



Community and Economic Development

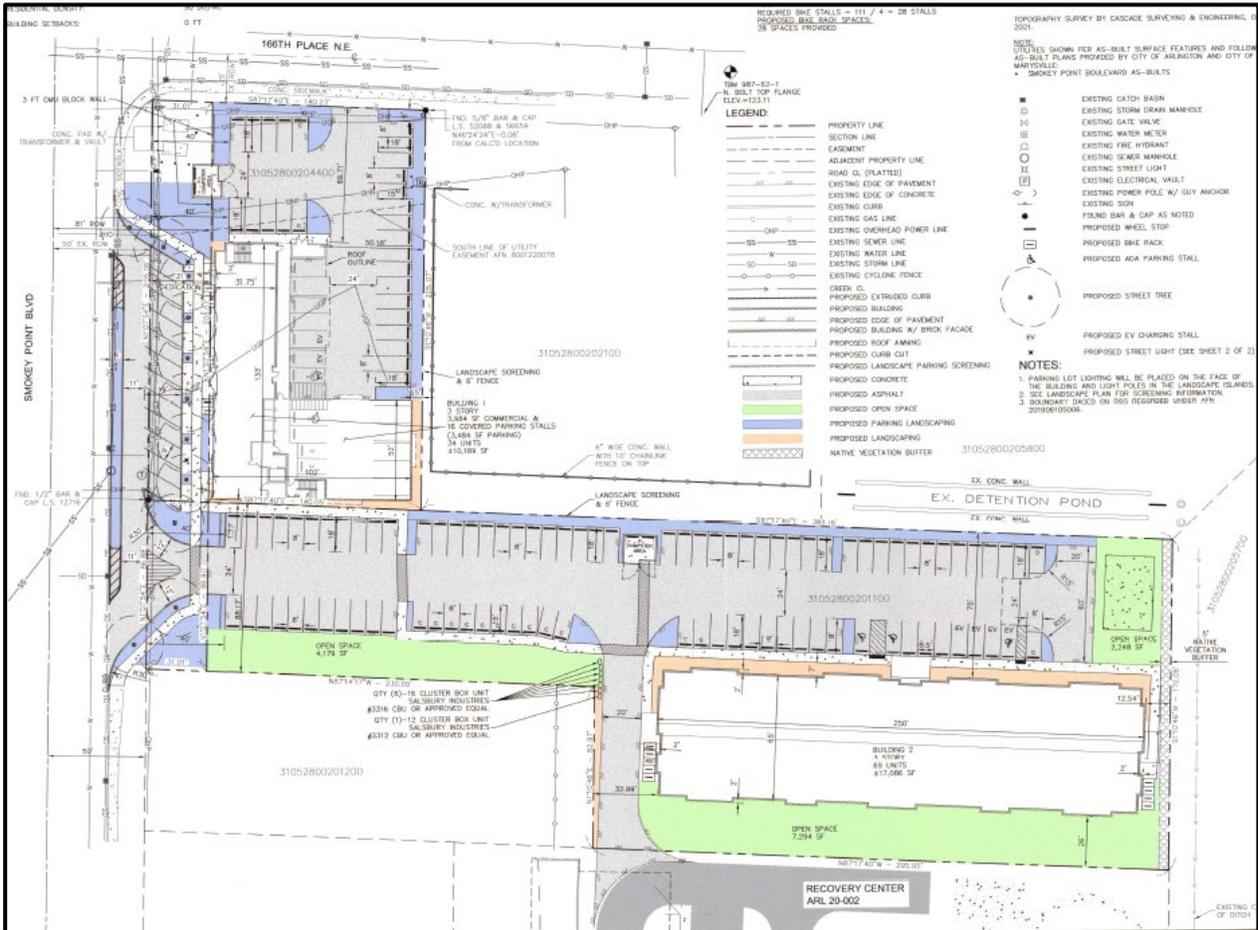
Planning Division

18204 59th Avenue NE, Arlington, WA 98223

STAFF REPORT & RECOMMENDATION

Ashford Place

Conditional Use Permit – PLN#1002



A. PROJECT DESCRIPTION AND REQUEST

The applicant is proposing to construct a Mixed-Use Development known as Ashford Place (previously known as “Grandview North Smokey Point”) on 2.27 acres located at 16517 and 16523 Smokey Point Boulevard, Arlington, Washington, on parcel numbers 31052800201100 and 31052800204400. The proposed project will be constructed in conformance with Title 20 (Zoning) of the Arlington Municipal Code, including Chapter 20.110, the Mixed-Use Development Regulations.

The Ashford Place community consists of a mixed-use project with two buildings on the site consisting of 4,495 square feet of commercial space and 103 multi-family residential units. The residential units provided within the project include 61 studio units, 34 one-bedroom units, and 8 two-bedroom units. Building 1 is a three-story building along the Smokey Point Boulevard frontage that will consist of commercial retail space and 9 covered parking stalls on the ground floor with residential units on the upper floors. Building 2 is a three-story building located towards the rear of the property and will consist of residential units on all floors.

The project improvements include 144 parking stalls (107 standard stalls, 20 compact stalls, 5 ADA stalls, and 7 EV stalls), pickleball court, sidewalks, open space, picnic tables, and landscaping. Frontage improvements along Smokey Point Boulevard will include a median, drive aisle, 12 angled parking spaces, curb, gutter, sidewalk, and street trees. Additional offsite improvements will connect the onsite drive aisle, west of Building 2, to the existing drive aisle on parcel 31052800201500 to the south. Stormwater runoff from the proposed development will be conveyed and managed on-site through detention facilities located under the parking area.

The project site consists of vacant 2.27-acre parcels that are primarily flat and zoned Commercial Corridor (CC). The subject properties will be developed under the City's Mixed Use Development Regulations, with a mix of residential and commercial uses, with existing commercial uses surrounding the subject site to the north, east, south, and west. A Snohomish County PUD substation is also located to the north and a single family residence and an inpatient recovery center located to the south. Access to the site is provided through four locations. Building 1 is accessed from a driveway entrance along 166th Place NE and street parking along Smokey Point Boulevard. Building 2 is accessed from the main driveway entrance along Smokey Point Boulevard and a secondary access through the recovery center drive aisle. The recovery center property and this proposed project are both owned by the same corporation, Grandview North LLC. The project will be served by City of Marysville utilities.

This proposed development is located in the Commercial Corridor zone and is subject to the City of Arlington's Mixed-Use Development Regulations which allows commercially zoned properties to site retail, commercial, professional, and certain manufacturing uses along the street frontages of the property while allowing for a higher density residential use to occur upon the remainder of the property. As such, the buildings and site will be reviewed utilizing Chapter 20.110 AMC (Mixed Use Development Regulations). This will ensure that the building form, position, and site configuration are designed to integrate the elements of "Form Based Code" to ensure a predictable outcome in both current and future development.

The Mixed-Use Development standards utilize a "Form Based Code" approach, which focuses more on the form of the building and not necessarily the traditional zoning approach where residences are located in single or multi-family zones, commercial uses are restricted to neighborhood or other commercial zones and so on. Form Based Codes allow a mixing of uses with design standards being imposed to blend their function and appearance. Different "Place Types" are defined based on the type of neighborhood environment desired. These areas are more intensely developed near town centers, less intensely toward the community edges.

Areas ("transects") are defined by 6 zones with T-1 being least intense, a "Natural Zone" to T-6 being the most intense, "Urban Core Zone". Arlington primarily consists of T-3, T-4 and T-5 uses and the Development Standards are predicated upon those three transects and four place types. The allowed uses and building types are described visibly on the Regulating Plan maps and in detail, in the Use Tables for each Place Type. The Ashford Place project is in the *Mixed-Use Urban Center* Place Type and *Transect 5 Flex (T5-F)*. This allows for a mix of uses to provide an appropriate transition from a neighborhood main street environment into the residential areas, and to provide flexible buildings in a residential form that can allow a mix of residential and walkable local serving commercial and service uses.

B. PROJECT HISTORY

The application for a Conditional Use Permit was received on October 14, 2022. The application was deemed complete on October 24, 2022. The city issued review comment letters on November 24, 2022 and October 31, 2023. The applicant submitted revised plans and requested information on September 21, 2023 and December 5, 2023. The applicant received several resubmittal extension letters dated January 17, 2023, February 23, 2023, April 19, 2023, July 6, 2023, and August 21, 2023.

The Notice of Application was issued on November 7, 2022 and was published in the city’s official newspaper (The Herald), posted on site, mailed to required parties, and posted on the City’s website on November 9, 2022.

The City issued a Mitigated Determination of Non-significance (MDNS) per AMC 20.98.120 on November 7, 2022. The notice was published in The Herald, posted on site, mailed to required parties, and posted on the City’s website on November 9, 2022.

A Neighborhood Meeting was held December 6, 2022. Notice for the Neighborhood Meeting was published in The Herald, posted on site, mailed to required parties, and posted on the City’s website on November 9, 2022.

A Public Hearing is to be held before the Hearing Examiner on January 23, 2024. The Notice of Public Hearing was posted on the site, mailed to required parties, posted on the City’s website, and published in The Herald on January 5, 2024.

C. GENERAL INFORMATION

1. **Property Owner:** Grandview North, LLC
2. **Applicant:** Scott Wammack, Grandview North, LLC, gv@grandviewinc.net
3. **Contact:** Randy Devoir, Cascade Surveying & Engineering, randy@cascadesurveying.com
4. **General Location:** Southeast of the Smokey Point Boulevard and 166th Place NE Intersection
5. **Address of Property:** 16517 and 16523 Smokey Point Boulevard, Arlington, WA 98223
6. **Property Legal Description (Abbreviated):** SW ¼, NW ¼, S 28, T 31 N, R 05 E, W.M.
7. **Property Tax ID Numbers:** 31052800201100 and 31052800204400
8. **Topographical Description:** The existing site is relatively flat.
9. **Soil Type:** Custer fine sandy loam, 0-2%
10. **Acreage:** 2.27 acres
11. **Comprehensive Plan Land Use Designations, Zoning Designation and Existing Land Uses of the Site and Surrounding Area:**

Area	Land Use Designation	Zoning	Existing Use
Project Site	Commercial Corridor	CC	Vacant
North of Site	Commercial Corridor & Highway Commercial w/ Mixed Use Overlay	CC & HC/MXO	Commercial Businesses & Snohomish County PUD Substation
South of Site	Commercial Corridor	CC	Commercial Businesses, Single Family Residence & Recovery Center
East of Site	Commercial Corridor & Highway Commercial w/ Mixed Use Overlay	CC & HC/MXO	Commercial Businesses & Snohomish County PUD Substation
West of Site	Commercial Corridor	CC	Commercial Businesses

12. Public Utilities and Services:

Water:	City of Marysville	Gas:	Puget Sound Energy
Sewer:	City of Marysville	Cable:	Xfinity / Comcast
Garbage:	Waste Management NW	Police:	City of Arlington
Storm Water:	On-Site Detention	Fire:	North County Regional Fire
Telephone:	Xfinity / Comcast	School:	Lakewood School District
Electricity:	Snohomish County PUD #1	Hospital:	Cascade Valley

13. Applicable Land Use Code Regulations:

- AMC Chapter 20.16 Permits and Final Plat Approval
- AMC Chapter 20.24 Hearing and Pre-Hearing Procedures for Appeals and Applications
- AMC Chapter 20.36 Zoning Districts and Zoning Map
- AMC Chapter 20.38 Airport Protection District
- AMC Chapter 20.40 Permissible Uses
- AMC Chapter 20.52 Recreational Facilities and Open Space
- AMC Chapter 20.56 Streets and Sidewalks
- AMC Chapter 20.60 Utilities
- AMC Chapter 20.72 Parking
- AMC Chapter 20.90 Concurrency and Impact Fees
- AMC Chapter 20.93 Critical Areas Ordinance
- AMC Chapter 20.98 State Environmental Policy Act
- AMC Chapter 20.110 Mixed Use Development Regulations
- AMC Chapter 13.28 Stormwater Utility

14. Proposed Use: The proposed project includes the construction of a 3-story mixed use building and a 3-story multi-family residential building. The property is zoned Commercial Corridor. A Conditional Use Permit is required for this project per AMC 20.40 Permissible Uses and AMC 20.110.014(c)(4).

15. Surrounding Land Uses and Land Use Permits: Surrounding properties of the subject parcel are zoned Commercial Corridor to the north, east, south, and west and Highway Commercial with Mixed-Use Overlay to the north and east. The properties abut Smokey Point Boulevard and 166th Place NE.





16. Compatibility and Impacts on Existing Development: The proposed development is urban in nature as required by the Washington State Growth Management Act. The Neighboring properties to the north, south, east and west are zoned Commercial Corridor and Highway Commercial with Mixed-Use Overlay to the north and east and are occupied commercial businesses, a Snohomish County PUD substation and one single family residence. The Ashford Place buildings are a mixed-use project. The development will add additional vehicular trips to the local roads and the applicant is subject to applicable traffic mitigation fees. Pedestrian and bicycle access will be provided to the site from Smokey Point Boulevard and 166th Place NE for non-motorized travel options. Minor light pollution may be visible from adjacent properties.

