

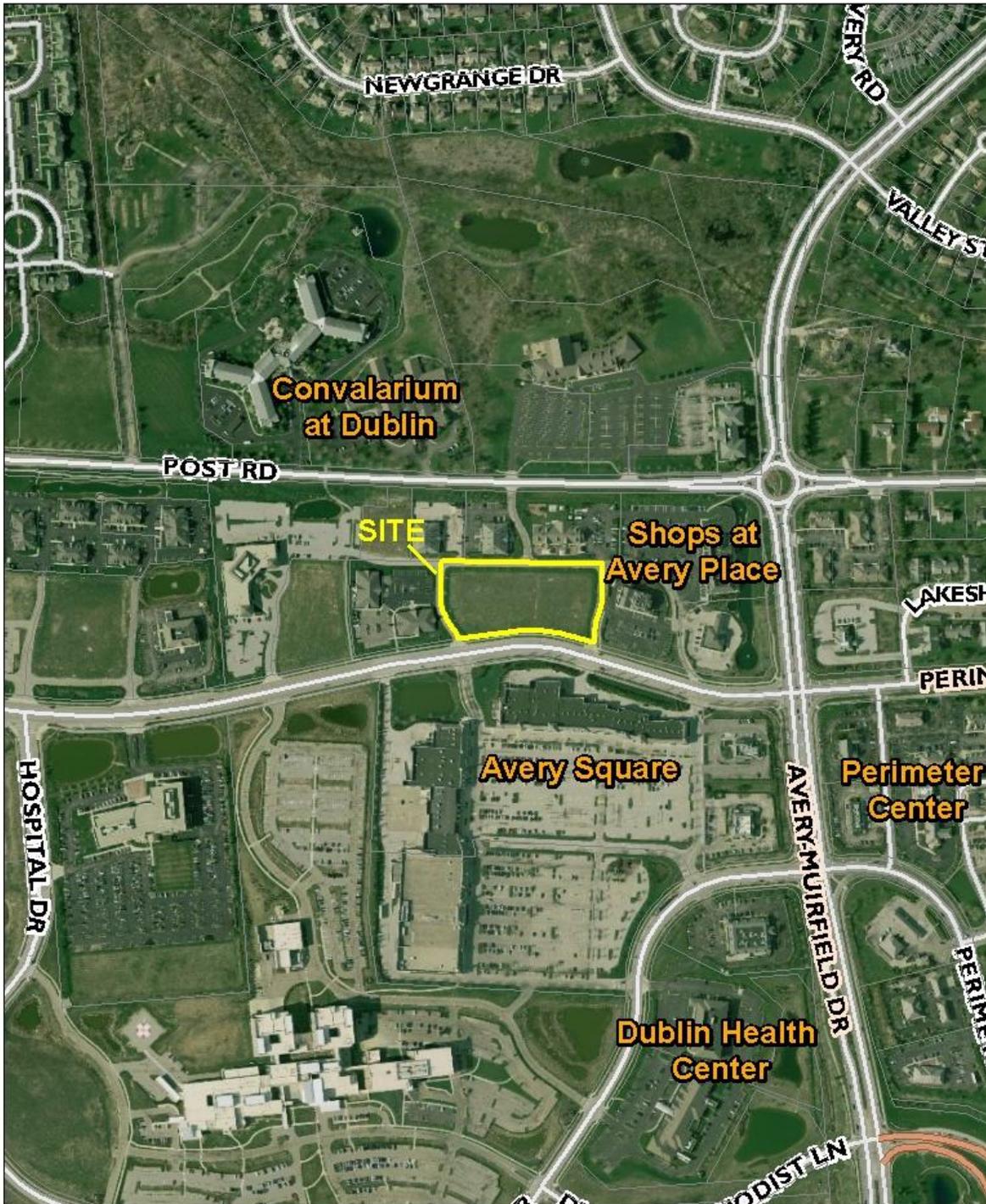
Planning Report

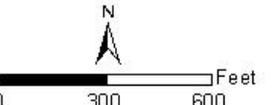
Thursday, December 6, 2012

Riverside Planned Commerce District North Subareas A₃ The Perimeter

Case Summary

Agenda Item	3
Case Number	12-073Z/PDP/FDP
Site Location	Perimeter Drive On the north side of Perimeter Drive, between the intersections with Avery-Muirfield Drive and Hospital Drive.
Proposal	To develop a vacant 2.9-acre site with an approximately 14,500-square-foot retail building, including restaurant spaces and associated patios, in Subarea A ₃ of the Riverside Planned Commerce District North.
Requests	<ol style="list-style-type: none">1) Review and recommendation to City Council under the Planned District provisions of Zoning Code Section 153.050 for a <u>rezoning with preliminary development plan</u>.2) Review and approval of a <u>final development plan</u> under the Planned District provisions of Zoning Code Section 153.050.
Owner/Applicant	Daimler Group; represented by Paul Ghidotti.
Case Manager	Claudia D. Husak, AICP Planner II (614) 410-4675 chusak@dublin.oh.us
Planning Recommendation	In Planning's analysis the proposal complies with all applicable review criteria and the existing and anticipated development standards. Planning recommends: <ol style="list-style-type: none">1) Approval to City Council of the <u>rezoning with preliminary development plan</u> with no conditions.2) Approval of the <u>final development plan</u> with 2 conditions.
Conditions	Final Development Plan <ol style="list-style-type: none">1) That the plans be revised to change the color of the standing seam metal roof from grey to a deep red and the metal awning color be changed to match the metal roof, subject to approval by Planning; and,2) That the applicant provide the shared parking agreement with Champaign Bank with the building permit application.



 <p>City of Dublin Land Use and Long Range Planning</p>	<p>12-073Z/PDP/FDP Rezoning/Preliminary Development Plan/ Final Development Plan The Perimeter Perimeter Rd</p>	 <p>0 300 600 Feet</p>
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Facts	
Site Area	2.93 acres
Zoning	PCD, Planned Commerce District (Riverside North plan, Subarea A ₃)
Surrounding Zoning	<p>South: PUD, Planned Unit Development District (Avery Square plan) containing the Avery Square shopping center.</p> <p>All Others: PCD, Planned Commerce District (Riverside North plan) containing office, daycare and commercial uses, including the Shoppes at Avery restaurant and retail center.</p>
