EXHIBIT 3.1

Received Planning Division 06/30/2021

Beaverton

CITY OF BEAVERTON

Community Development Department Planning Division 12725 SW Millikan Way PO Box 4755 Beaverton, OR. 97076 Tel: (503) 526-2420 Fax: (503) 526-2550 BeavertonOregon.gov

	OFFICE USE ONLY
FILE #:	
FILE NAME::	
TYPE:	RECEIVED BY:
FEE PAID:	CHECK/CASH:
SUBMITTED::	LWI DESIG:
LAND USE DESIG	: NAC:

CONDITIONAL USE APPLICATION

PLEASE SELECT THE SPECIFIC TYPE OF CONDI	
TYPE 2 MINOR MODIFICATION OF A CONDITIONAL USE	TYPE 3 MAJOR MODIFICATION OF A CONDITIONAL USE
TYPE 3 PLANNED UNIT DEVELOPMENT	TYPE 3 NEW CONDITIONAL USE
APPLICANT: □ Use mailing address for meeting notificati	ion. □ Check box if Primary Contact
COMPANY: AXIS Design Group	on. a oneok box in i nimary contact
ADDRESS: 11104 SE Stark St.	
(CITY, STATE, ZIP) Portland, OR 97216	
PHONE: (503) 284-0988 FAX:	E-MAIL: timb@axisdesigngroup.com
SIGNATURE:C	ONTACT: Timothy R. Brunner
(Original Signature Required)	
APPLICANT'S REPRESENTATIVE:	Check box if Primary Contact
COMPANY: AXIS Design Group	
ADDRESS: 11104 SE Stark St.	
(CITY, STATE, ZIP) Portland, OR 97216	
DUONE	
PHONE: (503) 284-099 FAX:	E-MAIL: erinu@axisdesigngroup.com
	E-MAIL: erinu@axisdesigngroup.com CONTACT: Erin Upham
SIGNATURE: To Date 2020 (AS 17 48 24-1707) C. C. Ald S Engin Good, CALSEN Ighters C	ONTACT: Erin Upham
SIGNATURE: Propuly synchological production (Conference of State Conference of State C	ONTACT: Erin Upham
SIGNATURE: (Original Signature Required) PROPERTY OWNER(S): Attach separate sheet if need	ONTACT: Erin Upham
SIGNATURE: Conginal Signature Required) PROPERTY OWNER(S): □ Attach separate sheet if need COMPANY: Herzog Properties, LLC ADDRESS: 4275 SW 139th Way (CITY, STATE, ZIP) Beaverton, OR 97005	ded.
SIGNATURE: Conginal Signature Required) (Original Signature Required) PROPERTY OWNER(S): □ Attach separate sheet if need COMPANY: Herzog Properties, LLC ADDRESS: 4275 SW 139th Way (CITY, STATE, ZIP) Beaverton, OR 97005	ded.
SIGNATURE: Coriginal Signature Required) PROPERTY OWNER(S): □ Attach separate sheet if need COMPANY: Herzog Properties, LLC ADDRESS: 4275 SW 139th Way (CITY, STATE, ZIP) Beaverton, OR 97005 PHONE: (503) 644-9121 FAX: SIGNATURE: Tom Herzog Digitally signed by Tom Herzog Code. 281516182-2700′ C	ded.
Conginal Signature Required) PROPERTY OWNER(S): □ Attach separate sheet if need to the separat	ded. □ Check box if Primary Contact E-MAIL: tom.herzog@herzogmeier.com CONTACT: Tom Herzog perty owner(s) or by someone authorized by the
Coriginal Signature Required) PROPERTY OWNER(S): Attach separate sheet if need to the separate sheet if need to separate sheet if	ded. □ Check box if Primary Contact E-MAIL: tom.herzog@herzogmeier.com CONTACT: Tom Herzog pperty owner(s) or by someone authorized by the someone is signing as the agent of the property
COMPANY: Herzog Properties, LLC ADDRESS: 4275 SW 139th Way (CITY, STATE, ZIP) Beaverton, OR 97005 PHONE: (503) 644-9121 COMPANY: FAX:	ded. □ Check box if Primary Contact E-MAIL: tom.herzog@herzogmeier.com CONTACT: Tom Herzog pperty owner(s) or by someone authorized by the someone is signing as the agent of the property
COMPANY: Herzog Properties, LLC ADDRESS: 4275 SW 139th Way (CITY, STATE, ZIP) Beaverton, OR 97005 PHONE: (503) 644-9121 SIGNATURE: Tom Herzog Property owner(s) to act as an agent on their behalf. If sowner(s), that person must submit a written statement	CONTACT: Erin Upham ded. □ Check box if Primary Contact E-MAIL: tom.herzog@herzogmeier.com CONTACT: Tom Herzog perty owner(s) or by someone authorized by the someone is signing as the agent of the property signed by the property owner(s), authorizing the
(Original Signature Required) PROPERTY OWNER(S): Attach separate sheet if need to the separate sheet if need to separate sheet if need	CONTACT: Erin Upham Check box if Primary Contact
COMPANY: Herzog Properties, LLC ADDRESS: 4275 SW 139th Way (CITY, STATE, ZIP) Beaverton, OR 97005 PHONE: (503) 644-9121 SIGNATURE: Tom Herzog Properties an agent on their behalf. If sowner(s), that person must submit a written statement person to sign the application. PROPERTY INFORMAT SITE ADDRESS: 4180 SW 141st Avenue	CONTACT: Erin Upham Check box if Primary Contact
COMPANY: Herzog Properties, LLC ADDRESS: 4275 SW 139th Way (CITY, STATE, ZIP) Beaverton, OR 97005 PHONE: (503) 644-9121 SIGNATURE: Tom Herzog Note: A land use application must be signed by the property owner(s) to act as an agent on their behalf. If sowner(s), that person must submit a written statement person to sign the application. PROPERTY INFORMAT SITE ADDRESS: 4180 SW 141st Avenue ASSESSOR'S MAP & TAX LOT # LOT SIZE ZONING DISTRICT	CONTACT: Erin Upham Check box if Primary Contact



