



Community and Economic Development

Planning Division

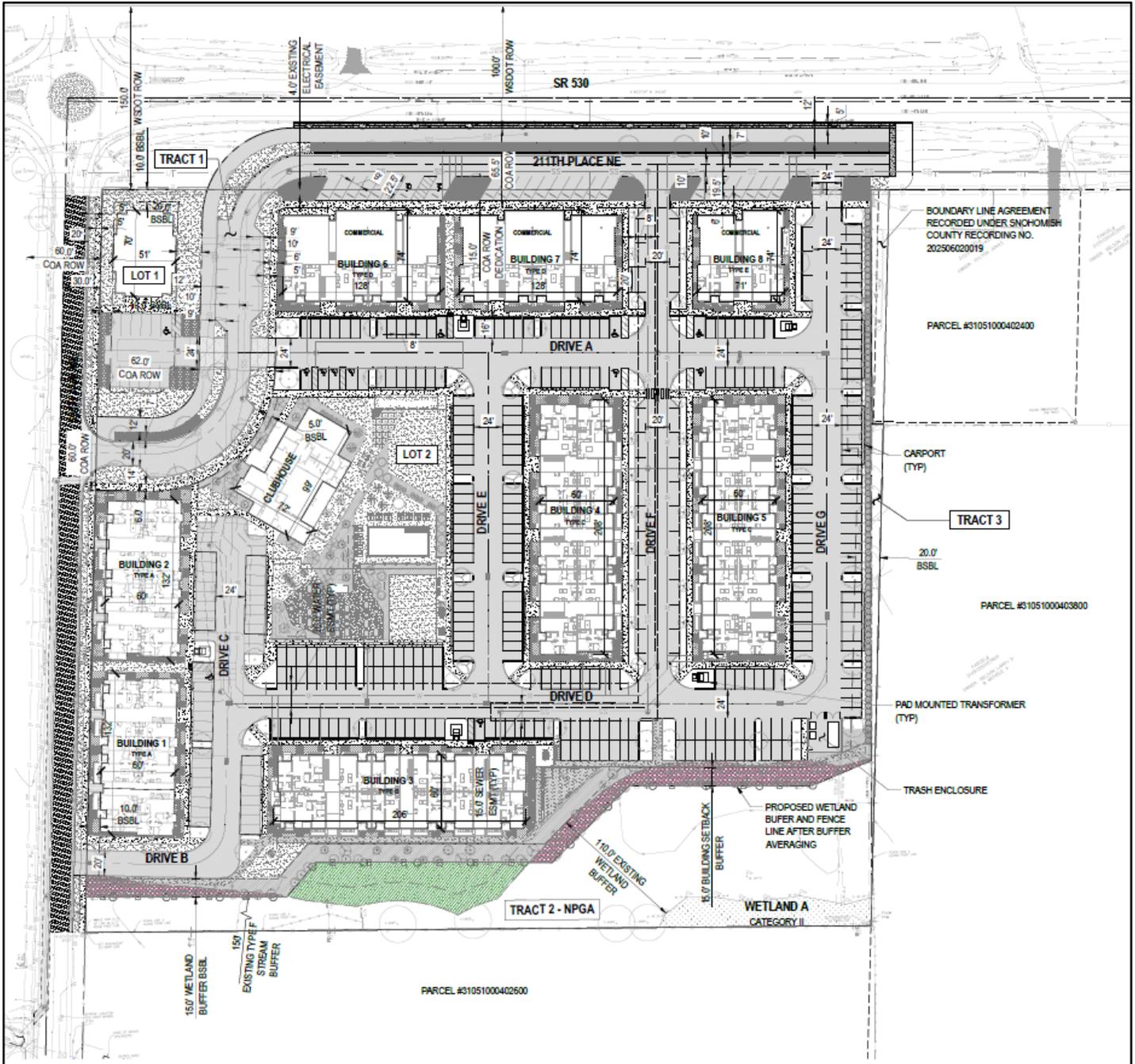
18204 59th Avenue NE, Arlington, WA 98223

STAFF REPORT & RECOMMENDATION

Arlington Garden Apartments

Binding Site Plan – PLN#1263

Conditional Use Permit – PLN#1264



A. PROJECT DESCRIPTION AND REQUEST

The applicant is proposing to construct a Mixed-Use Development known as Arlington Garden Apartments on 8.81 acres located at 21117 59th Avenue NE, Arlington, Washington, on parcel number 31051000402700. 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 Arlington Garden Apartments community consists of 206 multi-family residential units and up to 15,500 square feet of retail commercial space on 8.86 acres over two phases. The residential units are proposed across 5 three-story buildings and 3 three-story mixed-use buildings. The commercial areas are proposed within the first floor of the mixed-use buildings and one stand-alone building.

The project improvements include a total of 424 parking stalls (94 perpendicular stalls, 206 carport stalls, 36 parallel stalls, 35 tandem stalls, 23 diagonal stalls, 5 street stalls, 11 Lot 1 commercial stalls, 11 standard and 3 van ADA stalls). Of the total parking stalls provided there are 43 EV charging, 106 EV ready, and 43 EV capable stalls. Additional improvements include a central clubhouse (fitness center, pool equipment/storage, workroom, social/party lounge, men's and women's restroom/changing areas, outdoor covered seating areas, leasing/manager offices) with outdoor pool/spa area, open space, recreation space, landscaping, wetland overlook area, stormwater infiltration systems, rain garden, trash enclosure, sidewalks, bicycle racks, lighting, pergola, benches, picnic tables, seating benches, work tables, fire pit, play log, landscape boulders, garden beds, planter pots, and site furnishings. Frontage improvements along 59th Avenue include curb, gutter, sidewalk, and street trees in a planter strip on the east side of the roadway, along with restoration as needed for utility connections. Construction of a new public road of 211th Place through the site and along the frontage (parallel) of State Route 530 includes curb, gutter, sidewalk, street trees in planter strips, a ten foot trail on the north/west side of the street and a sidewalk on the south/east side of the street. Stormwater from the proposed development will be managed through infiltration trenches, infiltrating bioretention planters, and a flow controlled detention tank facility.

The project site consists of vacant 8.86-acre parcel that are primarily flat and zoned General Commercial (GC) with Mixed-Use Overlay. The development is proposing a Binding Site Plan under PLN #1263, that splits the property into 2 lots and 3 Tract (future public right-of-way dedication of 211th Place, dedication of native growth protection area, and a boundary agreement with the property owner to the east). The subject properties will be developed under the City's Mixed Use Development Regulations, with a mix of residential and commercial uses, with existing residential uses surrounding the subject site to the north, east, south, and west. The property is situated on a corner lot at the edge of the city limits with State Route 530 to the north and 59th Avenue NE to the west. Properties within the city limits include legal non-conforming residential single-family homes and previous farm store is located on the west side of 59th Avenue NE, legal non-conforming residential single-family homes are located to the east. Properties within Snohomish County jurisdiction include residential single-family homes on Agriculture 10-Acres located on the north side of State Route 530 and a residential single-family home, stream, and wetlands on Agriculture 10-Acres located to the south. The project will be served by City of Arlington utilities extended to the site with the proposed development.

