



29799 SW Town Center Loop E, Wilsonville, OR 97070
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Planning Division Development Permit Application

Final action on development application or zone change is required within 120 days in accordance with provisions of ORS 227.175

A pre application conference is normally required prior to submittal of an application. Please visit the City's website for submittal requirements

Pre-Application Meeting Date: August 13, 2020

Incomplete applications will not be scheduled for public hearing until all of the required materials are submitted.

Applicant:

Name: Steve Mileham
Company: LRS Architects
Mailing Address: 720 NW Davis Street, Suite 300
City, State, Zip: Portland, OR 97209
Phone: 503/ 806.5146 Fax: N/A
E-mail: smileham@lrsarchitects.com

Property Owner:

Name: Eric Iversen, Director
Company: Swickard Auto Group
Mailing Address: 25035 SW Parkway Ave
City, State, Zip: Wilsonville, OR 97070
Phone: Swickard Auto Group Fax: N/A
E-mail: eric.iversen@swickard.com

Authorized Representative:

Name: Eric Iversen
Company: Swickard Auto Group
Mailing Address: 1543 Angelcrest Dr
City, State, Zip: Medford, OR 97504
Phone: 541-301-2748 Fax: _____
E-mail: eric.iversen@swickard.com

Property Owner's Signature:

Printed Name: Eric Iversen Date: 2/25/22

Applicant's Signature: (if different from Property Owner)

Printed Name: Steve Mileham Date: 2/25/22

Site Location and Description:

Project Address if Available: 25035 SW Parkway Ave Suite/Unit _____
Project Location: Mercedes-Benz of Wilsonville site, North end of Parkway Avenue in Stafford Park, Wilsonville, OR
Tax Map #(s): T3S-R1W 2AD Tax Lot #(s): 600, 700 County: ☐ Washington ☒ Clackamas

Request:

Stage II Final Plan review and Site Design Review for proposed screening for inventory on site.
The proposed Inventory Storage Area = 49,323 SF (20% of the Site Area) (Actual disturbed area is significantly less.)

Project Type: Class I ☐ Class II ☐ Class III ☒

☐ Residential ☒ Commercial ☐ Industrial ☐ Other: _____

Application Type(s):

- | | | | |
|--|---|--|---|
| <input type="checkbox"/> Annexation | <input type="checkbox"/> Appeal | <input type="checkbox"/> Comp Plan Map Amend | <input type="checkbox"/> Parks Plan Review |
| <input type="checkbox"/> Final Plat | <input type="checkbox"/> Major Partition | <input type="checkbox"/> Minor Partition | <input type="checkbox"/> Request to Modify Conditions |
| <input type="checkbox"/> Plan Amendment | <input type="checkbox"/> Planned Development | <input type="checkbox"/> Preliminary Plat | <input checked="" type="checkbox"/> Site Design Review |
| <input type="checkbox"/> Request for Special Meeting | <input type="checkbox"/> Request for Time Extension | <input type="checkbox"/> Signs | <input checked="" type="checkbox"/> Stage II Final Plan |
| <input type="checkbox"/> SROZ/SRIR Review | <input type="checkbox"/> Staff Interpretation | <input type="checkbox"/> Stage I Master Plan | <input type="checkbox"/> Variance |
| <input type="checkbox"/> Type C Tree Removal Plan | <input type="checkbox"/> Tree Permit (B or C) | <input type="checkbox"/> Temporary Use | <input type="checkbox"/> Other (describe) |
| <input type="checkbox"/> Villebois SAP | <input type="checkbox"/> Villebois PDP | <input type="checkbox"/> Villebois FDP | |
| <input type="checkbox"/> Zone Map Amendment | <input type="checkbox"/> Waiver(s) | <input type="checkbox"/> Conditional Use | |



City of Wilsonville
Exhibit B1 DB22-0005



APPLICATION FOR
STAGE II FINAL PLAN MODIFICATION
SITE DESIGN REVIEW



MERCEDES-BENZ OF WILSONVILLE

25035 SW Parkway Ave, Wilsonville, OR

April 6, 2022

Mr. Daniel Pauly
Associate Planner, Planning Division
City of Wilsonville
29799 SW Town Center Loop East
Wilsonville, OR 97070

Re: Burden of Proof and Findings Narrative

Project Name: Mercedes-Benz of Wilsonville South Parking
LRS Project Number: 220129

Dear Mr. Pauly,

It has been over 20 years since the original plans were designed and approved for the Mercedes-Benz of Wilsonville site. When the site was originally design and approved, it had provisions for a second dealership to be built adjacent to the original. Landscaping, lighting, and stormwater were installed for the entire site. Since the original approval, there have been three owners of the Mercedes franchise. Now the entire site is being used just by the current Mercedes store due to the change in business at that location.

Automotive retailing has changed significantly since that approval. People spend a significant amount of time shopping online and only come to a dealership to pick up their vehicle or bring it in for service. Additionally, with the realities of COVID-19, many of the dealership's employees work from home. Many of the appointment setters, call center people, and accounting folks now only come into the dealership once or twice a week, and the owner anticipates this move to work from home to be a permanent, not a temporary move.

Based on the changes to the business and operations, the attached site plan proposes a screened vehicle storage area where the original second dealership was planned to be located.

This letter contains the project proposal and narrative addressing the applicable criteria within the City of Wilsonville Development Code.

SUMMMARY OF PROPOSAL

General Narrative and Code Response (Section 4.035)

The applicant is requesting approval of a Stage II Final Site Plan Modification as well as a Site Design Review for the development of a landscape-screened vehicle storage area, located on the south half of the existing Mercedes-Benz of Wilsonville automotive dealership site.

Site Areas: The total site area is 246,727 SF. An existing multi-story 81,621 SF multi-story sales and service building resides on the north half of the property. As shown on the attached proposed Stage II Site Plan, on the Site Area Schedule, the existing building has a footprint of 40,889 SF. There is a total of 53,844 SF of landscape area, 36,840 SF of a gravel pad on the south half of the property, and the remaining 115,154 SF area is paved or hardscape.

Parking Stalls: There are 186 parking stalls shown on the Existing Site Plan, including 6 accessible stalls (of the 6, there is 1 accessible van stall). The proposed site will include the same 6 accessible stalls (including the 1 accessible van stall), the same 37 compact stalls, and 117 total standard vehicle parking stalls, totaling 160 stalls, along with vehicle and pedestrian circulation and site landscaping.

Gravel Area: As shown on the Existing Site Plan, the gravel area currently totals 38,560 SF. Perimeter landscape areas on the west, north and partial east edges of the existing gravel area are proposed to replace gravel areas to screen vehicle storage. These landscape areas will comply with the screening requirements of the City of Wilsonville Development Code. The proposed Stage II Site Plan shows a resulting gravel area of 36,840 SF, with a reduction of 1,720 SF of gravel area from the existing gravel area. But the removed gravel area was replaced with landscape area, so there is essentially no net change in impervious area (and therefore, no improvements to stormwater management required).

Vehicle Storage Area: The proposed Vehicle Storage Area will be used for vehicles other than for customer parking and employee parking, which are designated elsewhere. Located in the south lot, this storage area totals 49,323 SF as shown on the proposed Stage II Site Plan (see the dashed outline). This represents 20% of the total 246,727 SF site area (49,323 SF / 246,727 SF = 20%). This complies with the area limitation stated in the 97DB23 Condition of Approval that authorizes up to 20% of the site to be outdoor storage. All other site uses remain as previously permitted and therefore are not addressed in this application. See Discussion of Key Issues below.

Parking and Vehicle Display Management: As shown in the response to Table 5, the parking provided for customer and employee parking (160 stalls) easily exceeds the Parking Minimum (137 stalls) in Table 5 (see Response Findings to Code Criteria below).

The approved Site Plan A1 in 97DB23 (page 9 of 137 of the Planning Department Staff Report, Exhibit "A", dated July 28, 1997, attached), shows paved employee parking and inventory parking along the north perimeter. The stalls along the north perimeter are now designated for employee parking and Service & Leasing stalls, and employee parking stalls have been marked with blue squares on the pavement for employee's use, and are coned off when not in use by an employee parking a personal vehicle. The Customer parking stalls on the Proposed Site Use

diagram exceed the demands for customer parking. Customers are also able to park in any stall not marked as employee parking.

The approved Site Plan A1 in 97DB23 (page 9 of 137" of the Planning Department Staff Report, Exhibit "A", dated June 6, 1997, attached), shows paved inventory parking along the south perimeter. The proposed vehicle storage area simply encloses the south line of inventory parking within the landscape screened area. The proposed Stage II Site Plan is consistent with the previously approved site plan in designating this area for inventory parking.