17. Compatibility with the Comprehensive Plan:

Policy	Policy Description Summary
GO - 1	Ensure City Goals and Policies are consistent with the Growth Management Act.
GO - 3	Work towards promoting and maintaining an urban environment within the City that enhances livability for its residents.
PO-6.1	Building architecture in residential and commercial developments should be human scaled and conducive to social interaction.
PO-6.4	Land-use developments should be conducive to social interaction.
PO-6.5	Public and private civic spaces should be included in both commercial and residential neighborhoods to ensure adequate gathering places.

Policy	Policy Description Summary
PO-6.6	Design standards should be enforced to ensure that all new developments are in harmony with the desired character of each subarea.
PH-2.1	Multi-family housing should be located close to commercial centers.
PH-2.3	Utilize mixed-use mechanisms to incentivize housing within close proximity to commercial uses.
PH-8.5.	Based upon the monitoring and evaluation results from Policy 4.B.1, the City should evaluate the effectiveness of its zoning regulations to produce housing developments that meet the diverse housing needs identified in the Housing Characteristics and Needs Report for the community.
PL-7.2	Higher density residential uses should be located around commercial areas.
PL-7.3	Vertical and Mixed Use developments with a residential component should be permissible in designated zones within the City.
PL-9.1	Where commercial and residential areas abut, new development should include the design and construction of walkways, sidewalks, or other non-motorized features to integrate and link commercial activities to neighborhoods.
PT-1.9	Require developers to construct those streets directly serving new development and pay a fair-share fee for specific off-site improvements necessary to mitigate any adverse impacts.
PT-4.1	Improving the appearance of existing corridors should be a primary objective in designing and maintaining the street system in Arlington. Appropriate design standards, including landscape standards for the construction of new streets shall be maintained.
PT-4.8	All developments in all zoning districts shall provide sufficient parking spaces to accommodate the number of vehicles that are likely to be attracted to the development.
PT-4.10	Require new construction to construct sidewalks, bicycle storage/parking facilities, and access to mass transit where possible and in proportion to the proposal.
PT-4.13	All public streets shall be constructed with curb, gutter, sidewalk, landscape strips and street trees.
PT-5.6	Provide ramps and curb cuts that comply with the Americans with Disabilities Act.
PT-5.7	Provide street lighting along sidewalks to encourage nighttime use and for safety.
PP-1.4	New residential developments should be required to mitigate impacts to park, recreation, and open space through improvements to property.
PP-1.12	New residential developments should provide adequate on-site park space or pay a fee-in-lieu.
PS-1.7	The City should require new developments mitigate traffic impacts through at least two of the following methods as deemed acceptable by the City: dedication of right-of-way, frontage improvements, or traffic mitigation fees.
PS-1.8	Any infrastructure improvements needed to serve a proposed development should be installed prior to the issuance of any building permit.

18. Public Notification:

Notice Type	Issuance Date	Meeting Date	Distribution
Notice of Complete Application	10/22/2022	N/A	Property Owner/Applicant
Notice of Application & Neighborhood Meeting	11/7/2022	12/6/2022	Property Owner/Applicant Property Owners (within 500ft) On-Site & Website Affected Agencies The Herald-published - 11/9/2022
SEPA MDNS Determination	11/7/2022	N/A	Property Owner/Applicant Property Owners (within 500ft) On-Site & Website Affected Agencies The Herald-published - 11/9/2022
Notice of Public Hearing	1/03/2024	1/23/2024	Property Owner/Applicant Property Owners (within 500ft) On-Site & Website Party of Record The Herald-published -1/05/2024

19. Public Comments: The City received comments during the Notice of Application and Notice of SEPA MDNS Decision public comment periods for the subject project. After reviewing the comments, the City forwarded the comments to the applicant for their review. The public comments are summarized in Section F and provided as Exhibits 23 - 25.

D. ENVIRONMENTAL REVIEW

The City issued a Mitigated Determination of Non-Significance on November 7, 2022. The 14-day comment period lasted until November 23, 2022. The public comments are summarized in Section F. After reviewing the initial comments, the City forwarded the comments to the applicant for their review.

E. FINDINGS OF FACT

Sections “A” through “D” are incorporated into the Findings of Fact. Applicable Review Criteria and Process: The Conditional Use Permit request is subject to review for conformity with the Arlington Municipal Code (AMC), including but not limited to the following:

Regulation	Analysis	Meets
Chapter 20.16 AMC, Permits and Final Plat Approval		
20.16.100 (b) Conditional Use Permits are issued under this title only when a review of the application submitted, including plans contained therein, indicates that the development will comply with the provisions of this title if completed as proposed. All development shall occur strictly in accordance with such approved plans and applications.	The applicant submitted a conditional use permit for a mixed-use development project. The City provides a staff report to the Hearing Examiner and the Hearing Examiner is responsible for the permit decision. The decision is appealable to Snohomish County Superior Court.	Yes

Regulation	Analysis	Meets
<p>20.16.110 Who May Submit Permit Applications. (a) Applications for zoning, special use, conditional use, or sign permits or subdivision plat approval will be accepted only from persons having the legal authority to take action in accordance with the permit or the subdivision plat approval. By way of illustration, in general this means that applications should be made by the owners or lessees of property, or their agents, or persons who have contracted to purchase property contingent upon their ability to acquire the necessary permits under this title.</p>	<p>The owner of the property is Grandview North, LLC and the owner of the corporation, Scott Wammack, signed the permit application that was submitted to the city.</p>	<p>Yes</p>
<p>20.16.120 Official Representative of the Applicant. The applicant for each land use permit shall designate an official representative, which may be himself, to receive all correspondence, determinations, and notices regarding the application.</p>	<p>The owner, Grandview North LLC, has designated Randy Devoir with Cascade Surveying and Engineering, as the official representative for the subject permit.</p>	<p>Yes</p>
<p>20.16.130 Staff Consultation Before Formal Application. To minimize development planning costs, avoid misunderstanding or misinterpretation, and ensure compliance with the requirements of this title, a general information meeting between the developer and the planning staff is encouraged as provided in this section.</p>	<p>The City held a General Information Meeting with the project applicant on June 2, 2021.</p>	<p>Yes</p>
<p>20.16.140 Submittal of Application. (a) To minimize development planning costs, avoid misunderstanding or misinterpretations, and ensure compliance with the requirements of this title, a submittal intake appointment is required between the developer and the Community Development staff as provided in this section.</p>	<p>The project applicant scheduled a submittal intake appointment with the Community and Economic Development Department and submitted the application on October 14, 2022.</p>	<p>Yes</p>
<p>20.16.150 Vesting of Permits. (1) Land use permit applications shall be considered vested on the date that an application is deemed complete pursuant to 20.16.205 and applications shall be processed under the land use regulations in effect on that date. However, subsequent permits on the same property are not vested on this date. (2) Filing of a permit application does not vest the payment of fees. Fees due, including impact mitigation fees, application fees, or other charges, shall be those fees in effect on the date the fee is paid in accordance with the most current city council fee resolution.</p>	<p>The proposed application for the Ashford Place mixed-use project became vested on October 24, 2022 with the issuance of the Notice of Complete Application. The required impact fees for the subdivision do not vest with the project and the fee in place at the time of payment is the amount due. At the time of Complete Application and SEPA Determination the Lakewood School District required School Impact Fees. At the time of this staff report and public hearing the School Impact Fees were removed through Lakewood School District's submittal of an updated Capital Improvement Plan that was approved through Ordinance No. 2022-029.</p>	<p>Yes</p>

Regulation	Analysis	Meets
20.16.200 Applications to Be Complete. (a) All applications for zoning, special use, conditional use, or sign permits must be complete before the permit-issuing authority is required to consider the application.	The applicant submitted a complete application for the Ashford Place mixed-use development conditional use permit.	Yes
20.16.205 (c) Complete Application. Within 28 days of receiving the permit application, the Community Development Director shall mail or provide in person a written determination to the applicant.	The application was submitted on October 14, 2022. The City issued a Notice of Complete Application on October 24, 2022. The Notice was issued within the 28-day timeframe.	Yes
20.16.215 Distribution of Application. Upon receipt of a conditional use permit application, the Planning Official shall, in addition to all interested City Department, send a copy of the application to the authorities and agencies reviewing or furnishing water, fire, school, and sanitary sewer service to the proposed project.	The application was routed to all effected city departments on October 14, 2022, and after each resubmittal on September 21, 2023 and December 5, 2023.	Yes
20.16.225 Conditional Use Permits. (a) An application for a conditional use permit shall be submitted to the Hearing Examiner by filing a copy of the application with the Community and Economic Development Director in the planning department.	The mixed-use development conditional use permit was submitted to city staff and reviewed for compliance with the Arlington Municipal Code. The project application documents were sent to the Hearing Examiner on January 5, 2024 for review prior to the public hearing.	Yes
20.16.230 Notice of Application Filed. The Community and Economic Development Director shall give public notice of any application filed for a conditional use permit by issuing, distributing, and advertising a "Notice of Application Filed".	The city issued a Notice of Application on November 7, 2022. The notice was advertised in the Everett Herald, posted on the site, city website, post office, city hall, Arlington library, and mailed to all property owners within 500 feet of the property. The comment period was open until November 23, 2022. Public comments received are stated in Section F below.	Yes
20.16.235 Neighborhood Meetings for Conditional Use Permits Required. All applications for conditional use permits shall be publicly scoped through a public neighborhood meeting.	The city issued a Notice of Neighborhood Meeting on November 7, 2022. The notice was advertised in the Everett Herald, posted on the site, city website, post office, city hall, Arlington library, and mailed to all property owners within 500 feet of the property. The Neighborhood Meeting was held on December 6, 2022.	Yes

Regulation	Analysis	Meets																								
<p>20.16.270 Time Limitations for Permit Processing. (a) The City shall issue its notice of final decision on a permit application within 120 days after the Community and Economic Development Director notifies the applicant that the application is complete, as provided in 20.16.205. In determining the number of days that have elapsed, the following periods shall be excluded:</p> <p>(1) Any period during which the applicant has been requested to correct plans, perform required studies, or provide additional required information.</p>	<p>The proposed Ashford Place mixed-use development conditional use permit was taken to Public Hearing on day 120 of the 120 day timeframe per the following dates:</p> <table border="1" data-bbox="800 304 1317 663"> <thead> <tr> <th>Action</th> <th>Date</th> </tr> </thead> <tbody> <tr> <td>Notice of Complete Application</td> <td>10-24-2022</td> </tr> <tr> <td>1st Comments Issued</td> <td>11-24-2022</td> </tr> <tr> <td>1st Resubmittal Extension</td> <td>1-17-2023</td> </tr> <tr> <td>2nd Resubmittal Extension</td> <td>2-23-2023</td> </tr> <tr> <td>3rd Resubmittal Extension</td> <td>4-19-2023</td> </tr> <tr> <td>4th Resubmittal Extension</td> <td>7-6-2023</td> </tr> <tr> <td>5th Resubmittal Extension</td> <td>8-21-2023</td> </tr> <tr> <td>2nd Submittal</td> <td>9-21-2023</td> </tr> <tr> <td>2nd Comments Issued</td> <td>10-31-2023</td> </tr> <tr> <td>3rd Submittal</td> <td>12-5-2023</td> </tr> <tr> <td>Public Hearing</td> <td>1-23-2024</td> </tr> </tbody> </table>	Action	Date	Notice of Complete Application	10-24-2022	1 st Comments Issued	11-24-2022	1 st Resubmittal Extension	1-17-2023	2 nd Resubmittal Extension	2-23-2023	3 rd Resubmittal Extension	4-19-2023	4 th Resubmittal Extension	7-6-2023	5 th Resubmittal Extension	8-21-2023	2 nd Submittal	9-21-2023	2 nd Comments Issued	10-31-2023	3 rd Submittal	12-5-2023	Public Hearing	1-23-2024	Yes
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Chapter 20.24 AMC, Hearing and Pre-Hearing Procedures For Appeals and Applications																										
<p>20.24.010 Hearing Required on Appeals and Applications. (a) Before making a decision on an application for a conditional use permit, a hearing shall be held on the matter by the appropriate hearing body.</p>	<p>The proposed Ashford Place mixed-use development project is subject to a Public Hearing before the Hearing Examiner for the conditional use permit.</p>	Yes																								
<p>20.24.020 Public Notice. The Community and Economic Development Director shall give public notice of any hearing required by 20.24.010 or 20.16.230 for special use permits, conditional use permits or variances, or any other required public notices.</p>	<p>The city issued a Notice of Public Hearing on January 3, 2024. The notice was advertised in the Everett Herald, posted on the site, city website, post office, city hall, Arlington library, mailed to all property owners within 500 feet of the property, and emailed Party's of Record on January 5, 2024. The Public Hearing is scheduled for January 23, 2024.</p>	Yes																								
Chapter 20.36 AMC, Zoning Districts and Zoning Map																										
<p>20.36.020 Commercial Districts Established. (g) The Commercial Corridor (CC) zone is established to create pedestrian oriented, urbanized, mixed-use neighborhoods, along designated transit routes. Design elements include widened sidewalks, drop lanes with on street parking, mid-block pedestrian crossings, planted medians and bike lanes. These zones are established to utilize the stringent use of the mixed-use development regulations/form based code, therefor negating the underlying zoning to accommodate mixed-use as the primary land use.</p>	<p>The subject property for the proposed conditional use permit is zoned Commercial Corridor. The project provides commercial uses on the first floor of Building 1, facing Smokey Point Boulevard. The applicant is utilizing both vertical mixed use and horizontal mixed use on the property. The proposed project provides the creation of residential units within an established commercial area where tenants of the building have a walkable neighborhood.</p>	Yes																								
Chapter 20.38 AMC, Airport Protection District																										
<p>20.38.060 Airport Protection District Boundaries.</p> <p>(a) Airport Protection Subdistrict A (b) Airport Protection Subdistrict B (c) Airport Protection Subdistrict C (d) Airport Protection Subdistrict D</p>	<p>The property is located under Airport Protection District – Subdistrict C.</p>	Yes																								