This proposed development is in the General Commercial zone with Mixed-Use Overlay. Residential uses are allowed in the commercial zone only if a proposed project follows the City of Arlington's Mixed-Use Development Regulations. As such, the buildings and site will be reviewed utilizing AMC Chapter 20.110 (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 Arlington Garden Apartments project is in the *Mixed-Use Community Center Place Type, with Transect 4 Main Street (T4-MS) and Transect 4 Neighborhood Medium Volume (T4N-MV)*. The intent of the T4-MS transect is 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. The intent of the T4N-MV transect is 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 31, 2024. The applications were deemed complete on November 27, 2024. The city issued review comment letters on December 13, 2024, March 27, 2025, July 30, 2025, August 28, 2025. The applicant submitted revised plans and requested information on February 11, 2025, June 24, 2025, September 25, 2025, and October 2, 2025. The applicant received a resubmittal extension letter dated May 22, 2025. The applicant waived the permit review timeline for the proposed project on August 26, 2025.

The Notice of Application was issued on December 2, 2024 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 December 4, 2024..

The City issued a Mitigated Determination of Non-significance (MDNS) per AMC 20.98.120 on March 5, 2025. The notice was published in The Herald, posted on site, mailed to required parties, and posted on the City’s website on March 7, 2025. The City withdrew the MDNS on March 14, 2025 to allow for additional time to further evaluate impacts and provide additional analysis of mitigation measures as a result of comments received during the comment period. The City issued a new MDNS on September 26, 2025. The notice was published in The Herald, posted on site, mailed to required parties, and posted on the City’s website on September 26, 2025.

A Neighborhood Meeting was held December 19, 2024. 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 December 4, 2024.

A Public Hearing is to be held before the Hearing Examiner on December 3, 2025. 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 November 18, 2025.

C. GENERAL INFORMATION

- 1. Property Owner:** Lane Properties, LLC
- 2. Applicant/Contact:** Quarterra Multifamily Communities / Brad Machat
- 4. General Location:** Southeast of the 59th Avenue NE and State Route 530 Intersection
- 5. Address of Property:** 21117 59th Avenue NE, Arlington, WA 98223
- 6. Property Legal Description (Abbreviated):** THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 10 TOWNSHIP 31 NORTH, RANGE 5 EAST, W.M., SNOHOMISH COUNTY, WASHINGTON;

EXCEPT THAT PORTION THEREOF LYING WITHIN COUNTY ROAD KNOWN AS 59TH AVENUE NORTHEAST;

AND EXCEPT THAT PORTION THEREOF CONVEYED TO THE STATE OF WASHINGTON BY DEED RECORDED UNDER RECORDING NUMBER 1082111;

AND EXCEPT THAT PORTION THEREOF APPROPRIATED BY THE STATE OF WASHINGTON UNDER SNOHOMISH COUNTY SUPERIOR COURT CAUSE NO. 89826.

7. Property Tax ID Numbers: 31051000402700

8. Topographical Description: The existing site is relatively flat.

9. Soil Type: Lynnwood loamy sand, 0-3 % slopes for 96.8% of the site and Terric Medisaprists, nearly level for 3.2% of the site within the wetland buffer area.

10. Acreage: 8.86 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	General Commercial and Mixed-Use Overlay	GC & MXO	Vacant
North of Site	Agricultural 10-Acres	AG-10	Single-Family Residential Homes and Farmland
South of Site	Agricultural 10-Acres	AG-10	Single-Family Residential Home, Stream and Wetland
East of Site	General Commercial and Mixed-Use Overlay	GC & MXO	Single-Family Residential Homes
West of Site	General Commercial and Mixed-Use Overlay	GC & MXO	Single-Family Residential Homes and Farm Store

12. Public Utilities and Services:

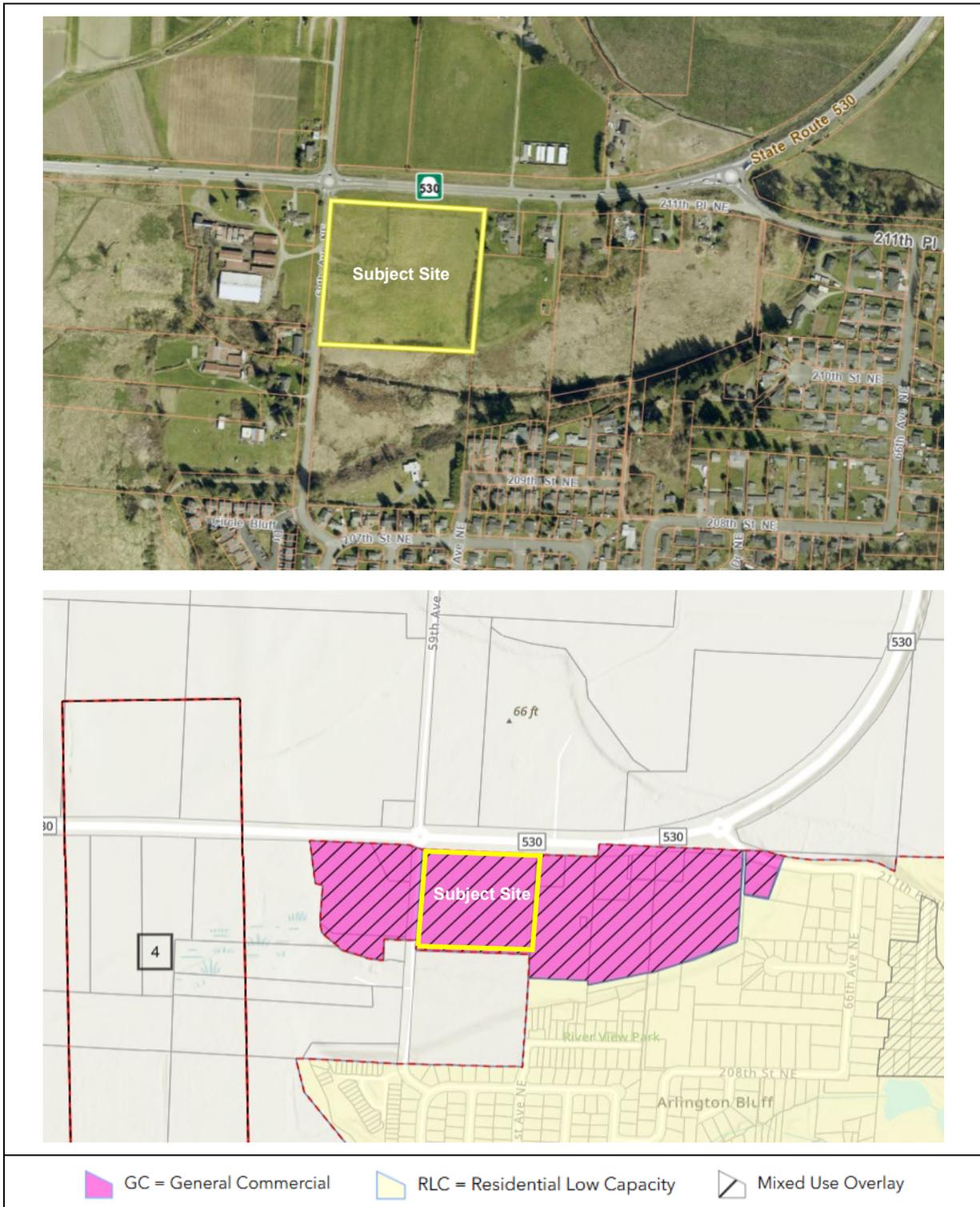
Water:	City of Arlington	Gas:	Cascade Natural Gas
Sewer:	City of Arlington	Cable:	Xfinity / Comcast
Garbage:	Waste Management NW	Police:	City of Arlington
Storm Water:	On-Site Infiltration	Fire:	North County Regional Fire
Telephone:	Xfinity / Comcast	School:	Arlington School District
Electricity:	Snohomish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