Site Features	<ul style="list-style-type: none"> • Rectangular, vacant parcel lacking vegetation. • Access is provided by two private drives from Perimeter Drive. • Existing sidewalk located along Perimeter Drive.
Development Context	<ul style="list-style-type: none"> • 24 acres at the northwest corner of Perimeter Drive and Avery-Muirfield Drive. • Divided into three Subareas, with specific permitted uses, such as office, medical office, daycare, retail and restaurant, depending on the Subarea. • The PCD has been under development for several years and currently includes the Shoppes at Avery shopping center, Huntington National Bank, Champaign Bank, the Primrose School daycare and medical office buildings. • The subject parcel is in Subarea A₃ of the PCD
Background	<p>Planning and Zoning Commission</p> <p>At their September 6, 2012 meeting, the Commission commented informally on this application for informal feedback for the potential development of a vacant 2.9-acre site with an approximately 14,000-square-foot retail building, including two 5,000-square-foot restaurant spaces and associated patios. The Commission generally agreed with the applicant's proposal and understood the challenges for the development of the site as originally zoned and the changes in surrounding conditions. The Commission appreciated the architectural concept for the building and encouraged the applicant to address signs in an innovative manner.</p> <p>The Commission has also approved numerous final development plans within this PCD for a variety of office and commercial uses.</p> <p>City Council</p> <ul style="list-style-type: none"> • Ordinance 118-03 approved Planned Commerce District on April 19, 2004. • Preliminary and Final Plats approved on August 2, 2004.

Facts

Community Plan

Future Land Use

The Community Plan's Future Land Use Map shows the site as *General Commercial (6,500 – 8,700 SF per acre)* and the current zoning allows restaurants and office but excludes retail uses. The Plan describes this land use classification as retail and commercial development that is heavily dependent upon the automobile with a mix of retail, restaurant and personal services. The plan also states this type of commercial development is outdated and should not be used in the future due to the reliance on the automobile.

Land Use Principles

Land Use Principle 3 and 4 of the Community Plan suggest places with integrated uses that are distinctive and sustainable, and contribute to the City's overall vitality. The Plan states it is important to provide some retail services on closer proximity to residential areas and an important amenity to the residents. The Plan also accents design considerations.