Regulation	Analysis	Meets																							
<p>20.38.090 Notice to Future Owners. In order to mitigate impacts to the Arlington Airport, and to provide notice to future property owners, all property owners within the Airport Protection Subdistricts A, B, and C seeking a land use or building permit or undertaking substantial reconstruction shall dedicate an avigation easement over their property to the City of Arlington. The language of the easement and notice shall be as provided by the airport, as approved by the city attorney and recorded with Snohomish County.</p>	<p>The applicant is required to obtain an Avigation Easement with the Arlington Municipal Airport prior to project completion.</p>	<p>Yes</p>																							
<p>Chapter 20.40 AMC, Permissible Uses</p>																									
<p>20.40.010 Table of Permissible Uses. The Tables of Permissible Uses sets forth the permissible uses within the respective zoning classifications in the city, subject to other applicable provisions in this title. It should be read in close conjunction with the definitions of terms set forth in section 20.08 and the other interpretative provisions set forth in this article.</p>	<p>The proposed mixed-use development project is an allowed use per the permissible use table within the commercial corridor (CC) zone, as shown below, with a conditional use permit.</p>	<p>Yes</p>																							
<p>Chapter 20.40.130 AMC, Commercial and Mixed-Use Zones Permissible Use Table</p>																									
<p>Use</p>	<p>NC</p>	<p>OTBD-1</p>	<p>OTBD-2</p>	<p>OTBD-3</p>	<p>GC</p>	<p>CC</p>	<p>HC</p>																		
<p>Multi-Family Use Above a Permitted Non-Residential Use (Mixed-Use)^{4,5,10}</p>	<p>ZSC</p>	<p>ZSC</p>	<p>ZSC</p>	<p>ZSC</p>	<p>ZSC</p>	<p>SC</p>	<p>ZSC</p>																		
<p>Multi-Family Use Horizontal to a Permitted Non-Residential Use (Mixed-Use)^{1,2}</p>	<p>SC</p>				<p>SC</p>	<p>SC</p>	<p>SC</p>																		
<ul style="list-style-type: none"> • ZSC = Zoning Permit, Special Use Permit, Conditional Use Permit per requirements of 20.40.020. • ¹ = Residential uses are only allowed in commercial zones when regulated by the mixed-use development regulations. • ² = Commercial Corridor uses are regulated by the mixed-use development regulations. • ⁴ = Subject to section 20.38.080 • ⁵ = Subject to Section 20.38.070 • ¹⁰ = Subject to Section 20.44.016 																									
<p>Chapter 20.52 AMC, Recreational Facilities and Open Space</p>																									
<p>20.52.010 Mini-Parks Required. (a) All residential developments shall provide recreational areas in the form of mini parks in an amount equal to 65 square feet per person expected to reside in that development. Such recreation areas shall be provided in addition to the open space areas required by section 20.52.030. (b) For purpose of this section, studio and one-bedroom units shall be deemed to house an average of 1.4 persons and two-bedroom units shall be deemed to house an average of 2.2 persons.</p>	<p>The applicant has proposed the required mini-park space on the site per the calculations below.</p> <table border="1" data-bbox="797 1528 1320 1745"> <thead> <tr> <th># of units</th> <th>Total Persons</th> <th>SF</th> <th>Total SF</th> </tr> </thead> <tbody> <tr> <td>34</td> <td>1.4 x 34 = 48</td> <td>65</td> <td>3,120</td> </tr> <tr> <td>61</td> <td>1.4 x 61 = 85</td> <td>65</td> <td>5,525</td> </tr> <tr> <td>8</td> <td>2.2 x 8 = 18</td> <td>65</td> <td>1,170</td> </tr> <tr> <td colspan="3">Total Square Feet</td> <td>9,815</td> </tr> </tbody> </table> <p>The applicant has proposed 2,248 square feet of mini-park space with the pickle ball court. The remaining is to be paid in-lieu per the calculation shown in section 20.90.400 of this report.</p>				# of units	Total Persons	SF	Total SF	34	1.4 x 34 = 48	65	3,120	61	1.4 x 61 = 85	65	5,525	8	2.2 x 8 = 18	65	1,170	Total Square Feet			9,815	<p>Yes</p>
# of units	Total Persons	SF	Total SF																						
34	1.4 x 34 = 48	65	3,120																						
61	1.4 x 61 = 85	65	5,525																						
8	2.2 x 8 = 18	65	1,170																						
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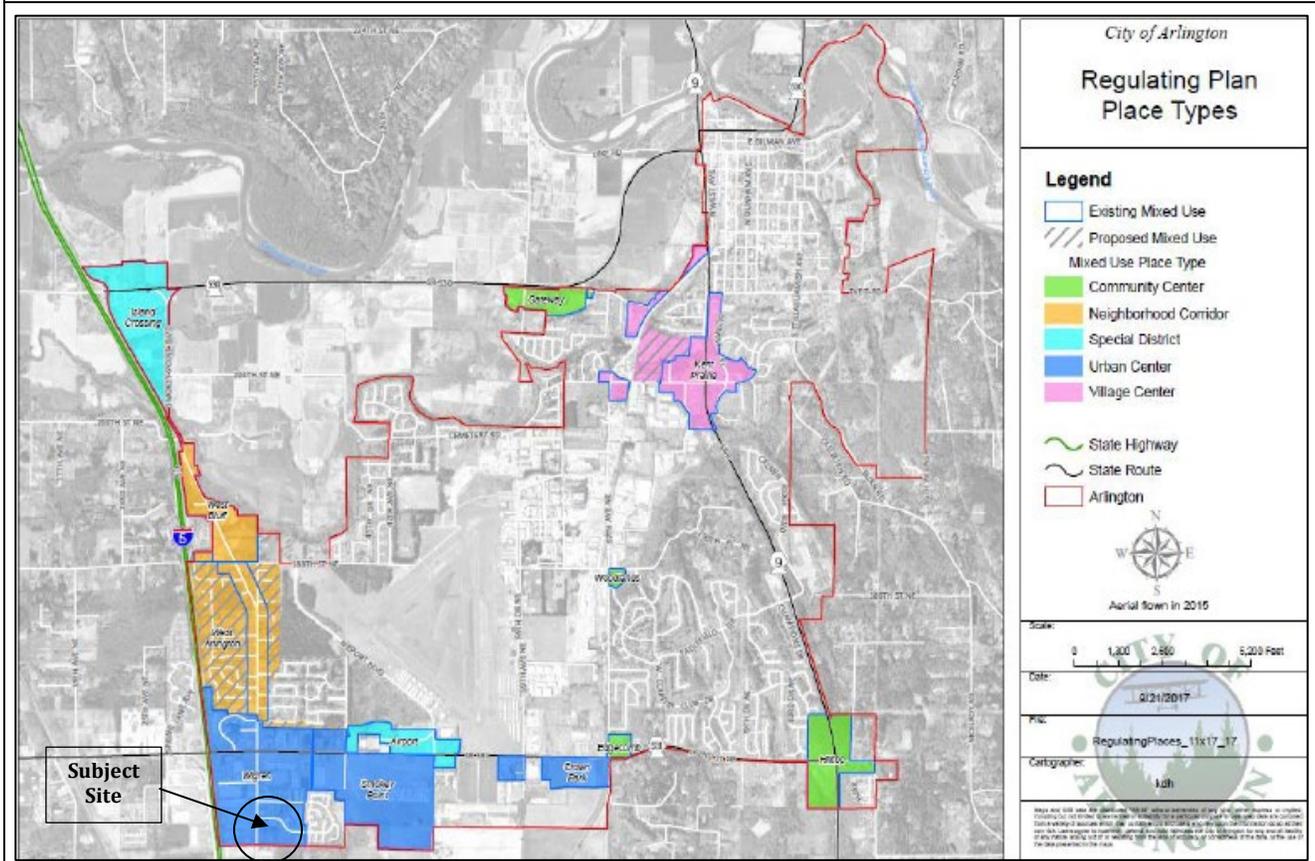
Regulation	Analysis	Meets
20.52.024 Community Parks Impact Fee. In addition to the requirements of mini parks each residential development shall pay a Community Park impact fee.	The applicant is required to pay Community Park Impact Fees for 103 multi-family residential units. The fee amount is located under 20.90 as part of this report.	Yes
Chapter 20.56 AMC, Streets and Sidewalks		
20.56.030 Access to Lots. Every lot shall have access to it that is sufficient to afford a reasonable means of ingress and egress for emergency vehicles as well as for all those likely to need or desire access to the property in its intended use. Access includes vehicular, pedestrian, bicycle, and other common forms of transportation.	The proposed project provides vehicular, pedestrian, and bicycle access to the property through the public streets of Smokey Point Boulevard and 166 th Place NE.	Yes
<p>20.56.050 Entrances to Streets. (a) All driveway entrances and other openings onto streets within the city's planning jurisdiction shall be constructed so that:</p> <ol style="list-style-type: none"> 1. Vehicles can enter and exit from the lot in question without posing any substantial danger to themselves, pedestrians, or vehicles traveling in abutting streets, and 2. Interference with the free and convenient flow of traffic in abutting or surrounding streets is minimized. 3. Driveway cuts shall be limited so the narrowest width necessary to provide safe ingress and egress onto and from the property. 4. Driveways shall not be located adjacent to one another in such a manner as to create a "double width" driveway without any landscaping between the driveways. 	<p>The proposed mixed-use development project provides driveway access to each building lot from internal private drive aisles. The proposed project complies with the following City of Arlington Standards and Specifications:</p> <ul style="list-style-type: none"> • The proposed entrances have the appropriate signage, stop bars, and crosswalks to protect vehicles, pedestrians, and bicyclists. • The proposed driveway entrances are located in the areas that would have the least interference with surrounding streets. • The proposed driveway cuts are 24' from 166th Place NE and 24' from Smokey Point Boulevard through two 12' lanes and a dividing island creating a right-in and right-out to the drop lane. Both are within the allowed width limits to provide safe access to the site. • The proposed driveways are not "double width" and are private drive aisles to accommodate a vehicle moving in both directions. • Dedication of Right-of-Way is required along Smokey Point Boulevard. The dedication is required to be approved by City Council. 	Yes
20.56.130 Construction Standards and Specifications. Construction and design standards and specifications for streets, sidewalks, and curbs and gutters are contained in the "Public Works Construction Standards and Specifications," and all such facilities shall be completed in accordance with these standards.	The proposed project is subject to a Civil permit prior to the installation of improvements on the site and a Right-of-Way permit prior to the installation of improvement within the public right-of-way.	Yes