13. Applicable Land Use Code Regulations:

- AMC Chapter 20.16 Permits and Land Division 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 20.90 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 one-story commercial building on lot 1 and clubhouse building, 3 three-story mixed use buildings, and 5 three-story multi-family residential buildings. The project includes both vertical and horizontal mixed-use on the property. The property is zoned General Commercial with Mixed-Use Overlay. A Conditional Use Permit is required for this project per AMC 20.40.130 Permissible Uses and AMC 20.110.014(c)(2).

15. Surrounding Land Uses and Land Use Permits: Surrounding properties of the subject parcel are zoned General Commercial with Mixed-Use Overlay to the east and west and Snohomish County Agricultural -10 to the north and south. The property abuts 59th Avenue NE and SR 530.



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 east and west are zoned General Commercial with Mixed-Use Overlay, with existing single-family residences to the east and single-family residences and previous farm and farm store to the west. The properties to the north and south of the site are zoned Agricultural – 10 and within Snohomish County’s jurisdiction. These properties are separated by State Route 530 to the north and a stream corridor and wetland area to the south. The proposed development has a lot reserved for commercial use at the corner of 59th Avenue NE and SR 530, along with 3 mixed-use buildings facing the frontage road of 211th Place NE which runs parallel to SR 530. The remaining residential buildings are located within the southern three-quarters of the property and the clubhouse and open space are within the center of the development. A stream and wetland buffer encompasses the southern property line and will be enhanced and protected. The Arlington Garden Apartments development is a mixed-use project. The development will add additional vehicular trips to the local roads; however, the applicant is providing a new public road that will connect 59th Avenue NE to 211th Place NE and will improve 59th Avenue to city standards. Pedestrian and bicycle access will be provided to the site from new public road connection of 211th Place NE for non-motorized travel options that connects to the Centennial Trail to the east. Minor light pollution may be visible from adjacent properties.

17. Compatibility with the Comprehensive Plan:

Goal/Policy	Goal/Policy Description Summary
E-1.1	Protect and enhance the natural environment while planning for and accommodating growth.
E-5.1	Designate and protect fish and wildlife habitat corridors and restrict the fragmentation of large natural plant communities that provide essential and significant wildlife habitat.
E-5.4	Preserve existing and native vegetation as much as possible to support wildlife systems, increase groundwater infiltration, and prevent stormwater runoff.
E-5.6	Obtain stream corridor dedications where reasonable.
E-5.9	Use the best information available at all levels of planning, especially scientific information, when establishing and implementing environmental standards.
E-21	Ensure no net loss of ecosystem composition, structure, and functions, especially in Priority Habitats and Critical Areas, and strive for net ecological gain to enhance climate resilience.
LU-1.4	Encourage development patterns that provide safe and welcoming environments for walking and bicycling.
LU-4	Encourage local businesses through the continued application of mixed-use residential corridors and multiple locations for neighborhood serving businesses.
LU-4.2	Promote the development of new retail, service, and civic mixed-uses and promote the enhancement of existing spaces to create urban centers.
LU-6.2	Ensure land development patterns minimize or prevent impacts on natural open spaces and resource lands.
LU-6.3	Development patterns shall be responsive to critical areas and other environmental factors, while minimizing the fragmentation of the built environment.
H-5	Encourage mixed-income and mixed-use neighborhoods.
H-5.2	Encourage residential development in commercial areas to help create an economically vibrant and diverse environment.
H-7.2	Promote well-connected housing, jobs, and services by allowing mixed-use development in commercial zones.
H-10	Work towards ensuring all Arlington residents have access to a healthy active lifestyle.

Goal/Policy	Goal/Policy Description Summary
H-10.1	Encourage new residential development to include community gardens and green spaces to promote outdoor recreation.
H-10.2	Encourage new residential developments to include fitness and recreational amenities, such as gyms, pools, and sports facilities, for residents' use.
ED-7	Encourage the development of unique economic hubs at various scales throughout the city to adequately serve residents and the region.
ED-7.1	Promote the viability of Old-Town Business District, Smokey Point Boulevard, the Cascade Industrial Center, and Island Crossing as regional economic draws, while maintaining and improving upon smaller neighborhood hubs to serve local residents.
P-3.1	Require new residential development to mitigate impacts through payment of GMA parks impact fees, dedications of properties, and improvements for public use to serve the growing demand on the parks, recreation, and open space system citywide.
T-2.3	Require developers to construct those streets directly serving new development and to pay a proportionate share of the costs for specific off-site improvements necessary to mitigate any adverse impacts determined through the review to be created by the development.
T-5.1	Encourage non-motorized travel by providing safe and efficient movement of bicycles and pedestrians along streets and highways through constructing sidewalks and other footpath systems as well as bicycle paths.
T-6.5	Encourage and plan for "pedestrian -scale" neighborhoods and centers to enhance access and mobility for active transportation users.
T-7.10	Require installation of electric vehicle charging facilities with new multifamily and commercial developments.
T-16.2	Provide a trail system that creates links between commercial and residential areas in Arlington and connects them to regional trails.
PS-9.2	Provide walkable and bikeable streets, as well as trail systems, to encourage active transportation to and from daily origins and destinations while promoting healthy, active lifestyles.
CFU-3	Ensure capital facilities and utilities are provided consistent with Growth Management Act provisions and the concurrency management system provides public facilities through public and private development activities in a manner that is compatible with the fiscal resources of the City.
CFU-3.1	Condition development permits on facilities being in place as the impacts of the development occur, or within six years (or sooner, depending on the facility), whichever is to the greatest benefit to the City. A development permit includes any official City action that effects the permitting of land and the City is not obligated to approve per City regulations. The City should consider the variation in the different types of development permits and be flexible in adherence.
CFU-3.4	Require that new developments mitigate traffic impacts through at least two of the following methods as deemed acceptable by the City or as many as are deemed necessary through the permitting process and supporting traffic analysis: dedication of right-of-way, frontage improvements, or traffic mitigation fees.
CFU-3.12	Any costs associated with water extensions or system requirements necessary to provide that water, shall be borne by the person(s) requesting such service.
CFU-7.4	Include Best Available Science/Best Management Practices in the City's stormwater strategy and work to ensure stormwater standards and specifications reflect current industry standards and meet regulatory requirements.
CFU-7.5	Utilize Low Impact Development standards that provide stormwater benefits and support naturally occurring functions simultaneously.
CFU-10.5	Permit new development in urban areas only when sanitary sewers are available.

