NW
SCALE: 1:0.5215



3 VIEW TO SOUTH
SCALE: 1:0.5215



4 VIEW TO NORTH
SCALE: 1:0.5215

510 West Ave
Kelowna BC V1Y 4Z4
foxarchitecture.ca
778.484.3696

FOX ARCHITECTURE
DESIGN
MODERN
SUSTAINABLE

CONSULTANTS

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NOT FOR CONSTRUCTION

Kiran Building

20-061

3802 GORDON DR
KELOWNA BC V1W 3Y3
Lot A, Pln 40137, DL 134 ODYD.

3-D IMAGES

05.04.21 ISSUED FOR DP
07.29.21 ISSUED FOR DP - Rev.1

A-902

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SCHEDULE

B

This forms part of application

6

DP21-0116

Planner
Initials

KB

City of
Kelowna
DEVELOPMENT PLANNING



FOX ARCHITECTURE
DESIGN
MODERN
SUSTAINABLE

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CONSULTANTS

PRELIMINARY
NOT FOR CONSTRUCTION

20-061

Kiran Building

3802 GORDON DR
KELOWNA BC V1W 3Y3
Lot A, Pln 40137, DL 134 ODYD.

STREET VIEWS

05.04.21 ISSUED FOR DP
07.29.21 ISSUED FOR DP - Rev.1

A-903

E

E

D

D

C

C

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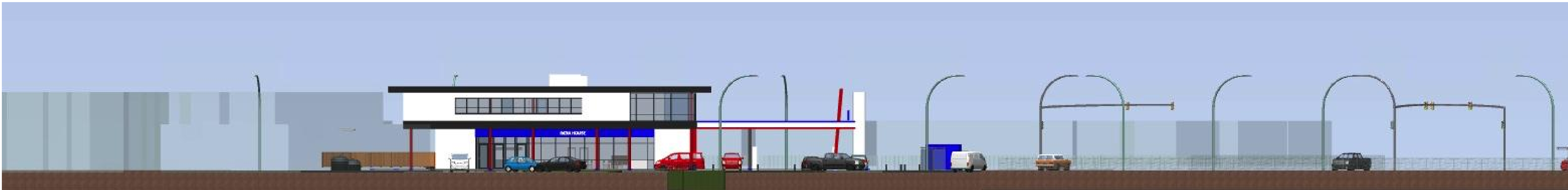
B

