



Community and Economic Development

Planning Division

18204 59th Avenue NE, Arlington, WA 98223

STAFF REPORT & RECOMMENDATION

Wisemark Commons Mixed-Use

Binding Site Plan – PLN#1139

Conditional Use Permit – PLN#1140



A. PROJECT DESCRIPTION AND REQUEST

The applicant is proposing to construct a Mixed-Use Development known as Wisemark Commons on 4.91 acres located at 6804 204th Street NE, Arlington, Washington, on parcel number 31051400200600. 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 Wisemark Commons community consists of a mixed-use project with ten buildings on the site consisting of a mixed-use building with up to 8 commercial spaces (12,422 sf) on the first floor and 52 multi-family residential units on the second and third floors, a restaurant building (3,372 sf), seven multi-family residential buildings with 98 residential units, a facility club house (2,325 sf).

Staff Report & Recommendation

Wisemark Commons – Conditional Use Permit – PLN#1140 & Binding Site Plan – PLN#1139

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The project improvements include 309 parking stalls (302 standard stalls, 7 ADA stalls, with 28 EV stalls), pickleball court, dog run, playground equipment, patios, benches, planters, water feature, fire pit, water feature, sidewalks, open space, tables and chairs, bicycle racks, public art, and landscaping. Frontage improvements along 67th Avenue include a median, drive aisle, 25 back-in angled parking spaces, bus stop and crossing, curb, gutter, sidewalk, and street trees. Stormwater runoff from the proposed development will be conveyed and managed on-site through detention facilities located under the parking and drive aisle areas.

The project site consists of vacant 4.91-acre parcel that are primarily flat and zoned Commercial Corridor (CC). The development is proposing a Binding Site Plan under PLN #1139, that splits the property into 3 lots and 1 Tract (to be dedicated as right-of-way to the City of Arlington). 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, industrial, and residential uses surrounding the subject site to the north, east, south, and west. The property is situated on a corner lot with 204th Street NE to the north and 67th Avenue NE (Centennial Trail) to the west. A restaurant is located on the north side of 204th Street NE, the Burlington Northern Santa Fe Railroad tracks are located to the east, with industrial uses east of the railroad tracks, a commercial contractor business and an industrial storage building is located to the south, and the Arlington Municipal Cemetery is located on the west side of 67th Avenue NE. The project will be served by City of Arlington utilities.

This proposed development is 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 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 Wisemark Commons project is in the *Mixed-Use Village Center* Place Type and *Transect 4 Mainstreet (T4-MS)*. 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 and a Binding Site Plan was received on October 5, 2023. The application was deemed complete on October 11, 2023. The city issued review comment letters on November 3, 2023, January 19, 2024, and February 13, 2024. The applicant submitted revised plans and requested information on January 5, 2024, January 25, 2024, and February 23, 2024. The applicant received a resubmittal extension letter dated November 9, 2023.

The Notice of Application was issued on October 20, 2023 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 October 20, 2023.

The City issued a Mitigated Determination of Non-significance (MDNS) per AMC 20.98.120 on February 8, 2024. The notice was published in The Herald, posted on site, mailed to required parties, and posted on the City's website on February 9, 2023.

A Neighborhood Meeting was held November 14, 2023. 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 October 20, 2023.

A Public Hearing is to be held before the Hearing Examiner on March 26, 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 March 8, 2024.

C. GENERAL INFORMATION

1. **Property Owner:** Goutam Jain, KVG Investment Group, LLC
2. **Applicant/Contact:** Michael Weinstein, Synthesis Interests
4. **General Location:** Southeast of the 67th Avenue NE and 204th Street NE Intersection
5. **Address of Property:** 6804 204th Street NE, Arlington, WA 98223
6. **Property Legal Description (Abbreviated):** Section 14 Township 31 Range 05 Quarter SW – BEG NW COR SEC TH E ALG N LN 648FT TO W MGN BURLINGTON NORTHERN RR TH S ALG W LN SD MGN 507FT TH W 285FT TH N 122FT TH W 230FT TO W LN SEC TH N ALG SD WLN 379FT M/L TO POB LESS CO RD & EXC ADD'L R/W TO CITY OF ARL PER SWD REC UND AFN 9401110163 & SWD REC UND AFN 200112100111
7. **Property Tax ID Numbers:** 31051400200600
8. **Topographical Description:** The existing site is relatively flat.
9. **Soil Type:** Everett very gravelly sandy loam, 0-8% slopes
10. **Acreage:** 4.91 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	CC	Restaurant
South of Site	Commercial Corridor & General Industrial	CC & GI	Contractor Business and Industrial Storage Building
East of Site	Commercial Corridor & General Industrial	CC & GI	BNSF Railroad Tracks and Industrial Business
West of Site	Public / Semi-Public	P/SP	Arlington Municipal Cemetery & Centennial Trail

12. Public Utilities and Services:

Water:	City of Arlington	Gas:	Cascade Natural Gas
Sewer:	City of Arlington	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:	Arlington School District
Electricity:	Snohomish County PUD #1	Hospital:	Cascade Valley

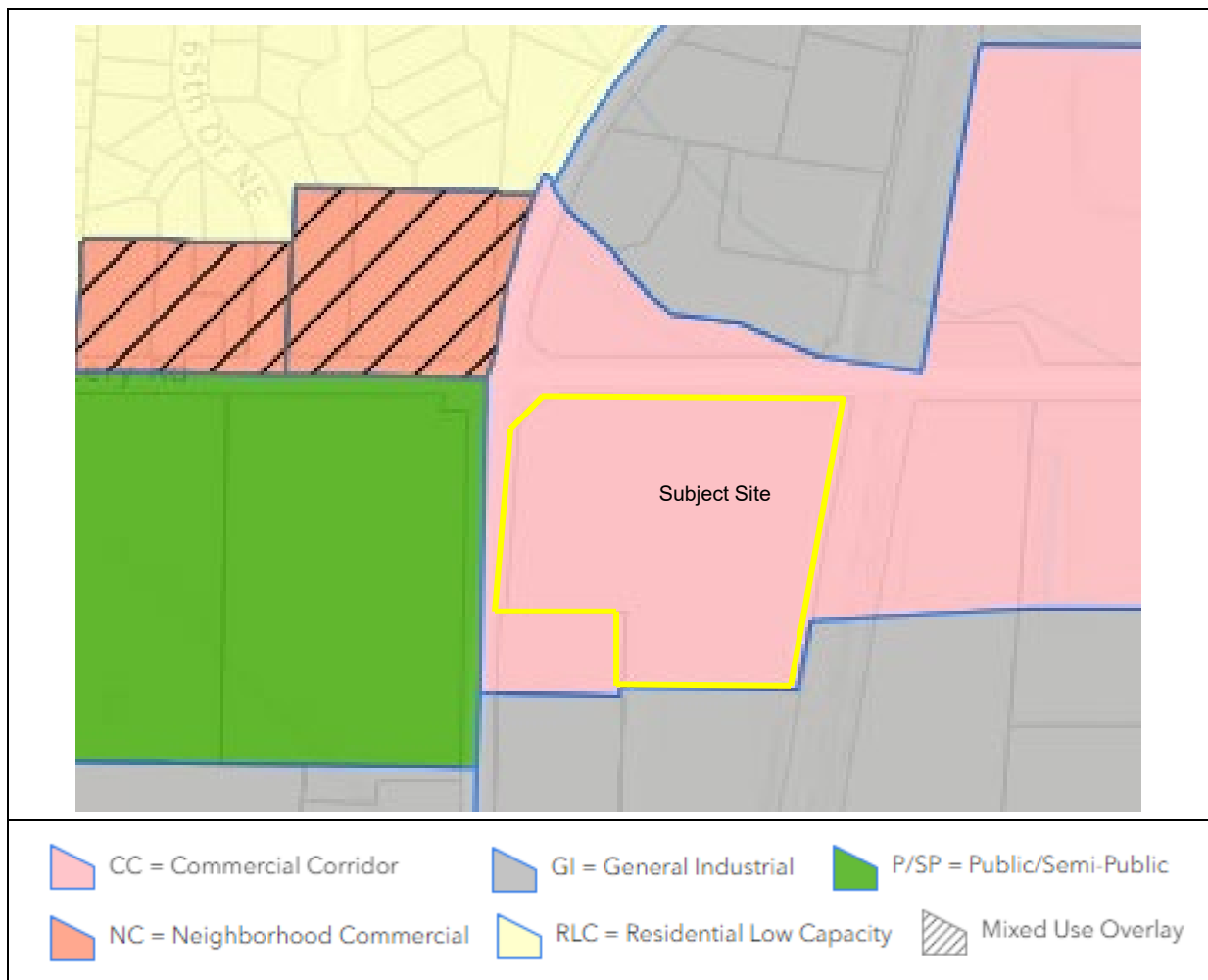
13. Applicable Land Use Code Regulations:

- 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 multiple structure types, a 1-story restaurant and club house building, a 3-story mixed use building, and seven 3-story multi-family residential buildings. The project includes both vertical and horizontal mixed-use on the property. 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, and south, General Industrial to the east and south, and Public/Semi-Public to the west. The property abuts 204th Street NE and 67th Avenue 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, General Industrial, and Public/Semi-Public. A restaurant is located to the north, industrial/manufacturing business to the east, contractor business and industrial storage building to the south, and a municipal cemetery to the west. The Wisemark Commons development is 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 67th Avenue NE (Centennial Trail) and 204th Street 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	10/11/2023	N/A	Property Owner/Applicant
Notice of Application & Neighborhood Meeting	10/20/2023	11/14/2023	Property Owner/Applicant Property Owners (within 500ft) On-Site & Website Affected Agencies The Herald-published – 10/20/2023
SEPA MDNS Determination	2/8/2024	N/A	Property Owner/Applicant Property Owners (within 500ft) On-Site & Website Affected Agencies The Herald-published – 2/9/2024
Notice of Public Hearing	3/6/2024	3/26/2024	Property Owner/Applicant Property Owners (within 500ft) On-Site & Website Party of Record The Herald-published – 3/8/2024

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, city staff forwarded the comments to the applicant for their review. The public comments are summarized in Section F.

D. ENVIRONMENTAL REVIEW

The City issued a Mitigated Determination of Non-Significance on February 8, 2024. The 14-day comment period lasted until February 23, 2024. The public comments are summarized in Section F. After reviewing the initial comments, city staff 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
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.	The owner of the property is KVG Investment Group LLC and Goutam Jain, a governor of the corporation signed the permit applications that were submitted to the city.	Yes
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.	The owner, KVG Investment Group LLC, has designated Michael Weinstein of Synthesis Interests, as the official representative for the subject permits.	Yes
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.	The city held a General Information Meeting with the project applicant on April 6, 2023.	Yes
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.	The project applicant scheduled a submittal intake appointment with the Community and Economic Development Department and submitted the applications on October 5, 2023.	Yes
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.	The proposed application for the Wisemark Commons mixed-use project became vested on October 11, 2023 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.	Yes

Regulation	Analysis	Meets
20.16.160 Processing Multiple Permits. (a) Whenever a proposed project requires more than one permit, multiple permits, by this title, the entire application will be linked and processed simultaneously using the process specified for the permit requiring the highest degree of review and decision-making.	The applicant has submitted a Conditional Use Permit for the proposed mixed-use development and a Binding Site Plan for dividing the lots. The Binding Site Plan is less than 9 lots and is typically processes as a Zoning Permit. Both applications have gone through the entire process following the Conditional Use Permit requirements.	Yes
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 Wisemark Commons mixed-use development conditional use permit and binding site plan.	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 5, 2023. The City issued a Notice of Complete Applications on October 11, 2023. 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 applications were routed to all effected city departments on October 6, 2023, and after each resubmittal on January 5, 2024, January 25, 2024, and February 23, 2024.	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 and binding site plan 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 March 8, 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 October 20, 2023. 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 3, 2023. Public comments received are stated in Section F below.	Yes

Regulation	Analysis	Meets
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 October 20, 2023. 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 November 14, 2023.	Yes
20.16.435 Major and Minor Binding Site Plans. (b) Standards. Binding site plans are subject to the following standards: (1) The binding site plan shall ensure that the collective lots continue to function as one site with respect to, but not limited to, lot access, interior circulation, open space, landscaping, drainage facilities, facility maintenance and parking. (2) The binding site plan shall: (A) Identify the areas and locations of all streets, roads, improvements, utilities, open spaces, sensitive areas, parking areas, landscaped areas, surveyed topography for map, water bodies, and drainage features and building envelopes. (B) Contain inscriptions or attachments setting forth such limitations and conditions for the use of the land as are established by the community and economic development director or the hearing examiner; and (C) Contain provisions requiring any development or division of land to be in conformance with the approved site plan. (D) Contain requirements for street right-of-way realignment, dedication, or widening either required by the city or voluntary agreement. (E) Adhere to all applicable provisions set forth in the land use code. (3) Both the design and development shall preserve the trees and vegetation, natural drainage, existing topsoil, and wetlands/critical areas to the fullest extent that is reasonably possible. (4) Conditions of use, maintenance, and restrictions on redevelopment of required open space, parking, access, and other improvements shall be identified and enforced by covenants, easements, dedications, or other similar mechanisms.	The applicant has submitted a binding site plan to divide the property into 3 lots and 1 tract. Lot 1 is for the restaurant, Lot 2 is for the mixed-use building, Lot 3 is for the residential buildings and clubhouse, and Tract A is proposed to be dedicated to the City of Arlington for public right-of-way. The binding site plan documents have identified all public streets, private drive aisles, parking areas, utilities, open space, park areas, landscaping, topography, and drainage locations. The binding site plan shows covenants, conditions, and restrictions on Sheet 2 of the plans. The binding site plan matches the site plans and landscape plans that have been submitted with the conditional use permit. The property did require some trees to be removed from the property, but the applicant preserved as many trees as they could on the east property line. The binding site plan meets all regulatory requirements of the Arlington Municipal Code.	Yes