18. Public Notification:

Notice Type	Issuance Date	Meeting Date	Distribution
Notice of Complete Application	11/27/2024	N/A	Property Owner/Applicant
Notice of Application & Neighborhood Meeting	12/2/2025	12/19/2025	Property Owner/Applicant Property Owners (within 500ft) On-Site & Website Affected Agencies The Herald-published - 12/4/2025
SEPA MDNS Determination	3/5/2025	N/A	Property Owner/Applicant Property Owners (within 500ft) On-Site, Website & SEPA Registry Affected Agencies The Herald-published - 3/7/2025
Withdrawal of SEPA MDNS Determination	3/14/2025	N/A	Property Owner/Applicant Property Owners (within 500ft) On-Site, Website & SEPA Registry Affected Agencies
SEPA MDNS Determination	9/26/2025	N/A	Property Owner/Applicant Property Owners (within 500ft) On-Site, Website & SEPA Registry Affected Agencies The Herald-published - 9/26/2025
Notice of Public Hearing	11/14/2025	12/3/2025	Property Owner/Applicant Property Owners (within 500ft) On-Site & Website Party of Record The Herald-published -11/18/2025

19. Public Comments: The city received comments during both the Notice of Application and Notice of SEPA MDNS Decisions 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 March 5, 2025. The 14-day comment period lasted until March 21, 2025. The City withdrew the Mitigated Determination of Non-Significance on March 14, 2025. The City issued a Mitigated Determination of Non-Significance on September 26, 2025. The 14-day comment period lasted until October 10, 2025.

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
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 act 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 Lane Properties LLC. Tom Lane, 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, Lane Properties LLC, has designated Brad Machat of Quarterra Multifamily Communities, 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 18, 2024 and July 26, 2024.	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 31, 2024.	Yes

Regulation	Analysis	Meets
<p>20.16.150 Vesting of Permits. (1) Land use permit applications shall be considered vested on the date that an application is deemed complete pursuant to 20.16.205 and applications shall be processed under the land use regulations in effect on that date. However, subsequent permits on the same property are not vested on this date. (2) Filing of a permit application does not vest the payment of fees. Fees due, including impact mitigation fees, application fees, or other charges, shall be those fees in effect on the date the fee is paid in accordance with the most current city council fee resolution.</p>	<p>The proposed application for the Arlington Garden Apartments mixed-use project became vested on November 27, 2024 with the issuance of the Notice of Complete Application. The required impact fees for the proposal do not vest with the project and the fee in place at the time of payment is the amount due.</p>	<p>Yes</p>
<p>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.</p>	<p>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 processed as a Zoning Permit. Both applications have been processed concurrently following the Conditional Use Permit requirements.</p>	<p>Yes</p>
<p>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.</p>	<p>The applicant submitted a complete application for the Arlington Garden Apartments mixed-use development conditional use permit and binding site plan.</p>	<p>Yes</p>
<p>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.</p>	<p>The application was submitted on October 31, 2024. The City issued a Notice of Complete Applications on November 27, 2024. The Notice was issued within the 28-day timeframe.</p>	<p>Yes</p>
<p>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.</p>	<p>The applications were routed to all effected city departments on October 31, 2024, and after each resubmittal on February 18, 2025, March 17, 2025, June 25, 2025, September 25, 2025 and October 2, 2025.</p>	<p>Yes</p>
<p>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.</p>	<p>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 November 18, 2025, for review prior to the public hearing.</p>	<p>Yes</p>

Regulation	Analysis	Meets
<p>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".</p>	<p>The city issued a Notice of Application on December 2, 2024. 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 on December 4, 2024. The comment period was open until December 18, 2024. Public comments received are stated in Section F below.</p>	<p>Yes</p>
<p>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.</p>	<p>The city issued a Notice of Neighborhood Meeting on December 2, 2024. 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 on December 4, 2024. The Neighborhood Meeting was held on December 18, 2024.</p>	<p>Yes</p>
<p>20.16.435 Major and Minor Binding Site Plans. (b) Standards. Binding site plans are subject to the following standards:</p> <p>(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.</p> <p>(2) The binding site plan shall:</p> <p>(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.</p> <p>(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</p> <p>(C) Contain provisions requiring any development or division of land to be in conformance with the approved site plan.</p> <p>(D) Contain requirements for street right-of-way realignment, dedication, or widening either required by the city or voluntary agreement.</p> <p>(E) Adhere to all applicable provisions set forth in the land use code.</p>	<p>The applicant has submitted a binding site plan to divide the property into 2 lots and 3 tracts. Lot 1 is a future commercial lot and Lot 2 is for the proposed mixed-use development project. Tract 1 is the extension of 211th Place NE proposed to be dedicated to the City of Arlington for public right-of-way, Tract 2 is the Native Growth Protection Area for the wetland, wetland buffer and off-site stream buffer proposed to be dedicated to the City of Arlington, and Tract 3 is a small narrow sliver on the east side of the property that allows the neighboring fence line to remain in place and is part of a recorded boundary line agreement with parcel number 3105000403800.</p> <p>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.</p> <p>The binding site plan shows covenants, conditions, and restrictions on Sheet 2 of the Binding Site Plan sheets.</p> <p>The binding site plan matches the site plans and landscape plans that have been submitted with the conditional use permit.</p>	<p>Yes</p>