A

A



1 STREET VIEW LOOKING EAST



2 VIEW LOOKING NORTH



3 VIEW LOOKING WEST

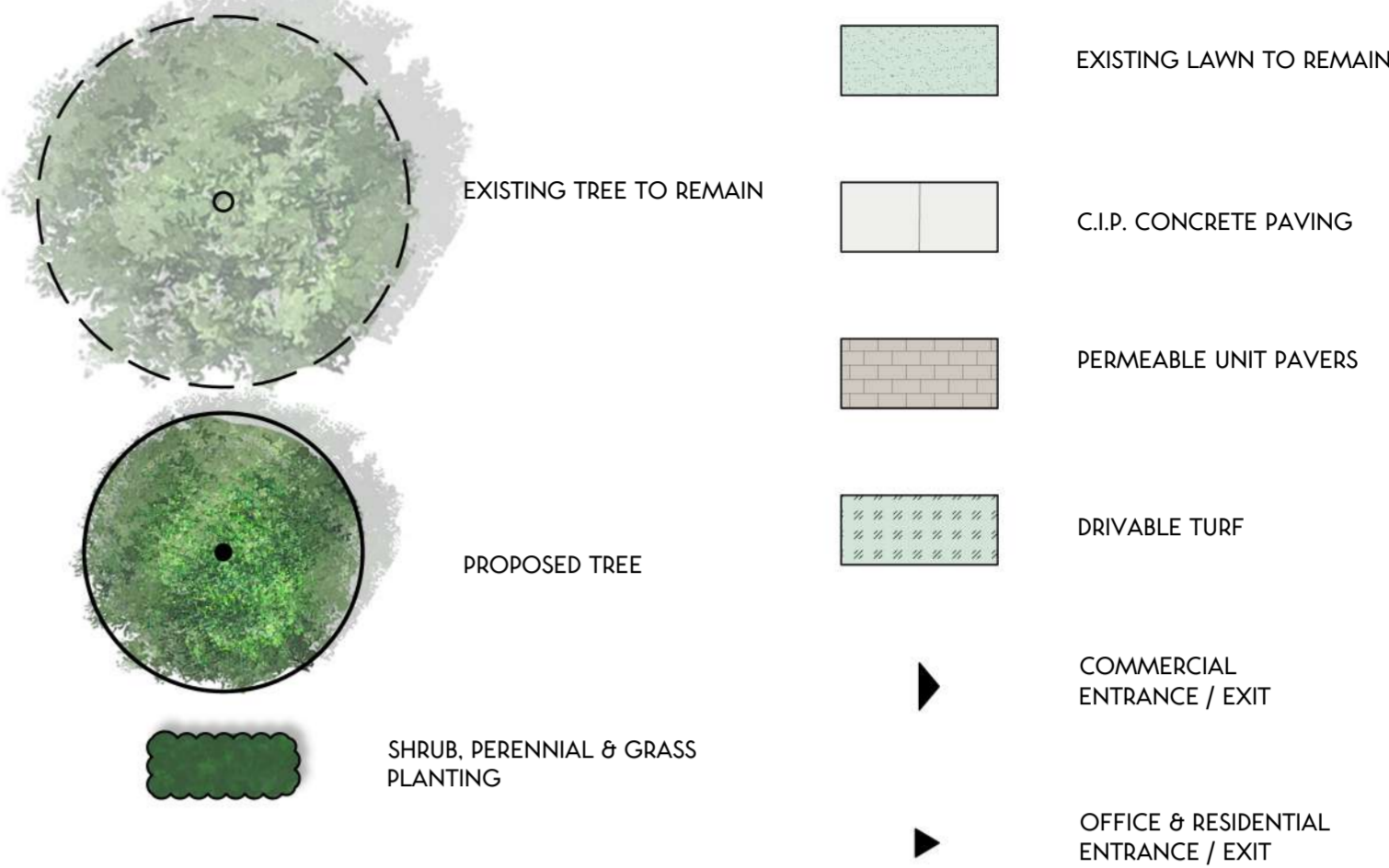


4 STREET VIEW LOOKING SOUTH
SCALE: 1:38 4484



DRIVABLE TURF
SUPPLIER: SOIL RETENTION
EMAIL: info@soilretention.com
WEBSITE: https://soilretention.com/

LEGEND:



PARKING SUMMARY:

CARS:

- R.S. REGULAR SIZED PARKING STALL (12)
S.S. SMALL SIZED PARKING STALL (4)
L.S. LOADING STALL (1)
A.S. ACCESSIBLE PARKING STALL (1)
V.A. VAN ACCESSIBLE PARKING STALL (1)

BIKES:

- SHORT TERM BIKE PARKING (6)
LONG TERM BIKE PARKING (3)

DEVELOPMENT PERMIT NOTES:

- A. PLANT MATERIALS AND CONSTRUCTION METHODS SHALL CONFORM TO MINIMUM STANDARDS ESTABLISHED IN THE LATEST EDITION OF THE CANADIAN LANDSCAPE STANDARDS, PUBLISHED BY C.L.N.A. AND C.S.L.A. AS WELL AS THE CITY OF KELOWNA LANDSCAPE STANDARDS IN BYLAW 7900.
B. THE LANDSCAPE DESIGN DESIGNATED HEREIN IS CONCEPTUAL BUT REFLECTS THE MINIMUM CITY OF KELOWNA FORM AND CHARACTER REQUIREMENTS.
C. PLANT MATERIAL SELECTIONS ARE CONCEPTUAL ONLY. FINAL PLANTING SELECTIONS MAY VARY DEPENDING UPON AVAILABILITY AT THE TIME OF CONSTRUCTION.
D. TREES SHALL BE INSTALLED IN DEFINED SOIL PITS OR PLANTING BED AREAS. ADEQUATE SOIL VOLUME SHALL BE PROVIDED BASED ON THE SPECIFIED TREE SPECIES AND LOCATION.
E. ORNAMENTAL SHRUB, GRASS AND PERENNIAL CLUSTERS ARE TO BE PLACED WITHIN DEFINED PLANTING BEDS. ALL PLANTING BEDS SHALL HAVE A MIN. OF 450mm (18") IMPORTED GROWING MEDIUM AND 75mm (3") OF COMPOSTED MULCH OR APPROVED EQUAL.
F. DECORATIVE ROCK AREAS SHALL HAVE A MIN. OF 75mm (3") OF DECORATIVE COBBLE ROCK. COMMERCIAL GRADE LANDSCAPE FABRIC SHALL BE INSTALLED BELOW ALL DECORATIVE ROCK AREAS.
G. DRIVEABLE TURF AREAS SHALL INCLUDE GRANULAR BASE, CONCRETE REINFORCING GRID, GROWING MEDIUM AND GRASS SEED.
H. A HIGH EFFICIENCY IRRIGATION SYSTEM SHALL BE INSTALLED FOR ALL PLANTING BEDS, TURF AND DRIVEABLE TURF AREAS AND SHALL CONFORM TO THE CITY OF KELOWNA'S IRRIGATION STANDARDS IN BYLAW 7900.