Vehicle Display and Staging continue to comply with the requirements of the conditional uses stated in 97DB23. Loading stalls are designated adjacent to the Service Department, as shown in the attached Stage II Site Plan.

BACKGROUND INFORMATION

This development was originally approved in 1997 (Stage II Final Site and Design Plans DB9723). The area for the current proposal was approved as a gravel pad for a future south building intended for automotive sales and service, with future concrete steps and plaza, and some landscape, as shown on the attached Existing Site Plan.

DISCUSSION OF KEY ISSUES

As noted in the Summary, this proposal is just for approval of a proposed Vehicle Storage area on the existing south part of the Mercedes-Benz site in Wilsonville. Key issues include:

1. Maximum area for proposed Vehicle Storage Area

A maximum of 20% of site area is allowed. The Stage II Site Plan shows that 49,323 SF (20% of the 246,727 SF total site area) is proposed.

2. High landscape screening required around Vehicle Storage Area.

The attached Landscape Plan shows the proposed Arborvitae combined with some existing site landscape areas to provide the necessary screening. Photos of the existing landscape that would form part of the High Screen Landscaping are also attached.

3. Site Impervious Area

The Stage II Site Plan includes a Site Impervious Area Summary that states that there is no net increase in impervious area. There is a decrease in gravel area from the previously permitted site plan, as a portion of the gravel area would be changed to landscape area for the landscape screening. The remaining gravel area would be paved with asphalt. No stormwater management improvements are required.

4. Vehicle Storage Use

As shown on the proposed Stage II Site Plan, there will be a new screened area for "Vehicle Storage". This area will be used for vehicles other than for customer parking and employee parking, which are designated separately on the site plan.

The automotive retail industry has been constantly evolving since the 1997 approval. The 1997 Stage II Site Plan drawings submitted showed a future South Dealership, in anticipation of accommodating a second building on the site. Since the original approval, there have been three owners of the site with the original Mercedes store using the entire site.

Automotive dealers are required to provide parking and storage for the following vehicle types:

- Customer vehicles
- Employee vehicles
- New vehicles ready for sale
- New vehicles not ready for sale
- Used vehicles
- Used vehicles not ready for sale
- Service vehicles
- Vehicles going to auction
- Loaner vehicles
- Manufacturer-owned vehicles

In practice, there are really only two categories of vehicle spaces on auto dealer's site. One is for **Vehicle Storage** (including new, used, loaner, auction, manufacturer, and service vehicles). These are vehicles that do not necessarily move every day. The second category is for the short term (10 minutes to 10 hour) parking of employee and customer vehicles.

The retailing of automobiles consists of an ever-changing dynamic. The mix of vehicle types, makes, models, and years varies on a daily business. A new 2021 Mercedes may be displayed next a used 2022 Mercedes. Additionally, automotive manufacturers shut down their plants for about 60 consecutive days (longer some years and shorter other years) in the late summer for model year changeovers. Car dealers are aware of this and will stock up on new inventory for the 3 or 4 weeks prior to shut down so they can have more new cars on the lot. Toward the end of that shutdown, the new car inventory on a dealer lot is lower than normal and the dealer will stock up on used cars. These changes on vehicle availability and ordering are not something with which the general public is aware, but this flexibility for vehicle storage is critical to the business.

The proposed Stage II Site Plan shows an exterior Vehicle Storage area in place of the former proposed future south dealership. This Vehicle Storage area will be screened from off-site public view. So, no matter what kind of vehicles are located within this area, they will not be visible from off-site. Customers will not be allowed in that area to access or view any vehicles. Vehicles sales occur wholly within the dealership building or online from a customer's home. No transactions occur in the open air outside of the building.

The other type of vehicle space on site is for **Customer and Employee Vehicles**. These cars move at least once daily, and a specific parking space may be used by multiple vehicles on any given day. Customers do not occupy the parking space all business day, freeing it up for different customers to use the same stall.

For employee parking, all the staff doesn't arrive at 8 am and leave at 5 pm (like a typical office). Mercedes' technicians work from 7 am to 4 pm. Many of the sales staff work from 4 to 8 pm. So multiple employees use the same space every day. These spaces are identified on the attached Stage II Final Site Plan – Use Diagram dated 10.11.21, and exceed the minimum number of stalls required.

5. Parking Management

The retail experience for buyers has also changed significantly since the 1997 approval, as noted in the introduction. People spend a significant amount of time shopping online and only come to a dealership to pick up their vehicle or bring it in for service. A majority of sales and service visits are made in advance by appointment. Additionally, with the realities of COVID-19, many of the dealership's employees work from home. Many of the appointment setters, call center people, and accounting folks now only come into the dealership once or twice a week, and the owner anticipates this move to work from home to be a permanent, not a temporary move, reducing the demand for employee parking stalls.

For the purposes of evaluating the proposed change in parking stall use on the site, we have summarized the parking use from the approved 97DB23 Site Plan on the attached **1997 L.U.R. Stage II Site Plan – Use Diagram** dated 10.11.21. We have also included a **Stage II Final Site Plan – Use Diagram** dated 2.25.22 showing the proposed parking stall use.

Parking Use Summary

	<u>1997 L.U.R. Site Plan</u>	<u>Proposed Site Plan</u>	<u>Net change</u>
Employee Parking	28 stalls	44 stalls	16 stall increase
Customer Parking	69 stalls	24 stalls	45 stall decrease
Service/ Lease Parking	45 stalls	92 stalls	47 stall increase
Total	142 stalls	160 stalls	18 stall increase

There are also 58 enclosed vehicle storage stalls on the upper garage level.

As you can see, the number of Customer parking stalls decreases, but that is primarily because the customer parking on the south half of the site was intended for the future south dealership (and was distributed accordingly). The number of customer parking stalls proposed is more than what is needed for customers for the existing north dealership in the current business environment, for the reasons noted above. The number of parking stalls for the Employees, and for Service and Lease vehicles both increase accordingly with this proposed site plan.

In addition, the 160 stalls provided easily exceed the minimum number of parking stalls required for this business (137 stalls). See calculations on Table 5 in the narrative below.

As previously discussed in this application, the industry of automotive retailing and vehicular repairs has dramatically changed (and continues to dramatically change) since this site was first approved for an automotive dealership in 1997. Many customers now complete some or all of their purchase transactions at home. Customers are spending more time shopping on their computers and phones at home and work and are spending less time shopping in person. More employees are either working from home or working from either of Swickard's 2 call centers. Additionally, many service customers no longer bring their cars to the dealership, as valet services are now offered whereby your car is picked up and then delivered to the customer's home or workplace. We believe all of these trends will continue and result in reduced time spent in the dealership for both employees and customers. Currently, at

any given time there are between zero and 15 customers at the dealership. The number of employees onsite currently varies from 10 to 50. Service and lease/loaner vehicle parking varies with the economy and car availability. That number is typically between 30 and 90. Also, it should be noted that every service stall inside the building is typically occupied with one of those service vehicles during the day and overnight. There are a total of 25 service stalls within the building. There are also 58 stalls inside the building on the upper level available for additional employee parking and/or service and lease/loaner parking.

EXHIBITS

Attached is an **Existing Site Plan** dated 7.21.21 that shows the current conditions of the site, including the outline of the existing gravel area, paved areas, and location of parking stalls.

Also attached is a **Proposed Stage II Final Site Plan** dated 4.12.21. This plan shows the intended area on the south site for vehicle storage for all vehicles which would be screened as shown.

We have also included for reference the originally **Permitted Site Plan** Drawing A1.1 (dated for Permit Issue 5.14.98 and for Construction Issue 4.26.99). This permit drawing shows the gravel area for the Future South Building.

Attached is a proposed Stage II **Landscape Plan by Rosenfeld Associates** dated 2.17.21 that shows the proposed landscape to form the high screen landscaping around the vehicle storage area. We have also included **Landscape Photos** of the existing landscaping that is to form part of the high screen landscaping.

Attached for reference is the **Tax Map for 3S102AD** dated 10/11/18 that includes the lot designations. Also attached is the **Survey for Stafford Park No. 2**, and the **Topographic Survey** for the Mercedes-Benz site.

Attached for reference is **approved Site Plan A1, page 9 of 137 in 97DB23 Planning Department Staff Report**, Exhibit "A", dated June 6, 1997, showing originally-approved parking counts and layouts.

Also attached is a proposed **Stage II Final Site Plan – Use Diagram** dated 10.11.21 and a proposed **1997 L.U.R. Stage II Site Plan – Use Diagram** dated 10.11.21 to address the previously approved and proposed parking stall uses.