Regulation	Analysis	Meets																								
<p>20.16.435 Major and Minor Binding Site Plans. (b) Standards. Binding site plans are subject to the following standards:</p> <p>(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.</p> <p>(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.</p>	<p>Development of the property requires the removal of 8 significant trees from the property to provide the necessary parking for the proposal. 2 additional significant trees near the wetland will remain on the site. The significant trees removed from the site are proposed to be replanted at a 3:1 ratio. The proposed landscape and site plan show more than the required trees being replaced on the property.</p> <p>A Type II Wetland is located in the southeast corner of the property and remains undisturbed. The proposal includes a wetland buffer and stream buffer along the south property line that has been averaged and enhanced.</p> <p>The binding site plan meets all regulatory requirements of the Arlington Municipal Code.</p>	<p>Yes</p>																								
<p>20.16.270 Time Limitations for Permit Processing. (a) The City shall issue its notice of final decision on a permit application within 120 days after the Community and Economic Development Director notifies the applicant that the application is complete, as provided in 20.16.205. In determining the number of days that have elapsed, the following periods shall be excluded:</p> <p>(1) Any period during which the applicant has been requested to correct plans, perform required studies, or provide additional required information.</p>	<p>The proposed Arlington Garden Apartments mixed-use development conditional use permit followed the timeline below:</p> <table border="1" data-bbox="800 999 1312 1497"> <thead> <tr> <th>Action</th> <th>Date</th> </tr> </thead> <tbody> <tr> <td>Notice of Complete Application</td> <td>11-27-2024</td> </tr> <tr> <td>1st Comments Issued</td> <td>12-13-2024</td> </tr> <tr> <td>2nd Submittal</td> <td>2-11-2025</td> </tr> <tr> <td>2nd Comments Issued</td> <td>3-27-2025</td> </tr> <tr> <td>2nd Resubmittal Extension</td> <td>5-22-2025</td> </tr> <tr> <td>3rd Submittal</td> <td>6-24-2025</td> </tr> <tr> <td>Waiver of Review Timeline</td> <td>8-26-2025</td> </tr> <tr> <td>3rd Comments Issued</td> <td>8-28-2025</td> </tr> <tr> <td>4th Submittal - CUP</td> <td>9-25-2025</td> </tr> <tr> <td>4th Submittal - BSP</td> <td>10-2-2025</td> </tr> <tr> <td>Public Hearing</td> <td>12-3-2025</td> </tr> </tbody> </table> <p>The timeline was altered after the 3rd Submittal on June 24, 2025 due to a significant change in the site plan design. The applicant provided a waiver to the 170-day review timeline on August 26, 2025.</p> <p>There were additional review comments issued by the City on May 20, 2025 and July 30, 2025 that were not part of the official reviews.</p> <p>The public hearing is scheduled on day 194 of the project review timeline.</p>	Action	Date	Notice of Complete Application	11-27-2024	1 st Comments Issued	12-13-2024	2 nd Submittal	2-11-2025	2 nd Comments Issued	3-27-2025	2 nd Resubmittal Extension	5-22-2025	3 rd Submittal	6-24-2025	Waiver of Review Timeline	8-26-2025	3 rd Comments Issued	8-28-2025	4 th Submittal - CUP	9-25-2025	4 th Submittal - BSP	10-2-2025	Public Hearing	12-3-2025	<p>Yes</p>
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Regulation	Analysis	Meets
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 Arlington Garden Apartments 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 November 14, 2025. 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 November 18, 2025. The Public Hearing is scheduled for December 3, 2025.	Yes
Chapter 20.36 AMC, Zoning Districts and Zoning Map		
20.36.020 Commercial Districts Established. (d) The General Commercial (GC) zone is established to accommodate commercial uses generally similar, though more intensive, to the types permissible in an Old Town Business District. However, it is intended that this zone be placed along arterials to cater to commuters or as a transition in some areas between a Highway Commercial zone and a residential zone.	The subject property for the proposed conditional use permit is zoned General Commercial. The project proposes commercial retail uses on Lot 1 and within the first floor of 3 mixed-use buildings. The commercial retail uses are facing 59 th Avenue NE and 211 th Place NE (parallel to SR 530) for visibility and easy access.	Yes
23.36.080 Mixed-Use Overlay District Established. The mixed-use overlay district is hereby established as an "overlay" district, meaning that the underlying zoning applicable within each commercial zone remains as the primary or principal zoning designation. The overlay allows for a mix of diversified residential development to coexist within a proportionate share of the commercially zoned areas of Highway Commercial (HC), General Commercial (GC), and Neighborhood Commercial (NC) zones where typical retail and other support services would be located, thus creating a walkable neighborhood concept. The overlay will provide for the efficient use of property by requiring the mixed use of properties in a manner that allows for residential development to co-exist with commercial, retail and specific light manufacturing uses. This promotes the creation of attractive, sustainable neighborhoods which enable walkability and less automobile dependency. The performance standards/design guidelines set forth in Chapter 20.110 place limitations on the characteristics of uses located in these districts.	The proposed project is utilizing the mixed-use overlay to provide residential uses on the commercially zoned property within the General Commercial zone. The project contains both vertical and horizontal mixed-use that promotes commercial retail along the street frontages of 59 th Avenue NE and 211 th Place NE (parallel to SR 530) and creates an attractive neighborhood that will provide walkability between the future residents and the commercial uses on the subject property and provide a trail along the public road to link alternatives to vehicular trips through the 211 th Place trail and Centennial trail. The proposed development is subject to the Mixed-Use Development Regulations in AMC 20.110.	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 provided by the airport, as approved by the city attorney, and recorded with Snohomish County.	The applicant has placed the Arlington Municipal Airport Avigation Easement on Sheet 2 of the Binding Site Plan. A separate avigation easement is not required to be recorded for the subject development proposal.						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 General Commercial (GC) zone with Mixed-Use Overlay, 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 ^{1,3,4}	CC	HC
Multi-Family Apartments				ZSC	SC		SC
Multi-Family Use Above a Permitted Non-Residential Use (Mixed-Use) ¹¹	ZSC	ZSC	ZSC	ZSC	ZSC	SC	ZSC
Multi-Family Use Horizontal to a Permitted Non-Residential Use (Mixed-Use)	SC				SC	SC	SC
Binding Site Plan Minor	Z	Z	Z	Z	Z	Z	Z
<ul style="list-style-type: none"> • ZSC = Zoning Permit, Special Use Permit, Conditional Use Permit per requirements of 20.40.020. • ¹ = Residential uses are only allowed in the general commercial, highway commercial, and neighborhood commercial zones when regulated by the mixed-use development regulations, Section 20.110. All permissible uses shall meet the use table requirements of the specific place type and transect of the property of the intended use. • ³ = Subject to Section 20.38.080 – Performance standards and miscellaneous restrictions. • ⁴ = Subject to section 20.38.070 – Restrictions on certain use classifications on arlington airport property. 							