Regulation	Analysis	Meets																				
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: (1) Any period during which the applicant has been requested to correct plans, perform required studies, or provide additional required information.	The proposed Ashford Place mixed-use development conditional use permit was taken to Public Hearing on day 77 of the 120-day timeframe per the following dates: <table><tr><th>Action</th><th>Date</th></tr><tr><td>Notice of Complete Application</td><td>10-22-2023</td></tr><tr><td>1st Comments Issued</td><td>11-3-2023</td></tr><tr><td>1st Resubmittal Extension</td><td>11-9-2023</td></tr><tr><td>2nd Submittal</td><td>1-5-2024</td></tr><tr><td>2nd Comments Issued</td><td>1-19-2024</td></tr><tr><td>3rd Submittal</td><td>1-25-2024</td></tr><tr><td>3rd Comments Issued</td><td>2-13-2024</td></tr><tr><td>4th Submittal</td><td>2-23-2024</td></tr><tr><td>Public Hearing</td><td>3-26-2024</td></tr></table>	Action	Date	Notice of Complete Application	10-22-2023	1 st Comments Issued	11-3-2023	1 st Resubmittal Extension	11-9-2023	2 nd Submittal	1-5-2024	2 nd Comments Issued	1-19-2024	3 rd Submittal	1-25-2024	3 rd Comments Issued	2-13-2024	4 th Submittal	2-23-2024	Public Hearing	3-26-2024	Yes
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4 th Submittal	2-23-2024																					
Public Hearing	3-26-2024																					
Chapter 20.24 AMC, Hearing and Pre-Hearing Procedures for Appeals and Applications																						
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.	The proposed Wisemark Commons mixed-use development project is subject to a Public Hearing before the Hearing Examiner for the conditional use permit.	Yes																				
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.	The city issued a Notice of Public Hearing on March 6, 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 March 8, 2024. The Public Hearing is scheduled for March 26, 2024.	Yes																				
Chapter 20.36 AMC, Zoning Districts and Zoning Map																						
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.	The subject property for the proposed conditional use permit is zoned Commercial Corridor. The project provides commercial uses with the restaurant on the northwest corner of the site and on the first floor of the mixed-use building facing 204 th Street NE. 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 to the east, where tenants of the building have a walkable neighborhood.	Yes																				

Regulation		Analysis					Meets	
Chapter 20.38 AMC, Airport Protection District								
20.38.060 Airport Protection District Boundaries. (a) Airport Protection Subdistrict A (b) Airport Protection Subdistrict B (c) Airport Protection Subdistrict C (d) Airport Protection Subdistrict D			The property is located under Airport Protection District – Subdistrict C.					Yes
20.38.090 Notice to Future Owners. 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.			The applicant is required to obtain an Avigation Easement with the Arlington Municipal Airport prior to project completion.					Yes
Chapter 20.40 AMC, Permissible Uses								
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.			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.					Yes
Chapter 20.40.130 AMC, Commercial and Mixed-Use Zones Permissible Use Table								
Use	NC	OTBD-1	OTBD-2	OTBD-3	GC	CC	HC	
Multi-Family Use Above a Permitted Non-Residential Use (Mixed-Use) ^{4,5,10}	ZSC	ZSC	ZSC	ZSC	ZSC	SC	ZSC	
Multi-Family Use Horizontal to a Permitted Non-Residential Use (Mixed-Use) ^{1,2}	SC				SC	SC	SC	
Binding Site Plan Minor	Z	Z	Z	Z	Z	Z	Z	
• 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								

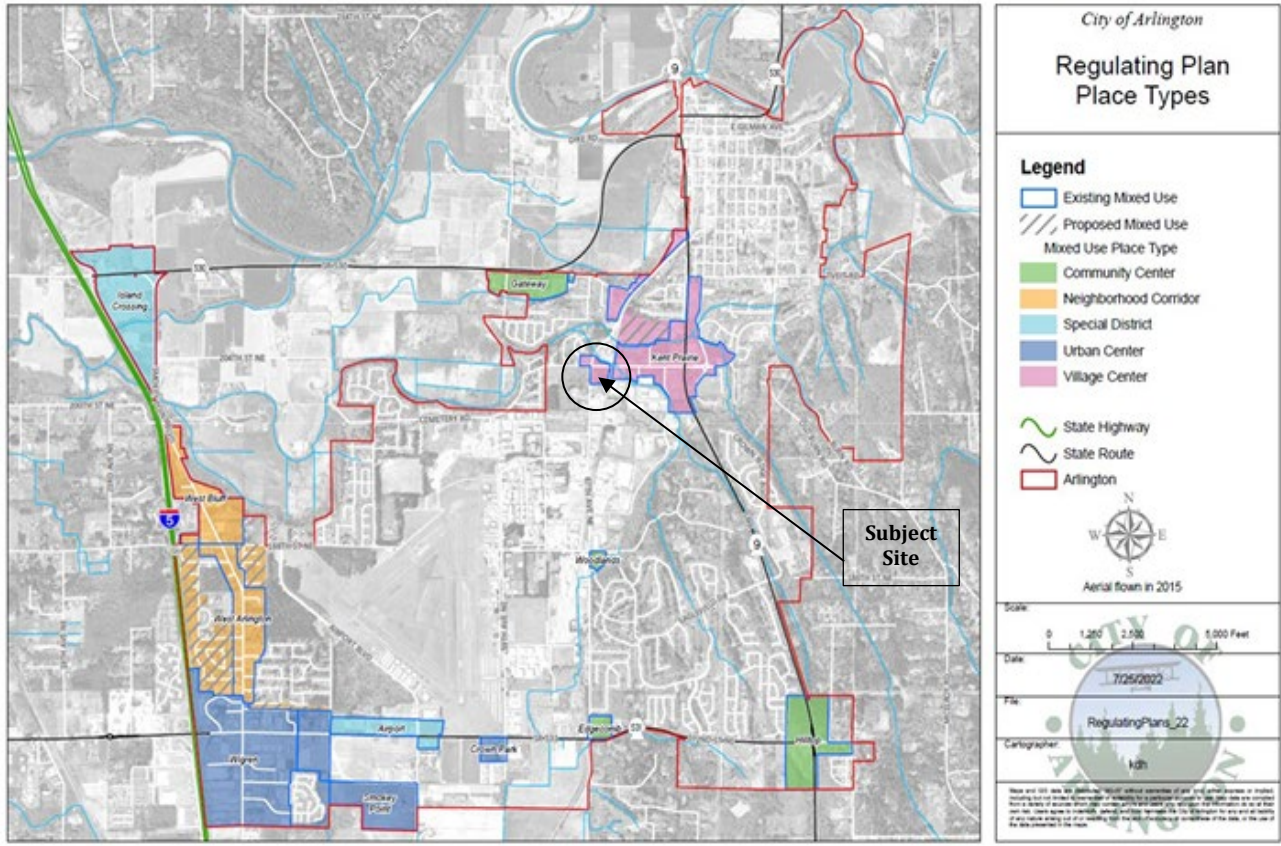
Regulation	Analysis	Meets																																		
Chapter 20.52 AMC, Recreational Facilities and Open Space																																				
20.52.010 Mini-Parks Required. (a) All residential developments shall provide recreational areas in the form of mini parks in an amount equal to 65 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. <table><tr><th># of units</th><th>Total Persons</th><th>SF</th><th>Total SF</th></tr><tr><td>24</td><td>1.4 x 24 = 34</td><td>65</td><td>2,210</td></tr><tr><td>90</td><td>1.4 x 90 = 126</td><td>65</td><td>8,190</td></tr><tr><td>36</td><td>2.2 x 36 = 80</td><td>65</td><td>5,200</td></tr><tr><td colspan="3">Total Square Feet</td><td>15,600</td></tr></table>	# of units	Total Persons	SF	Total SF	24	1.4 x 24 = 34	65	2,210	90	1.4 x 90 = 126	65	8,190	36	2.2 x 36 = 80	65	5,200	Total Square Feet			15,600	The applicant has proposed the required mini-park space on the site per the calculations below. <table><tr><th>Amenity</th><th>Total SF</th></tr><tr><td>Club House</td><td>2,325</td></tr><tr><td>Pickle Ball Court</td><td>2,000</td></tr><tr><td>Playground</td><td>1,000</td></tr><tr><td>Dog Park</td><td>1,835</td></tr><tr><td>Patios/Breezeway/ Benches/Water Feature Area/ Walkways/Fire Pit Area/Tables & Chairs</td><td>8,440</td></tr><tr><td>Total Square Feet</td><td>15,600</td></tr></table>	Amenity	Total SF	Club House	2,325	Pickle Ball Court	2,000	Playground	1,000	Dog Park	1,835	Patios/Breezeway/ Benches/Water Feature Area/ Walkways/Fire Pit Area/Tables & Chairs	8,440	Total Square Feet	15,600	Yes
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Total Square Feet	15,600																																			
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 150 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																																				
20.56.015 Complete Streets. (a) The city will, to the maximum extent practical, implement complete streets. For this section, “complete streets” means streets that provide appropriate facilities to meet the mobility needs of people of all ages and abilities who are walking, bicycling, riding transit, driving, and transporting goods. (b) The application of complete streets may require the property owner or developer to install additional improvements for the installation of certain street types or provide additional right-of-way dedication depending on the location of a proposed project and the surrounding areas level of street improvements. The applicant is required to work with the community and economic development department regarding the specific type of street required. (c) Complete streets will be implemented through the scoping, planning, designing, building, operating, and maintaining an integrated and connected transportation system. (d) All development projects shall submit a complete streets checklist with permit application and follow the complete streets policy.	The applicant submitted a Complete Streets Checklist. The checklist was reviewed, and city staff agrees that the intent of the complete streets policy has been met. The proposed development includes access to and from the Centennial Trail that abuts the property to the west. The applicant is dedicating an improved right-of-way along 204th Street NE. This area will serve vehicles, pedestrians, bicycles through a shared lane, and a new updated bus stop with a dedicated crosswalk from the development. There are sidewalks, crosswalks, private drives, and bicycle racks located throughout the entire site. The applicant has met the intent of the complete streets policy.	Yes																																		

