

Received
Planning Division
12/22/2022

EXHIBIT 3.1

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: _____
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SUBMITTED: _____ LWI DESIG: _____
COMP. PLAN: _____ NAC: _____

DESIGN REVIEW TWO AND THREE APPLICATION

PLEASE SELECT THE SPECIFIC TYPE OF DESIGN REVIEW FROM THE FOLLOWING LIST:

DESIGN REVIEW TWO

DESIGN REVIEW THREE MODIFICATION

APPLICANT: Use mailing address for meeting notification.

Check box if Primary Contact

COMPANY: AXIS Design Group

ADDRESS: 11104 SE Stark St.

(CITY, STATE, ZIP) Portland, OR

PHONE: (503) 284-0988 FAX: _____ E-MAIL: timb@axisdesigngroup.com

SIGNATURE: Timothy R. Brunner

CONTACT: Tim 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

PHONE: (503) 284-0988 FAX: _____ E-MAIL: erinu@axisdesigngroup.com

SIGNATURE: Erin Upham

CONTACT: Erin Upham

(Original Signature Required)

PROPERTY OWNER(S): Attach separate sheet if needed.

Check box if Primary Contact

COMPANY: Herzog Properties, LLC

ADDRESS: 4275 SW 139th Way

(CITY, STATE, ZIP) Beaverton, OR 97005

PHONE: (503) 644-9121 FAX: _____ E-MAIL: tom.herzog@herzogmeier.com

SIGNATURE: Tom Herzog

CONTACT: Tom Herzog

Note: A land use application must be signed by the property owner(s) or by someone authorized by the property owner(s) to act as an agent on their behalf. If someone is signing as the agent of the property owner(s), that person must submit a written statement signed by the property owner(s), authorizing the person to sign the application.

PROPERTY INFORMATION (REQUIRED)

SITE ADDRESS: 4180 SW 141st Avenue

AREA TO BE DEVELOPED (s.f.): 1.5 acres

ASSESSOR'S MAP & TAX LOT # LOT SIZE ZONING DISTRICT

EXISTING USE OF SITE: Automotive Sales and Service

1S116BB 03300 4.52 acres GC

PROPOSED DEVELOPMENT ACTION: Modification to
approved DR2020-0079



DESIGN REVIEW TWO AND THREE SUBMITTAL CHECKLIST

*Electronic submission is preferred whenever possible. Applicants should submit forms reports, plans, and other supporting documents electronically rather than printing and delivering multiple paper copies.
 Please click [here](#) for instructions on how to submit electronically.*

When opening links (highlighted in blue), right click on the link and open in a new window. You may lose your work if you click directly on the link.

- A. APPLICATION FORM.** Provide **one (1) completed** application form with original signature(s).
 - *Have you submitted for a permit from another division?*
- B. CHECKLIST.** Provide **one (1) completed** copy of this five (5) page checklist.
- C. WRITTEN STATEMENT.** Submit **one (1) copy** of a detailed description of the proposed project including, but not limited to, the changes to the site, structure, landscaping, parking, and land use.

In the written statement, please include the following:

- Address all applicable provisions of Chapter [20](#) (Land Uses)
- Address all applicable provisions of Chapter [60](#) (Special Regulations)
- Address all Facilities Review Technical Criteria from Section [40.03](#) of the City's *Development Code* (ORD 2050).
- Provide individual findings specifically addressing how and why the proposal satisfies each of the criterion within the appropriate Approval Criteria Section of Chapter [40](#) of the City's *Development Code* (ORD 2050), attached.
- Provide the hours of operation, total number of employees, and maximum number of employees per shift. If more than one type of operation exists or is proposed for the project site, please specify the information requested above for each use.

D. FEES, as established by the City Council.

E. SITE ANALYSIS INFORMATION.

Proposed parking modification: <u>0</u> sq. ft.	Existing landscaped area: <u>24,101</u> sq. ft.
Proposed number of parking spaces: <u>no change</u>	Percentage of site: <u>14.0</u> %
Proposed use: <input type="checkbox"/> automotive sales <input type="checkbox"/> service <input type="checkbox"/> no change	Proposed landscape modification: <u>1,100</u> sq. ft.
Parking requirement: <u>no change</u>	Percentage of site: <u>15.1</u> %
Existing parking area: <u>no change</u> sq. ft.	
Existing number of parking spaces: <u>no change</u>	
Existing building height: <u>20</u> ft.	
Proposed building height: <u>30</u> ft.	
Existing building area: <u>38,300</u> sq. ft.	
Proposed building modification: <u>1,000</u> sq. ft.	