Details

Rezoning with Preliminary Development Plan

Plan Overview

Rezoning to a Planned Unit Development requires approval of a development text to serve as the zoning regulation for the development requirements noted; the Zoning Code covers all other requirements. The development text typically addresses permitted and conditional uses, setbacks, parking, landscaping, signs and architecture, among other subjects.

The proposal is a request to rezone 2.9 acres from PCD (Planned Commerce District, Riverside PCD North, Subarea A₃) to PUD (planned Unit Development District, Riverside PUD North, Subarea A₃) modify this Subarea of the existing Planned District, essentially creating a new PUD with standards and regulations only applicable to for this Subarea. No changes are proposed to Subareas A1 and A2.

Development Text

This development text modifies the permitted uses and sign standards for Subarea A₃.

Details	Rezoning with Preliminary Development Plan
Use	<p>The proposed development text for Subarea A₃ continues to permit the uses in the SO, Suburban Office and Institutional District of the Zoning Code, which includes office and institutional uses, daycare centers, and banks.</p> <p>The text would also permit “casual and fine dining eating and drinking establishments with ‘table’ services.” The text limitation of the maximum number and size of these establishments has been deleted and now allows general retail uses, but continues to prohibit drive-thru facilities or pick-up windows.</p> <p>The text also permits outdoor dining areas at a total of 2,000 square feet to be allotted to the various tenants to be approved administratively if the stipulated conditions are met. The text requires complementary amenities and furniture of black wrought iron design. A limitation to the seasonal use of the patios is included as well as a requirements to store the amenities out of view. Outdoor speakers are prohibited.</p>
Layout	<p>The proposal has two driveways from the shared internal drives that provide access from Perimeter Drive, and one driveway from a shared drive providing access from Post Road. The 14,488-square-foot building fronts Perimeter Drive with parking on all sides of the building except the south. A plaza area is indicated along the north side of the building. Each restaurant space shows a patio.</p>
Architecture	<p>The development text requires architecture that is traditional in look and feel with natural materials. Mass, scale and architectural details are regulated to create a more residential character, particularly for the non-office buildings.</p> <p>The proposed architecture closely complements the Shoppes at Avery building and appears to meet the requirements in the development text for non-office buildings. Materials include brick, stone, siding and metal roofing. Storefronts include residential style windows and lights.</p>
Parking	<p>The development text requires parking by the Zoning Code. As a “shopping center” the parking requirement is 1 space/150 square feet of building, or 97 spaces. The proposal has 126 parking spaces, which meets the shopping center requirements.</p> <p>The applicant has also indicated that the owner of the adjacent Champaign Bank will allow shared parking on evenings and weekends.</p>
Landscaping	<p>The text requires landscaping along Perimeter Drive to include a three and a half foot contoured, landscaped mound with street trees planted 50 feet on center within the right-of-way and within five feet of the right-of-way line. All other landscaping must meet Code.</p>

Details	Rezoning with Preliminary Development Plan
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Signs	<p>The applicant has worked with Planning to address creatively the unique sign needs for this proposal.</p> <p>The proposed text permits flush mounted wall signs and projecting blade signs. Each tenant is allowed three signs, which is the same as permitted for the retail building in Subarea A₂. One wall sign per tenant is permitted along the north elevation and one along the south elevation. The wall signs must be architecturally integrated. Each tenant may install a projecting sign along the north façade. Permanent window signs are prohibited.</p> <ul style="list-style-type: none"> • Wall Sign: The maximum height for all wall-mounted tenant sign panels is 24 inches and the maximum width is 120 inches. The maximum height for text/graphics is 16 inches and the maximum width for text/graphics is 96 inches. Other specifications include requires a one inch wide routed sign panel. The text includes graphics for the different permitted end shapes of the wall sign. • Projecting Sign: The maximum height for all wall-mounted projecting (blade) sign panels is 27 inches and the maximum width is 36 inches. Additional specifications include a required 1 inch wide routed perimeter and matte black finish bracket and hardware. Four shapes are permitted for the projecting (blade) signs which are included in a graphic. However, the shape may incorporate and include the logo of the business operating within the building or an iconic representation of the nature of the business or the primary good or service sold or provided to the public. <p>The background color for all signs is included in the final development plan. Other background colors may be approved administratively. No more than four colors are permitted per sign with the background counting as one of the permitted colors. The selected color scheme of each tenant must be consistent for each of the tenants' signs.</p> <p>The text includes sign lighting standards and permits either linear fluorescent track lighting fixtures as depicted and described in the Table D. To the extent architecturally compatible and tastefully integrated, wall-mounted signage may be internally illuminated or backlit. Projecting (blade) signage shall not be separately illuminated from the building.</p>
Traffic Study	Traffic analysis has been provided to the satisfaction of the City Engineer.