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CONDITIONAL USE SUBMITTAL CHECKLIST

WRIT	ТЕ	EN STATEMENT REQUIREMENTS- REQUIR	ED I	FOR ALL CONDITIONAL USE APPLICATIONS
✓	Α.	APPLICATION FORM. Provide one (1) completed a Have you submitted for a permit from another		
✓	В.	CHECKLIST. Provide one (1) completed copy of thi	s fi	ve (5) page checklist.
X	C.	WRITTEN STATEMENT. Submit three (3) copies of including, but not limited to, the changes to the site, so In the written statement, please:		
		Address all applicable provisions of Chapter 20 (L	.anc	d Uses)
		Address all applicable provisions of Chapter 60 (S	Spe	cial Regulations)
		Provide individual findings specifically addressing the criterion within the appropriate Approval C Development Code (ORD 2050), attached.		
		Provide the hours of operation, total number of en per shift. If more than one type of operation exists specify the information requested above for each	sts	or is proposed for the project site, please
	D.	FEES, as established by the City Council. Make che	cks	payable to the City of Beaverton.
	E.	SITE ANALYSIS INFORMATION.		
		Proposed parking modification: 2500 sq. ft.	a	Existing parking area: 20.000 sq. ft.
		Proposed number of parking spaces: 94		Existing number of parking spaces: 86
		Proposed use: Automotive Sales & Service		
		Parking requirement: 84 per Parking Determir+		Existing building height: 20 ft.
		Tarking requirement. Of per tarking betermin		Proposed building height: 33 ft
		Existing landscaped area: 28.928 sq. ft.		00.000
		Percentage of site: 15.0 %		Existing building area: 38,302 sq. ft.
		_		Proposed building modification: +19,1 sq. ft.
		Proposed landscape modification: Se€ sq. ft.		
		Percentage of site: 14.2 after credits %		