Regulation	Analysis	Meets
Chapter 20.60 AMC, Utilities		
20.60.100 Sewage Disposal Facilities Required. Every principal use and every lot within a subdivision shall be served by a sewage disposal system that is adequate to accommodate the reasonable needs of such use or subdivision lot and that complies with all applicable health regulations.	The proposed project is required to connect to the City of Marysville Sanitary Sewer. The construction of utilities will take place after Civil Permit approval and shall meet all requirements of the Public Works Construction Standards and Specifications of both the City of Arlington and City of Marysville.	Yes
20.60.300 Water Supply System Required. Every principal use and every lot within a subdivision shall be served by a water supply system that is adequate to accommodate the reasonable needs of such use or subdivision lot and that complies with all applicable health regulations.	The proposed project is required to connect to City of Marysville water. The construction of utilities will take place after Civil Permit approval and shall meet all requirements of the Public Works Construction Standards and Specifications of both the City of Arlington and the City of Marysville.	Yes
20.60.400 Lighting Requirements. (a) All public streets, sidewalks, and other common areas or facilities shall be sufficiently illuminated to ensure security of property and the safety of persons using such streets, sidewalks and other common areas or facilities.	The proposed project shall provide sufficient lighting throughout the site that will illuminate the private drive, parking areas, and residences. The street lighting along Smokey Point Boulevard and 166 th Place NE are required to comply with the Complete Streets Lighting Guide. This is shown as compliant on sheet 2 of the site plan.	Yes
(d) All outdoor lights shall be low sodium or similar lamp type and be down shielded to prevent light pollution.	The proposed project provides LED or similar lamp type outdoor lighting. The lighting is down shielded to prevent light pollution, as shown on sheet 2 of the site plan.	Yes
20.60.410 Excessive Illumination. Lighting within any lot that unnecessarily illuminates any other lot or public right-of-way and substantially interferes with the use or enjoyment of such other lot or public right-of-way is prohibited.	The proposed project provides down-shielded lighting that illuminates the site but does not shine onto neighboring properties or public rights-of-way, as shown on sheet 2 of the site plan.	Yes
20.60.450 Underground Utilities. All existing, extended, new electrical power lines, telephone, gas distribution, cable television, and other communication and utility lines shall be placed underground in accordance with the specifications and policies of the respective utility service providers and located in accordance with the Public Works Construction Standards and Specifications.	All proposed utilities to and on the site shall be located underground. All utility lines are required to be shown on the Civil plans and shall be approved by the City of Arlington prior to construction activities on the site.	Yes

Regulation	Analysis	Meets						
Chapter 20.72 AMC, Parking								
<p>20.72.060 Parking Area Surface.</p> <p>(a) All parking areas shall be graded and surfaced with asphalt, concrete or other material that will provide equivalent protection against potholes, erosion, and dust. Specifications for surfaces meeting the standard set forth in this subsection are contained in the Public Works Construction Standards and Specifications.</p> <p>(b) Parking spaces shall be appropriately demarcated with painted lines or other markings.</p> <p>(c) Parking areas shall be properly maintained in all respects.</p>	<p>The project site plan shows paving throughout all drive aisles and parking spaces on the site and stripe all parking spaces. These requirements shall be reviewed and approved through the Civil permit.</p>	<p>Yes</p>						
<p>20.72.064 Accessible Parking Spaces. All handicapped parking spaces shall meet all State and Federal Regulations. The parking spaces shall be at least 8 feet wide and shall have an adjacent access aisle at least 5 feet wide. The parking spaces shall have adjacent aisle access to the sidewalk, have required striping and provide display symbols required on the pavement and signage.</p>	<p>The project site plan shows the layout of the accessible parking spaces. The proposed spaces provide 8-foot stalls with 8 feet of adjacent striped area, along with appropriate striping and signage.</p>	<p>Yes</p>						
Chapter 20.90 AMC, Concurrency & Impact Fees								
<p>20.90.040 (a) Imposition of Impact Fees on Development Activity. All development projects within the City shall be assessed a transportation impact fee, at the rate of \$3,355.00, based on peak p.m. trips, as computed in accordance with the most current edition of the Institute of Transportation Engineers Trip Generation Manual, as applied to the City's transportation element of the adopted Comprehensive Plan.</p>	<p>The applicant provided a Traffic Impact Analysis prepared by Kimley Horn in May 2022. The traffic analysis concluded that the proposed use would produce 64 new PM peak-hour-trips to the site up to 103 multi-family apartments and commercial space. The city concurs with the amount proposed for City Traffic Impact Fees as shown below.</p> <table border="1" data-bbox="800 1339 1317 1409"> <thead> <tr> <th>Traffic Fee</th> <th># Of Trips</th> <th>Total Amount</th> </tr> </thead> <tbody> <tr> <td>\$3,355.00</td> <td>64</td> <td>\$214,720.00</td> </tr> </tbody> </table>	Traffic Fee	# Of Trips	Total Amount	\$3,355.00	64	\$214,720.00	<p>Yes</p>
Traffic Fee	# Of Trips	Total Amount						
\$3,355.00	64	\$214,720.00						
<p>20.90.230 School Impact Fees. Each development activity, as a condition of approval, shall be subject to the school impact fee of \$0 for each multi-family dwelling unit for the Lakewood School District.</p>	<p>The current Lakewood School District impact fees for multi-family units is \$0 per Ordinance No. 2022-029. See explanation of School Impact Fees under section 20.16.150 of this report.</p> <p>If impact fees are established prior to building permit submittal then they shall be paid in the amount adopted through ordinance.</p>	<p>Yes</p>						
<p>20.90.400 Community Parks Impact Fee.</p> <p>(a) Residential developments shall pay a community park impact fee of \$1,497 for each multi-family dwelling unit prior to the issuance of a building permit.</p>	<p>The applicant is required to pay the following Community Parks Impact Fee.</p> <table border="1" data-bbox="800 1850 1317 1955"> <thead> <tr> <th>Community Park Fee</th> <th># of units</th> <th>Total Amount</th> </tr> </thead> <tbody> <tr> <td>\$1,497.00</td> <td>103</td> <td>\$154,191.00</td> </tr> </tbody> </table>	Community Park Fee	# of units	Total Amount	\$1,497.00	103	\$154,191.00	<p>Yes</p>
Community Park Fee	# of units	Total Amount						
\$1,497.00	103	\$154,191.00						

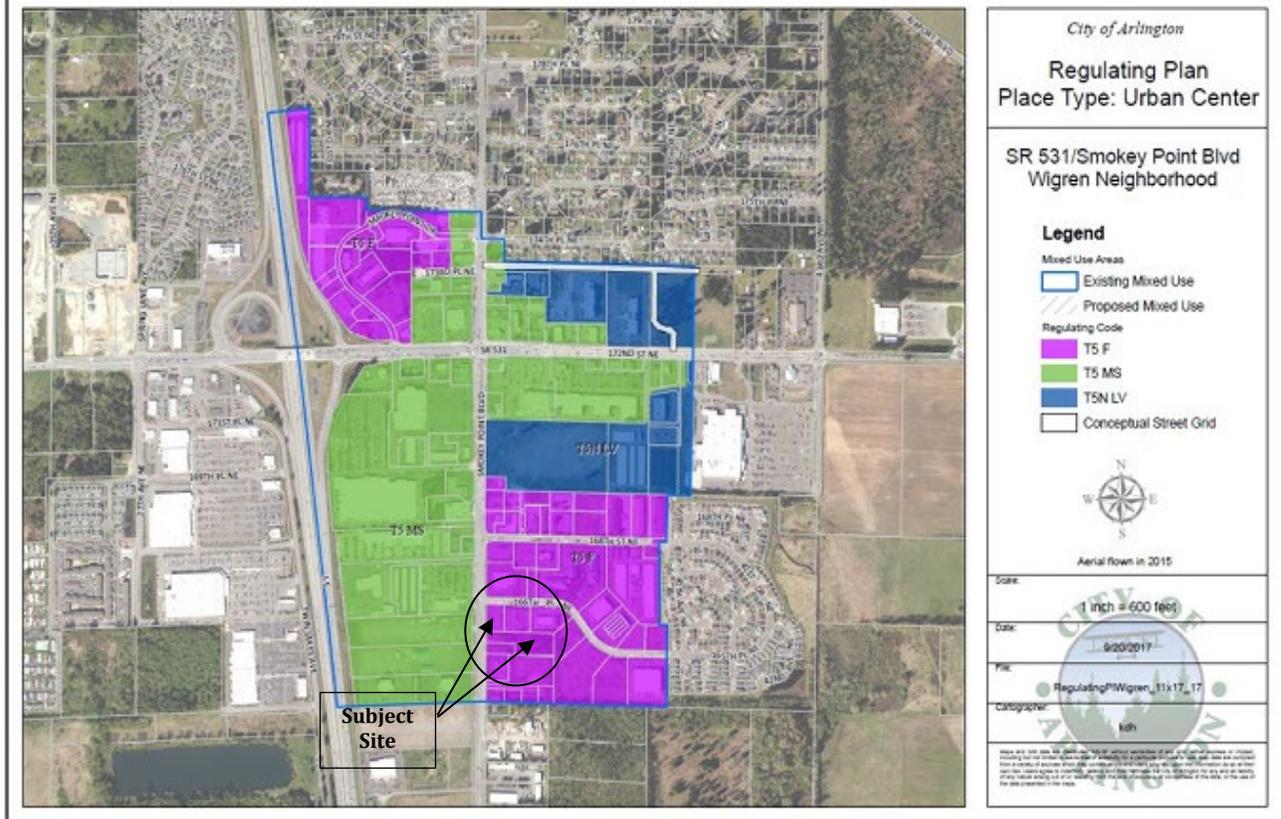
Regulation	Analysis	Meets						
<p>(b) Residential developments which do not set aside for a neighborhood/mini-park per section 20.52.010 (mini-parks required) or existing lots shall pay a neighborhood/mini park in-lieu fee of \$436 per multi-family dwelling unit prior to the issuance of a building permit.</p>	<p>The applicant is required to pay the following Neighborhood/Mini-Park In-Lieu Fee.</p> <p>The project requires 9,815 square feet and proposes a total of 2,248 square feet of mini park on the site with the pickle ball court. The remaining portion that is required is to be paid per the following calculation:</p> <p>9,815 sf - 2,248 sf = 7,567 sf 7,567 sf / 65 sf = 116 persons 116 persons / 1.4 persons = 83 units</p> <table border="1" data-bbox="800 575 1328 716"> <thead> <tr> <th data-bbox="800 575 1036 678">Neighborhood Mini-Park In-Lieu Fee</th> <th data-bbox="1036 575 1166 678"># of units</th> <th data-bbox="1166 575 1328 678">Total Amount</th> </tr> </thead> <tbody> <tr> <td data-bbox="800 678 1036 716">\$436.00</td> <td data-bbox="1036 678 1166 716">83</td> <td data-bbox="1166 678 1328 716">\$36,188.00</td> </tr> </tbody> </table>	Neighborhood Mini-Park In-Lieu Fee	# of units	Total Amount	\$436.00	83	\$36,188.00	<p>Yes</p>
Neighborhood Mini-Park In-Lieu Fee	# of units	Total Amount						
\$436.00	83	\$36,188.00						
<p>Chapter 20.93 AMC, Critical Area Ordinance</p>								
<p>20.93.230 Compliance. All land uses or development applications shall be reviewed to determine whether an environmentally critical area exists on the property for which the application is filed, what the action's impact to any existing environmentally critical area would be, and what actions are required for compliance with this chapter.</p>	<p>The City of Arlington concludes that the subject property does not contain environmentally critical areas and does not impact nearby critical areas.</p>	<p>Yes</p>						
<p>Chapter 20.98 AMC, State Environmental Policy Act (SEPA)</p>								
<p>20.98.110 (a) Environmental Checklist. A completed environmental checklist in the form provided in WAC 197-11-960, shall be filed at the same time as an application for a permit, license, certificate, or other approval not specifically exempted in this ordinance. The City shall use the environmental checklist to determine the lead agency and for determining the responsible official and for making the threshold determination.</p>	<p>The applicant provided an environmental checklist with the application. The City of Arlington was determined to be the lead agency. A Mitigated Determination of Non-Significance was issued for the proposal on November 7, 2022. The comment period for the MDNS was from November 9, 2022 to November 23, 2022. The city received comments during the public comment period, which are listed under Section F</p>	<p>Yes</p>						
<p>Chapter 20.110 AMC, Mixed Use Development Regulations</p>								
<p>20.110.012 (d) Place Types. Place Types are defined by their location and by their intensity of use. The Mixed-Use Development Overlay Plan creates four "Place Type" overlay descriptions; Neighborhood Corridor, Neighborhood Community Center, Neighborhood Village Center, and Urban Center. In addition, due to their unique development context, two Special Districts were created. Special District I and Special District II with unique characteristics.</p>	<p>The proposed project is located in the Urban Center place type established by the Mixed-Use Development Regulations.</p>	<p>Yes</p>						

Regulating Plan Place Types



Regulation	Analysis	Meets
<p>20.110.012 (e) Transect Summary. Zone – T5 Flex (T5-F).</p> <p>Desired Form: Attached, Medium to Large Footprint, Simple Wall Plane along Street, Building in ROW, Small to No Side Setbacks, Diverse Mix of Frontages, First Floor Flush with Sidewalk, and Up to 4 stories.</p> <p>General Use: Vertical and horizontal mixed use: retail, commercial, and residential uses on any floor. Ideal for live/work conditions.</p> <p>Intent: To provide an urban form that can accommodate a very diverse range of uses, including some light industrial to reinforce walkable neighborhoods and to provide a mix of uses on the ground floor, including residential, thus enabling the retail and service sectors to mature over time, while still allowing occupancy.</p>	<p>The proposed project is located in the T5-F Transect of the Urban Center Mixed-Use Development Regulations. The project provides a medium footprint 3-story building, a large footprint 3-story building, and provides a wall plane along Smokey Point Boulevard. Building 1 utilizes vertical mixed use with commercial and retail uses located on the first floor and multi-family residential units on second and third floors. Building 2 utilizes horizontal mixed-use and is comprised of all multi-family residential units. The project provides a walkable neighborhood for future tenants with commercial uses within the building and provides access to nearby commercial areas and employment opportunities.</p>	<p>Yes</p>