Regulation	Analysis	Meets																												
Chapter 20.52 AMC, Recreational Facilities and Open Space																														
<p>20.52.010 Mini-Parks Required.</p> <p>(a) All residential developments that create twenty-five or more units 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.</p> <p>(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, and three-bedrooms units 3.2 persons.</p> <table border="1" data-bbox="155 653 761 831"> <thead> <tr> <th># of units</th> <th>SF/Unit</th> <th>SF</th> <th>Total SF</th> </tr> </thead> <tbody> <tr> <td>152</td> <td>91</td> <td>65</td> <td>13,832</td> </tr> <tr> <td>42</td> <td>143</td> <td>65</td> <td>6,006</td> </tr> <tr> <td>12</td> <td>208</td> <td>65</td> <td>2,496</td> </tr> <tr> <td colspan="3">Total Square Feet</td> <td>22,334</td> </tr> </tbody> </table>	# of units	SF/Unit	SF	Total SF	152	91	65	13,832	42	143	65	6,006	12	208	65	2,496	Total Square Feet			22,334	<p>The applicant has proposed the required mini-park space on the site per the calculations below.</p> <table border="1" data-bbox="797 300 1312 443"> <thead> <tr> <th>Amenity</th> <th>Total SF</th> </tr> </thead> <tbody> <tr> <td>Club House & Interior Area</td> <td>5,110</td> </tr> <tr> <td>Pool & Surrounding Area</td> <td>17,224</td> </tr> <tr> <td>Total Square Feet</td> <td>22,334</td> </tr> </tbody> </table>	Amenity	Total SF	Club House & Interior Area	5,110	Pool & Surrounding Area	17,224	Total Square Feet	22,334	Yes
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<p>20.52.020 Residential Mini-Parks Purpose and Standards.</p> <p>(a) The purpose of the mini parks is to provide adequate active recreational facilities to serve the residents of the immediately surrounding neighborhood within the development.</p> <p>(1) Shall be large enough to provide functional recreational activity for the facility type; and</p> <p>(2) Shall feature paths, plantings, seating, lighting, and other pedestrian amenities; and</p> <p>(3) Shall be oriented to receive sunlight, facing east, west, or south (preferred), when possible.</p> <p>(b) Each development shall satisfy its mini-park requirement by installing the types of recreational facilities that are most likely to be suited to and used by the age bracket of persons likely to reside in that development.</p> <p>(c) For developments of twenty-five to fifty dwelling units, at least two such recreation facilities shall be provided. For developments of more than fifty dwelling units, at least one additional recreation facility shall be provided for every twenty-five dwelling units or fraction thereof. Facility as used herein does not mean the whole park, but the recreational element found therein. More than one facility may be developed in any one location.</p>	<ul style="list-style-type: none"> • The proposed mixed-use development has provided both indoor and outdoor recreation space for the future residents. The space is large enough, has paths, seating, lighting, landscaping, pedestrian amenities, and receives sunlight from all directions. • The proposed development has provided recreation park facilities that serve all age brackets that could reside within the multi-family residential units. • The proposed development requires nine recreational elements on the site. <ul style="list-style-type: none"> • Swimming Pool • Play Logs • Landscape Boulders • Garden Beds • Planter Pots • Site Furnishings • Site Benches • Picnic Tables • Work Table • Fire Pit 	Yes																												

Regulation	Analysis	Meets
<p>20.52.020 Residential Mini-Parks Purpose and Standards.</p> <p>(d) The total acreage of mini-parks required by Section 20.52.010 shall be divided into mini-parks of not less than two thousand square feet, nor more than thirty thousand square feet.</p> <p>(e) All the required mini-park acreage shall be located in one designated area, unless the permit-issuing authority determines that multiple mini-parks, each having their own recreation facilities, would better serve residents of larger projects.</p> <p>(f) If the mini park exceeds five thousand square feet in size, then a public street and/or parking area shall front on at least ten percent of its perimeter.</p> <p>(g) Mini parks shall be attractively landscaped and shall be provided with sufficient natural or man-made screening or buffer areas to minimize any negative impacts upon adjacent residences.</p> <p>(h) Each mini park shall be centrally located and easily accessible so that it can be conveniently and safely reached and used by those persons in the surrounding neighborhood it is designated to serve as well as public safety personnel.</p> <p>(i) Each mini park shall be constructed on land that is relatively flat (maximum five percent slope), dry, and capable of serving the purposes intended by this chapter.</p> <p>(j) Mini parks shall not be placed in or near utility easements for major transmission lines (e.g., power, natural gas, etc.)</p> <p>(k) Mini parks shall be roughly square or rectangular, and in no instance have a dimension less than thirty feet or a length to width ratio greater than 2:1.</p> <p>(l) Each mini park shall be constructed in compliance with the city’s mini-park standards, and include water and electric services. A park plan shall be submitted as part of the permit application and contain the requirements specified in the submittal checklist.</p> <p>(m) An applicant may propose a mini park that differs from the above requirements provided that the intent of the requirements is met.</p>	<ul style="list-style-type: none"> • The proposed mini park facilities are set within 22,334 square feet. • The mini park is located in one designated central area of the development. • The clubhouse exceeds five thousand square feet and has provided parking on the northwest side of the building. • The mini park area has been landscaped with partial fencing. • The location of the mini park is conveniently located to be easily accessible by all tenants. • The mini park area will be constructed on dry flat land. • The mini park is not located near utility easements. • The mini park has a relatively square in shape. • The clubhouse building, pool, and outdoor area as proposed meets the city’s mini park standards. The park plan is shown on sheets within the CUP Site Plan exhibit. • The applicant has proposed a portion of the mini park area that differs from conventional outdoor park area. The intent of the mini parks has been met and approved, as it provides the future tenants an active outdoor area for recreation. 	<p style="text-align: center;">Yes</p>