	F.	CLEAN WATER SERVICES (CWS) DOCUMENTATION. Pursuant to Section 50.25.1.F of the City's <i>Development Code</i> requires that all development proposals provide written documentation from Clean Water Services (formerly Unified Sewerage Agency) stating that water quality will not be adversely affected by the subject proposal. Therefore, the City recommends that you contact CWS in order to obtain the required documentation. For more information, please contact, Lindsey Obermiller, Environmental Plan Reviewer at (503) 681-3653 or ObermillerL@CleanWaterServices.org
✓	G.	PRE-APPLICATION CONFERENCE NOTES. (REQUIRED FOR TYPE 2, 3, & 4 APPLICATIONS ONLY) Provide a copy of the pre-application conference summary as required by the City's Development Code Section 50.25.1.E. The Pre-Application Conference must be held within the one (1) year prior to the submission date of the proposed project application.
✓	н.	NEIGHBORHOOD REVIEW MEETING. (REQUIRED FOR TYPE 3 APPLICATIONS ONLY) Provide the following information as required by the City's Development Code Section 50.30. The Neighborhood Review Meeting must be held within the six (6) months prior to the submission date of the proposed project application.
		 A copy of the meeting notice mailed to surrounding property owners and the NAC Representative A copy of the mailing list used to mail out the meeting notice. A written statement representative of the on-site posting notice. Affidavits of mailing and posting Representative copies of written materials and plans presented at the Neighborhood Review Meeting. Meeting minutes that include date, time and location, as well as, oral and written comments received Meeting sign-in sheet that includes names and address of attendees. Documentation verifying that the meeting minutes and sign-in sheets have been provided to the NAC representative.
✓	I.	TRAFFIC GENERATION. Provide documentation showing any projected or actual increase in vehicle trips per day to and from the site. Either the Institute of Transportation Engineers (ITE) Trip Generation manual or an evaluation by a traffic engineer or civil engineer licensed by the State of Oregon may be used for this determination. Note: a traffic study may be required as part of the application submittal when deemed necessary by the Planning Director. The determination is made at the time of a Pre-Application Conference.
✓	J.	OTHER REQUIREMENTS. Provide documentation showing that the project proposed is permitted by, or satisfies the requirements of, other agencies and/or jurisdictions OR submit a schedule that

by, or satisfies the requirements of, other agencies and/or jurisdictions OR submit a schedule that details the forecasted submission and approval timelines for permits/applications to the respective agencies and/or jurisdictions.

K. PLANNED UNIT DEVELOPMENT DESCRIPTION.

(REQUIRED FOR PLANNED UNIT DEVELOPMENT APPLICATIONS ONLY)

Submit a detailed description of the proposed planned unit development.

Provide the following information:

- 1. The intent of the project.
- 2. The factors which make the project desirable to the general public and to surrounding areas.
- 3. The features and details of the project development.
- 4. The schedule of timing and phasing (if applicable) of the development program.
- 5. Any other material which the applicant believes to be relative to the use

PLANS & GRAPHIC REQUIREMENTS- REQUIRED FOR ALL CONDITIONAL USE APPLICATIONS

All plans, except architectural elevations, shall be presented at a minimum of 1" = 20' engineering scale and on a maximum sheet size of 24" x 36". Architectural elevations may be presented at an architectural scale. A total of three (3) copies of each plan shall be submitted, unless otherwise noted. All plans shall be folded to fit a legal size file jacket.

Each of the following plans and drawings shall be submitted on separate sheets. If the size of the project requires the use of match line sets, each set of match line sets must include a sheet (at a scale to fit a 24" x 36" sheet) depicting the entire site, including match lines, as a cover sheet.