Regulating Plan Place Type: Community Center



Regulation	Analysis	Meets
<p>20.110.014(c)(4) Place Types. Place Type: Mixed Use Urban Center Location: State Route 531 from Interstate 5 to 51st Avenue, State Route 531 from 59th Avenue to 67th Avenue, Smokey Point Boulevard from 164th Street to 173rd Street. Use Intensity Transects: T5 Flex (T5-F)</p>	<p>The proposed development is located within the Mixed-Use Urban Center. The project is located southeast of the Smokey Point Boulevard and 166th Place NE Intersection and in the T5-F Transect.</p>	<p>Yes</p>
<p>20.110.014(c)(4) T5-F. Intent: To provide an appropriate transition from a neighborhood main street environment into the residential areas, and to provide flexible building in a residential form that can allow a mix of residential and walkable local serving commercial and service uses.</p>	<p>The project provides a neighborhood main street building along the frontage of Smokey Point Boulevard and a residential only building to the east utilizing horizontal mixed-use on the site creating a transition off the main street. This area is zoned commercial corridor and is intended to provide local commercial businesses and higher density along the Smokey Point Boulevard corridor.</p>	<p>Yes</p>
<p>20.110.014(c)(4) Allowed Building Types. Mainstreet Building Mixed-Use Stacked Flats</p>	<p>The project has proposed to utilize a Mainstreet Building for Building 1 and Stacked Flats for Building 2.</p>	<p>Yes</p>

Regulation	Analysis	Meets												
<p>20.110.014(c)(4) Building Form, Height.</p> <table border="1" data-bbox="155 184 735 600"> <tr> <td>Main Building Stories</td> <td>3 stories max.</td> </tr> <tr> <td>Ground Floor Ceiling Height: Residential</td> <td>8' min. clear</td> </tr> <tr> <td>Ground Floor Ceiling Height: Retail/Service</td> <td>12' min. clear</td> </tr> <tr> <td>Upper Floor Ceiling Height: Residential</td> <td>8' min. clear</td> </tr> <tr> <td>Ground Floor Finish Level: Residential</td> <td>18" min.</td> </tr> <tr> <td>Ground Floor Finish Level: Retail/Service</td> <td>18" min.</td> </tr> </table>	Main Building Stories	3 stories max.	Ground Floor Ceiling Height: Residential	8' min. clear	Ground Floor Ceiling Height: Retail/Service	12' min. clear	Upper Floor Ceiling Height: Residential	8' min. clear	Ground Floor Finish Level: Residential	18" min.	Ground Floor Finish Level: Retail/Service	18" min.	<p>The proposed architectural plans shows that the project meets the regulations and shall meet the requirements of this section through the building permit application submittal.</p>	<p>Yes</p>
Main Building Stories	3 stories max.													
Ground Floor Ceiling Height: Residential	8' min. clear													
Ground Floor Ceiling Height: Retail/Service	12' min. clear													
Upper Floor Ceiling Height: Residential	8' min. clear													
Ground Floor Finish Level: Residential	18" min.													
Ground Floor Finish Level: Retail/Service	18" min.													
<p>20.110.014(c)(4) Building Form, Footprint.</p> <table border="1" data-bbox="155 659 735 945"> <tr> <td>Ground Floor Space Depth: Residential</td> <td>30' min.</td> </tr> <tr> <td>Ground Floor Space Front Depth: Retail/Service</td> <td>30' min.</td> </tr> <tr> <td>Ground Floor Space Side Depth: Retail/Service</td> <td>50' min.</td> </tr> <tr> <td>Distance Between Entries to Ground Floor:</td> <td>100' min.</td> </tr> </table>	Ground Floor Space Depth: Residential	30' min.	Ground Floor Space Front Depth: Retail/Service	30' min.	Ground Floor Space Side Depth: Retail/Service	50' min.	Distance Between Entries to Ground Floor:	100' min.	<p>The proposed project has provided a ground floor space depth of 31.75 feet for the commercial and retail tenant spaces in building 1 and 65 feet for the residential in building 2. Entry to the Building 1 retail tenant space is shown on the elevations and provides an entry for the retail suite along the frontage and residential entry on the north and south. Building 2 provides three entry points on the east, west, and north sides of the building.</p>	<p>Yes</p>				
Ground Floor Space Depth: Residential	30' min.													
Ground Floor Space Front Depth: Retail/Service	30' min.													
Ground Floor Space Side Depth: Retail/Service	50' min.													
Distance Between Entries to Ground Floor:	100' min.													
<p>20.110.014(c)(4) Building Placement, Build-to-Lines and Setbacks.</p> <table border="1" data-bbox="155 1079 735 1285"> <tr> <td>Front</td> <td>0'</td> </tr> <tr> <td>Side Street</td> <td>0'</td> </tr> <tr> <td>BLT Front</td> <td>40% min.</td> </tr> <tr> <td>BLT Side Street</td> <td>50% min.</td> </tr> <tr> <td>Side - Main Building</td> <td>0' min.</td> </tr> </table>	Front	0'	Side Street	0'	BLT Front	40% min.	BLT Side Street	50% min.	Side - Main Building	0' min.	<p>The proposed project has complied with the building placement and setbacks proposed per the site plan. The setbacks work well with the neighboring properties, access aisles, required landscaping, open space, and access.</p>	<p>Yes</p>		
Front	0'													
Side Street	0'													
BLT Front	40% min.													
BLT Side Street	50% min.													
Side - Main Building	0' min.													
<p>20.110.014(c)(4) Parking, Required Spaces.</p> <table border="1" data-bbox="155 1339 735 1495"> <tr> <td>Residential Spaces</td> <td>No Spaces Required</td> </tr> <tr> <td>Retail/Services Uses < 3,500 sf</td> <td rowspan="2">No Spaces Required 2/1,000 sf min.</td> </tr> <tr> <td>>3,500 sf</td> </tr> </table> <table border="1" data-bbox="155 1528 735 1633"> <tr> <td>Residential Spaces</td> <td>0</td> </tr> <tr> <td>Retail / Commercial</td> <td>4,495/1000 = 5</td> </tr> <tr> <td>Total Required</td> <td>5 (x2) = 10</td> </tr> </table>	Residential Spaces	No Spaces Required	Retail/Services Uses < 3,500 sf	No Spaces Required 2/1,000 sf min.	>3,500 sf	Residential Spaces	0	Retail / Commercial	4,495/1000 = 5	Total Required	5 (x2) = 10	<p>The proposed project was vested on October 24, 2022, prior to the city's parking code change that occurred with Ordinance 2022-033, effective date October 25, 2022.</p> <p>The proposed project does not require a certain number of parking spaces for residential uses on the site, however parking is the responsibility of the owner or covenants of the property. If parking issues arise it is the responsibility of the owner to limit the number of cars a tenant can have on the site. Parking is not allowed off-site unless a parking agreement is reviewed by the city and recorded.</p> <p>The applicant has provided a total of 144 parking stalls on the site and provided a Parking Demand Study, dated October 2022 and submitted by Kimley Horn Traffic Consultants.</p>	<p>Yes</p>	
Residential Spaces	No Spaces Required													
Retail/Services Uses < 3,500 sf	No Spaces Required 2/1,000 sf min.													
>3,500 sf														
Residential Spaces	0													
Retail / Commercial	4,495/1000 = 5													
Total Required	5 (x2) = 10													

Regulation	Analysis	Meets								
<p>20.110.014(c)(4) Parking, Location</p> <table border="1" data-bbox="155 176 735 321"> <tr> <td>Front Setback</td> <td>40' min.</td> </tr> <tr> <td>Side Street Setback</td> <td>6' min.</td> </tr> <tr> <td>Side Setback</td> <td>0' min.</td> </tr> <tr> <td>Rear Setback</td> <td>5' min.</td> </tr> </table>	Front Setback	40' min.	Side Street Setback	6' min.	Side Setback	0' min.	Rear Setback	5' min.	<p>The proposed project complies with the parking space setbacks, as shown on the site plans. 40 feet from Smokey Point Boulevard in two locations and 6 feet from 166th Place NE.</p>	<p>Yes</p>
Front Setback	40' min.									
Side Street Setback	6' min.									
Side Setback	0' min.									
Rear Setback	5' min.									
<p>20.110.014(c)(4) Parking, Parking Drive Width</p> <table border="1" data-bbox="155 386 735 495"> <tr> <td>Front < 40 Spaces</td> <td>20' - 24'</td> </tr> <tr> <td>Front ≥ 40 Spaces</td> <td>20' - 24'</td> </tr> <tr> <td>Side Street/Alley</td> <td>20' - 24'</td> </tr> </table>	Front < 40 Spaces	20' - 24'	Front ≥ 40 Spaces	20' - 24'	Side Street/Alley	20' - 24'	<p>The proposed project has provided parking drive aisle widths of 24 feet throughout the site and 20 feet to the secondary access to the south, as shown on the site plan.</p>	<p>Yes</p>		
Front < 40 Spaces	20' - 24'									
Front ≥ 40 Spaces	20' - 24'									
Side Street/Alley	20' - 24'									
<p>20.110.014(c)(4) Encroachments and Frontage Types, Allowed Encroachments.</p> <table border="1" data-bbox="155 615 735 783"> <tr> <td>Front</td> <td>14' max.</td> </tr> <tr> <td>Side Street</td> <td>10' max.</td> </tr> <tr> <td>Side</td> <td>0'</td> </tr> <tr> <td>Rear</td> <td>5' max.</td> </tr> </table>	Front	14' max.	Side Street	10' max.	Side	0'	Rear	5' max.	<p>The proposed project has not shown any encroachments of the building into the setbacks established from the public right of way.</p>	<p>Yes</p>
Front	14' max.									
Side Street	10' max.									
Side	0'									
Rear	5' max.									
<p>20.110.014(c)(4) Encroachments and Frontage Types, Allowed Frontage Types.</p> <p>Shopfront</p> <p>Porch Projecting</p>	<p>Building 1 utilizes the Shopfront frontage type and Building 2 utilizes the Porch Projecting frontage type. There are no proposed encroachments, the applicant has provided a widened sidewalk for access to the commercial or retail spaces.</p>	<p>Yes</p>								
<p>20.110.014(c)(4) Use Table.</p> <table border="1" data-bbox="155 1083 735 1167"> <tr> <td>Residential: Multi-Family</td> <td>SUP/CUP</td> </tr> <tr> <td>Retail</td> <td>SUP/CUP</td> </tr> </table>	Residential: Multi-Family	SUP/CUP	Retail	SUP/CUP	<p>The proposed uses of the project are allowed on the site. The first floor of building 1 allows for commercial, retail, or service uses and the second and third floors accommodate the multi-family residential use. The first floor through third floor of building 2 allows for residential throughout.</p>	<p>Yes</p>				
Residential: Multi-Family	SUP/CUP									
Retail	SUP/CUP									
<p>20.110.014(d) Private Frontage Types.</p> <p>Shopfront and Awning: A frontage where the façade is aligned close to the frontage line with the building entrance at sidewalk grade. This type is conventional for retail use. It has substantial glazing on the sidewalk level and an awning that may overlap the sidewalk to the maximum extent possible.</p> <p>Porch Projecting: The main façade of the building has a small to medium setback from the frontage line. The resulting front yard is typically very small and can be defined by a fence or hedge to spatially maintain the edge of the street. The projecting porch is open on three sides and all habitable space is located behind the setback line.</p>	<p>Building 1 has proposed a frontage type of shopfront and awning on the west and south sides of the building that front the public streets. The commercial or retail store fronts provide access from the sidewalk with large windows for the businesses.</p> <p>Building 2 has proposed a frontage type of porch on the east and west sides of the building that face the public street on the west and the parking area to the east to provide residents access to the building.</p>	<p>Yes</p>								