RESPONSE FINDINGS TO CODE CRITERIA

The following narrative contains only the sections applicable to this proposed development and as indicated in the Pre-Application Checklist provided by the City planner at the pre-application meeting. Sections that are deemed not applicable to this proposal are not included.

Section 4.116. Standards Applying To Commercial Developments In Any Zone

(.05) All businesses, service or processing, shall be conducted wholly within a completely enclosed building; except for:

- C. Off-street parking for customers and employees and off-street loading.

Response:

Employee parking stalls are currently delineated on the property by pavement marking, and are also located within the building. Customers are free to park in other non-designated parking stalls, and will typically park in stalls closest to the sales and service departments. The total number of spaces provided exceeds the minimum number required per Table 5 of 4.155 (see below). Loading spaces are shown on the attached Stage II Site Plan near the Service Department.

- E. Temporary staging of inventory, as shall be authorized through a site development permit, complying with the following additional minimum development and performance standards:
 - 1. The staging area shall be screened by a fully sight obscuring fence or planting, high wall, high berm or high screen landscape standard as specified in Section 4.176 - Landscaping Screening and Buffering;
 - 2. All parts of the staged inventory shall be completely concealed on all sides from public view at the right-of-way line; and
 - 3. The staged inventory shall be relocated into a completely enclosed structure of the primary retail operation within 48 hours of placement.

Response:

The proposed Vehicle Storage Area will not be used for inventory staging, but for vehicle storage. The Vehicle Storage Area is screened by landscaping as shown on the proposed Stage II Site Plan.

Any commercial use shall be subject to the applicable provisions of this Code and to the following:

- (.12) Off-Street Parking is to be as specified in Section 4.155.

Response:

Off-street parking will primarily remain as shown on the 1999 permitted drawings. There will be (3) added parking spaces (noted as "Proposed Parking Spaces") on the proposed

Site Plan. Refer to Section 4.155, General Regulations - Parking, Loading and Bicycle Parking for additional stall information.

Section 4.131. PDC - Planned Development Commercial Zone.

The requirements of a PDC Zone shall be governed by Section 4.140, Planned Development Regulations, and as otherwise set forth in this Code.

Response:

**The proposed project is for modifications to the originally approved 1997 Stage II Final Site and Design Plans (DB9723). This current application is for the approval of a Vehicle Storage area within part of the south lot. All other site development remains as previously approved and therefore is not addressed in this application.
Proposed modifications will comply with Section 4.140 as noted below.**

Section 4.140. Planned Development Regulations.

Response:

The proposed project is for modifications to the originally approved 1997 Stage II Final Site and Design Plans (DB9723). This current application is for the approval of a Vehicle Storage area within part of the south lot. All other site development remains as previously approved and therefore is not addressed in this application.

This proposed modification to the Stage II Final Site Plan addresses the relevant code sections as follows:

(.09) Final Approval (Stage Two):

- D. The final plan shall be sufficiently detailed to indicate fully the ultimate operation and appearance of the development or phase of development. However, Site Design Review is a separate and more detailed review of proposed design features, subject to the standards of Section 4.400.

Response:

See the proposed Stage II Site Plan included with the application that shows the intended operation and appearance of the development.

- J. A planned development permit may be granted by the Development Review Board or Planning Director, as applicable, only if it is found that the development conforms to all the following criteria, as well as to the Planned Development Regulations in Section 4.140: [Section 4.140 Section (.09) J amended per Ordinance No. 812, 02/22/18]

1. The location, design, size and uses, both separately and as a whole, are consistent with the Comprehensive Plan, and with any other applicable plan, development map or Ordinance adopted by the City Council.

Response:

The proposed development site is located within the Area H of the Comprehensive Plan designated Commercial and is zoned PDC. The project is consistent with the requirements of both the comprehensive plan and the zoning map.

3. That the location, design, size and uses are such that the residents or establishments to be accommodated will be adequately served by existing or immediately planned facilities and services.

Response:

The proposed development is serviced by a combination of existing facilities that were installed with the original development and new facilities required by the City and the development. See site plan information showing new and existing facilities.

Section 4.154. On-site Pedestrian Access and Circulation.

(.01) On-site Pedestrian Access and Circulation

B. Standards. Development shall conform to all of the following standards:

1. Continuous Pathway System. A pedestrian pathway system shall extend throughout the development site and connect to adjacent sidewalks, and to all future phases of the development, as applicable.
2. Safe, Direct, and Convenient. Pathways within developments shall provide safe, reasonably direct, and convenient connections between primary building entrances and all adjacent parking areas, recreational areas/ playgrounds, and public rights-of-way and crosswalks based on all of the following criteria:
 - d. All parking lots larger than three acres in size shall provide an internal bicycle and pedestrian pathway pursuant to Section 4.155(.03)(B.)(3.)(d.).

Response:

The proposed development does not alter the existing permitted development, which includes a continuous pedestrian pathway system. See the proposed Stage II Site Plan.

Section 4.155. General Regulations - Parking, Loading and Bicycle Parking.

(.01) Purpose:

- B. As much as possible, site design of impervious surface parking and loading areas shall address the environmental impacts of air and water pollution, as well as climate change from heat islands.

Response:

The existing impervious surface parking and loading areas remain as previously permitted.

- A. The view from the public right of way and adjoining properties is critical to meet the aesthetic concerns of the community and to ensure that private property rights are met. Where developments are located in key locations such as near or adjacent to the I-5 interchanges, or involve large expanses of asphalt, they deserve community concern and attention.

Response:

The proposed development will utilize the existing landscaping for necessary screening of the proposed Vehicle Storage area, and new landscape screening of the area will comply with zoning regulations. See the proposed Stage II Site Plan and Landscape Plan.

(.02) General Provisions:

- B. No area shall be considered a parking space unless it can be shown that the area is accessible and usable for that purpose, and has maneuvering area for the vehicles, as determined by the Planning Director.
- G. Off-Site Parking. Except for single-family dwellings, the vehicle parking spaces required by this Chapter may be located on another parcel of land, provided the parcel is within 500 feet of the use it serves and the DRB has approved the off-site parking through the Land Use Review. The distance from the parking area to the use shall be measured from the nearest parking space to the main building entrance, following a sidewalk or other pedestrian route.
- J. Parking spaces along the boundaries of a parking lot shall be provided with a sturdy bumper guard or curb at least six (6) inches high and located far enough within the boundary to prevent any portion of a car within the lot from extending over the property line or interfering with required screening or sidewalks.
- K. All areas used for parking and maneuvering of cars shall be surfaced with asphalt, concrete, or other surface, such as pervious materials (i.e. pavers, concrete, asphalt) that is found by the City's authorized representative to be suitable for the purpose. In all cases, suitable drainage, meeting standards set by the City's authorized representative; shall be provided. [Amended by Ord. # 674 11/16/09]

- L. Artificial lighting which may be provided shall be so limited or deflected as not to shine into adjoining structures or into the eyes of passers-by.
- N. Up to forty percent (40%) of the off-street spaces may be compact car spaces as identified in Section 4.001 - "Definitions," and shall be appropriately identified.

Response:

The proposed project is for modifications to the originally approved 1997 Stage II Final Site and Design Plans (DB9723). This current application is for the approval of a Vehicle Storage area within part of the south lot.

The existing parking and loading areas remain as previously permitted, including adequate maneuvering area, curbs, paving, compact spaces, and lighting.

Within the existing parking area, new striping on existing paving will designate 3 new parking stalls as shown on the attached Site Plan. (30 existing paved parking stalls along the south perimeter will be incorporated into the proposed Vehicle Storage area.)

Of the 160 parking stalls provided on the proposed site plan, 37 are compact stalls (23%), which is less than the maximum 40% allowed.

(.03) Minimum and Maximum Off-Street Parking Requirements:

- A. Parking and loading or delivery areas shall be designed with access and maneuvering area adequate to serve the functional needs of the site and shall:
 - 1. Separate loading and delivery areas and circulation from customer and/or employee parking and pedestrian areas. Circulation patterns shall be clearly marked.
 - 2. To the greatest extent possible, separate vehicle and pedestrian traffic.

Response:

The proposed project is for modifications to the originally approved 1997 Stage II Final Site and Design Plans (DB9723). This current application is for the approval of a Vehicle Storage area within part of the south lot.

Existing parking and loading areas are provided with adequate maneuvering areas, as originally approved. Loading areas are located separately from customer and employee parking and pedestrian areas. Vehicle and pedestrian traffic remain separated as previously approved.