Regulation	Analysis	Meets
<p>20.52.020 Residential Mini-Parks Purpose and Standards.</p> <p>(n) Active indoor recreation facilities may be provided instead of mini parks, subject to the following:</p> <p>(1) Active indoor recreation facilities may include, but are not limited to, exercise rooms, game rooms, community rooms/centers, or similar; and</p> <p>(2) Indoor recreation areas may be credited towards the total recreation space requirement, when the director determines that such areas are located, designated and improved in a manner which provides recreational opportunities functionally equivalent to those recreational opportunities available outdoors.</p>	<p>The proposed mini parks include active indoor recreation facilities within the clubhouse building and include:</p> <ul style="list-style-type: none"> • Fitness Area • Social / Party Lounge • Work Room 	
<p>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.</p>	<p>The applicant is required to pay Community Park Impact Fees for 206 multi-family residential units. The fee amount is located under 20.90 as part of this report.</p>	Yes
Chapter 20.56 AMC, Streets and Sidewalks		
<p>20.56.015 Complete Streets.</p> <p>(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.</p> <p>(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.</p> <p>(c) Complete streets will be implemented through the scoping, planning, designing, building, operating, and maintaining an integrated and connected transportation system.</p> <p>(d) All development projects shall submit a complete streets checklist with permit application and follow the complete streets policy.</p>	<p>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.</p> <p>The proposed development includes the following improvements:</p> <ul style="list-style-type: none"> • Curb, gutter, sidewalk, and landscape planter strip along the east side of 59th Avenue NE. • New public right-of-way of 211th Place NE connects from 59th Avenue NE, then along the north frontage of the property and connects to the existing 211th Place NE to the east. The new street will have full street improvements that include drive aisles, curb, gutter, along with a landscape planter strip on both sides, a sidewalk on one side, and a trail on one side. <p>The proposed development also has sidewalks, crosswalks, private drives, and bicycle racks located throughout the entire site.</p> <p>The applicant has met the intent of the complete streets policy.</p>	Yes

Regulation	Analysis	Meets
<p>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.</p>	<p>The applicant or developer of the proposed project is financially responsible for the construction of all improvements for 59th Avenue NE and the new 211th Place NE (from 59th Avenue NE to the existing 211th Place to the east of the property). These improvements are required to be approved and constructed through a Civil Permit.</p>	<p>Yes</p>
<p>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.</p>	<p>The proposed project provides vehicular, pedestrian, and bicycle access to the property from the existing public street of 59th Avenue NE and the new 211th Place NE (from the connection at 59th Avenue through the property and connection to the existing 211th Place NE to the east) and to internal private drive aisles throughout the site.</p>	<p>Yes</p>
<p>20.56.060 Neighborhood Access and Coordination with Surrounding Streets.</p> <p>(a) All developments which shall create or cause to exist more than forty-nine dwelling units or more or non-residential developments that may attract one hundred fifty or more people shall have more than one point of access to the surrounding public streets. For the purposes of this section, an emergency access (crash gate) shall not be considered a vehicular access point, and a boulevard shall be considered one access point.</p> <p>(c) The street system of a subdivision shall be coordinated with existing, proposed, and anticipated streets outside the subdivision or outside the portion of a single tract that is being divided into lots as provided in this section.</p> <p>(d) Collector streets shall intersect with surrounding collector or arterial streets at safe and convenient locations.</p> <p>(e) Local collectors and local access streets shall connect with surrounding streets where necessary to permit the convenient movement of traffic between residential neighborhoods or to facilitate access to neighborhoods by emergency service vehicles or for other sufficient reasons.</p> <p>(f) Whenever connections to anticipated or proposed surrounding streets are required by this section, the street right-of-way shall be extended and the street developed to the far property line of the subdivided property at the point where the connection to the anticipated or proposed street is expected.</p>	<p>The development consists of 206 multi-family residential units, along with non-residential commercial space and is required to have two access points that do not result in a dead-end. The proposal includes two access points from the project that connect to 59th Avenue NE and a new public road of 211th Place NE.</p> <p>The applicant has agreed to construct and extend 211th Place NE from its existing location to the project site and connecting to 59th Avenue NE.</p> <p>The proposal provide local access connections to 59th Avenue NE and 211th Place NE with the project. The new section of 211th Place NE is required to connect the existing 211th Place NE to 59th Avenue NE.</p>	<p>Yes</p>

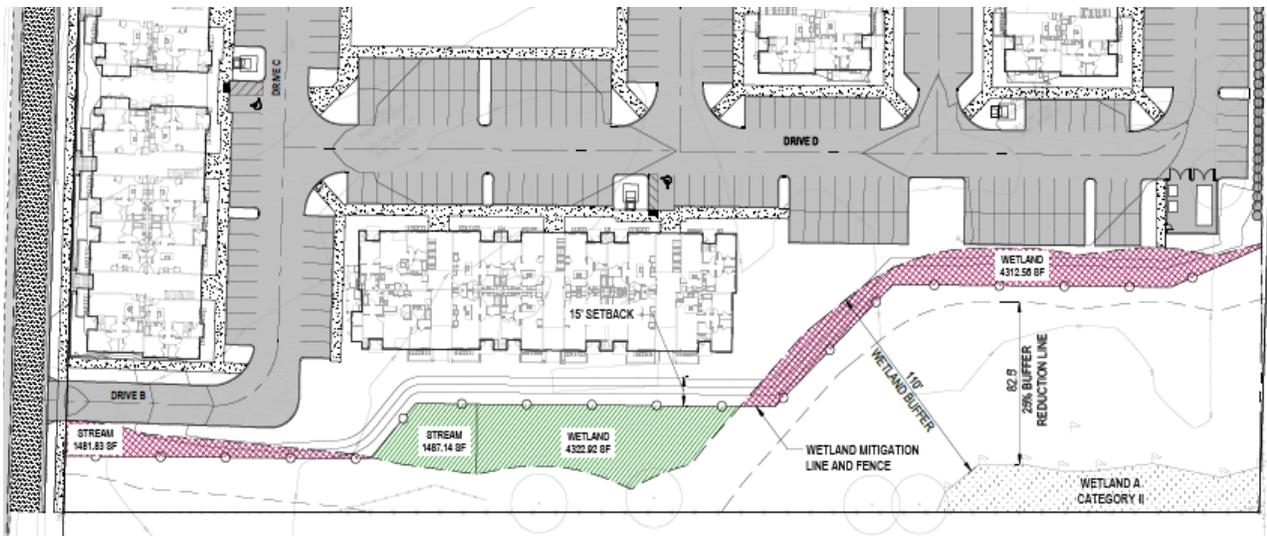
Regulation	Analysis	Meets
20.56.120 Street Intersections. (a) Streets shall intersect at 80° to 90°. Not more than two streets shall intersect at any one point or vary from the above angle of connections.	The proposed preliminary major unit lot subdivision provides 90° intersections at all access points.	Yes
20.56.130 Construction Standards and Specifications. Construction and design standards and specifications for streets, sidewalks, and curbs and gutters are contained in the “Public Works Construction Standards and Specifications,” and all such facilities shall be completed in accordance with these standards.	The proposed project is subject to a Civil permit prior to the installation of improvements on the site and a Right-of-Way permit prior to the installation of improvement within the public right-of-way.	Yes
20.56.155 Private Roads. (a) Private Roads shall be contained in an easement or tract and will be allowed when: (1) A covenant that provides for maintenance and repair of the private road by property owners has been approved by the city and recorded with Snohomish County; and (2) The covenant includes a condition that the private road will remain open at all times for emergency and public service vehicles; and	The proposed mixed-use development and binding site plan provides private roads throughout the site as shown on the site plans. All maintenance of the private road system is the responsibility of the property owner.	Yes
(3) The private road would not hinder public street circulation; and (4) All of the following conditions must be met: (A) The Community and Economic Development Director determines that due to physical site constraints or preexisting development no other reasonable access is available. The proposed private road would be adequate for transportation and fire access needs, and the private road would be compatible with the surrounding neighborhood character; and (B) The private road would be part of a unit lot subdivision, minor subdivision, cottage housing or small multi-family development; and (C) Adequate looped road is proposed. (5) Absent any of the above conditions, public streets are required.	The private roads within the development do not hinder public street circulation. The private roads are adequate for transportation and fire access, along with being compatible for the neighborhood. All private roads within the development are looped through the project and connect to the public road system.	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 at the cost of the applicant. The construction of utilities shall take place after Civil Permit approval and meet all requirements of the Public Works Construction Standards and Specifications and comply with the sewer availability approved by the Public Works Director on August 26, 2024	Yes