Regulation	Analysis	Meets
20.56.020 Costs of Right-of-Way Installation and Improvements Borne by Applicant. When rights-of-way improvements are required or volunteer in conjunction with permit approval, all costs, and expenses incident to the installation of the improvement to be dedicated to the public shall be borne by the applicant.	The applicant or developer of the proposed project is financially responsible for the construction of improvements within 204th Street NE. There may be slight restriping within the 67th Avenue NE turn lane that would also be the responsibility of the applicant, these improvements shall be discussed and determined during the Civil Permit.	Yes
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 from the public streets of 67th Avenue NE and 204th Street NE to internal private drive aisles.	Yes
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: 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.	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: • The proposed entrances have the appropriate signage, stop bars, and crosswalks to protect vehicles, pedestrians, and bicyclists. • The proposed driveway entrances are in areas that would have the least interference with surrounding streets. • The proposed driveway cuts are 24' from both 67th Avenue NE and 204th Street NE. The west entrance from 204th Street is right-in only and is a dividing island was created for 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 204th Street NE. The dedication is required to be approved by City Council.	Yes

Regulation	Analysis	Meets
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
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 shall connect to the City of Arlington 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 and comply with the sewer availability approved by the Public Works Director on July 25, 2023.	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 shall connect to the City of Arlington 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 and comply with the sewer availability approved by the Public Works Director on July 25, 2023.	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 67 th Avenue NE and 204 th Street NE are required to comply with the Complete Streets Lighting Guide. This is shown as compliant on Sheets E-001, E-100, and E-101.	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 Sheets E-001, E-100, and E-101.	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 Sheets E-001, E-100, and E-101.	Yes

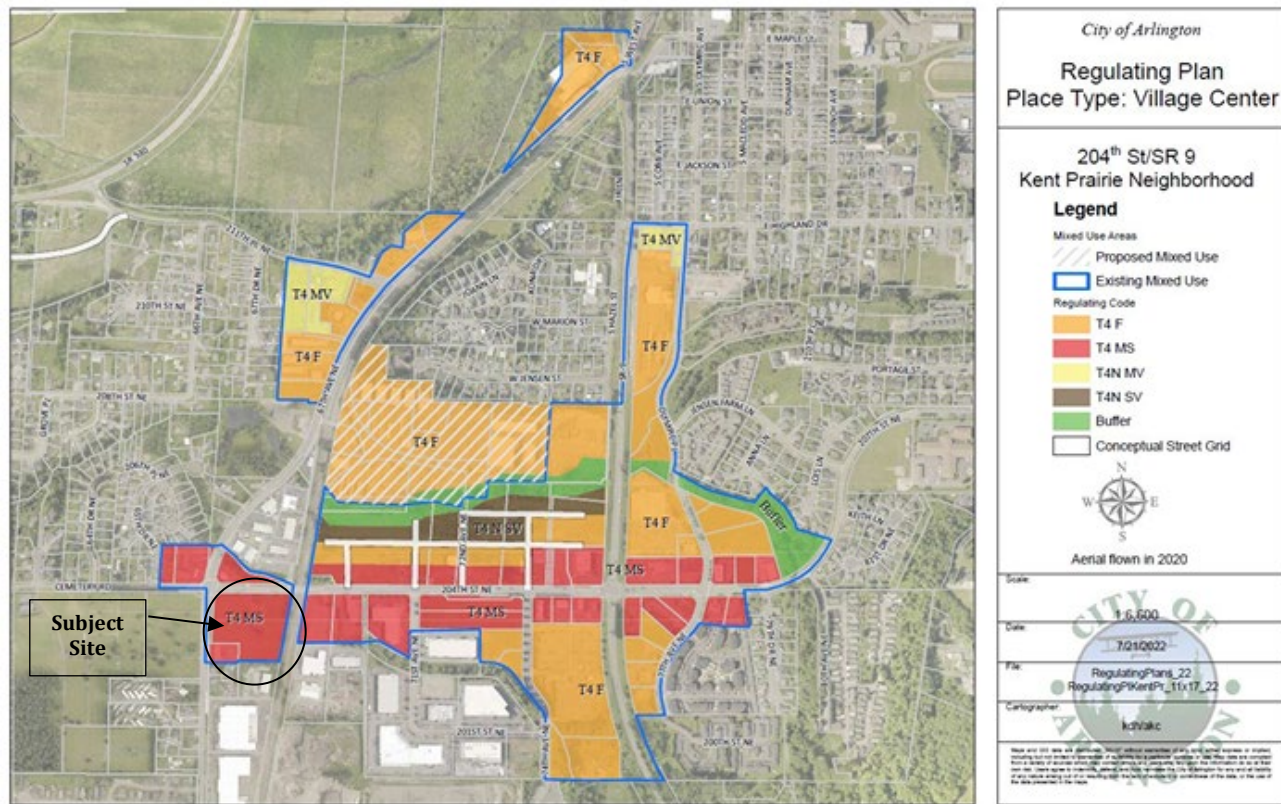
Regulation	Analysis	Meets						
20.60.450 Underground Utilities. All existing, extended, new electrical power lines, telephone, gas distribution, cable television, and other communication and utility lines shall be placed underground in accordance with the specifications and policies of the respective 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						
Chapter 20.72 AMC, Parking								
20.72.060 Parking Area Surface. (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. (b) Parking spaces shall be appropriately demarcated with painted lines or other markings. (c) Parking areas shall be properly maintained in all respects.	The project site plan shows paving throughout all drive aisles and parking spaces on the site, with all parking spaces striped. These requirements shall be reviewed and approved through the Civil permit.	Yes						
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.	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.	Yes						
Chapter 20.90 AMC, Concurrency & Impact Fees								
20.90.032 Interlocal Agreements Allowed. Pursuant to state law, the council may enter into an interlocal agreement, with any jurisdiction, that requires reciprocal traffic mitigation for extraterritorial impacts to one another's transportation systems. The City has an interlocal WSDOT.	The applicant provided a Traffic Impact Analysis prepared by Heath & Associates in August 2023 and revised in November 2023. The traffic analysis shows the choice for Option 1B for a Proportionate Share Mitigation based on standard amount. The study concluded that the proposed project would produce 1289 new average daily trips at WSDOT's standard payment rate of \$36.00 per ADT. <table border="1"> <thead> <tr> <th>Traffic Fee</th><th># Of Trips</th><th>Total Amount</th></tr> </thead> <tbody> <tr> <td>\$36.00</td><td>1289</td><td>\$46,404.00</td></tr> </tbody> </table>	Traffic Fee	# Of Trips	Total Amount	\$36.00	1289	\$46,404.00	Yes
Traffic Fee	# Of Trips	Total Amount						
\$36.00	1289	\$46,404.00						