- B. Parking and loading or delivery areas shall be landscaped to minimize the visual dominance of the parking or loading area, as follows:
 - 1. Landscaping of at least ten percent (10%) of the parking area designed to be screened from view from the public right-of-way and adjacent properties. This landscaping shall be considered to be part of the fifteen

percent (15%) total landscaping required in Section 4.176.03 for the site development.

2. Landscape tree planting areas shall be a minimum of eight (8) feet in width and length and spaced every eight (8) parking spaces or an equivalent aggregated amount.
 - a. Trees shall be planted in a ratio of one (1) tree per eight (8) parking spaces or fraction thereof, except in parking areas of more than two hundred (200) spaces where a ratio of one (1) tree per six (six) spaces shall be applied as noted in subsection (.03)(B.)(3.). A landscape design that includes trees planted in areas based on an aggregated number of parking spaces must provide all area calculations.
 - b. Except for trees planted for screening, all deciduous interior parking lot trees must be suitably sized, located, and maintained to provide a branching minimum of seven (7) feet clearance at maturity.

Response:

The existing landscaped areas remain as previously permitted.

- B. Off Street Parking shall be designed for safe and convenient access that meets ADA and ODOT standards. All parking areas which contain ten (10) or more parking spaces, shall for every fifty (50) standard spaces, provide one ADA-accessible parking space that is constructed to building code standards, Wilsonville Code 9.000.

Response:

For the 117 standard parking stalls on the proposed site plan (including the 3 new stalls), 3 accessible stalls (1/50) would be required. The 6 previously permitted existing accessible stalls exceed this City requirement.

(The 6 stalls also meet the building code requirement (Table 1106.1) of 6 stalls required for 151-200 stalls.)

- G. Tables 5 shall be used to determine the minimum and maximum parking standards for various land uses. The minimum number of required parking spaces shown on Tables 5 shall be determined by rounding to the nearest whole parking space. For example, a use containing 500 square feet, in an area where the standard is one space for each 400 square feet of floor area, is required to provide one off-street parking space. If the same use contained more than 600 square feet, a second parking space would be required. Structured parking and on-street parking are exempted from the parking maximums in Table 5. [Amended by Ordinance No. 538, 2/21/02.]

Response:

There are no changes to the previously approved uses or parking, except the addition of three new striped parking stalls (and the exclusion of the 30 stalls to be incorporated into the Vehicle Storage area), so the total provided is still well within the maximum allowed. See Table 5 calculations below.

(.04) Bicycle Parking:

A. Required Bicycle Parking - General Provisions.

1. The required minimum number of bicycle parking spaces for each use category is shown in Table 5, Parking Standards.
2. Bicycle parking spaces are not required for accessory buildings. If a primary use is listed in Table 5, bicycle parking is not required for the accessory use.
3. When there are two or more primary uses on a site, the required bicycle parking for the site is the sum of the required bicycle parking for the individual primary uses.
4. Bicycle parking space requirements may be waived by the Development Review Board per Section 4.118(.03)(A.)(9.) and (10.).

B. Standards for Required Bicycle Parking

1. Each space must be at least 2 feet by 6 feet in area and be accessible without moving another bicycle.
2. An aisle at least 5 feet wide shall be maintained behind all required bicycle parking to allow room for bicycle maneuvering. Where the bicycle parking is adjacent to a sidewalk, the maneuvering area may extend into the right-of-way.
3. When bicycle parking is provided in racks, there must be enough space between the rack and any obstructions to use the space properly.
4. Bicycle lockers or racks, when provided, shall be securely anchored.
5. Bicycle parking shall be located within 30 feet of the main entrance to the building or inside a building, in a location that is easily accessible for bicycles. For multi-tenant developments, with multiple business entrances, bicycle parking may be distributed on-site among more than one main entrance.
6. With Planning Director approval, on street vehicle parking can also be used for bicycle parking.

[Added by Ord. 835, 6/5/19]

C. Long-term Bicycle Parking

1. Long-term bicycle parking provides employees, students, residents, commuters, and others who generally stay at a site for several hours a weather-protected place to park bicycles.

2. For a proposed multi-family residential, retail, office, or institutional development, or for a park and ride or transit center, where six (6) or more bicycle parking spaces are required pursuant to Table 5, 50% of the bicycle parking shall be developed as long-term, secure spaces. Required long-term bicycle parking shall meet the following standards:
 - a. All required spaces shall meet the standards in subsection (B.) above, and must be covered in one of the following ways: inside buildings, under roof overhangs or permanent awnings, in bicycle lockers, or within or under other structures.
 - b. All spaces must be located in areas that are secure or monitored (e.g., visible to employees, monitored by security guards, or in public view).
 - c. Spaces are not subject to the locational criterion of (B.)(5.).

[Section 4.155(.04) Added by Ord. #719, 6/17/13]

Response:

The existing bike parking remains as previously permitted. There are 6 bike “staples” on site noted as “Existing Bike Parking (6)” as shown on the Site Plan. See Table 5 calculations below.

TABLE 5: PARKING STANDARDS

USE e. Commercial 4. Retail stores and outlets selling furniture, automobiles or other bulky merchandise where the operator can show the bulky merchandise occupies the major areas of the building.

PARKING MINIMUM	1.67 per 1,000 sq. ft.
PARKING MAXIMUM	6.2 per 1,000 sq. ft.

Response:

Employee parking spaces have been designated along the north property line, and are marked with blue squares on the pavement for employee’s use and blocked with cones when an employee is not parked in a space. Customers are able to park in any stall not marked as employee parking.

Together, there are 160 stalls for customer and employee parking and service/lease vehicle parking, as shown on the Parking Summary on the Stage II Site Plan, and as shown below.

The existing building and use have not changed, so the parking requirements remain as previously required in the 97DB23 approval:

North building.	
Service (19,171 sf @ 1/200)	96 spaces
Mercedes showroom (9,286 sf @ 1/600)	16 spaces
Administration (5,225 sf @ 1/250)	21 spaces
Admin. storage (744 sf @ 1/2000)	1 space
Parts storage (4,709 sf @ 1/2000)	3 spaces
<u>Total required</u>	<u>137 spaces</u>

Parking required: 137 spaces

Parking provided: 117 standard stalls
 37 compact stalls (23.2% of total, meets 40% maximum)
6 Accessible stalls (1/50 standard spaces, 3 required)
 160 Total stalls (Exceeds 137 minimum)

As shown, the parking provided for customer and employee parking (160 stalls) exceeds the Parking Minimum (137 stalls) in Table 5.

With the exception of the 30 stalls along the south property line, the stalls shown on the proposed Stage II Site Plan are the same stalls shown for parking in the Site Plan from 97DB23, plus the additional 3 new proposed stalls.

BICYCLE MINIMUMS 1 per 8,000 sq. ft. Min. of 2

Response:

Building Area: 81,621 s.f.
Bike Parking Minimum: 11 stalls (1/ 8000 SF x 81,621 SF = 10.2 minimum)

Bike Parking Provided: 6 existing bike "staples" x 2 bikes each = 12 bike stalls

(.05) Minimum Off-Street Loading Requirements:

- A. Every building that is erected or structurally altered to increase the floor area, and which will require the receipt or distribution of materials or merchandise by truck or similar vehicle, shall provide off-street loading berths on the basis of minimum requirements as follows:
 - 1. Commercial, industrial, and public utility uses which have a gross floor area of 5,000 square feet or more, shall provide truck loading or unloading berths in accordance with the following tables:

Square feet of Floor Area	Number of Berths Required
Less than 5,000	0
5,000 - 30,000	1
30,000 - 100,000	2
100,000 and over	3

Response:

The proposed project is for modifications to the originally approved 1997 Stage II Final Site and Design Plans (DB9723). This current application is for the approval of a Vehicle Storage area within part of the south lot. The loading stalls at the existing building remain as previously approved.

(.06) Carpool and Vanpool Parking Requirements:

- A. Carpool and vanpool parking spaces shall be identified for the following uses:
 - 1. New commercial and industrial developments with seventy-five (75) or more parking spaces,
 - 2. New institutional or public assembly uses, and
 - 3. Transit park-and-ride facilities with fifty (50) or more parking spaces.
- B. Of the total spaces available for employee, student, and commuter parking, at least five percent, but not fewer than two, shall be designated for exclusive carpool and vanpool parking.
- C. Carpool and vanpool parking spaces shall be located closer to the main employee, student or commuter entrance than all other parking spaces with the exception of ADA parking spaces.
- D. Required carpool/vanpool spaces shall be clearly marked "Reserved - Carpool/Vanpool Only."