<u>Incl</u> u	ıde a	ll of the following information:
	Α.	EXISTING CONDITIONS PLAN:
		 North arrow, scale and date of plan. Vicinity map. The entire lot(s), including area and property lines dimensioned. Points of existing access, interior streets, driveways, and parking areas. Location of all existing buildings and structures, including refuse storage locations,
	_ _ _	 pedestrian/bike paths, swimming pools, tennis courts, tot lots, and lighting. Existing right-of-way and improvements. Dimension from centerline to edge of existing right-of-way. Existing topographical information, showing 2 ft. contours. Surrounding development and conditions within 100 ft. of the property such as zoning, land uses, buildings, driveways, and trees.
	<u> </u>	10. Location of existing public and private utilities, easements, and 100-year floodplain.11. Natural Resource Areas, Significant trees, and Historic trees, as established by the City of Beaverton's inventories.
	<u> </u>	12. Sensitive areas, as defined by Clean Water Services (CWS) standards.13. Wetland boundaries, upland wooded area boundaries, riparian area boundaries, rock outcroppings, and streams. Wetlands must be professionally delineated.
		14. Existing trees 6" in dbh (diameter at breast height) or larger. Indicate genus, species and size. Dbh is measured at 54" above grade.
	В.	DIMENSIONED SITE PLAN:
		 North arrow, scale and date of plan. The entire lot(s), including area, property lines dimensioned and labeled "front," "side," and "rear."
	<u> </u>	 Points of access, interior streets, driveways, and parking areas. Location of buildings and structures, including refuse storage locations, pedestrian/bike paths, swimming pools, tennis courts, and tot lots.
		 5. Proposed right-of-way, dedications and improvements. 6. Dimension from centerline to edge of proposed right-of-way. 7. Dimensions of all improvements, including setbacks, parking spaces, driveways, and distance

- 8. Location of storm water quality/detention facilities.
- 9. Boundaries of development phases, if applicable.

between buildings.

- 10. Natural Resource Areas, Significant trees, and Historic trees, as established by the City of Beaverton's inventories.
- 11. Sensitive areas, as defined by CWS standards.
- 12. Wetland boundaries, upland wooded area boundaries, riparian area boundaries, rock outcroppings, and streams. Wetlands must be professionally delineated.
- ARCHITECTURAL ELEVATIONS: Provide drawings that depict the character of the proposed building(s) and structure(s) (these include buildings, retaining walls, refuse storage facilities, play structures, fences and the like). These drawing should include dimensions of the building(s) and

PLANS & GRAPHIC REQUIREMENTS-The following plans, D through H, may be required to be part of the application submittal when deemed necessary by the Planning Director. If a Pre-Application Conference has been completed, the determination is made at that time.

Submit a total of three (3) sets of plans

D.	PLANNED UNIT DEVELOPMENT PLAN:
	1. North arrow, scale and date of plan.
	2. The entire lot(s), including area, property lines dimensioned.
	3. Specific location of proposed circulation for pedestrians and vehicles, including points of access,
	interior streets, driveways, loading areas, transit lines, bicycle facilities and parking areas. 4. Specific location of proposed buildings and other structures, indicating design character and
_	density.
	5. Specific location of proposed right-of-way, dedications and improvements.
	6. Boundaries of development phases, if applicable.
	7. Proposed vegetative character of site including the location of Natural Resource Areas,
_	Significant Trees, and Historic Trees as established by the City of Beaverton's inventories.
	8. Location of Sensitive areas, as defined by the Unified Sewerage Agency standards, including
	streams, riparian areas, and wetlands. 9. Location of rock out-croppings and upland wooded areas.
_	10. Specific location of proposed storm water quality facilities, detention facilities, or both.
	11. Specific location of proposed public uses, including schools, parks, playgrounds, and other
	public open spaces.
	12. Specific location of proposed common open spaces, schematic massing of buffering, screening,
	and landscape featuring.
_	GRADING PLAN:
E.	
	 North arrow, scale and date of plan. The entire lot(s).
	3. Points of access, interior streets, driveways, and parking areas.
	4. Location of buildings and structures, including refuse storage locations, pedestrian/bike paths,
	swimming pools, tennis courts, and tot lots.
	5. Proposed rights-of-way, dedications and improvements.
	6. Dimension from centerline to edge of proposed right-of-way.
	7. Existing and proposed topographical information, showing 2 ft. contours and appropriate spot elevations for features such as walls, retaining walls (top and bottom elevations), catch basins,
	stairs, sidewalks, and parking areas.
	8. Location of 100 year flood plain.
	9. Location of storm water quality/detention facilities.
	10. Boundaries of development phases, if applicable.
	11. Natural Resource Areas, Significant trees, and Historic trees, as established by the City of Beaverton's inventories.
	12. Sensitive areas, as defined by the CWS standards.
	13. Wetland boundaries, upland wooded area boundaries, riparian area boundaries, rock out-
	croppings, and streams. Wetlands must be professionally delineated.
	14. Existing trees 6" dbh or larger. Indicate which trees are proposed to be saved and which are
	proposed to be removed.