Analysis	Rezoning with Preliminary Development Plan
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Process	Section 153.050 of the Zoning Code identifies criteria for the review and approval for a rezoning/preliminary development plan (full text of criteria attached). Following is an analysis by Planning based on those criteria.
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Analysis	Rezoning with Preliminary Development Plan
1) <i>Consistency with Dublin Zoning Code</i>	Criterion met: The proposed development text modifications address the unique needs of this Subarea and includes appropriate regulations for the site.
2) <i>Conformance with adopted Plans</i>	Criterion met: The Future Land Use Plan of the 2007 Community Plan identifies the land use for this site as <i>General Commercial</i> . This proposal expands the uses permitted for this site.
3) <i>Advancement of general welfare & orderly development</i>	Criterion met: The preliminary development plan encourages development as a cohesive and complementary development to the surrounding area.
4) <i>Effects on adjacent uses</i>	Criterion met: The proposed development fits well within the existing development pattern of this area.
5) <i>Adequacy of open space for residential</i>	Not applicable.
6) <i>Protection of natural features and resources</i>	Criterion met: The proposal includes the replacement of removed trees.
7) <i>Adequate infrastructure</i>	Criterion met: All required public infrastructure is in place.
8) <i>Traffic and pedestrian safety</i>	Criterion met: The applicant provided traffic analysis, which accounts for the proposed uses.
9) <i>Coordination & integration of building & site relationships</i>	Criterion met: The proposal provides for a coordinated and integrated development consistent architectural and landscaping details.
10) <i>Development layout and intensity</i>	Criterion met: The proposed use meets lot coverage requirements, has adequate parking and circulation. The layout is cohesive in relation to the existing development.
11) <i>Stormwater management</i>	Criterion met: The applicant has provided the necessary information to satisfy City requirements.
12) <i>Community benefit</i>	Criterion met: The proposal will provide additional areas for retail services near residential and commercial areas, giving the community more options.
13) <i>Design and appearance</i>	Criterion met: The proposed development plan encourages the use of high quality materials consistent with the previously approved development text and other developments in the area.
14) <i>Development phasing</i>	Criterion met: This will be constructed in a single phase.
15) <i>Adequacy of public services</i>	Criterion met: There are adequate services for the proposed uses.

Analysis		Rezoning with Preliminary Development Plan
<i>16) Infrastructure contributions</i>	Criterion met: No public infrastructure contributions are required.	

Recommendation		Rezoning with Preliminary Development Plan
Approval	Based on Planning’s analysis, this proposal complies with the rezoning/preliminary development plan criteria, provides the opportunity for additional retail options within the city and includes a cohesive campus development. Approval is recommended.	

Details		Final Development Plan
Proposal/ Development Details	The proposed improvements include: <ul style="list-style-type: none"> • 14,488-square-foot building, with 1,623 square feet of patios at either end of the building with a potential expansion area for the west patio • Plaza area in front (north side) and five-foot sidewalk to the south • 125 parking spaces concentrated in the north of the site with two smaller pods in the east and west • Architecture with a residential character and rich materials and colors • Landscape pods, bike rack, and informal seating within the plaza area • Mounding and landscaping along the Perimeter Drive frontage • Site amenity details, including signs • Two driveways from the shared internal drives provide access from Perimeter Drive. An additional access point is located in the north of the site from a shared drive providing access from Post Road. 	
Access and Circulation	Access for this site was determined at the time of the original rezoning and the proposed plan uses the existing access points. Vehicular circulation through the site meets Code requirements. Washington Township Fire Department has access from the internal drives surrounding the site. Pedestrian circulation includes a five-foot wide sidewalk immediately along the south site of the building. Six-foot wide sidewalks connect to the public sidewalk along Perimeter Drive.	
Parking	The plan provides 125 spaces, which exceeds the Code requirement of 97 spaces. There were some concerns mentioned by the Planning and Zoning Commission at the informal review of this proposal regarding the parking impacts of popular restaurants. In response, the applicant has reached an arrangement with Champaign Bank to allow employee parking at the bank weekday nights after 6 p.m. and on weekends should parking prove to be insufficient. The applicant must provide this agreement with the building permit application.	