Response:

Required Carpool/ vanpool parking spaces:

For "New commercial and industrial developments with seventy-five (75) or more parking spaces":

"Of the total spaces available for employee, student, and commuter parking, at least five percent, but not fewer than two, shall be designated for exclusive carpool and vanpool parking."

Provided Carpool/ vanpool parking spaces:

There are less than 75 employee stalls (and no student or commuter parking). No carpool/ vanpool parking stalls are provided.

Section 4.171. General Regulations - Protection of Natural Features and Other Resources.

(.02) General Terrain Preparation:

- A. All developments shall be planned, designed, constructed and maintained with maximum regard to natural terrain features and topography, especially hillside areas, floodplains, and other significant landforms.
- C. In addition to any permits required under the Uniform Building Code, all developments shall be planned, designed, constructed and maintained so as to:
 - 1. Limit the extent of disturbance of soils and site by grading, excavation and other land alterations.
 - 2. Avoid substantial probabilities of: (1) accelerated erosion; (2) pollution, contamination, or siltation of lakes, rivers, streams and wetlands; (3) damage to vegetation; (4) injury to wildlife and fish habitats.
 - 3. Minimize the removal of trees and other native vegetation that stabilize hillsides, retain moisture, reduce erosion, siltation and nutrient runoff, and preserve the natural scenic character.

(.04) Trees and Wooded Areas.

- A. All developments shall be planned, designed, constructed and maintained so that:
 - 1. Existing vegetation is not disturbed, injured, or removed prior to site development and prior to an approved plan for circulation, parking and structure location.
 - 2. Existing wooded areas, significant clumps/groves of trees and vegetation, and all trees with a diameter at breast height of six inches or greater shall be incorporated into the development plan and protected wherever feasible.
 - 3. Existing trees are preserved within any right-of-way when such trees are suitably located, healthy, and when approved grading allows.
- B. Trees and woodland areas to be retained shall be protected during site preparation and construction according to City Public Works design specifications, by:
 - 1. Avoiding disturbance of the roots by grading and/or compacting activity.
 - 2. Providing for drainage and water and air filtration to the roots of trees which will be covered with impermeable surfaces.
 - 3. Requiring, if necessary, the advisory expertise of a registered arborist/horticulturist both during and after site preparation.

4. Requiring, if necessary, a special maintenance, management program to insure survival of specific woodland areas of specimen trees or individual heritage status trees.

Response:

The proposed project is for modifications to the existing approved 1997 Stage II Final Site and Design Plans (DB9723). This current application is for the approval of a Vehicle Storage area within part of the south lot.

The proposed development maintains all previously approved general terrain, existing trees and wooded areas. See the proposed Stage II Site Plan and Landscape Plan. Existing trees and wooded areas will not be affected by the new development.

Section 4.175. Public Safety and Crime Prevention.

- (.01) All developments shall be designed to deter crime and insure public safety.
- (.02) Addressing and directional signing shall be designed to assure identification of all buildings and structures by emergency response personnel, as well as the general public.
- (.03) Areas vulnerable to crime shall be designed to allow surveillance. Parking and loading areas shall be designed for access by police in the course of routine patrol duties.
- (.04) Exterior lighting shall be designed and oriented to discourage crime.

Response:

The proposed project is for modifications to the existing approved 1997 Stage II Final Site and Design Plans (DB9723). This current application is for the approval of a Vehicle Storage area within part of the south lot.

The proposed development will keep the previously approved existing lighting and surveillance systems, which are currently designed to deter crime. Access into the Vehicle Storage area is open to allow surveillance. See the proposed Stage II Site Plan.

Section 4.176. Landscaping, Screening, and Buffering.

- (.01) Purpose. This Section consists of landscaping and screening standards and regulations for use throughout the City. The regulations address materials, placement, layout, and timing of installation. The City recognizes the

ecological and economic value of landscaping and requires the use of landscaping and other screening or buffering to:

- A. Promote the re-establishment of vegetation for aesthetic, health, erosion control, flood control and wildlife habitat reasons;
- B. Restore native plant communities and conserve irrigation water through establishment, or re-establishment, of native, drought-tolerant plants;
- C. Mitigate for loss of native vegetation;
- D. Establish and enhance a pleasant visual character which recognizes aesthetics and safety issues;
- E. Promote compatibility between land uses by reducing the visual, noise, and lighting impacts of specific development on users of the site and abutting sites or uses;
- F. Unify development and enhance and define public and private spaces;
- G. Promote the retention and use of existing topsoil and vegetation. Amended soils benefit stormwater retention and promote infiltration;
- H. Aid in energy conservation by providing shade from the sun and shelter from the wind; and
- I. Screen from public view the storage of materials that would otherwise be considered unsightly.
- J. Support crime prevention, create proper sight distance clearance, and establish other safety factors by effective landscaping and screening.
- K. Provide landscaping materials that minimize the need for excessive use of fertilizers, herbicides and pesticides, irrigation, pruning, and mowing to conserve and protect natural resources, wildlife habitats, and watersheds.

(.02) Landscaping and Screening Standards.

- A. All landscaping and screening required by this Code must comply with all of the provisions of this Section, unless specifically waived or granted a Variance as otherwise provided in the Code. The landscaping standards are minimum requirements; higher standards can be substituted as long as fence and vegetation-height limitations are met. Where the standards set a minimum based on square footage or linear footage, they shall be interpreted as applying to each complete or partial increment of area or length (e.g., a landscaped area of between 800 and 1600 square feet shall have two trees if the standard calls for one tree per 800 square feet).
- B. General Landscaping Standard.
 - 1. Intent. The General Landscaping Standard is a landscape treatment for areas that are generally open. It is intended to be applied in situations where distance is used as the principal means of separating uses or developments and landscaping is required to enhance the intervening space. Landscaping may include a mixture of ground cover, evergreen

and deciduous shrubs, and coniferous and deciduous trees.

2. Required materials. Shrubs and trees, other than street trees, may be grouped. Ground cover plants must fully cover the remainder of the landscaped area (see Figure 21: General Landscaping). The General Landscaping Standard has two different requirements for trees and shrubs:
 - a. Where the landscaped area is less than 30 feet deep, one tree is required for every 30 linear feet.
 - b. Where the landscaped area is 30 feet deep or greater, one tree is required for every 800 square feet and two high shrubs or three low shrubs are required for every 400 square feet.

C. High Screen Landscaping Standard.

1. Intent. The High Screen Landscaping Standard is a landscape treatment that relies primarily on screening to separate uses or developments. It is intended to be applied in situations where visual separation is required.
2. Required materials. The High Screen Landscaping Standard requires sufficient high shrubs to form a continuous screen at least six (6) feet high and 95% opaque, year-round. In addition, one tree is required for every 30 linear feet of landscaped area, or as otherwise required to provide a tree canopy over the landscaped area. Ground cover plants must fully cover the remainder of the landscaped area. A six (6) foot high masonry wall or a berm may be substituted for the shrubs, but the trees and ground cover plants are still required. When applied along street lot lines, the screen or wall is to be placed along the interior side of the landscaped area. (See Figure 24: High Screen Landscaping).

Response:

The Project Landscape will be enhanced to provide the required High Screen Landscape Buffer Section 4.176 through the addition of the following evergreen plant material:

Perimeter High Evergreen Plant Material (refer to Landscape Exhibit Plan Sheet):

- 1) Thuja occidentale 'Emerald Green' Emerald Green Arborvitae**
- 2) Taxus x media 'Hicksii' - Hicks Columnar Yew**
- 3) Arctostaphylos u. 'Emerald Carpet' (ground cover)**

These plantings will reach a height of over 6 ft within the required two-year period immediately following the installation of above listed material.

The attached photos show the existing landscaping that will form part of the High Screen Landscaping.

See the Site Plan and the Landscape Plan. The remaining existing landscaping will remain as previously approved.

- (.03) Landscape Area. Not less than fifteen percent (15%) of the total lot area, shall be landscaped with vegetative plant materials. The ten percent (10%) parking

area landscaping required by section 4.155.03(B)(1) is included in the fifteen percent (15%) total lot landscaping requirement. Landscaping shall be located in at least three separate and distinct areas of the lot, one of which must be in the contiguous frontage area. Planting areas shall be encouraged adjacent to structures. Landscaping shall be used to define, soften or screen the appearance of buildings and off-street parking areas. Materials to be installed shall achieve a balance between various plant forms, textures, and heights. The installation of native plant materials shall be used whenever practicable. (For recommendations refer to the Native Plant List maintained by the City of Wilsonville). [Amended by Ord. # 674 11/16/09]

Response:

The existing landscape originally permitted will be supplemented with the landscape required for the screening. The proposed landscape area will be 22% of the total site area. See the Site Plan and the Landscape Plan.