F. LIGHTING PLAN:

- 1. Location of all existing and proposed exterior lighting, including those mounted on poles, walls, bollards and the ground.
- 2. Type, style, height, and the number of fixtures per light.
- 3. Wattage per fixture and lamp type, such as sodium, mercury, and halide.
- 4. 8 ½" x 11" manufacturer's illustrations and specifications (cut sheets) of all proposed lighting poles and fixtures.

C	5 .	For all exterior lighting, indicate the area and pattern of illumination, via the use of an isogrid of isoline system, depicting the emitted $\frac{1}{2}$ foot candlepower measurement.
)) (1. 2.	ILITY PLAN: North arrow, scale and date of plan. The entire lot(s). Points of access, interior streets, driveways, and parking areas. Location of buildings and structures, including refuse storage locations, pedestrian/bike paths swimming pools, tennis courts, and tot lots.
)))	6. 7. 8.	Proposed right-of-way, dedications and improvements. Proposed topographical information, showing 2 ft. contours. Location of 100 year flood plain. Location of existing and proposed public and private utilities, easements, surface wate drainage patterns, and storm water quality/detention facility. Boundaries of development phases, if applicable.
ι	ם 11	Natural Resource Areas, Significant trees, and Historic trees, as established by the City of Beaverton's inventories. Sensitive areas, as defined by the CWS standards. Wetland boundaries, upland wooded area boundaries, riparian area boundaries, rock outcroppings, and streams. Wetlands must be professionally delineated.
	1. 2. 3. 4. 5. 6. 7. 8. 9. 10 11 12 13 14 15	North arrow, scale and date of plan. The entire lot(s). Points of access, interior streets, driveways, and parking areas. Location of buildings and structures, including refuse storage locations, pedestrian/bike paths swimming pools, tennis courts, and tot lots. Proposed right-of-way, dedications and improvements. Boundaries of development phases, if applicable. Natural Resource Areas, Significant trees, and Historic trees, as established by the City of Beaverton's inventories. Sensitive areas, as defined by the CWS standards. Wetland boundaries, upland wooded area boundaries, riparian area boundaries, rock out croppings, and streams. Wetlands must be professionally delineated. Existing trees 6" dbh or larger proposed to be saved. Include genus, species, and size. The location and design of proposed landscaped areas, indicating all plant materials, including genus, species, common name, plant sizes, and spacing. List of plant materials, including genus, species, common name, size, quantity, spacing and method of planting. Other pertinent landscape features, including walls, retaining walls, berms, fences, and fountains. Proposed location of light poles, bollards and other exterior illumination. A note on the plan indicating that an irrigation system will be installed to maintain the landscape materials.
	time t	lete sets of plans reduced to 8 ½"x11" (11"x17" are not acceptable) will be required at the new application is deemed complete. It is a submittal the items required by this five (5) page submittal checklist. I understand that any
missi	ng info	mation, omissions or both may result in the application being deemed incomplete, which the time required to process the application.
Erin Up Print I		<u>S Design Group</u> (503) 284-0988 Telephone Number
Signa	ture	