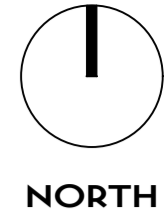
PLANT LIST:

TREES			
Botanical Name	Common Name	Size	Root
<i>Acer griseum</i>	Paperbark maple	6cm Cal.	B&B
<i>Ginkgo biloba</i> 'Golden Colonnade'	Golden Colonnade maidenhair tree	6cm Cal.	B&B
<i>Gleditsia triacanthos</i> var. <i>inermis</i> 'Street Keeper'	Street Keeper honeylocust	6cm Cal.	B&B
<i>Quercus rubra</i>	Red oak	6cm Cal.	B&B
SHRUBS			
Botanical Name	Common Name	Size/Spacing	Root
<i>Berberis thunbergii</i> 'Monry'	Sensation barberry	#02 Cont./1.0m O.C.	Potted
<i>Buxus</i> 'Green Velvet'	Green Velvet boxwood	#02 Cont./1.0m O.C.	Potted
<i>Cornus sericea</i> 'Kelsey'	Kelsey dogwood	#02 Cont./0.9m O.C.	Potted
<i>Philadelphus</i> 'Snowbelle'	Snowbelle mockorange	#02 Cont./1.25m O.C.	Potted
<i>Spiraea japonica</i> 'Crispa'	Crispa spirea	#02 Cont./0.75m O.C.	Potted
<i>Taxus media</i> 'Hicksii'	Hicks yew	#02 Cont./1.0m O.C.	Potted
PERENNIALS			
Botanical Name	Common Name	Size/Spacing	Root
<i>Astilbe arendsii</i> 'Deutschland'	Early white astilbe	#01 Cont./0.6m O.C.	Potted
<i>Rudbeckia fulgida</i> 'Goldsturm'	Goldsturm coneflower	#01 Cont./0.6m O.C.	Potted
<i>Paxistima canbyi</i>	Cliff green	#01 Cont./1.0m O.C.	Potted
<i>Salvia nemorosa</i> 'Sensation Rose'	Sensation Rose salvia	#01 Cont./0.45m O.C.	Potted
<i>Sedum spectabile</i> 'Autumn Joy'	Autumn Joy stonecrop	#01 Cont./0.6m O.C.	Potted
GRASSES			
Botanical Name	Common Name	Size/Spacing	Root
<i>Bouteloua gracilis</i> 'Lovington'	Lovington blue grama	#01 Cont./0.3m O.C.	Potted
<i>Calamagrostis acutiflora</i> 'Overdam'	Variegated feather reed grass	#01 Cont./0.75m O.C.	Potted
<i>Deschampsia caespitosa</i> 'Pixie Fountain'	Dwarf tufted hair grass	#01 Cont./0.45m O.C.	Potted
<i>Sesleria autumnalis</i>	Autumn moor grass	#01 Cont./0.45m O.C.	Potted

SCHEDULE C

This forms part of application
DP21-0116

Planner
Initials KB



NOT FOR CONSTRUCTION



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REVISIONS / ISSUED:	
NO.	DESCRIPTION
1	AUG 12/21 ISSUED FOR DP APPLICATION



CLIENT:
FOX ARCHITECTURE
KELOWNA, B.C.

PROJECT:
KIRAN BUILDING
KELOWNA, B.C.

SHEET TITLE
LANDSCAPE
PLAN

DESIGN BY	LS
DRAWN BY	LS
CHECKED BY	KN
PROJECT NO.	18-036
SCALE	1:150

SHEET NO.

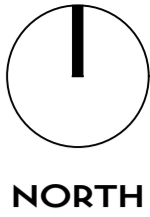
L-1

/VOLUMES/BENCH/400 - PROJECTS/2018/18-036_KIRANUSKY_MULTISE/440 - PRODUCTION/442 - DRAWINGS/00-CURRENT/00_18-036_CONCEPT_LAYOUTS_M.DWG



LEGEND:

- HIGH WATER USE (LAWN BOULEVARD)
- HIGH WATER USE (DRIVABLE TURF)
- MODERATE WATER USE (SHRUB, PERENNIAL, GRASS & ANNUAL PLANTING)
- UNWATERED PERVIOUS AREAS (PERMEABLE PAVERS)



NOT FOR CONSTRUCTION

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REVISIONS / ISSUED:		
1	AUG 12/21	ISSUED FOR DP APPLICATION
NO.	DATE	DESCRIPTION

BENCH

| 4-1562 water street, kelowna bc v1v 1j7 |
| 1 250 860 6778 |

CLIENT:
FOX ARCHITECTURE
KELOWNA, B.C.

PROJECT:
KIRAN BUILDING
KELOWNA, B.C.

SHEET TITLE
HYDROZONE
PLAN

DESIGN BY	LS
DRAWN BY	LS
CHECKED BY	KN
PROJECT NO.	18-036
SCALE	1:150

SHEET NO.
L-2

SCHEDULE C

This forms part of application
DP21-0116

Planner Initials KB

City of Kelowna
DEVELOPMENT PLANNING