- (.04) Buffering and Screening. Additional to the standards of this subsection, the requirements of the Section 4.137.5 (Screening and Buffering Overlay Zone) shall also be applied, where applicable.

Response:

The site is not in the Screening and Buffering Overlay zone.

1. All intensive or higher density developments shall be screened and buffered from less intense or lower density developments.
 - A. All outdoor storage areas shall be screened from public view, unless visible storage has been approved for the site by the Development Review Board or Planning Director acting on a development permit.

Response:

The proposed development includes High Screen Landscaping to meet development standards. See the proposed Stage II Site Plan and the Landscape Plan.

Outdoor Storage is limited to 20% of the site area per the Stage I Master Plan.

The proposed Stage II Site Plan shows the storage area to be 49,325 SF, which 20% of the site area (20% of 246,628 SF).

- (.05) Sight-Obscuring Fence or Planting. The use for which a sight-obscuring fence or planting is required shall not begin operation until the fence or planting is erected or in place and approved by the City. A temporary occupancy permit may be issued upon a posting of a bond or other security equal to one hundred ten percent (110%) of the cost of such fence or planting and its installation. (See Sections 4.400 to 4.470 for additional requirements.)

- (.06) Plant Materials.
 - A. Shrubs and Ground Cover. All required ground cover plants and shrubs must be of sufficient size and number to meet these standards within three (3) years of planting. Non-horticultural plastic sheeting or other

impermeable surface shall not be placed under mulch. Native topsoil shall be preserved and reused to the extent feasible. Surface mulch or bark dust are to be fully raked into soil of appropriate depth, sufficient to control erosion, and are confined to areas around plantings. Areas exhibiting only surface mulch, compost or barkdust are not to be used as substitutes for plant areas. [Amended by Ord. # 674 11/16/09]

1. Shrubs. All shrubs shall be well branched and typical of their type as described in current AAN Standards and shall be equal to or better than 2-gallon containers and 10" to 12" spread.
 2. Ground cover. Shall be equal to or better than the following depending on the type of plant materials used: gallon containers spaced at 4 feet on center minimum, 4" pot spaced 2 feet on center minimum, 2-1/4" pots spaced at 18 inch on center minimum. No bare root planting shall be permitted. Ground cover shall be sufficient to cover at least 80% of the bare soil in required landscape areas within three (3) years of planting. Where wildflower seeds are designated for use as a ground cover, the City may require annual re-seeding as necessary.
 3. Turf or lawn in non-residential developments. Shall not be used to cover more than ten percent (10%) of the landscaped area, unless specifically approved based on a finding that, due to site conditions and availability of water, a larger percentage of turf or lawn area is appropriate. Use of lawn fertilizer shall be discouraged. Irrigation drainage runoff from lawns shall be retained within lawn areas.
 4. Plant materials under trees or large shrubs. Appropriate plant materials shall be installed beneath the canopies of trees and large shrubs to avoid the appearance of bare ground in those locations.
 5. Integrate compost-amended topsoil in all areas to be landscaped, including lawns, to help detain runoff, reduce irrigation and fertilizer needs, and create a sustainable, low-maintenance landscape.
[Added by Ord. # 674 11/16/09]
- B. Trees. All trees shall be well-branched and typical of their type as described in current American Association of Nurserymen (AAN) Standards and shall be balled and burlapped. The trees shall be grouped as follows:
1. Primary trees which define, outline or enclose major spaces, such as Oak, Maple, Linden, and Seedless Ash, shall be a minimum of 2" caliper.
 2. Secondary trees which define, outline or enclose interior areas, such as Columnar Red Maple, Flowering Pear, Flame Ash, and

Honeylocust, shall be a minimum of 1-3/4" to 2" caliper.

3. Accent trees which, are used to add color, variation and accent to architectural features, such as Flowering Pear and Kousa Dogwood, shall be 1-3/4" minimum caliper.
4. Large conifer trees such as Douglas Fir or Deodar Cedar shall be installed at a minimum height of eight (8) feet.
5. Medium-sized conifers such as Shore Pine, Western Red Cedar or Mountain Hemlock shall be installed at a minimum height of five to six (5 to 6) feet.

C. Types of Plant Species.

1. Existing landscaping or native vegetation may be used to meet these standards, if protected and maintained during the construction phase of the development and if the plant species do not include any that have been listed by the City as prohibited. The existing native and non-native vegetation to be incorporated into the landscaping shall be identified.
2. Selection of plant materials. Landscape materials shall be selected and sited to produce hardy and drought-tolerant landscaping. Selection shall be based on soil characteristics, maintenance requirements, exposure to sun and wind, slope and contours of the site, and compatibility with other vegetation that will remain on the site. Suggested species lists for street trees, shrubs and groundcovers shall be provided by the City of Wilsonville.
3. Prohibited plant materials. The City may establish a list of plants that are prohibited in landscaped areas. Plants may be prohibited because they are potentially damaging to sidewalks, roads, underground utilities, drainage improvements, or foundations, or because they are known to be invasive to native vegetation.

[Section 4.176(.06)(E.) amended by Ordinance No. 538, 2/21/02.]

D. Tree Credit.

Existing trees that are in good health as certified by an arborist and are not disturbed during construction may count for landscaping tree credit as follows (measured at four and one-half feet above grade and rounded to the nearest inch):

Existing trunk diameter	Number of Tree Credits
18 to 24 inches in diameter	3 tree credits

25 to 31 inches in diameter

4 tree credits

32 inches or greater

5 tree credits

[Amended by Ord. # 674 11/16/09]

1. It shall be the responsibility of the owner to use reasonable care to maintain preserved trees. Trees preserved under this section may only be removed if an application for removal permit under Section 4.610.10(01)(H) has been approved. Required mitigation for removal shall be replacement with the number of trees credited to the preserved and removed tree.
2. Within five years of occupancy and upon notice from the City, the property owner shall replace any preserved tree that cannot be maintained due to disease or damage, or hazard or nuisance as defined in Chapter 6 of this code. The notice shall be based on complete information provided by an arborist. Replacement with the number of trees credited shall occur within one (1) growing season of notice.

- E. Exceeding Standards. Landscape materials that exceed the minimum standards of this Section are encouraged, provided that height and vision clearance requirements are met. [Amended by Ordinance No. 538, 2/21/02.]
- F. Compliance with Standards. The burden of proof is on the applicant to show that proposed landscaping materials will comply with the purposes and standards of this Section. [Amended by Ordinance No. 538, 2/21/02.]

(.07) Installation and Maintenance.

- A. Installation. Plant materials shall be installed to current industry standards and shall be properly staked to assure survival. Support devices (guy wires, etc.) shall not be allowed to interfere with normal pedestrian or vehicular movement.
- B. Maintenance. Maintenance of landscaped areas is the on-going responsibility of the property owner. Any landscaping installed to meet the requirements of this Code, or any condition of approval established by a City decision-making body acting on an application, shall be continuously maintained in a healthy, vital and acceptable manner. Plants that die are to be replaced in kind, within one growing season, unless appropriate substitute species are approved by the City. Failure to maintain landscaping as required in this Section shall constitute a violation of this Code for which appropriate legal remedies, including the revocation of any applicable land development permits, may result.
- C. Irrigation. The intent of this standard is to assure that plants will

survive the critical establishment period when they are most vulnerable due to a lack of watering and also to assure that water is not wasted through unnecessary or inefficient irrigation. Approved irrigation system plans shall specify one of the following:

1. A permanent, built-in, irrigation system with an automatic controller. Either a spray or drip irrigation system, or a combination of the two, may be specified.
2. A permanent or temporary system designed by a landscape architect licensed to practice in the State of Oregon, sufficient to assure that the plants will become established and drought-tolerant.
3. Other irrigation system specified by a licensed professional in the field of landscape architecture or irrigation system design.
4. A temporary permit issued for a period of one year, after which an inspection shall be conducted to assure that the plants have become established. Any plants that have died, or that appear to the Planning Director to not be thriving, shall be appropriately replaced within one growing season. An inspection fee and a maintenance bond or other security sufficient to cover all costs of replacing the plant materials shall be provided, to the satisfaction of the Community Development Director. Additionally, the applicant shall provide the City with a written license or easement to enter the property and cause any failing plant materials to be replaced.

D. Protection. All required landscape areas, including all trees and shrubs, shall be protected from potential damage by conflicting uses or activities including vehicle parking and the storage of materials.