Regulation	Analysis	Meets						
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.	The applicant provided a Traffic Impact Analysis prepared by Heath & Associates in August 2023 and revised in November 2023. The traffic analysis concluded that the proposed use would produce 64 new PM peak-hour-trips to the site for up to 3,400 square feet of restaurant use (LUC 932), up to 12,000 square feet of Strip Retail (LUC 822) and up to 150 multi-family apartments (LUC 220). The city concurs with the amount proposed for City Traffic Impact Fees as shown below. <table> <tr> <th>Traffic Fee</th><th># Of Trips</th><th>Total Amount</th></tr> <tr> <td>\$3,355.00</td><td>113</td><td>\$379,115.00</td></tr> </table>	Traffic Fee	# Of Trips	Total Amount	\$3,355.00	113	\$379,115.00	Yes
Traffic Fee	# Of Trips	Total Amount						
\$3,355.00	113	\$379,115.00						
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 studio and 1-bedroom multi-family dwelling unit and \$2,328 for two/+ bedrooms for multi-family units for the Arlington School District per Ordinance No. 2022-037.	The applicant is required to pay the following Arlington School District Impact Fees. <table> <tr> <th>School Impact Fee</th><th># of 2-Bed Units</th><th>Total Amount</th></tr> <tr> <td>\$2,328.00</td><td>36</td><td>\$83,808.00</td></tr> </table>	School Impact Fee	# of 2-Bed Units	Total Amount	\$2,328.00	36	\$83,808.00	Yes
School Impact Fee	# of 2-Bed Units	Total Amount						
\$2,328.00	36	\$83,808.00						
20.90.400 Community Parks Impact Fee. (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.	The applicant is required to pay the following Community Parks Impact Fees. <table> <tr> <th>Community Park Fee</th><th># of units</th><th>Total Amount</th></tr> <tr> <td>\$1,497.00</td><td>150</td><td>\$224,500.00</td></tr> </table>	Community Park Fee	# of units	Total Amount	\$1,497.00	150	\$224,500.00	Yes
Community Park Fee	# of units	Total Amount						
\$1,497.00	150	\$224,500.00						
Chapter 20.93 AMC, Critical Area Ordinance								
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.	The City of Arlington concludes that the subject property does not contain environmentally critical areas and does not impact nearby critical areas.	Yes						
Chapter 20.98 AMC, State Environmental Policy Act (SEPA)								
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.	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 February 8, 2023. The comment period for the MDNS was from February 9, 2023 to February 23, 2023. The city received comments during the public comment period, which are listed under Section F	Yes						

Regulation	Analysis	Meets
Chapter 20.110 AMC, Mixed Use Development Regulations		
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.	The proposed project is in the Village Center place type established by the Mixed-Use Development Regulations.	Yes
Regulating Plan Place Types		
		
20.110.012 (e) Transect Summary. Zone – T4 Main Street (T4-MS). Desired Form: Detached or Attached, Small to Medium Footprint, Simple Wall Plane along Street, Building At or Near the ROW, Small to No Side Setbacks, Up to 4 Stories, Diverse Mix of Frontages. General Use: Primarily ground floor commercial with a mix of commercial and residential uses on the floor above. Intent: To provide a focal point for neighborhoods that accommodates primarily local serving retail, service, and residential uses in compact, walkable urban form.	The proposed project is in the T4-MS Transect of the Village Center Mixed-Use Development Regulations. The project provides a medium footprint 1-story restaurant building, a wall plane with a 3-story mixed-use building along 204 th Street NE, 3-story residential only buildings, and a 1-story club house building in the center of the site. 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.	Yes

Regulation	Analysis	Meets
20.110.012 (e) Transect Summary. Zone – T4 Main Street (T4-MS). <u>Desired Form:</u> Detached or Attached, Small to Medium Footprint, Simple Wall Plane along Street, Building At or Near the ROW, Small to No Side Setbacks, Up to 4 Stories, Diverse Mix of Frontages. <u>General Use:</u> Primarily ground floor commercial with a mix of commercial and residential uses on the floor above. <u>Intent:</u> To provide a focal point for neighborhoods that accommodates primarily local serving retail, service, and residential uses in compact, walkable urban form.	The proposed project is in the T4-MS Transect of the Village Center Mixed-Use Development Regulations. The project provides a medium footprint 1-story restaurant building at the wrapping the corner of 67th Avenue NE and 204th Street NE, a wall plane with a 3-story mixed-use building along 204th Street NE, 3-story residential only buildings along 67th Avenue NE and both south and east of the frontage buildings, and a 1-story club house building in the center of the site. 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.	Yes