Details	Final Development Plan
Architecture	<p>The proposed architecture meets the development text requirements for traditional architecture with a residential character and natural materials. The applicant is proposing a warm-hued stone (Centurion, "California") for each of the end tenants. The stone wraps around three sides of these portions of the building. Brick (Glen-Gery, "Cambridge") in dark red is proposed for the central portion of the building. This portion of the building is prominent, particularly as viewed from the north driveway. A higher roof in this area could give this portion of the building additional relief.</p> <p>Other proposed building materials include fiber cement lap siding painted dark beige, and a board and batten cement fiber cement panel lap siding painted a dark brown color. Storefronts include a variety of Benjamin Moore colors including slate blue, dark green and burgundy.</p> <p>The majority of the roof includes dimensional asphalt shingles (GAF, "Weathered Wood") and the two lower roofs next to the central portion of the building include standing seam (DMI, "Weathered Zinc"). Given the long roof line of this building at essentially the same eave line, Planning prefers the applicant break the roof up by using a deep red color for the standing seam portions of the roof. It appears the applicant made this change in the perspective drawings but not on the materials list or elevations.</p> <p>Other architectural elements include wood trellises on the south elevations, metal and fabric awnings and storefront with a deep recess along the eastern portion of the west elevation. The east patio also includes a partial cover of wood columns and trim. Copper roof vents, decorative brick medallions, and brick soldier course accents create a high quality character for the proposed building.</p>
Landscaping	<p>The proposal meets the Code required landscaping as well as the text requirements for mounding and landscaping along Perimeter Drive. The plan includes large landscape islands in the parking lots and smaller pockets of plantings in the plaza area in front of the building.</p>
Signs	<p>The proposal does not include specific signs or locations as tenants have yet to commit to the building. The development text includes detailed sign requirements including a sign height limitation of 15 feet and provisions for the maximum size of sign panels and sign copy. Each tenant is allowed up to three signs (2 wall and 1 blade sign). The text also includes approved sign locations on the building in Table D. Creativity is encouraged for sign design.</p> <p>The text includes sign lighting standards and permits either linear fluorescent track lighting fixtures for which the applicant has provided a cut sheet. Internally or backlit copy is also permitted for any text on the wall sign panel.</p>

Details		Final Development Plan
Lighting	The proposed plans meet the lighting requirements and proposed fixtures are consistent with the approved light fixtures for Subarea A ₂ .	
Stormwater Management	Stormwater management for this Subarea will be handled similarly to the other areas of this development using parking lot ponding and controlled release at the one-year release rate to the existing pond along Avery-Muirfield Drive. Water quality will be provided by an underground unit prior to discharging to the private sewer.	
Utilities	Existing water and sanitary sewer services are used for the construction of the proposed building.	

Analysis		Final Development Plan
Process	Section 153.050 of the Zoning Code identifies criteria for the review and approval for a final development plan (full text of criteria attached). Following is an analysis by Planning based on those criteria.	
<p><i>1) Consistency with the preliminary development plan.</i></p> <p>Condition 1</p>	<p>Criterion met with condition: This proposal is consistent with the requirements of the proposed development text and preliminary development plan. The plans should be revised to change the color of the standing seam metal roof from grey to a deep red and change the metal awning color to match, subject to approval by Planning.</p>	
<p><i>2) Traffic and pedestrian safety</i></p> <p>Condition 2</p>	<p>Criterion met with condition: The plans provide for adequate safety and circulation for both pedestrians and vehicles. On-site walks are adequate sized to allow for parked vehicle overhang. Planning requests the applicant provide the shared parking agreement with Champaign Bank with the building permit application.</p>	
<p><i>3) Adequate public services and open space</i></p>	<p>Criterion met: The site has adequate public services. No open space dedication is required.</p>	
<p><i>4) Protection of natural features and resources</i></p>	<p>Criterion met: The proposed plans indicate tree replacement in accordance with Code.</p>	
<p><i>5) Adequacy of lighting</i></p>	<p>Criterion met: The proposed lighting plan meets the requirements and the proposed fixtures are of a consistent design with Subarea A₂.</p>	
<p><i>6) Signs consistent with preliminary development plan</i></p>	<p>Criterion met: Any signs for tenants within this building will be required to adhere to the details in the development text.</p>	