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MINOR MODIFICATION OF A CONDITIONAL USE APPROVAL CRITERIA

PURSUANT TO SECTION 50.25.1.B OF THE DEVELOPMENT CODE, A WRITTEN STATEMENT ADDRESSING THE APPROVAL CRITERIA FOR AN APPLICATION MUST BE SUBMITTED IN ORDER FOR AN APPLICATION TO BE DEEMED COMPLETE. STATEMENTS SUCH AS "NOT APPLICABLE" OR "THE PROPOSAL WILL COMPLY WITH APPLICABLE DEVELOPMENT REGULATIONS" ARE NOT SATISFACTORY. THE WRITTEN STATEMENT MUST ADDRESS EACH CRITERION AND MUST SPECIFY IN DETAIL HOW EACH WILL BE COMPLIED WITH.

An applicant for a Minor Modification of a Conditional Use shall address compliance with all of the following Approval Criteria as specified in 40.15.15.1.C.1-6 of the Development Code:

- The proposal satisfies the threshold requirements for a Minor Modification of a Conditional Use application.
 All City application fees related to the application under consideration by the decision making authority have been submitted.
- 3. The proposal contains all applicable application submittal requirements as specified in Section 50.25.1 of the Development Code.
- 4. The existing use has been approved as a conditional use as governed by the regulations in place when the use was established and complies with applicable conditions of conditional use approval.
- 5. The proposal will not remove or modify previously established conditions of approval for the prior conditional use consistent with Section 50.95.6. of this Code.
- 6. Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.



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MAJOR MODIFICATION OF A CONDITIONAL USE APPROVAL CRITERIA

PURSUANT TO SECTION 50.25.1.B OF THE DEVELOPMENT CODE, A WRITTEN STATEMENT ADDRESSING THE APPROVAL CRITERIA FOR AN APPLICATION MUST BE SUBMITTED IN ORDER FOR AN APPLICATION TO BE DEEMED COMPLETE. STATEMENTS SUCH AS "NOT APPLICABLE" OR "THE PROPOSAL WILL COMPLY WITH APPLICABLE DEVELOPMENT REGULATIONS" ARE NOT SATISFACTORY. THE WRITTEN STATEMENT MUST ADDRESS EACH CRITERION AND MUST SPECIFY IN DETAIL HOW EACH WILL BE COMPLIED WITH.

An applicant for a Major Modification of a Conditional Use shall address compliance with all of the following Approval Criteria as specified in 40.15.15.2.C.1-7 of the Development Code:

- 1. The proposal satisfies the threshold requirements for a Major Modification of a Conditional Use application.
- 2. All City application fees related to the application under consideration by the decision-making authority have been submitted.
- 3. The proposal complies with the applicable policies of the Comprehensive Plan.
- 4. The existing use has been approved as a conditional use as governed by the regulations in place when the use was established and complies with the applicable conditions of the conditional use approval unless the applicant has received or is concurrently requesting one or more conditions be removed or modified as part of the current application.
- 5. The location, size, and functional characteristics of the proposal are such that it can be made reasonably compatible with and have a minimal impact on livability and appropriate use and development of properties in the surrounding area of the subject site.
- 6. The proposal will not modify previously established conditions of approval for the prior conditional use consistent with Section 50.95.6 of the Development Code.
- 7. Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.



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NEW CONDITIONAL APPROVAL CRITERIA

PURSUANT TO SECTION 50.25.1.B OF THE DEVELOPMENT CODE, A WRITTEN STATEMENT ADDRESSING THE APPROVAL CRITERIA FOR AN APPLICATION MUST BE SUBMITTED IN ORDER FOR AN APPLICATION TO BE DEEMED COMPLETE. STATEMENTS SUCH AS "NOT APPLICABLE" OR "THE PROPOSAL WILL COMPLY WITH APPLICABLE DEVELOPMENT REGULATIONS" ARE NOT SATISFACTORY. THE WRITTEN STATEMENT MUST ADDRESS EACH CRITERION AND MUST SPECIFY IN DETAIL HOW EACH WILL BE COMPLIED WITH.