Regulating Plan Place Type: Community Center



20.110.014(c)(3) Place Types. <u>Place Type:</u> Mixed Use Village Center <u>Location:</u> State Route 9 and 204th Street, 204th Street and 67th Avenue, 211th Street and 67th Avenue. <u>Use Intensity Transects:</u> T4 Main Street (T4-MS)	The proposed development is located within the Mixed-Use Village Center. The project is located southeast of the 204th Street and 67th Avenue NE Intersection and in the T4-MS Transect.	Yes
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Regulation	Analysis	Meets														
20.110.014(c)(3) T5-F. <u>Intent:</u> To provide a vibrant main street mixed use residential and commercial environment that serves as the focal point for the surrounding neighborhood and provides access to day-to-day amenities within walking distance in urban form. <u>Key Features:</u> Primary Street with medium intensity commercial activity, along with medium to high density residential, decreasing in intensity toward the adjoining residential neighborhoods.	The project provides a neighborhood main street building along the frontage of 204 th Street NE and a commercial restaurant building at the corner of 67 th Avenue NE and 204 th Street NE. The remaining structures are residential only buildings and a club house building to the south 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 two streets of a main intersection.	Yes														
20.110.014(c)(3) Allowed Building Types. Mainstreet Building Mixed-Use Mid Rise	The project has proposed to utilize a Mainstreet Buildings for the frontage buildings on 67 th Avenue NE and 204 th Street NE and Mid Rise for the residential only buildings.	Yes														
20.110.014(c)(3) Building Form, Height. <table><tr><td>Main Building Stories</td><td>3 stories max.</td></tr><tr><td>Accessory Structure</td><td>1 story max.</td></tr><tr><td>Ground Floor Ceiling Height: Residential</td><td>10’ 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” max.</td></tr><tr><td>Ground Floor Finish Level: Retail/Service</td><td>6” max.</td></tr></table>	Main Building Stories	3 stories max.	Accessory Structure	1 story max.	Ground Floor Ceiling Height: Residential	10’ 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” max.	Ground Floor Finish Level: Retail/Service	6” max.	The proposed architectural plans show that the project meets the regulations, all main buildings are 3 stories or less and the club house accessory structure is 1 story. The architectural plans shall meet the requirements of this section through the building permit application submittal.	Yes
Main Building Stories	3 stories max.															
Accessory Structure	1 story max.															
Ground Floor Ceiling Height: Residential	10’ min. clear															
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20.110.014(c)(3) Building Form, Footprint. <table><tr><td>Ground Floor Space Depth: Residential</td><td>40’ min.</td></tr><tr><td>Ground Floor Space Front Depth: Retail/Service</td><td>40’ min.</td></tr><tr><td>Distance Between Front Entries to Ground Floor</td><td>50’ max.</td></tr><tr><td>Distance Between Front Entries to Upper Floor(s):</td><td>100’ max.</td></tr></table>	Ground Floor Space Depth: Residential	40’ min.	Ground Floor Space Front Depth: Retail/Service	40’ min.	Distance Between Front Entries to Ground Floor	50’ max.	Distance Between Front Entries to Upper Floor(s):	100’ max.	The proposed project has provided a ground floor space depth of 40 feet for the commercial and retail tenant spaces in the mixed-use building on the 204 th Street NE frontage and 60 feet for the residential buildings. The front entries are separated by 50 feet along the 204 th Street NE and all upper floor residential entries are no more than 100 feet apart.	Yes						
Ground Floor Space Depth: Residential	40’ min.															
Ground Floor Space Front Depth: Retail/Service	40’ min.															
Distance Between Front Entries to Ground Floor	50’ max.															
Distance Between Front Entries to Upper Floor(s):	100’ max.															

Regulation		Analysis	Meets
20.110.014(c)(3) Building Placement, Build-to-Lines and Setbacks.		The proposed project has complied with the building placement and setbacks proposed per the site plan for the buildings along the frontage of 67 th Avenue NE and 204 th Street NE. The setbacks work well with the neighboring properties, access aisles, required landscaping, open space, and access.	Yes
Front	0' min. 10' max.		
Side Street	0' min. 10' max.		
BLT Front	90% min.		
BLT Side Street	75% min.		
Side – Main Building	0' min.		
20.110.014(c)(3) Parking, Required Spaces.		The proposed project has provided 309 combined parking spaces on the site plan. The required parking has been met per the below table.	Yes
Multi-Family Residential Studio or 1-Bedroom Units	1.25 spaces per unit plus 1 additional space for every 4 units		
Multi-Family Residential 2-Bedroom Units	2.25 spaces per unit plus 1 additional space for every 4 units		
Retail/Services Uses < 3,500 sf	No Spaces Required		
>3,500 sf			
20.110.014(c)(3) Parking, Location		The proposed project complies with the parking space setbacks, as shown on the site plans. The parking spaces that are shown within the 50-foot setback are proposed on-street parking that is to be dedicated to the city and parking for the restaurant that cannot be in another location. All other parking within the frontage buildings is located under the building on the ground floor.	Yes
Front Setback	50' min.		
Side Street Setback	0' min. 10' max.		
Side Setback	0' min.		
Rear Setback	10' min.		
20.110.014(c)(3) Parking, Parking Drive Width		The proposed project has provided parking drive aisle widths of 24 feet throughout the site, as shown on the site plan. The public one-way back in parking drive aisle is 13 feet per city requirements for that frontage type.	Yes
Front < 40 Spaces	20' – 24'		
Front ≥ 40 Spaces	20' – 24'		
Side Street/Alley	20' – 24'		
20.110.014(c)(3) Encroachments and Frontage Types, Allowed Encroachments.		The proposed project has not shown any encroachments of the building into the setbacks established from the public right of way.	Yes
Front	14' max.		
Side Street	10' max.		
Side	0'		
Rear	5' max.		

Regulation	Analysis	Meets								
20.110.014(c)(3) Encroachments and Frontage Types, Allowed Frontage Types. Shopfront Stoop	The commercial buildings fronting 67 th Avenue NE and 204 th Street NE have utilized Shopfront frontage type and the residential buildings have utilized a Stoop type entryway. There are no proposed encroachments, the applicant has provided a widened sidewalk for access to the commercial or retail spaces and sidewalks and plaza areas for the residential uses.	Yes								
20.110.014(c)(3) Use Table. <table><tr><td>Residential: Multi-Family</td><td>SUP/CUP</td></tr><tr><td>Retail: General Retail: Floor Area ≥ 10,000 sf</td><td>SUP/CUP</td></tr><tr><td>Eating or Drinking: Floor Area ≤ 10,000 sf</td><td>SUP/CUP</td></tr><tr><td>Services</td><td>SUP/CUP</td></tr></table>	Residential: Multi-Family	SUP/CUP	Retail: General Retail: Floor Area ≥ 10,000 sf	SUP/CUP	Eating or Drinking: Floor Area ≤ 10,000 sf	SUP/CUP	Services	SUP/CUP	The commercial retail, restaurant, and services, along with multi-family residential uses proposed with the project are allowed on the site with a Conditional Use Permit.	Yes
Residential: Multi-Family	SUP/CUP									
Retail: General Retail: Floor Area ≥ 10,000 sf	SUP/CUP									
Eating or Drinking: Floor Area ≤ 10,000 sf	SUP/CUP									
Services	SUP/CUP									
20.110.014(d) Private Frontage Types. 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.	The commercial buildings fronting 67 th Avenue NE and 204 th Street NE have utilized Shopfront and Awnings. The commercial or retail store fronts provide access from the sidewalk with large windows for the businesses.	Yes								
20.110.014 (e) Building Types. Main Street Mixed Use: This building type is intended to provide a vertical mix of uses with ground-floor retail, or services and upper floors service, or residential uses. Mid-Rise: This building type is medium to large sized structure, that typically incorporates structured parking. For vertical mix of uses or as a single-use building, typically service or residential.	The project proposes a variety of building types. The main street mixed use building is a medium to medium-large sized structure that incorporates structured parking and commercial uses on the ground floor with 2 floors of multi-family residential above, a one-story restaurant building and club house building, and 7 mid-rise residential buildings that incorporates structured parking on the ground floor with 2 floors of multi-family residential above.	Yes								
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 frontage to the north, with private drive aisle throughout the site.	The proposed project is located along 67 th Avenue NE (one access point) and 204 th Street NE (two access points). The frontages of both 67 th Avenue NE and 204 th Street NE provide accessible vehicular, pedestrian, and bicycle access. The property has direct access to Centennial Trail to the west. The project has access from the north and west through these public streets. The project provides multiple modes of travel throughout the entire site and to the surrounding areas.	Yes								