F. CLEAN WATER SERVICES (CWS) DOCUMENTATION. Pursuant to Section [50.25.1. F](#) of the City's *Development Code* 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. 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.

H. 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.

- 1. A copy of the meeting notice mailed to surrounding property owners and the NAC Representative
- 2. A copy of the mailing list used to mail out the meeting notice.
- 3. A written statement representative of the on-site posting notice.
- 4. Affidavits of mailing and posting
- 5. Representative copies of written materials and plans presented at the Neighborhood Review Meeting.
- 6. Meeting minutes that include date, time, and location, as well as oral and written comments received
- 7. Meeting sign-in sheet that includes names and address of attendees.
- 8. Documentation verifying that the meeting minutes and sign-in sheets have been provided to the NAC representative.

I. 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 details the forecasted submission and approval timelines for permits/applications to the respective agencies and/or jurisdictions.

J. SCOPE OF REVIEW If filing the Design Review 3 application, please check one of the following:

I, as applicant or the applicant's representative, submit this application for Design Review 3 for the following reason:

- The proposal meets one or more Thresholds identified in Section [40.20.15.3.A](#) (1 through 9) for **Design Review 3**. Therefore, materials submitted with this application respond to all applicable Design Guidelines (Sections [60.05.35](#) through [60.05.50](#) of the Development Code)
- The proposal meets one or more Thresholds for **Design Review 2** but does not meet an applicable Design Standard. Therefore, materials submitted with this application respond to all applicable Design Standards except for the standard(s) not met where I have instead provided a response to the corresponding Design Guideline(s).
- The proposal meets one or more Thresholds for **Design Review 2**, however, for the reasons identified in my attached narrative, I elect to file this application for Design Review 3 and have provided a response to all applicable Design Guidelines.

PLANS & GRAPHIC REQUIREMENTS

Include all of the following information:



A. EXISTING CONDITIONS PLAN:

- 1. North arrow, scale, and date of plan.
- 2. Vicinity map.
- 3. The entire lot(s), including area and property lines dimensioned.
- 4. Points of existing access, interior streets, driveways, and parking areas.
- 5. Location of all existing buildings and structures, including refuse storage locations, pedestrian/bike paths, swimming pools, tennis courts, tot lots, and lighting.
- 6. Existing right-of-way and improvements.
- 7. Dimension from centerline to edge of existing right-of-way.
- 8. Existing topographical information, showing 2 ft. contours.
- 9. Surrounding development and conditions within 100 ft. of the property such as zoning, land uses, buildings, driveways, and trees.
- 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.
- 12. Sensitive areas, as defined by Clean Water Services (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. Indicate genus, species, and size. Dbh is measured at 54" above grade.



B. DIMENSIONED SITE PLAN:

- 1. North arrow, scale, and date of plan.
- 2. The entire lot(s), including area, property lines dimensioned and labeled "front," "side," and "rear."
- 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 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 between buildings.
- 8. Location of storm water quality/detention facilities.
- 9. Boundaries of development phases, if applicable.
- 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 out-croppings, and streams. *Wetlands must be professionally delineated.*



C. GRADING PLAN:

- 1. North arrow, scale, and date of plan.
- 2. 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.



D. UTILITY PLAN:

- 1. North arrow, scale, and date of plan.
- 2. 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 right-of-way, dedications, and improvements.
- 6. Proposed topographical information, showing 2 ft. contours.
- 7. Location of 100-year flood plain.
- 8. Location of existing and proposed public and private utilities, easements, surface water drainage patterns, and storm water quality/detention facility.
- 9. Boundaries of development phases, if applicable.
- 10. Natural Resource Areas, Significant trees, and Historic trees, as established by the City of Beaverton's inventories.
- 11. Sensitive areas, as defined by the CWS standards.
- 12. Wetland boundaries, upland wooded area boundaries, riparian area boundaries, rock out-croppings, and streams. *Wetlands must be professionally delineated.*



E. LANDSCAPE PLAN:

- 1. North arrow, scale, and date of plan.
- 2. 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 right-of-way, dedications, and improvements.
- 6. Boundaries of development phases, if applicable.
- 7. Natural Resource Areas, Significant trees, and Historic trees, as established by the City of Beaverton's inventories.
- 8. Sensitive areas, as defined by the CWS standards.
- 9. Wetland boundaries, upland wooded area boundaries, riparian area boundaries, rock out-croppings, and streams. *Wetlands must be professionally delineated.*
- 10. Existing trees 6" dbh or larger proposed to be saved. Include genus, species, and size.