An applicant for a Conditional Use shall address compliance with all of the following Approval Criteria as specified in 40.15.15.3.C.1-6 of the Development Code:

- 1. The proposal satisfies the threshold requirements for a Conditional Use application.
- 2. All City application fees related to the application under consideration by the decision making authority have been submitted.
- **3**. The proposal will comply with the applicable policies of the Comprehensive Plan.
- 4. The size, dimensions, configuration, and topography of the site and natural and manmade features on the site can reasonably accommodate the proposal.
- 5. The location, size, and functional characteristics of the proposal are such that it can be made reasonably compatible with and have a minimal impact on livability and appropriate use and development of properties in the surrounding area of the subject site.
- 6. Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.



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PLANNED UNIT DEVELOPMENT APPROVAL CRITERIA

PURSUANT TO SECTION 50.25.1.B OF THE DEVELOPMENT CODE, A WRITTEN STATEMENT ADDRESSING THE APPROVAL CRITERIA FOR AN APPLICATION MUST BE SUBMITTED IN ORDER FOR AN APPLICATION TO BE DEEMED COMPLETE. STATEMENTS SUCH AS "NOT APPLICABLE" OR "THE PROPOSAL WILL COMPLY WITH APPLICABLE DEVELOPMENT REGULATIONS" ARE NOT SATISFACTORY. THE WRITTEN STATEMENT MUST ADDRESS EACH CRITERION AND MUST SPECIFY IN DETAIL HOW EACH WILL BE COMPLIED WITH.

An applicant for a Preliminary Planned Unit Development shall address compliance with all of the following Approval Criteria as specified in 40.15.15.4.C.1-11 of the Development Code:

- 2. All City application fees related to the application under consideration by the decision making authority have been submitted.
- 3. The proposal meets the Site Development Requirement for setbacks within the applicable zoning district for the perimeter of the parent parcel unless otherwise provided by Section 60.35.03.
- 4. The proposal complies with the applicable policies of the Comprehensive Plan.

1. The proposal satisfies the threshold requirements for a PUD application.

- 5. The size, dimensions, configuration, and topography of the site and natural and manmade features on the site can reasonably accommodate the proposal.
- 6. The location, size, and functional characteristics of the proposal are such that it can be made reasonably compatible with and have a minimal impact on livability and appropriate development of properties in the surrounding area of the subject site.
- 7. The width of proposed lots or staggering of building setbacks within detached residential developments vary so as to break up the monotony of long blocks and provide for a variety of home shapes and sizes, while giving the perception of open spaces between homes.
- 8. The lessening the Site Development Requirements results in significant benefits to the enhancement of site, building, and structural design, preservation of natural features and the surrounding neighborhood as outlined in Section 60.35.15.
- 9. The proposal provides improved open space that is accessible and usable by persons living nearby. Open space meets the following criteria unless otherwise determined by the Planning Commission through Section 60.35.15:
 - a. The dedicated land forms a single parcel of land except where the Planning Commission determines two (2) parcels or more would be in the public interest and complement the overall site design.
 - b. The shape of the open space is such that the length is not more than three (3) times

the width the purpose of which is to provide usable space for a variety of activities except where the Planning Commission determines a greater proportioned length would be in the public interest and complement the overall site design.

- c. The dedicated land(s) is located to reasonably serve all lots for the development, for which the dedication is required.
- 10. If the application proposes to develop the PUD over multiple phases, the decision making authority may approve a time schedule of not more than five (5) years for the multiple development phases. If a phased PUD has been approved, development of the future phases of the PUD shall be filed within five (5) years or the PUD has received an extension of approval pursuant to Section 50.93 of this Code. However, all PUD phases must commence construction within five (5) years of the date of the decision of the PUD. Refer to Section 50.90.
- 11. Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.