Regulation	Analysis	Meets																																													
<p>20.110.014 (e) Building Types.</p> <p>Main Street Mixed Use:</p> <p>Stacked Flats:</p>	<p>The proposed project is a medium to medium-large sized structure that incorporates structured parking in building 2, utilizing the southern portion of the ground floor. Building 1 proposes commercial/retail on the first floor with multi-family residential on floors two and three, while building 2 proposes multi-family residential on all three floors.</p>	<p>Yes</p>																																													
<p>20.110.014 (f) Block, Thoroughfare, and Public Rights of Way Standards. This section requires block structure, walkability, connectivity, compliance with complete streets program, accessibility, pedestrian facilities, street scrape elements, bicycle facilities, intersection treatments, and meets the thoroughfare standards. Thoroughfare types for this project include a new public street to the north, private drive to the south and an alley within the project site.</p>	<p>The proposed project is located along 67th Avenue and Woodlands Way, with an access point to 188th Street. The frontage along 67th Avenue provides pedestrian and bicycle access from Centennial Trail. The frontage of 188th Street and Woodlands Way provides accessible vehicular, pedestrian, and bicycle access. The project has access from the north and south through public streets. The project complies with the complete street program and provides multiple modes of travel throughout the entire site.</p>	<p>Yes</p>																																													
<p>20.110.014 (g) Parking Standards.</p> <table border="1" data-bbox="155 1003 735 1083"> <tr> <td colspan="2">Table 20.110-7: Minimum Parking Spaces Required</td> </tr> <tr> <td>Residential Apartments</td> <td>No Minimum Required*</td> </tr> </table> <table border="1" data-bbox="155 1119 735 1291"> <tr> <td colspan="5">Table 20.110-8: Minimum Dimensional Requirements</td> </tr> <tr> <td>Angle</td> <td>Depth</td> <td>Two-Way Drive Aisle</td> <td>Width</td> <td>Length</td> </tr> <tr> <td>60°</td> <td>21'</td> <td>18'</td> <td>9'</td> <td>20'</td> </tr> <tr> <td>Perpendicular</td> <td>18'</td> <td>24'</td> <td>8'</td> <td>18'</td> </tr> </table> <table border="1" data-bbox="155 1327 735 1461"> <tr> <td colspan="3">Table 20.110-9: Parking and Loading Area Screening</td> </tr> <tr> <td>Zone</td> <td>Adjacent Zone</td> <td>Required Screening</td> </tr> <tr> <td>T4, T5</td> <td>T4, or Residential Non-Transect Zone</td> <td>6' wall, fence, or evergreen hedge</td> </tr> </table> <table border="1" data-bbox="155 1497 735 1881"> <tr> <td colspan="3">Table 20.110-10: Bicycle Parking Requirements</td> </tr> <tr> <td>Use Type</td> <td>Required Spaces</td> <td>Location</td> </tr> <tr> <td>Residential: Multi-Family</td> <td>1 per 4 bedrooms</td> <td>Either within the building or within 25 feet of the building entrance</td> </tr> <tr> <td>Retail / Services</td> <td>4 stalls or 20% of the required off-street automobile parking spaces, whichever is greater up to a maximum of 30 bicycle spaces</td> <td>Within 50 feet of public entrance of the building and adjacent to a bicycle path and/or pedestrian walks</td> </tr> </table>	Table 20.110-7: Minimum Parking Spaces Required		Residential Apartments	No Minimum Required*	Table 20.110-8: Minimum Dimensional Requirements					Angle	Depth	Two-Way Drive Aisle	Width	Length	60°	21'	18'	9'	20'	Perpendicular	18'	24'	8'	18'	Table 20.110-9: Parking and Loading Area Screening			Zone	Adjacent Zone	Required Screening	T4, T5	T4, or Residential Non-Transect Zone	6' wall, fence, or evergreen hedge	Table 20.110-10: Bicycle Parking Requirements			Use Type	Required Spaces	Location	Residential: Multi-Family	1 per 4 bedrooms	Either within the building or within 25 feet of the building entrance	Retail / Services	4 stalls or 20% of the required off-street automobile parking spaces, whichever is greater up to a maximum of 30 bicycle spaces	Within 50 feet of public entrance of the building and adjacent to a bicycle path and/or pedestrian walks	<p>The proposed project provides parking on-site with surface and structured parking. The parking stalls are a mixture of perpendicular and 60° back-in angled parking. The site plan shows the proposed parking with a two-way drive aisle of 20 and 24 feet.</p> <p>The project is not adjacent to a T4 zone or a non-transect zone. The proposal provides screening of the parking areas by installing a CMU wall and landscaping at the northwest portion of the project and solid landscape screening at the southwest portion of the project, as shown on the site plan.</p> <p>The project is required to provide 26 bicycle parking spaces for the residential portion and 4 bicycle parking spaces for the retail portion. The bicycle space location and rack details for 30 bicycles shall be provided on the Civil Plans.</p>	<p>Yes</p>
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<p>20.110.014 (h) Civic and Open Space Standards. Publicly accessible civic spaces are an essential component of a walkable urban environment.</p> <p>Every residential development shall be constructed so that at least 5% of the total development remains permanently as usable open space.</p> <table border="1" data-bbox="155 396 686 468"> <thead> <tr> <th>Total Area</th> <th>Percent</th> <th>Total SF</th> </tr> </thead> <tbody> <tr> <td>89,845</td> <td>X 5%</td> <td>4,492</td> </tr> </tbody> </table>	Total Area	Percent	Total SF	89,845	X 5%	4,492	<p>The proposed project has provided 11,473 square feet of open space on the site, located between two areas shown on the site plans.</p>	<p>Yes</p>																																													
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<p>20.110.014 (i) Landscaping, Fencing, and Screening Standards. Landscaping shall be a major component of site design in order to create a city that has a strong landscaped character.</p> <table border="1" data-bbox="155 653 748 772"> <thead> <tr> <th rowspan="2">Zones</th> <th colspan="3">Landscaping Components</th> </tr> <tr> <th>Frontage Landscaping</th> <th>Parking Area Landscaping</th> <th>Automatic Irrigation</th> </tr> </thead> <tbody> <tr> <td>T5-F</td> <td>Required</td> <td>Required</td> <td>Required</td> </tr> </tbody> </table> <table border="1" data-bbox="155 810 748 1047"> <caption>Table 20.110-14: Required Interior Parking Lot Landscaping</caption> <thead> <tr> <th>Number of Parking Spaces</th> <th>Percent of Gross Parking Area in Landscaping</th> </tr> </thead> <tbody> <tr> <td>6 or fewer</td> <td>0%</td> </tr> <tr> <td>7-15</td> <td>4%</td> </tr> <tr> <td>16-30</td> <td>8%</td> </tr> <tr> <td>31-70</td> <td>12%</td> </tr> <tr> <td>71 and over</td> <td>16%</td> </tr> </tbody> </table> <table border="1" data-bbox="155 1081 748 1892"> <caption>Table 20.110-15: Tree Requirements for Parking and Lot Landscaping</caption> <thead> <tr> <th>Landscaping Component</th> <th>Description</th> </tr> </thead> <tbody> <tr> <td>Amount</td> <td>1 tree per 4 stalls*</td> </tr> <tr> <td>Can Size</td> <td>15 gallons</td> </tr> <tr> <td>Box Size</td> <td>20% must be 24 inches</td> </tr> <tr> <td>Caliper</td> <td>1" minimum</td> </tr> <tr> <td>Minimum Height at Installation</td> <td>6'8"</td> </tr> <tr> <td>Minimum Mature Canopy</td> <td>40'</td> </tr> <tr> <td>Characteristics</td> <td>High Branching, Broad Headed, Shaded Form</td> </tr> <tr> <td>Installation</td> <td>Root Barriers and Deep Root Irrigation</td> </tr> <tr> <td>Location</td> <td>Along the line between or at the back of parking bays. At both ends of a line of parking spaces. Evenly spaced to provide uniform shade.</td> </tr> <tr> <td>Required Border</td> <td>6" high curb or equivalent</td> </tr> <tr> <td>Border and Stormwater</td> <td>Curbs shall provide breaks every 4' to provide drainage to retention and filtration areas.</td> </tr> <tr> <td>Minimum Tree Well Width</td> <td>5'</td> </tr> <tr> <td>Car Overhangs</td> <td>Must be prevented by stops.</td> </tr> </tbody> </table>	Zones	Landscaping Components			Frontage Landscaping	Parking Area Landscaping	Automatic Irrigation	T5-F	Required	Required	Required	Number of Parking Spaces	Percent of Gross Parking Area in Landscaping	6 or fewer	0%	7-15	4%	16-30	8%	31-70	12%	71 and over	16%	Landscaping Component	Description	Amount	1 tree per 4 stalls*	Can Size	15 gallons	Box Size	20% must be 24 inches	Caliper	1" minimum	Minimum Height at Installation	6'8"	Minimum Mature Canopy	40'	Characteristics	High Branching, Broad Headed, Shaded Form	Installation	Root Barriers and Deep Root Irrigation	Location	Along the line between or at the back of parking bays. At both ends of a line of parking spaces. Evenly spaced to provide uniform shade.	Required Border	6" high curb or equivalent	Border and Stormwater	Curbs shall provide breaks every 4' to provide drainage to retention and filtration areas.	Minimum Tree Well Width	5'	Car Overhangs	Must be prevented by stops.	<p>The proposed project has provided landscaping throughout the property within the park, open space and parking areas.</p> <p>The project requires the installation of an automatic irrigation system on the site. The proposed irrigation shall be submitted, reviewed, and approved with the Civil Permit.</p> <p>The project has provided more than 16% shading in the parking lot area. The total parking area is 18,336 square feet. The required 16% of the parking area is 2,934 square feet. The total area of shading is 5,223 square feet.</p> <p>The project is vested to the previous code that required 1 tree per 5 parking stalls. The landscape plans show that 31 trees are provided within the parking area.</p> <p>The landscape plans show all required landscaping components have been met. The interior shade trees between the building are proposed to be 1 ½" caliper between the buildings. The street frontage trees are proposed to be 2" caliper and be spaced every 30' on center. All trees will be planted with root barrier per the City of Arlington Standard R-260 along the public rights-of-way. All parking lot landscaping is proposed to be contained within planting beds with a minimum of 6" curbing that provides stormwater breaks.</p>	<p>Yes</p>
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<p>20.110.014 (i) Landscaping, Fencing, and Screening Standards. Fences shall be constructed of wood, metal, masonry, or other permanent materials designed for permanent fencing.</p> <table border="1" data-bbox="155 279 735 468"> <thead> <tr> <th colspan="3">Table 20.110-16: Maximum Height of Fences or Walls</th> </tr> <tr> <th>Location of Fence or Wall</th> <th>Maximum Basic Height</th> <th>Maximum Height Exceptions</th> </tr> </thead> <tbody> <tr> <td>Within front or street side setback</td> <td>4'</td> <td>6'</td> </tr> <tr> <td>Within interior side or rear setback</td> <td>6'</td> <td>8'</td> </tr> </tbody> </table>	Table 20.110-16: Maximum Height of Fences or Walls			Location of Fence or Wall	Maximum Basic Height	Maximum Height Exceptions	Within front or street side setback	4'	6'	Within interior side or rear setback	6'	8'	<p>The project has proposed a 6-foot solid privacy fence constructed of cedar along all property lines, except for the frontage along Smokey Point Boulevard and 166th Place NE.</p> <p>An 8-foot black chain link fence is proposed to be installed around the pickle ball court.</p>	Yes																
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<p>20.110.014 (j) Low Impact Development. This is an approach to stormwater management with the goal to mimic a site's predevelopment hydrology by using design methods that infiltrate, filter, store, evaporate, and detain runoff close to its source. The stormwater is regulated by AMC 13.28 and the 2019 DOE Stormwater Management Manual for Western Washington.</p>	<p>The development is proposing to use detention facilities under the paved parking areas on the site to manage the stormwater. All stormwater is required to meet the 2019 Department of Ecology Stormwater Management Manual for Western Washington and the City of Arlington Public Works Standards and Specifications. The final drainage plan shall be approved with the Civil permit.</p>	Yes																												
<p>20.110.014 (k) Outdoor Lighting Standards. All outdoor lighting must comply with the following requirements.</p> <table border="1" data-bbox="155 947 735 1161"> <thead> <tr> <th colspan="2">Table 20.110-17: Lighting Zones</th> </tr> </thead> <tbody> <tr> <td>LZ-4</td> <td>T5-F</td> </tr> </tbody> </table> <table border="1" data-bbox="155 1016 735 1161"> <thead> <tr> <th colspan="2">Table 20.110-18: Total Site Lumen Limits</th> </tr> </thead> <tbody> <tr> <td></td> <td>LZ-4</td> </tr> <tr> <td>Total site lumens allowed per square feet of impervious/semi-impervious surface area</td> <td>7.5 Lumens</td> </tr> </tbody> </table>	Table 20.110-17: Lighting Zones		LZ-4	T5-F	Table 20.110-18: Total Site Lumen Limits			LZ-4	Total site lumens allowed per square feet of impervious/semi-impervious surface area	7.5 Lumens	<p>The project has proposed lighting that meets the requirements of the T5-F transect. The proposed outdoor lighting is shown on sheet 2 of the site plan.</p>	Yes																		
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<p>20.110.014 (l) (1) Architectural Standards: Compatibility with Surrounding Developments. Arlington and Regional Compatibility Standard: At least one of the following elements:</p> <ol style="list-style-type: none"> 1. A roof overhang with a minimum depth of 4 feet where the entry is in a one-story form; 2. Recessed into the building to minimum depth of 3 feet; 3. An awning or canopy with a minimum depth of 4 feet; and/or 4. A gallery, where allowed in a Transect, construction per section 20.110.014(d) <p>Neighborhood Compatibility Standard:</p> <ol style="list-style-type: none"> 1. Materials and colors 2. Scale and proportions of form; 3. Scale, proportion, pattern, and approximate head heights of doors and windows; and 4. Approximate floor level elevations 	<p>The proposed development has met the compatibility of the surrounding developments.</p> <p>Regional Compatibility: The design of the building has incorporated design features to address the local weather and compliment regional aesthetics. Every entry either has a roof overhang, awning, canopy or is recessed back to create cover from the elements.</p> <p>Neighborhood Compatibility: The design incorporates the craftsman style, though Building 1 is designed as a main street building with parapet roof and Building 2 is designed to resemble residential and has a pitched roof. The proposed buildings provide earth tone colors and natural materials, such as brick, board & batten siding, hardie plank and panel siding, and trim. This site is in a transitional district and creates a model for future projects in the immediate area and are compatible with existing neighboring buildings.</p>	<p>Yes</p>
<p>20.110.014 (l) (2) Architectural Standards: Compatibility within a Multiple Building Development. All buildings in a multiple building development, shall be designed with size, building massing, building materials, colors, and setbacks that are consistent within the place types in which they are located.</p>	<p>The proposed project consists of two buildings on the site that both have the same craftsman design, with similar colors and materials. The buildings match siding designs with different roof structures due to the proximity to the main public street. Building 1 provides a parapet roof and Building 2 provides a pitched roof. This project is the first to develop in the neighborhood commercial mixed-use overlay transect.</p>	<p>Yes</p>
<p>20.110.014 (l) (3) Architectural Standards: Four-Sided Design. The building shall provide consistent architectural design and details to ensure consistent building details and proportions on all sides of the building. Roof equipment shall be screened from view of pedestrians and vehicles on all sides with a screen that is at a minimum the same height as the equipment. Utilities shall be 100% screened from the view of the public and internal streets.</p>	<p>The proposed project has architectural design and details on all four sides of the buildings, providing consistent style, colors and materials. The HVAC equipment shall be screened and designed to blend in with the building.</p>	<p>Yes</p>