- 11. The location and design of proposed landscaped areas, indicating all plant materials, including genus, species, common name, plant sizes, and spacing.
- 12. List of plant materials, including genus, species, common name, size, quantity, spacing and method of planting.
- 13. Other pertinent landscape features, including walls, retaining walls, berms, fences, and fountains.
- 14. Proposed location of light poles, bollards, and other exterior illumination.
- 15. A note on the plan indicating that an irrigation system will be installed to maintain the landscape materials.



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.
- 5. For all exterior lighting, indicate the area and pattern of illumination, via the use of an isogrid or isoline system, depicting the emitted ½ foot candlepower measurement.



G. 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 structure(s) and indicate the materials, colors, and textures proposed for the structures.



H. MATERIALS BOARD: Provide **one (1) 8½"x11" or one (1) 8½"x14"** Materials Board that includes examples of all building materials, colors, and textures of exterior surfaces for building(s) and structure(s). *Materials Boards provided at a size other than what is indicated above will not be accepted.*



I. DESCRIPTION OF MATERIALS AND FINISHES FORM: Provide one completed copy of the Materials and Finishes Form with the application submittal.

Note: Complete sets of plans reduced to 8 ½"x11" (11"x17" are not acceptable) will be required at the time the application is deemed complete.

I have provided all the items required by this five (5) page submittal checklist. I understand that any missing information, omissions, or both may result in the application being deemed incomplete, which may lengthen the time required to process the application.

Erin Upham

Print Name

Erin Upham

Signature

Digitally signed by Erin Upham
 DN: C=US,
 E=erinu@axisdesigngroup.com, O=AXIS
 Design Group, CN=Erin Upham
 Date: 2022.11.02 11:02:00 -0500

(001) 533-8220

Telephone Number

11/02/2022

Date



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Project Name:	_____
DR #:	_____
Date Received:	_____
Date Approved:	_____
Approved By:	_____

EXTERIOR STAIRS / BALCONIES/RAILINGS

Materials handrails _____

Paint or Stain colors Powdercoated to match herwin illiams Cityscape 006

GARAGES / CARPORTS

Materials steel canopies _____

Paint or Stain colors painted to match herwin illiams Cityscape 006

OTHER

TRASH ENCLOSURES

Materials _____

Paint or Stain colors Paint: herwin illiams ray Matters 66, Cityscape 006

Location site interior, west of new service building

FENCING

Materials none proposed _____

Paint or Stain colors _____

Location _____

LIGHTING FIXTURES Fixture type, # lamps, wattage, height, color, etc. _____

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Date Approved:	_____
Approved By:	_____

MAILBOXES

Materials, colors, location none proposed

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PEDESTRIAN PATHWAYS

Materials, colors, location _____

Concrete wal□ways per site plan _____

Broom finish, natural concrete color _____

RECREATIONAL AMENITIES

(i.e., benches, barbeques pit, tot lots, sport courts, etc)

Description of item(s) including materials and colors _____

SITE ANALYSIS DATA

<u>Item</u>	<u>Lot Coverage in Square Feet (sf)</u>	<u>Lot Coverage in %</u>
BUILDING AREA 52,057	sf	26.4 %
PARKING AND DRIVING 115,296	sf	58.5 %
LANDSCAPING / OPEN SPACE 29,812	sf	15.1 %
TOTAL SITE AREA 197,032	sf	100.0 %



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Project Name:	_____
DR #:	_____
Date Received:	_____
Date Approved:	_____
Approved By:	_____

LANDSCAPE MATERIALS

On a separate sheet of paper list in chart form the proposed types of landscape materials (trees, shrubs, groundcover). Include in the chart genus, species, common name, quantity, size, spacing and method of planting for each type of plant.

<u>Landscape Chart Example</u>				
<u>Common Name</u> - genus, species	<u>Quantity</u>	<u>Size</u>	<u>Spacing</u>	<u>Method of Planting</u>
<u>Trees</u>				
Incense Cedar - Calocedrus decurrens	12	6ft	20ft oc	B&B, branches to ground
<u>Shrubs</u>				
Compact Oregon Grape - Mahonia a. 'Compacta'	24	2-gallon	3 ft oc	Full Plants
<u>Ground Cover</u>				
Coast Strawberry - Fragaria chiloensis	48	4" pots	18" oc	Full Plants

Designate method of irrigation

Designate street trees for each street abutting the property.