Analysis	Final Development Plan
7) <i>Appropriate landscaping to enhance, buffer, & soften the building and site.</i>	Criterion met: The landscape plan meets or exceeds Code and text requirements.
8) <i>Compliant stormwater management</i>	Criterion met: Stormwater management for the site is accommodated in the stormwater management plan and will be finalized at the building permit stage.
9) <i>All phases comply with the previous criteria.</i>	Not applicable.
10) <i>Compliance with other laws & regulations.</i>	Criterion met: The proposal complies with all other known applicable local, state, and federal laws and regulations.

Recommendation	Final Development Plan
Approval	In Planning's analysis, this proposal complies with the proposed development text and preliminary development plan, the final development plan criteria and existing development in the area. Planning recommends approval of this request with two conditions.
Condition	<ol style="list-style-type: none"> 1) That the plans be revised to change the color of the standing seam metal roof from grey to a deep red and the metal awning color be changed to match the metal roof, subject to approval by Planning. 2) That the applicant provide the shared parking agreement with Champaign Bank with the building permit application.

REZONING/PRELIMINARY DEVELOPMENT PLAN CRITERIA

The purpose of the PUD process is to encourage imaginative architectural design and proper site planning in a coordinated and comprehensive manner, consistent with accepted land planning, landscape architecture, and engineering principles. The PUD process can consist of up to three basic stages:

- 1) Concept Plan (Staff, Commission, and/or City Council review and comment);
- 2) Zoning Amendment Request (Preliminary Development Plan; Commission recommends and City Council approves/denies); and**
- 3) Final Development Plan (Commission approves/denies).

The general intent of the preliminary development plan (rezoning) stage is to determine the general layout and specific zoning standards that will guide development. The Planning and Zoning Commission must review and make a recommendation on this preliminary development plan (rezoning) request. The application will then be forwarded to City Council for a first reading/introduction and a second reading/public hearing for a final vote. A two-thirds vote of City Council is required to override a negative recommendation by the Commission. If approved, the rezoning will become effective 30 days following the Council vote. Additionally, all portions of the development will require final development plan approval by the Commission prior to construction. In the case of a combined rezoning/preliminary development plan and final development plan, the final development plan is not valid unless the rezoning/preliminary development plan is approved by Council.

Review Criteria

Section 153.050 of the Zoning Code identifies criteria for the review and approval for a Rezoning/Preliminary Development Plan. In accordance with Section 153.055(A) *Plan Approval Criteria*, Code sets out the following criteria of approval for a preliminary development plan (rezoning):

- 1) The proposed development is consistent with the purpose, intent and applicable standards of the Dublin Zoning Code;
- 2) The proposed development is in conformity with the Community Plan, Thoroughfare Plan, Bikeway Plan and other adopted plans or portions thereof as they may apply and will not unreasonably burden the existing street network;
- 3) The proposed development advances the general welfare of the City and immediate vicinity and will not impede the normal and orderly development and improvement of the surrounding areas;
- 4) The proposed uses are appropriately located in the City so that the use and value of property within and adjacent to the area will be safeguarded;
- 5) Proposed residential development will have sufficient open space areas that meet the objectives of the Community Plan;
- 6) The proposed development respects the unique characteristic of the natural features and protects the natural resources of the site;
- 7) Adequate utilities, access roads, drainage, retention and/or necessary facilities have been or are being provided;
- 8) Adequate measures have been or will be taken to provide ingress and egress designed to minimize traffic congestion on the surrounding public streets and to maximize public safety and to accommodate adequate pedestrian and bike circulation systems so that the proposed development provides for a safe, convenient and non-conflicting circulation system for motorists, bicyclists and pedestrians;
- 9) The relationship of buildings and structures to each other and to such other facilities provides for the coordination and integration of this development within the PD and the larger community and maintains the image of Dublin as a quality community;
- 10) The density, building gross floor area, building heights, setbacks, distances between buildings and structures, yard space, design and layout of open space systems and parking areas, traffic accessibility and other elements having a bearing on the overall acceptability of the development plan's contribution to the orderly development of land within the City;
- 11) Adequate provision is made for storm drainage within and through the site so as to maintain, as far as practicable, usual and normal swales, water courses and drainage areas;