Regulation	Analysis	Meets
<p>20.110.014 (l) (4) Architectural Standards: Signage and Design Elements. A building shall not be dominated by corporate or trademark architectural details; a building shall be compatible with other surrounding buildings and should not consist of building forms that primarily serve as signage and marketing elements. All street frontages and signage material shall be integrated into the overall design of the building. Signs shall be located to complement the architectural features of a building such as above the building entrance, storefront opening, or other similar features.</p>	<p>The proposed project does not have any dominate corporate or trademark architectural details. The project will provide signage for the name of the project. The individual commercial or retail businesses on the first floor of the building will submit proposed signage to the city for approval prior to installation. The signage shall meet all requirements of AMC 20.68 and blend in with the overall building.</p>	<p>Yes</p>
<p>20.110.014 (l) (5) Architectural Standards: Building Height and Transition. Abrupt or severe differences in building scale or massing within mixed use developments, or in adjacent developments can dwarf or overwhelm the neighboring areas. Buildings shall be designed to minimize this difference in scale.</p>	<p>The project has proposed two three-story buildings, building 1 at 36'8" and building 2 at 40'4" in height to the peak of the roof. The design height of the building meets the requirements for the zone and there are no abrupt or severe differences in building scale or massing within the complex.</p>	<p>Yes</p>
<p>20.110.014 (l) (6) Architectural Standards: Building Materials. The building shall be attractive and durable. To ensure this, buildings shall be constructed of high-quality materials and require minimal maintenance. The exterior building materials are classified according to their visual weight; and shall include Heavy, Light and Roofing Materials. Heavy materials shall be located below medium and light materials and medium materials below light materials.</p>	<p>The proposed buildings start with a brick and board & batten exterior surface surrounding the first floor. The color and material forms give the project a solid, recognizable base. The upper floors consist of hardie-plank and hardie-panel. Trim is provided around all windows and throughout the building facades. These materials and colors represent the middle of the building. The roof material on Building 2 is proposed to be architectural composition roofing with cornice features, which represents the top of the building. The combination of these colors and materials help define a distinctive bottom, middle, and top of the structure.</p>	<p>Yes</p>

Regulation	Analysis	Meets
<p>20.110.014 (l) (7) Architectural Standards: Building Modulation and Articulation. Long, large buildings can be monotonous if they contain large or long expanses of surface area with no detailing or shadow lines; recesses and projections in building walls help to proportion and subdivide the massing of large buildings. Any façade exceeding 30 feet in length shall include at least one change in wall plane, such as projections or recesses, having a depth of at least 3% of the entire length of the façade; this projection or recess shall extend over at least 20% of the entire length of the façade. A building base and building top shall be recognizable through materials, textures, treatments, and roofing.</p>	<p>The project has proposed many vertical and horizontal elements, including modulation and articulation on all sides of the building. The elevations show the building bump outs, gable roofs, parapet roof with cap, entry canopies, storefronts, and other modulation techniques. In addition, the use of trellises and knee-braces throughout the project creates additional shadow lines and interest. All the wall planes are 30 feet or less in length with modulations that are 24" in depth. The building has a distinct bottom, middle, and top.</p>	<p>Yes</p>
<p>20.110.014 (l) (8) Architectural Standards: Building Scale. To ensure a comfortable pedestrian experience, the scale of large buildings shall be visually reduced by elements that divide a large building into smaller proportions. Building walls shall be subdivided and proportioned using features such as windows, entrances, storefronts, arcades, arbors, awnings, trellises, or tother similarly scaled architectural details. These features shall cover at least 90% of the building's front wall length and at least 60% of other building wall lengths.</p>	<p>The project proposes a pleasing pedestrian experience by breaking up the building elements and dividing the building into smaller proportions. The front (west elevation) incorporates canopies, trellises, windows, and vertical and horizontal modulations that cover 90% of the street elevation. The remaining elevations utilize the same elements and cover at least 60% of each elevation.</p>	<p>Yes</p>
<p>20.110.014 (l) (9) Architectural Standards: Pitched Roofs and Eaves. Pitched roofs shall be simple hip, shed, or gable configurations. Roofline offsets shall be provided to lend architectural interest and variety to the massing of a building and to relieve the effect of a single, long roof. The use of alternating dormers, stepped roofs, gables, or other roof elements can be used to add visual relief and articulation to the overall building form.</p>	<p>The project proposes Building 1 with a low sloped roof with a parapet and an attractive cornice and Building 2 has a 4/12 sloped roof. The gable roofs break up the eave length a minimum of every 30 feet.</p>	<p>Yes</p>
<p>20.110.014 (l) (10) Architectural Standards: Gutters, Downspouts, and Scuppers. Building devices used to control rainwater shall be compatible with the roofing system and shall not dominate the façade of a building. Parapets and cornices shall not be interrupted by stormwater elements. Gutters, downspouts, and scuppers shall be constructed of high-quality, commercial grade metal. These elements shall be integrated into the design of the elevation, placed in harmony with the forms and openings. Parapets shall be continuous above scuppers. Gutters are prohibited on float roofs.</p>	<p>The project proposes gutters across the face of the eaves. The downspout locations are shown on the elevations and are incorporated into the building design.</p>	<p>Yes</p>

Regulation	Analysis	Meets						
<p>20.110.014 (l) (11) Architectural Standards: Customer and Public Entrances. Customer and public entrances shall ensure accessibility to the public, create primary focal points for the façade, and provide a comfortable proportion for the pedestrian entry. Buildings larger than 50,000 square feet shall provide at least two customer or public entrances. Buildings smaller than 50,000 square feet are encouraged to provide multiple customer or public entrances. Buildings shall orient customer or public entrances toward a public street or an internal street or drive. Each building on a site shall have clearly defined, highly visible customer entrances.</p>	<p>The proposed project provides a customer and public entrance to the commercial retail space on the west side of Building 1. The entrance is visible through awning/canopy covers with recessed entrances. All entrances are clearly defined with both buildings.</p>	<p>Yes</p>						
<p>20.110.014 (l) (12) Architectural Standards: Windows. Windows shall be vertically proportioned; this allows the window opening to appear to be structurally supported. Window openings on brick, stone, cast stone, or synthetic stone buildings shall not be trimmed. Lintels, sills, and arches are not considered trim. Window openings without trim or molding shall have window frames at least 2 inches wide when looking at the finished façade of the building. Upper story windows shall align with ground floor windows, ground floor doors, and the building modulations. Display window light sources shall not be visible from the exterior of the building.</p>	<p>The project proposes first-floor storefront windows facing Smokey Point Boulevard and are of commercial material, vertically proportioned, and recessed into the brick veneer. The residential windows on all sides of both buildings are vertically proportioned and provide trim.</p>	<p>Yes</p>						
<p>20.110.014 (l) (13) Architectural Standards: Glazing. The ground floor of commercial buildings shall be transparent for visual connection to the pedestrians and is usually necessary for most retail structures.</p> <table border="1" data-bbox="155 1325 735 1453"> <thead> <tr> <th data-bbox="155 1325 272 1388">Transect</th> <th data-bbox="272 1325 488 1388">Minimum Glazing on Primary Facades</th> <th data-bbox="488 1325 735 1388">Minimum Transparency on Primary Facades</th> </tr> </thead> <tbody> <tr> <td data-bbox="155 1388 272 1453">T5-F</td> <td data-bbox="272 1388 488 1453">50% of pedestrian view plane</td> <td data-bbox="488 1388 735 1453">25% of pedestrian view plane</td> </tr> </tbody> </table> <p>Between 25% and 60% of the second-floor façade and above shall be transparent glazing. Transparent glass shall possess a minimum 60% light transmittance factor.</p> <p>Areas of the buildings that are functionally restricted from providing vision glass may be exempted provided other architectural scaling techniques are employed.</p> <p>No highly reflective glazing shall be permitted within the lower 80% of the building façade (maximum reflectance factor of .20). No first-floor reflective coating is permitted.</p>	Transect	Minimum Glazing on Primary Facades	Minimum Transparency on Primary Facades	T5-F	50% of pedestrian view plane	25% of pedestrian view plane	<p>The project has proposed many windows, especially with the commercial storefronts on the first floor. The commercial floor level is minimally transparent with storefront glazing with a pedestrian view of between 0 to 10 feet, as shown on the west side of Building 1.</p> <p>The first floor glazing along the street provides 75% of the elevation, the upper floors will meet 25% - 60% of the frontage. The transparent glass will possess a minimum of 60% light transmittance factor. The project will meet a maximum reflectance factor of .20. No first floor reflective coating is permitted.</p>	<p>Yes</p>
Transect	Minimum Glazing on Primary Facades	Minimum Transparency on Primary Facades						
T5-F	50% of pedestrian view plane	25% of pedestrian view plane						

Regulation	Analysis	Meets
Chapter 13.28 AMC, Stormwater		
<p>13.28.070 Applicability of the Utility. The following actions or applications for the following permit and/or approvals will require submittal for approval by the utility: site plans, design drawings, and operations and maintenance plans. Submittals shall be consistent with the provisions of this Code, and shall comply with the stormwater manual and engineering standards:</p> <p>(3) New Development</p>	<p>The proposed project is subject to meeting the required stormwater regulations for the site. A Civil Permit shall be required for all site improvements. The approval of the land use permit is required to have a conceptually approved stormwater system. All stormwater systems shall comply with the City of Arlington Public Works Standards and Specifications and the most recent Department of Ecology Stormwater Manual for Western Washington.</p>	<p>Yes</p>

F. PUBLIC COMMENTS

Public Comment	Response
<p>Public comments received during the Notice of Application and MDNS comment periods, along with the Neighborhood Meeting, and Notice of Public Hearing for the Ashford Place mixed-use development project, PLN #1002.</p>	<p>The City received comments from the following agencies. A summary of these comments is provided below and the actual comments received are provided in Exhibits #23-25.</p>
<p>Stillaguamish Tribe of Indians requested notification prior to ground disturbance for the project.</p>	<p>The city responded to the Stillaguamish Tribe of Indians to let them know that the city would add a condition to the permit requiring the applicant to provide notification prior to ground disturbance for the project. The notification for ground disturbance and the requirement of an unanticipated discovery plan are conditions of the permit.</p>
<p>The City of Marysville provided comments for the subject project regarding traffic impacts. It was stated that traffic impact fees may be required from the City of Marysville and provided information regarding the Smokey Point Boulevard and 172nd Street Intersection and the LOS failure. It was stated that if no improvements to this intersection are made then the diversion of traffic onto City of Marysville roadway network would be extremely likely and should be accounted for within project TIAs.</p>	<p>The city responded to the City of Marysville comment, stating that the city knows the intersection mentioned fails and is working with the State Department of Transportation on this intersection that is technically the responsibility of the State for the east/west bound traffic. The TIA did mention the future 156th Street NE interchange, however there are no current conditions or improvements that will be constructed within the next 6 years.</p> <p>What was not mentioned in this response is that the City of Arlington and the City of Marysville do not have an interlocal agreement that would require developments in either city to pay for improvements outside of the city they are proposing projects.</p>
<p>WSDOT provided an email that they had no comments for this project.</p>	<p>The city did not take any action as no comments or requests were made.</p>

G. CONCLUSION & RECOMMENDATION

(a) The applicant has applied for a Conditional Use Permit as required under AMC 20.16.