Regulation	Analysis	Meets																																																			
20.110.014 (g) Parking Standards. <table><tr><td colspan="5">Table 20.110-7: Minimum Parking Spaces Required</td></tr><tr><td colspan="5">Parking Spaces Required Provided Above Under Section: 20.110.014(c)(3)</td></tr></table> <table><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><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><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					Parking Spaces Required Provided Above Under Section: 20.110.014(c)(3)					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	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 24 feet. The project has provided 6-foot solid fencing along the General Industrial zoning district that borders the south property line and a portion on the east property line. The proposal also provides solid landscape screening on the remainder of the east property line, as shown on the site plan. The project is required to provide 38 bicycle parking spaces for the residential portion and 9 bicycle parking spaces for the retail portion. The applicant has provided 103 bicycle spaces on the site. The bicycle space racks are located throughout the site and the details are shown on Sheet L-1 and shall be provided on the Civil Plans.	Yes
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20.110.014 (h) Civic and Open Space Standards. Publicly accessible civic spaces are an essential component of a walkable urban environment. Every residential development shall be constructed so that at least 5% of the total development remains permanently as usable open space. 213,880 sf – 13,037 sf = 200,843 sf <table><tr><td>Total Area</td><td>Percent</td><td>Total SF</td></tr><tr><td>200,843</td><td>X 5%</td><td>10,043</td></tr></table>	Total Area	Percent	Total SF	200,843	X 5%	10,043	The total site is 213,880 square feet. Tract A is to be dedicated to the city for public right-of-way and is 13,037 square feet in size. To calculate the required open space this amount is subtracted, leaving a total of 200,843 square feet. 5% of the total developable land is 10,043 square feet. The applicant has provided 10,790 square feet of open space, which is shown on the Sheet AG3.	Yes																																													
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20.110.014 (i) Landscaping, Fencing, and Screening Standards. Landscaping shall be a major component of site design to create a city that has a strong landscaped character.				The proposed project has provided landscaping throughout the property within the mini-park areas, open spaces, property frontages, property lines, and parking areas. The project is not required to installed automatic irrigation system on the site, however if an irrigation system is installed then it shall be submitted, reviewed, and approved with the Civil Permit. The project has provided more than 16% shading in the parking lot area. The total surface parking area and drive aisles is 71,900 square feet. The required 16% of the parking area is 11,504 square feet. The total area of shading is 14,380 square feet, which is 20% shading. The project provides the required 1 tree per 4 parking stalls. The landscape plans show that 32 trees are provided within the parking area. 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.	Yes																																																					
<table><tr><td rowspan="2">Zones</td><td colspan="3">Landscaping Components</td></tr><tr><td>Frontage Landscaping</td><td>Parking Area Landscaping</td><td>Automatic Irrigation</td></tr><tr><td>T4-MS</td><td>Required</td><td>Required</td><td>Not Required</td></tr></table> <table><tr><td colspan="2">Table 20.110-14: Required Interior Parking Lot Landscaping</td></tr><tr><td>Number of Parking Spaces</td><td>Percent of Gross Parking Area in Landscaping</td></tr><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></table> <table><tr><td colspan="2">Table 20.110-15: Tree Requirements for Parking and Lot Landscaping</td></tr><tr><td>Landscaping Component</td><td>Description</td></tr><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></table>						Zones	Landscaping Components			Frontage Landscaping	Parking Area Landscaping	Automatic Irrigation	T4-MS	Required	Required	Not Required	Table 20.110-14: Required Interior Parking Lot Landscaping		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%	Table 20.110-15: Tree Requirements for Parking and Lot Landscaping		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'
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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.				The project has proposed a 6-foot solid privacy fence constructed of vinyl, that resembles a wood fence, along the south and portion of the east property lines. A 6-foot black vinyl chain link fence is proposed to be installed around the pickle ball court and dog park area. All fencing shall be shown on the Civil plans.	Yes																																																					
<table><tr><td colspan="3">Table 20.110-16: Maximum Height of Fences or Walls</td></tr><tr><td>Location of Fence or Wall</td><td>Maximum Basic Height</td><td>Maximum Height Exceptions</td></tr><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></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'																																									
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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.	The development is proposing to use detention facilities under the paved parking areas on the site to manage the stormwater and is conceptually feasible. All stormwater is required to meet the 2019 DOE Stormwater Management Manual for Western Washington and the City of Arlington Public Works Standards and Specifications. The final drainage reports and plans shall be approved with the Civil permit.	Yes																												
20.110.014 (k) Outdoor Lighting Standards. All outdoor lighting must comply with the following requirements. <table><tr><td colspan="2">Table 20.110-17: Lighting Zones</td></tr><tr><td>LZ-4</td><td>T4-MS</td></tr></table> <table><tr><td colspan="2">Table 20.110-18: Total Site Lumen Limits</td></tr><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></table>	Table 20.110-17: Lighting Zones		LZ-4	T4-MS	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	The project has proposed lighting that meets the requirements of the T4-MS transect. The proposed outdoor lighting is shown on Sheets E-001, E-100, and E-101.	Yes																		
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20.110.014 (l) (1) Architectural Standards: Compatibility with Surrounding Developments. Arlington and Regional Compatibility Standard: At least one of the following elements: 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). Neighborhood Compatibility Standard: 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	The proposed development is an improvement to the surrounding area and is compatibility with the newer surrounding developments of Pilchuck Village to the east of the site and the Fullwiler project to the northwest. Regional Compatibility: The design of the building has incorporated design features to address the local weather and complement regional aesthetics. Every entry either has a roof overhang, awning, canopy or is recessed back to create cover from the elements. Neighborhood Compatibility: The design incorporates a northwest contemporary style.	Yes
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.	The proposed project consists of ten buildings on the site that have similar design styles and materials with a mix of colors to make the project interesting. The buildings match siding designs with similar roof structures throughout.	Yes
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 the 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.	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.	Yes
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.	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.	Yes

Regulation	Analysis	Meets
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.	The project has proposed 8 three-story buildings (mixed-use and residential only buildings), a 1 ½ story building (corner restaurant) and a 1 story building (clubhouse building). The design height of the buildings meets the requirements for the zone and there are no abrupt or severe differences in building scale or massing within the complex.	Yes
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.	The proposed building materials include exposed cast-in-place concrete, board & batten, cement panels, stone veneer, metal garage screens, metal railings, and composition roofing. The project provides a different color for each building; however, the colors are all located in the same areas. The combination of colors throughout project provides for similar but different looks to the buildings.	Yes
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.	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, parapet roof with cap, entry canopies, storefronts, and other modulation techniques. 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.	Yes
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 other 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.	The project proposes a pleasing pedestrian experience by breaking up the building elements and dividing the building into smaller proportions. The site has ten buildings that break up the site, so there is not one or two large buildings. The walkways, sidewalks, and patios provide good pedestrian walkable access to all buildings. All the buildings incorporate canopies, windows, balconies, 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.	Yes

Regulation	Analysis	Meets
20.110.014 (I) (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.	All buildings within the site have pitched roofs. The roofs have varying slopes and elevations, along with off set rooflines to provide architectural interest.	Yes
20.110.014 (I) (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 flat roofs.	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.	Yes
20.110.014 (I) (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.	The proposed project provides a customer and public entrance to the commercial retail space on the north side of the building fronting 204th Street NE and a pedestrian entrance at the northwest corner of the restaurant building. The entrance is visible through awning/canopy covers with recessed entrances. All entrances are clearly defined within both buildings.	Yes
20.110.014 (I) (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.	The project proposes first-floor storefront windows facing 204th Street in the mixed-use building and facing 204th Street NE and 67th Avenue NE in the restaurant building. The windows are constructed of commercial material, vertically proportioned, and recessed into the building siding. The residential windows on the other buildings are vertically proportioned and provide trim. There are some horizontal windows on the buildings, but they are minimal and work well with the building design and uses.	Yes