(.09) Landscape Plans. Landscape plans shall be submitted showing all existing and proposed landscape areas. Plans must be drawn to scale and show the type, installation size, number and placement of materials. Plans shall include a plant material list. Plants are to be identified by both their scientific and common names. The condition of any existing plants and the proposed method of irrigation are also to be indicated. Landscape plans shall divide all landscape areas into the following categories based on projected water consumption for irrigation:

- A. High water usage areas (+/- two (2) inches per week): small convoluted lawns, lawns under existing trees, annual and perennial flower beds, and temperamental shrubs;
- B. Moderate water usage areas (+/- one (1) inch per week): large lawn areas, average water-using shrubs, and trees;
- C. Low water usage areas (Less than one (1) inch per week, or gallons per hour): seeded fieldgrass, swales, native plantings, drought-

tolerant shrubs, and ornamental grasses or drip irrigated areas.

- D. Interim or unique water usage areas: areas with temporary seeding, aquatic plants, erosion control areas, areas with temporary irrigation systems, and areas with special water-saving features or water harvesting irrigation capabilities.

These categories shall be noted in general on the plan and on the plant material list.

- (.10) Completion of Landscaping. The installation of plant materials may be deferred for a period of time specified by the Board or Planning Director acting on an application, in order to avoid hot summer or cold winter periods, or in response to water shortages.

In these cases, a temporary permit shall be issued, following the same procedures specified in subsection (.07)(C)(3), above, regarding temporary irrigation systems. No final Certificate of Occupancy shall be granted until an adequate bond or other security is posted for the completion of the landscaping, and the City is given written authorization to enter the property and install the required landscaping, in the event that the required landscaping has not been installed. The form of such written authorization shall be submitted to the City Attorney for review.

- (.12) Mitigation and Restoration Plantings. A mitigation plan is to be approved by the City's Development Review Board before the destruction, damage, or removal of any existing native plants. Plantings intended to mitigate the loss of native vegetation are subject to the following standards. Where these standards conflict with other requirements of this Code, the standards of this Section shall take precedence. The desired effect of this section is to preserve existing native vegetation.

- A. Plant Sources. Plant materials are to be native and are subject to approval by the City. They are to be non-clonal in origin; seed source is to be as local as possible, and plants must be nursery propagated or taken from a pre-approved transplantation area. All of these requirements are to be addressed in any proposed mitigation plan.
- B. Plant Materials. The mitigation plan shall specify the types and installation sizes of plant materials to be used for restoration. Practices such as the use of pesticides, fungicides, and fertilizers shall not be employed in mitigation areas unless specifically authorized and approved.
- C. Installation. Install native plants in suitable soil conditions. Plant materials are to be supported only when necessary because of extreme winds at the site. Where support is necessary, all stakes, guy wires or other measures are to be removed as soon as the plants can support themselves. Protect from animal and fowl predation and foraging until establishment.

- D. Irrigation. Permanent irrigation systems are generally not appropriate in restoration situations, and manual or temporary watering of new plantings is often necessary. The mitigation plan shall specify the method and frequency of manual watering, including any that may be necessary after the first growing season.
- E. Monitoring and Reporting. Monitoring of native landscape areas is the ongoing responsibility of the property owner. Plants that die are to be replaced in kind and quantity within one year. Written proof of the survival of all plants shall be required to be submitted to the City's Planning Department one year after the planting is completed.

Response:

Refer to the Landscape Plan for compliance with planting regulations.

Section 4.177. Street Improvement Standards.

Response:

No street improvements are required or included with this development.

Section 4.179. Mixed Solid Waste and Recyclables Storage in New Multi-Unit Residential and Non-Residential Buildings.

Response:

No solid waste or recyclables are included in the scope of this project.

Section 4.199 Outdoor Lighting

Response:

The proposed project does not include new exterior lights or modifications to existing exterior lighting systems, and remains as previously approved.

Section 4.199.60. Major Additions or Modifications to Pre-Existing Sites.

- (01.) Major Additions. If a major addition occurs on a property, all of the luminaires on the site shall comply with the requirements of this Section. For purposes of this subsection, the following are considered to be major additions:
 - A. Additions of 50 percent or more in terms of additional dwelling units, gross floor area, seating capacity, or parking spaces, either with a single addition or with cumulative additions after July 2, 2008.
 - B. Modification or replacement of 50 percent or more of the outdoor lighting luminaries' within a 5-year timeframe existing as of July 2, 2008.

Response:

The proposed project does not include dwelling units, additional gross floor area, seating, or additional parking spaces, or the modification or replacement of any outdoor luminaires.

Section 4.300 UNDERGROUND UTILITIES

Response:

All underground utilities are existing to be reused. See the proposed Stage II Site Plan for additional info.

Section 4.400. SITE DESIGN REVIEW

Section 4.421. Criteria and Application of Design Standards.

- A. Preservation of Landscape. The landscape shall be preserved in its natural state, insofar as practicable, by minimizing tree and soils removal, and any grade changes shall be in keeping with the general appearance of neighboring developed areas.

Response:

All existing landscape will be preserved. See the proposed Stage II Site Plan and Landscape Plan.

- D. Surface Water Drainage. Special attention shall be given to proper site surface drainage so that removal of surface waters will not adversely affect neighboring properties of the public storm drainage system.

Response:

The existing pervious surface drainage infrastructure will be used as indicated on the proposed Stage II Site Plan. Some of the existing perimeter gravel area in the proposed scope of work area will be changed to landscape area.

- G. Special Features. Exposed storage areas, exposed machinery installations, surface areas, truck loading areas, utility buildings and structures and similar accessory areas and structures shall be subject to such setbacks, screen plantings or other screening methods as shall be required to prevent their being incongruous with the existing or contemplated environment and its surrounding properties. Standards for screening and buffering are contained in Section 4.176.

Response:

The vehicle storage area will be screened per the High Screen Landscaping Standard. See the proposed Stage II Site Plan and Landscape Plan.

Section 4.450. Installation of Landscaping.

- (.01) All landscaping required by this section and approved by the Board shall be installed prior to issuance of occupancy permits, unless security equal to one hundred and ten percent (110%) of the cost of the landscaping as determined by the Planning Director is filed with the City assuring such installation within six (6) months of occupancy. "Security" is cash, certified check, time certificates of deposit, assignment of a savings account or such other assurance of completion as shall meet with the approval of the City Attorney. In such cases the developer shall also provide written authorization, to the satisfaction of the City Attorney, for the City or its designees to enter the property and complete the landscaping as approved. If the installation of the landscaping is not completed within the six-month period, or within an extension of time authorized by the Board, the security may be used by the City to complete the installation. Upon completion of the installation, any portion of the remaining security deposited with the City shall be returned to the applicant.
- (.02) Action by the City approving a proposed landscape plan shall be binding upon the applicant. Substitution of plant materials, irrigation systems, or other aspects of an approved landscape plan shall not be made without official action of the Planning Director or Development Review Board, as specified in this Code.
- (.03) All landscaping shall be continually maintained, including necessary watering, weeding, pruning, and replacing, in a substantially similar manner as originally approved by the Board, unless altered with Board approval.
- (.04) If a property owner wishes to add landscaping for an existing development, in an effort to beautify the property, the Landscape Standards set forth in Section 4.176 shall not apply and no Plan approval or permit shall be required. If the owner wishes to modify or remove landscaping that has been accepted or approved through the City's development review process, that removal or modification must first be approved through the procedures of Section 4.010.

Response:

Landscaping will be installed per the approved Landscape Plan, and will be maintained.

SUMMARY

LRS hopes that this narrative helps in defining the burden of proof in addressing the requested applicable criteria from The City of Wilsonville's Planning and Land Development Ordinance.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Mileham", written in a cursive style.

Steve Mileham, Senior Principal

LRS Architects, Inc.