(b) Under AMC 20.16.140(c), subject to Subsection (d) the designated decision-maker shall issue the requested permit unless it concludes, based upon the information submitted at a hearing if there is a hearing or by signed letter if there is not, that:

Regulation	Analysis	Meets
Chapter 20.16.140(c)		
(1) The requested permit is not within its jurisdiction according to the table of permissible uses.	The property is located in the city limits and the City of Arlington Zoning Map identifies the subject property as Commercial Corridor. The Mixed-Use building is allowed by meeting the regulations of the Mixed-Use Development Regulations.	Yes
(2) The application is incomplete.	The City determined the subject application complete on October 24, 2022.	Yes
(3) If completed as proposed in the application, the development will not comply with one or more of the requirements of this title.	The proposed mixed-use project complies with all required sections of AMC Title 20 per the staff analysis.	Yes
(4) The proposed project had not complied with SEPA.	The City issued an MDNS on November 7, 2022. No parties appealed the MDNS, and public comments received are addressed in Section F.	Yes
(5) The proposed project is not in conformance with the Comprehensive Plan, Transportation Plan, or other adopted plans, regulations, or policies.	The requested Conditional Use Permit, as conditioned, is consistent with all AMC Title 20 requirements: permit processing procedures, and all other applicable plans, regulations, and policies.	Yes

(c) Even if the permit-issuing authority finds that the application complies with all other provisions of this title, it may still deny the permit if it concludes, based upon the information submitted at the hearing, that if completed as proposed, the development, more probably than not:

Regulation	Analysis	Meets
Chapter 20.16.140(d)		
(a) Will materially endanger the public health or safety.	The City concludes that the proposed development will not materially endanger the public health or safety of the City of Arlington. The proposed development has met the intent of the zoning and the mixed-use development regulations.	Yes
(2) Will materially harm adjoining or abutting property.	The City concludes that the proposed development, as mitigated and conditioned, will not materially harm adjoining or abutting property.	Yes

Regulation	Analysis	Meets
(3) In terms of design and use will not be compatible with the area in which it is located.	The City concludes that, in terms of the site design/layout, building design and proposed commercial/retail and residential use, that the proposed development will be compatible with the surrounding land uses in the area in which it is located.	Yes

(d) The City of Arlington recommends approval of the Conditional Use Permit subject to conditions specified in Section H below.

H. CONDITIONS

Land Use Approval

1. All development shall be in substantial conformance with the Site Plan, Landscape Plans, and Architectural Plans received on December 5, 2023, subject to any conditions or modifications that may be required as part of the permit and construction plan review.
2. The developer is vested under the code in place at the time of Complete Application on October 24, 2022.
3. The approved Conditional Use Permit shall expire two years after the date of the Notice of Decision per AMC §20.16.220.
4. The development shall meet all Title 20 AMC regulation requirements.
5. The developer shall meet all local, state, or federal code requirements. Attached as Attachment A is a list of code requirements that are specifically called to the developer’s attention. It is in no way intended to be a complete list of code requirements, but a general checklist of major steps and issues.
6. The developer shall clear any outstanding Planning Division permit-processing accounts with the City within 60 days of issuance of this permit.
7. No permits and/or construction pursuant to the Conditional Use Permit shall begin or be authorized until 21 days from the date of the decision.
8. The property owner is responsible for managing all parking for residents and commercial uses on the site with the proposed number of parking stalls. The city requires that the property owner establishes a parking permit system for tenants to show who is allowed to park in the private parking lot and to track compliance with parking. If parking issues arise it is the responsibility of the property owner to limit the number of cars a tenant can have on the site. Parking is not allowed off-site unless a parking agreement is reviewed and approved by the city and recorded with the Snohomish County Auditor’s Office.
9. The Applicant shall notify the Stillaguamish Tribe of Indians prior to ground disturbance associated with the construction of this project.
10. The Applicant is required to pay a Neighborhood/Mini-Park In-Lieu Fee in the amount of \$36,188.00 (83 x \$436.00).
11. At the time of Complete Application and SEPA Determination the Lakewood School District required School Impact Fees. At the time of this staff report and public hearing the School Impact Fees were removed through Lakewood School District’s submittal of an updated Capital Improvement Plan that was approved through City of Arlington Ordinance No. 2022-029. There are no requirements at this time for the applicant to pay School Impact Fees. The fee that will be collected will be the fee in place at time of building permit issuance.

12. The Applicant is required to obtain an Avigation Easement with the Arlington Municipal Airport prior to project completion.
13. The Applicant is required to provide bicycle space locations and racks for 30 bicycles. This shall be shown on the Civil plans.

SEPA MDNS Conditions

The developer shall comply with all conditions of the SEPA MDNS issued on November 7, 2022.

14. **(B)(1) Earth:** In order to mitigate potential earth impacts, the Applicant shall implement Best Management Practices per Department of Ecology for Stormwater Pollution Prevention and TESC Controls to prevent erosion during and after construction.
15. **(B)(2) Air:** In order to mitigate for potential air impacts, the Applicant shall implement dust control measures to reduce fugitive dust emissions during construction. A Construction Management Plan shall be submitted to the City prior to commencement of construction to ensure these measures. Construction equipment emissions shall comply with all State and Federal regulations for emissions.
16. **(B)(3)(b) Ground Water:** In order to mitigate potential impacts to ground water the Applicant shall employ best design practices meeting the current Department of Ecology's Stormwater Management Manual for Western Washington.
17. **(B)(3)(c) Water Runoff:** In order to mitigate for potential impacts to water runoff the Applicant shall follow the current edition of the Department of Ecology's Stormwater Management Manual for Western Washington and Best Management Practices used to protect groundwater.
18. **(B)(7)(A) Environmental Health:** Applicant shall comply with current codes to reduce or control environmental health hazards. A spill prevention plan shall be in place according to local, State and Federal policies.
19. **(B)(7)(b)(1) Noise:** The project is located next to a Snohomish County Public Utility District #1 substation. The applicant shall work with the City of Arlington and Snohomish County PUD to create a sound barrier between the existing substation and the proposed mixed-use development.
20. **(B)(7)(b)(2) Noise:** City of Arlington noise standards found in AMC 9.20.060 shall be complied with. Specifically, in section 9.20.060(8) noises resulting from any construction or development activity or the operation of heavy equipment from 7:00pm to 7:00am Monday through Saturday shall be prohibited. The project will generate short term noise associated with construction activities. Construction hours will conform to City requirements. Noise from light vehicle traffic will be generated during business hours at project completion.
21. **(B)(10) Aesthetics:** The proposal is required to meet the City of Arlington Development Design Standards of AMC 20.110, as part of this submittal.
22. **(B)(11)(a) Light and Glare:** To mitigate potential light pollution, the Applicant will be required to install light fixtures that are down shielded. The property is located within the Arlington Airport Protection District – Subdistrict C – that is comprised of the Federal Aviation Regulations (FAR) parts 77 Imaginary surfaces.
23. **(B)(12)(c) Recreation:** To mitigate the impacts on recreation, the applicant shall pay Community Park Impact Fees in the amount of \$1,497.00 per multi-family dwelling unit.
24. **(B)(13) Historic and Cultural Preservation:** If historical, cultural, or archaeological sites or artifacts are discovered in the process of development, work on that portion of the site shall be stopped immediately, the site secured, and the find reported as soon as possible to the planning director. The property owner also shall notify the Washington State Department of Archaeology and Historic Preservation and affected tribes. The applicant shall notify the Stillaguamish Tribe and submit an Unanticipated Discovery Plan prior to ground disturbance.
25. **(B)(14)(d) Transportation:** The applicant is required to construct frontage improvements and dedicate right-of-way along Smokey Point Boulevard.

26. **(B)(14)(f) Transportation:** Trip generation has been calculated by Gibson Traffic Consultants through a Traffic Impact Analysis. The report references land use code 220 for low rise multi-family and 822 for Retail Plaza per the ITE Trip Generation Manual, 10th Edition. The project proposes 103 multi-family units and 3,984 square feet of commercial space, which results in 64 PM Peak Hour Trips. The Applicant is required to pay Traffic Mitigation fees in the amount of \$214,720.00 to the City of Arlington. City traffic mitigation fees shall be paid prior to building permit issuance and may be split between buildings.
27. **(B)(15) Public Services:** The applicant shall pay Lakewood School District Mitigation Fees in the amount of \$445 per one bedroom multi-family dwelling unit and \$1,641 per two/+ bedroom multi-family dwelling unit. The applicant shall provide proof of payment prior to building permit issuance.
28. **(B)(16)(a) Utilities:** The applicant shall receive approval from and connect to the City of Marysville water and wastewater systems, extend utility lines as necessary and pay water and sewer connection fees. All improvements shall be installed during the Site Civil Construction phase of the project. The applicant shall provide proof of payment prior to building permit issuance. All utilities shall be installed underground.

Civil Construction:

29. Prior to any construction activities, the applicant shall file and receive approval of civil construction plans which comply with all requirements of the Land Use Code, International Building Code, International Fire Code and Public Works Construction Standards and Specifications. Said plans shall address all site improvements, either required or voluntarily provided.
30. All stormwater is required to meet the 2019 Department of Ecology Stormwater Management Manual for Western Washington. The final drainage plan shall be approved with the Civil permit.
31. The Applicant is required to obtain utility permits from the City of Marysville for water and sanitary sewer connections.
32. The Applicant is required to provide an automatic irrigation system on the site. The proposed irrigation plan shall be submitted with the Civil Permit.
33. The Applicant shall construct all existing, extended, and new electrical power lines (not to include transformers or enclosures containing electrical equipment including but not limited to, switches, meters, or capacitors which may be pad mounted), telephone, gas distribution, cable television, and other communication and utility lines in or adjacent to any land use or building permit approved after the effective date of this chapter shall be placed underground in accordance with the specifications and policies of the respective utility service providers and located in accordance with the administrative guideline entitled "Public Works Construction Standards and Specification." Even in the event the distribution line originates from a point opposite any public roadway from the new construction the service lines shall be placed beneath said roadway by means of boring or surface excavation across said roadway.

Building:

34. Prior to issuance of the building permit, the applicant shall complete all required or voluntary improvements unless otherwise secured and authorized by the City Engineer.
35. The applicant shall submit building plans meeting the architectural standards of AMC 20.110, as approved with this permit.
36. Business Licenses for all contractors working on the site shall be required to obtain a City of Arlington Business License.
37. Building signage is required to be permitted through a sign permit application. All signage requires city approval prior to installation. The signage shall meet all code requirements and blend in with the overall building design.

I. DECISION

- (a) The decision whether to approve or deny this proposal shall be made by the Hearing Examiner.
- (b) Per AMC 20.16.220 (a), a Conditional Use Permit shall expire automatically if, within two (2) years after the issuance of such permits:
 1. The use authorized by such permits has not commenced, in circumstances where no substantial construction, erection, alteration, excavation, demolition, or similar work is necessary before commencement of such use, or
 2. Less than 10 percent of the total cost of all construction, erection, alteration, excavation, demolition, or similar work on any development authorized by such permits has been completed on the site.

J. RECONSIDERATION OF PERMIT – ISSUING AUTHORITY’S ACTION

Reconsideration of permits shall follow the requirements of AMC 20.16.260.

1. Whenever the permit-issuing authority approves or disapproves a permit application the respective permit-issuing authority may reconsider such action if either the applicant or a party of record clearly demonstrates that in the written decision for the permit either a finding of fact or testimony has been incorrectly recorded.
2. A request to be heard for reconsideration on this basis must be filed with the Community Development Director within the time period for an appeal to superior court. However, such a request does not extend the period within which an appeal must be taken.

K. APPEALS

Per AMC 20.20.020, the Hearing Examiner’s decision is appealable to Snohomish County Superior Court within twenty-one (21) days of the Hearing Examiner’s final decision.

L. EXHIBITS

Ashford Place Hearing Examiner documents are on file at the Community Development Office under Conditional Use Permit – PLN#1002.

Distributed to the Following Parties:

- Scott Wammack, Owner/Applicant
- Randy Devoir, Contact
- Alexander Sidles, Hearing Examiner
- Steve Peiffle, City Attorney
- Marc Hayes, Community & Economic Development Director