ACKNOWLEDGEMENT

I have provided all the items required by this four (4) page description of materials and finishes form. I understand that any missing information, omissions, or both may result in the application being deemed incomplete, which may lengthen the time required to process the application.

Erin Upham

Print Name

Erin Upham

Signature

Digitally signed by Erin Upham
 DN: cn=US,
 email=erinu@axisdesigngroup.com,
 o=AXIS Design Group, cn=Erin
 Upham
 Date: 2022.11.09 11:27:11 -0800

(971) 533-8229

Telephone Number

11/9/2022

Date

DESIGN REVIEW TWO 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 Design Review Two shall address compliance with all of the following Approval Criteria as specified in [40.20.15.2.C.1-8](#) of the Development Code:

- 1. The proposal satisfies the threshold requirements for a Design Review Two application.
- 2. 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 proposal is consistent with all applicable provisions of Sections [60.05.15](#) through [60.05.30](#) (Design Standards).
- 5. For additions to or modifications of existing development, the proposal is consistent with all applicable provisions of Sections [60.05.15](#) through [60.05.30](#) (Design Standards) or can demonstrate that the additions or modifications are moving towards compliance of specific Design Standards if any of the following conditions exist:
 - a. A physical obstacle such as topography or natural feature exists and prevents the full implementation of the applicable standard; or
 - b. The location of existing structural improvements prevents the full implementation of the applicable standard; or
 - c. The location of the existing structure to be modified is more than 300 feet from a public street.

If the above listed conditions are found to exist and it is not feasible to locate a proposed addition in such a way that the addition abuts a street, then all applicable design standards except the following must be met:

 - d. If in a Multiple-Use District, building location, entrances and orientation along streets, and parking lot limitations along streets (Standards [60.05.15.6](#) and [60.05.20.8](#)).
 - e. If in a Multiple-Use or Commercial District, ground floor elevation window requirements (Standard [60.05.15.8](#)).
- 6. For reconstruction of a destroyed existing single-detached dwelling in a Multiple Use zoning district, the reconstructed dwelling is no more than 500 sq. ft. larger in floor area than the original dwelling.

- 7. The proposal complies with the grading standards outlined in Section [60.15.10](#) or approved with an Adjustment or Variance.

- 8. Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.

DESIGN REVIEW THREE 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 Design Review Three shall address compliance with all of the following Approval Criteria as specified in [40.20.15.3.C.1-9](#) of the Development Code:

- 1. The proposal satisfies the threshold requirements for a Design Review Three application.
- 2. All City application fees related to the application under consideration by the decision-making authority have been submitted.
- 3. For proposals meeting Design Review Three application thresholds numbers 1 through 7, the proposal is consistent with all applicable provisions of sections [60.05.35](#) through [60.05.50](#) (Design Guidelines).
- 4. For additions to or modifications of existing development, the proposal is consistent with all applicable provisions of Sections [60.05.35](#) through [60.05.50](#) (Design Guidelines) or can demonstrate that the additions or modifications are moving towards compliance with specific Design Guidelines if any of the following conditions exist:
 - a. A physical obstacle such as topography or natural feature exists and prevents the full implementation of the applicable guideline; or
 - b. The location of existing structural improvements prevents the full implementation of the applicable guideline; or
 - c. The location of the existing structure to be modified is more than 300 feet from a public street.
- 5. The proposal complies with the grading standards outlined in Section [60.15.10](#) or approved with an Adjustment or Variance.
- 6. For DRBCP proposals which involve the phasing of required floor area, the proposed project shall demonstrate how future development of the site, to the minimum development standards established in this Code or greater, can be realistically achieved at ultimate build out of the DRBCP.
- 7. For proposals meeting Design Review Three application Threshold numbers 8 or 9, where the applicant has decided to address a combination of standards and guidelines, the proposal is consistent with all applicable provisions of Sections [60.05.15](#) through [60.05.30](#) (Design Standards) except for the Design Standard(s) where the proposal is instead subject to the applicable corresponding Design Guideline(s).
- 8. For proposals meeting Design Review Three application Threshold numbers 8 or 9, where the applicant has decided to address Design Guidelines only, the proposal is consistent with the

applicable provisions of Sections [60.05.35](#) through [60.05.50](#) (Design Guidelines).

- ❑ 9. Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.