- 12) The design, site arrangement, and anticipated benefits of the proposed development justify any deviation from the standard development regulations included in the Dublin Zoning Code or Subdivision Regulation, and that any such deviations are consistent with the intent of the Planned Development District regulations;
- 13) The proposed building design meets or exceeds the quality of the building designs in the surrounding area and all applicable appearance standards of the City;
- 14) The proposed phasing of development is appropriate for the existing and proposed infrastructure and is sufficiently coordinated among the various phases to ultimately yield the intended overall development;
- 15) The proposed development can be adequately serviced by existing or planned public improvements and not impair the existing public service system for the area; and
- 16) The applicant's contributions to the public infrastructure are consistent with the Thoroughfare Plan and are sufficient to service the new development.

FINAL DEVELOPMENT PLAN CRITERIA

The purpose of the Planned Unit Development process is to encourage imaginative architectural design and proper site planning in a coordinated and comprehensive manner, consistent with accepted land planning, landscape architecture, and engineering principles. The PUD process consists of up to three stages:

- 1) Concept Plan (Staff, Commission, and/or City Council review and comment);
- 2) Zoning Amendment Request (Preliminary Development Plan; Commission recommends and City Council approves/denies); and
- 3) **Final Development Plan (Commission approves/denies).**

The intent of the final development plan is to show conformance with and provide a detailed refinement of the total aspects of the approved preliminary development plan (rezoning). The final development plan includes all of the final details of the proposed development and is the final stage of the PUD process. The Commission may approve as submitted, approve with modifications agreed to by the applicant, or disapprove and terminate the process. If the application is disapproved, the applicant may respond to Planning and Zoning Commission's concerns and resubmit the plan. This action will be considered a new application for review in all respects, including payment of the application fee. Appeal of any action taken by the Commission shall be to the Court of Common Pleas in the appropriate jurisdiction. Following approval by the Commission, the applicant may proceed with the building permit process. In the event that updated citywide standards are applicable, all subsequently approved final development plans shall comply with the updated standards if the Planning and Zoning Commission determines that the updated standards would not cause undue hardship.

Review Criteria

In accordance with Section 153.055(B) *Plan Approval Criteria*, the Code sets out the following criteria of approval for a final development plan:

- 1) The plan conforms in all pertinent respects to the approved preliminary development plan provided, however, that the Planning and Zoning Commission may authorize plans as specified in §153.053(E)(4);
- 2) Adequate provision is made for safe and efficient pedestrian and vehicular circulation within the site and to adjacent property;
- 3) The development has adequate public services and open spaces;
- 4) The development preserves and is sensitive to the natural characteristics of the site in a manner that complies with the applicable regulations set forth in this Code;
- 5) The development provides adequate lighting for safe and convenient use of the streets, walkways, driveways, and parking areas without unnecessarily spilling or emitting light onto adjacent properties or the general vicinity;

- 6) The proposed signs, as indicated on the submitted sign plan, will be coordinated within the Planned Unit Development and with adjacent development; are of an appropriate size, scale, and design in relationship with the principal building, site, and surroundings; and are located so as to maintain safe and orderly pedestrian and vehicular circulation;
- 7) The landscape plan will adequately enhance the principal building and site; maintain existing trees to the extent possible; buffer adjacent incompatible uses; break up large expanses of pavement with natural material; and provide appropriate plant materials for the buildings, site, and climate;
- 8) Adequate provision is made for storm drainage within and through the site which complies with the applicable regulations in this Code and any other design criteria established by the City or any other governmental entity which may have jurisdiction over such matters;
- 9) If the project is to be carried out in progressive stages, each stage shall be so planned that the foregoing conditions are complied with at the completion of each stage; and
- 10) The Commission believes the project to be in compliance with all other local, state, and federal laws and regulations.