General, Including Site Plan		WC	Sheet Reference
	1. On-site and immediately adjacent features:		
	a. Streets	4.035(.04)	Stage II Site Plan
	b. Private drives	4.035(.04)	Stage II Site Plan
	c. Sidewalks and pathways	4.035(.04)	Stage II Site Plan
	d. Off-street parking, including location and dimensions of each space	4.035(.04)	Stage II Site Plan
	e. Direction of traffic flow into and out of off-street parking and loading areas	4.035(.04)	Stage II Site Plan
	f. Turning and maneuvering areas	4.035(.04)	Stage II Site Plan
	g. Garbage and recycling storage areas	4.035(.04) 4.179 (.01)	Stage II Site Plan
	h. Utility services, including sanitary sewer, water, and storm drainage	4.035(.04)	N/A
	i. Location and dimension of all structures, primary and accessory	4.035(.04)	Stage II Site Plan
	j. Utilization of structures	4.035(.04)	Stage II Site Plan
	k. Number of residential units and average residential density per acre(as applicable)	4.035(.04)	N/A
	l. Tabulation of land area, in square feet, devoted to various uses such as building area (gross and net rentable), parking and paving coverage, landscaped area coverage.	4.035(.04)	Stage II Site Plan
	m. Major existing landscape features including trees to be saved	4.035(.04)	Stage II Site Plan
	2. Off-site features		
	a. Distance of subject property to any structures on adjacent properties	4.035(.04)	N/A
	b. Location and uses of streets, private drives, and driveways on adjacent properties.	4.035(.04)	N/A
	3. Grading Plan	4.035(.04)	N/A
	a. Existing and proposed contours and other topographic information sufficient to determine direction and percentage of slopes and drainage patterns. Additional topographic information needed for environmentally sensitive areas (See WC 4.035 (.04) A. 6. f.)	4.035(.04)	N/A

Stage II Final Plan			Sheet Reference
	1. Preliminary building elevations (not needed if building elevations are being submitted and reviewed concurrently for Site Design Review)	4.140(.09)	N/A
	2. Preliminary landscaping plans (not needed if detailed landscape plans are being submitted and reviewed concurrently for Site Design Review)	4.140(.09)	Stage II Landscape Plan
	3. General type and location of signs (not needed if sign plan/permit is being submitted and reviewed concurrently)	4.140(.09)	N/A
Site Design Review			Sheet Reference
	1. Location and design of fences, walls	4.440(.01)	Stage II Site Plan
	2. Landscape Plan		Stage II Landscape Plan
	a. Location and design of landscape areas	4.440(.01)	Stage II Landscape Plan
	b. Number and placement of trees and plant materials		Stage II Landscape Plan
	c. The variety of trees and plant materials listed by scientific and common name	4.440 (.01) 4.176 (.09)	Stage II Landscape Plan
	d. The size of trees and plant materials	4.440(.01)	Stage II Landscape Plan
	e. Information, including condition, size and variety, of trees or other plant material being retained on the site	4.440(.01) 4.176 (.09)	N/A
	f. Indication of water consumption categories (high, moderate, low, and interim or unique) See WC 4.176 (.09) A.-D.	4.440(.01) 4.176 (.09)	N/A
	3. Tree survey showing all trees 4" or greater in caliper. Large area of trees being undisturbed only need the perimeter of the area shown.	4.440(.01)	N/A
	4. Architectural drawings and sketches of all building and structures		N/A- no changes
	a. Floor plans	4.440(.01)	N/A
	b. All elevations of proposed structures and other improvements	4.440(.01)	N/A

	c. Details of outdoor site furnishings (benches, outdoor tables, garbage cans, lighting, etc.)	4.440(.01)	N/A
	5. Sign Plan, drawn to scale, showing the location, size, design, material, color and methods of illumination of all exterior signs	4.440(.01)	N/A
	6. Outdoor Lighting (as applicable):		N/A- no changes
	a. All conformance methods:		N/A
	i. Site lighting plan		N/A
	ii. Intended lighting by type and location		N/A
	iii. Aiming angles for adjustable luminaires		N/A
Sign Plan			Sheet Reference
	1. Sign drawings or descriptions of all materials, sign area and dimensions used to calculate areas, lighting methods, and other details sufficient to judge the full scale of the signs and related improvements;	4.156.02(.05)	N/A- no changes
	2. Documentation of the lengths of building or tenant space facades used in calculating maximum allowed sign area;	4.156.02(.05)	N/A
	3. Drawings of all building facades on which signs are proposed indicating the areas of the facades on which signs will be allowed;	4.156.02(.05)	N/A
Tree Plan			Sheet Reference
	1. Topographical information (same as provided on other sheets)	4.610.40(.02)	N/A
	2. Shape and dimensions of the property	4.610.40(.02)	N/A
	3. Location of existing and proposed structures or improvements	4.610.40(.02)	N/A
	4. Location of each tree 6" or greater d.b.h. likely to be impacted	4.610.40(.02)	N/A
	5. Spread and canopy of each tree (may be by numerical reference to list in arborist report)	4.610.40(.02)	N/A
	6. Common and botanical name of each tree	4.610.40(.02)	N/A
	7. Description of health and condition of each tree	4.610.40(.02)	N/A
	8. Approximate location and name of any other trees on property	4.610.40(.02)	N/A
	9. Where a stand of 20 or more contiguous trees exist on a site and the applicant does not propose to remove any of those trees, the required tree survey may be simplified to accurately show only the	4.610.40(.02)	N/A

	perimeter area of that stand of trees, including its drip line.		
	10. Show all Oregon white oak, native yews, and any species listed by either the state or federal government as rare or endangered.	4.610.40(.02)	N/A
	11. Location and dimension of existing and proposed easements	4.610.40(.02)	N/A
	12. Setbacks required by existing zoning requirements	4.610.40(.02)	N/A
	13. Grade changes proposed that may impact trees	4.610.40(.02)	N/A
	14. Tree Protection Plan	4.610.40(.02)	N/A

4General			Reference
	Proof the property affected is in the exclusive ownership of the application or the applicant has the consent of all individuals or partners in ownership of affected property	4.035 (.04)	Application signed by Owner's Authorized Representative
	Legal description of affected property (map and taxlot, address if available)	4.035 (.04)	Topographic Survey
	Correspondence showing coordination with franchise garbage hauler of adequate trash and recycling storage area for planned containers and access for collection.	4.179 (.07)	N/A- no changes
	Outdoor Lighting (as applicable)		N/A- no changes
	All conformance methods		N/A
	For each luminaire type all of the following:		N/A
	Drawings, cut sheets or other documents containing:		N/A
	Luminaire description		N/A
	Mounting method		N/A
	Mounting height		N/A
	Lamp type and manufacturer		N/A
	Lamp watts		N/A
	Ballast		N/A
	Optical system/distribution		N/A
	Accessories such as shields		N/A
Stage I Preliminary Plan			Reference
	Statement of anticipated waivers from any site development standards	4.140(.07)	N/A
	Tabulation of land area to be devoted to various uses	4.140(.07)	N/A
	Stage development schedule (explanation of build out of project, especially if in stages)	4.140(.07)	N/A
	Statement of anticipated waivers	4.140(.07)	N/A
Stage II Final Plan			Reference
	Traffic Report	4.140(.09)	N/A
	Soils and Drainage Report		N/A
	Draft copies of legal documents including easements, dedications, CC&R's.	4.140(.09)	Topographic Survey
Site Design Review			Reference
	Color board displaying specifications as to type, color, and texture of exterior surfaces of proposed structures.		N/A
	Outdoor Lighting (as applicable)	4.199.50 (.01)	N/A
	All conformance methods	4.199.50 (.01)	N/A
	For each luminaire type all of the following:	4.199.50 (.01)	N/A
	Drawings, cut sheets or other documents containing:	4.199.50 (.01)	N/A

[illegible]

Mercedes-Benz of Wilsonville

Photos of existing Landscape at Vehicle Storage Area



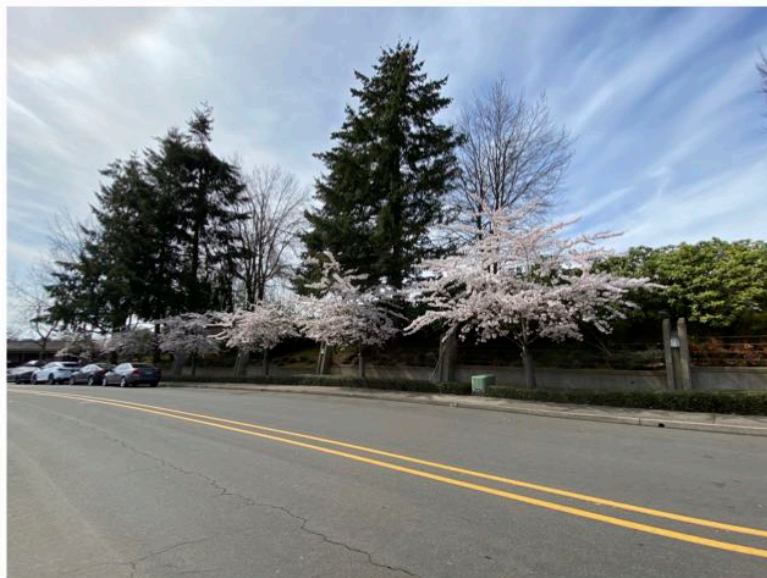
1. View looking west - West side row of existing Arborvitae



2. View looking southeast – Southwest group of existing Cupressus



3. View looking south- Street view



4. View looking southwest- Street view