Regulation	Analysis	Meets						
20.110.014 (I) (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. <table border="1" data-bbox="155 331 735 457"> <tr> <th>Transect</th><th>Minimum Glazing on Primary Facades</th><th>Minimum Transparency on Primary Facades</th></tr> <tr> <td>T4-MS</td><td>75% of pedestrian view plane</td><td>75% of pedestrian view plane</td></tr> </table> 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. Areas of the buildings that are functionally restricted from providing vision glass may be exempted provided other architectural scaling techniques are employed. 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.	Transect	Minimum Glazing on Primary Facades	Minimum Transparency on Primary Facades	T4-MS	75% of pedestrian view plane	75% of pedestrian view plane	The project has proposed many windows, especially with the commercial storefronts on the first floor of the mixed-use building facing 204th Street NE and the restaurant building on the corner of 204th Street NE and 67th Avenue NE. The commercial floor level is minimally transparent with storefront glazing with a pedestrian view. 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.	Yes
Transect	Minimum Glazing on Primary Facades	Minimum Transparency on Primary Facades						
T4-MS	75% of pedestrian view plane	75% of pedestrian view plane						
Chapter 13.28 AMC, Stormwater								
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: (3) New Development	The proposed project is subject to meeting the required stormwater regulations for the site. The project has received conceptual approval for the stormwater design. 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.	Yes						

F. PUBLIC COMMENTS

Public Comment	Response
Public comments received during the Notice of Application and MDNS comment periods, along with the Neighborhood Meeting, and Notice of Public Hearing for the Wisemark Commons mixed-use development project, PLN #1140 and binding site plan, PLN #1139.	The city received comments from the following agencies. A summary of these comments is provided below.

Public Comment	Response
Stillaguamish Tribe of Indians requested notification prior to ground disturbance for the project.	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.
The Department of Archaeology and Historic Preservation provided comments concurring with the results and recommendations in the cultural resources survey report and recommend that the project move forward following in Inadvertent Discovery Plan.	The city responded to the Department of Archaeology and Historic Preservation to let them know that the city would add a condition to the permit requiring the applicant to proceed with construction on the site by following the cultural resources survey report and unanticipated discovery plan.

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 within 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 11, 2023.	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 development 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 February 8, 2024. 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
(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 February 23, 2024, subject to any conditions or modifications that may be required as part of the permit and construction plan review.
2. The Binding Site Plan shall be in substantial conformance with the plans received on February 23, 2024. The applicant is required to provide the city with a signed binding site plan prior to city signatures and recording with the Snohomish County Auditor's Office.
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 may require the property owner to establish 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.

SEPA MDNS Conditions

The developer shall comply with all conditions of the SEPA MDNS issued on February 8, 2024.

9. **(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.
10. **(B)(2) Air:** In order to mitigate 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.
11. **(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.
12. **(B)(3)(c) Water Runoff:** In order to mitigate 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.
13. **(B)(4)(b) Plants:** To mitigate for the removal of significant trees on the site the Applicant shall replant at a ratio of 3:1 for every significant tree removed. The development proposes to remove 17 significant trees and the landscape plan shows that 55 native trees and an additional 142 trees are to be planted on the site.
14. **(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.
15. **(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.
16. **(B)(8) Land and Shoreline Use:** The property is located within Subdistrict C and shall comply with the Federal Aviation Regulations (FAR) Part 77 and complete a Federal Aviation Administration form 7460. An Avigation Easement over the subject parcels shall be placed on the face of the associated Binding Site Plan, PLN #1139 prior to recording with the Snohomish County Auditor.
17. **(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.
18. **(B)(11)(a) Light and Glare:** To mitigate for 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. Street lighting is required to be installed along 204th Street and 67th Avenue. The applicant shall follow the Street Lighting Guide of the Complete Streets Program for approved roadway lighting luminaire fixture and poles.

19. **(B)(12)(c) Recreation:** The proposed development has provided and met the mini-park requirements through a variety of amenities on the site. The proposed 150 multi-family residential units shall pay Community Park Impact Fees in the amount of \$224,550.00 (\$1,497 x 150). The applicant shall pay all community park impact fees prior to building permit issuance.
20. **(B)(13) Historic and Cultural Preservation:** The applicant submitted a Cultural Resources Assessment for the project site and shall follow all recommendations of the report. The applicant submitted an Inadvertent Discovery plan and, if during construction, 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 prior to ground disturbance and allow for on-monitoring if requested.
21. **(B)(14)(d) Transportation:** The proposal is required to construct frontage improvements along 204th Street NE. These improvements include repaving ½ of the street and dedication of right-of-way shown as Tract A on the site plans. The applicant shall work with the city on the suggested restriping of the center turn lane on 67th Avenue NE per the Traffic Impact Analysis.
22. **(B)(14)(f) Transportation:** Trip generation for the proposed development has been calculated by Heath & Associates Consultants through a Traffic Impact Analysis. The report references land use code 220 for low rise multi-family, 822 for Strip Retail, and 932 for High-Turnover (Sit-Down) Restaurant per the ITE Trip Generation Manual, 11th Edition. The project proposes 150 multi-family units, approximately 12,000 square feet of commercial retail space, and 3,400 square feet of restaurant space, which results in 113 PM Peak Hour Trips (1287 Average Daily Trips). The Applicant is required to pay the following Traffic Impact Fees as proposed in the Traffic Impact Analysis:
- City of Arlington Traffic Impact Fees = \$379,115 (\$3,355/trip x 113 PMPHT)
 - WSDOT Traffic Impact Fees = \$46,404 (\$36/trip x 1287 ADT)
- The applicant shall pay all traffic impact fees prior to building permit issuance.
23. **(B)(15) Public Services:** The proposal is within the Arlington School District and is required to pay \$2,328 for every two/+ bedroom multi-family dwelling unit. The proposed development consists of 36 2-bedroom units, for a total of \$83,808.00 in school mitigation fees. The applicant shall provide the City a copy of payment/receipt to Arlington School District prior to building permit issuance.
24. **(B)(16)(a) Utilities:** The applicant shall receive approval and connect to the City of Arlington water and wastewater systems, extend utility lines as necessary, and pay water and sewer connection fees. All improvements shall be installed during the Civil Construction phase of the project. All utilities shall be installed underground.

Civil Construction:

25. 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.
26. 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.
27. The Applicant is required to obtain utility permits from the City of Arlington for water and sanitary sewer connections.
28. The Applicant is required to provide an automatic irrigation system on the site. The proposed irrigation plan shall be submitted with the Civil Permit.

29. 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.
30. The placement of Snohomish County PUD transformer cases shall be reviewed and approved by the city. All cases that abut public right-of-way are required to be decoratively wrapped.

Building:

31. 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.
32. The applicant shall submit building plans meeting the architectural standards of AMC 20.110, as approved with this permit.
33. Business Licenses for all contractors working on the site shall be required to obtain a City of Arlington Business License.
34. 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

Wisemark Commons Hearing Examiner documents are on file at the Community Development Office under Conditional Use Permit – PLN#1140 and Binding Site Plan – PLN#1139.

Distributed to the Following Parties:

- Alexander Sidles, Hearing Examiner
- Michael Weinstein, Contact
- Steve Peiffle, City Attorney
- Marc Hayes, Community & Economic Development Director