Regulation	Analysis	Meets
<p>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.</p>	<p>The proposed project shall connect to the City of Arlington Water at the cost of the applicant. The construction of utilities shall take place after Civil Permit approval and meet all requirements of the Public Works Construction Standards and Specifications and comply with the sewer availability approved by the Public Works Director on August 26, 2024.</p>	<p>Yes</p>
<p>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. (d) All outdoor lights shall be low sodium or similar lamp type and be down shielded to prevent light pollution.</p>	<p>The proposed project shall provide sufficient lighting throughout the site that will illuminate the public streets, private drives, parking areas, and residences. The street lighting along 59th Avenue NE and 211th Place NE are required to comply with the Complete Streets Lighting Guide. This is shown as compliant on IL-01 to IL-08, OC-01 to OC-10, and PC-01 to PC-04.</p> <p>The proposed project provides LED or similar lamp type outdoor lighting. The lighting is down shielded to prevent light pollution, as shown on Sheets IL-01 to IL-08, OC-01 to OC-10, and PC-01 to PC-04.</p>	<p>Yes</p>
<p>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.</p>	<p>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 IL-01 to IL-08, OC-01 to OC-10, and PC-01 to PC-04.</p>	<p>Yes</p>
<p>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.</p>	<p>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.</p>	<p>Yes</p>

Regulation	Analysis	Meets						
Chapter 20.72 AMC, Parking								
<p>20.72.060 Parking Area Surface.</p> <p>(a) All parking areas shall be graded and surfaced with asphalt, concrete or other material that will provide equivalent protection against potholes, erosion, and dust. Specifications for surfaces meeting the standard set forth in this subsection are contained in the Public Works Construction Standards and Specifications.</p> <p>(b) Parking spaces shall be appropriately demarcated with painted lines or other markings.</p> <p>(c) Parking areas shall be properly maintained in all respects.</p>	<p>The project site plan shows paving throughout all drive aisles and parking spaces on the site, with all parking spaces striped. These requirements shall be reviewed and approved through the Civil permit.</p>	<p>Yes</p>						
<p>20.72.064 Accessible Parking Spaces. All handicapped parking spaces shall meet all State and Federal Regulations. The parking spaces shall be at least 8 feet wide and shall have an adjacent access aisle at least 5 feet wide. The parking spaces shall have adjacent aisle access to the sidewalk, have required striping and provide display symbols required on the pavement and signage.</p>	<p>The project site plan shows the layout of the accessible parking spaces. The proposed spaces provide 8-foot stalls with 8 feet of adjacent striped area, along with appropriate striping and signage.</p>	<p>Yes</p>						
Chapter 20.90 AMC, Concurrency & Impact Fees								
<p>20.90.040 (a) Imposition of Impact Fees on Development Activity. All development projects within the City shall be assessed a transportation impact fee, at the rate of \$3,355.00, based on peak p.m. trips, as computed in accordance with the most current edition of the Institute of Transportation Engineers Trip Generation Manual, as applied to the City's transportation element of the adopted Comprehensive Plan.</p>	<p>The applicant provided a Traffic Impact Analysis prepared by TENW in June 2025. The traffic analysis concluded that the proposed use would produce 137 new PM peak-hour trips to the site. The city concurs with the amount proposed for City Traffic Impact Fees as shown below.</p> <table border="1" data-bbox="800 1224 1312 1289"> <thead> <tr> <th>Traffic Fee</th> <th># Of Trips</th> <th>Total Amount</th> </tr> </thead> <tbody> <tr> <td>\$3,355.00</td> <td>137</td> <td>\$459,635.00</td> </tr> </tbody> </table> <p>*The traffic impact analysis only covers Lot 2 of the proposed development. Lot 1 when developed shall be required to complete a traffic impact analysis and pay traffic impact fees separate from this project.</p>	Traffic Fee	# Of Trips	Total Amount	\$3,355.00	137	\$459,635.00	<p>Yes</p>
Traffic Fee	# Of Trips	Total Amount						
\$3,355.00	137	\$459,635.00						
<p>20.90.230 School Impact Fees. Each development activity, as a condition of approval, shall be subject to the school impact fee of \$0 for each studio and 1-bedroom multi-family dwelling unit and \$0 for two/+ bedrooms for multi-family units for the Arlington School District per Ordinance No. 2024-025.</p>	<p>The applicant is required to pay the following Arlington School District Impact Fees.</p> <table border="1" data-bbox="800 1591 1300 1692"> <thead> <tr> <th>School Impact Fee</th> <th># of 1, 2 and 3 Bed Units</th> <th>Total Amount</th> </tr> </thead> <tbody> <tr> <td>\$0.00</td> <td>206</td> <td>\$0.00</td> </tr> </tbody> </table>	School Impact Fee	# of 1, 2 and 3 Bed Units	Total Amount	\$0.00	206	\$0.00	<p>Yes</p>
School Impact Fee	# of 1, 2 and 3 Bed Units	Total Amount						
\$0.00	206	\$0.00						
<p>20.90.400 Community Parks Impact Fee.</p> <p>(a) Residential developments shall pay a community park impact fee of \$1,497 for each multi-family dwelling unit prior to the issuance of a building permit.</p>	<p>The applicant is required to pay the following Community Parks Impact Fees.</p> <table border="1" data-bbox="800 1801 1300 1902"> <thead> <tr> <th>Community Park Fee</th> <th># of units</th> <th>Total Amount</th> </tr> </thead> <tbody> <tr> <td>\$1,497.00</td> <td>206</td> <td>\$308,382.00</td> </tr> </tbody> </table>	Community Park Fee	# of units	Total Amount	\$1,497.00	206	\$308,382.00	<p>Yes</p>
Community Park Fee	# of units	Total Amount						
\$1,497.00	206	\$308,382.00						

Regulation	Analysis	Meets
Chapter 20.93 AMC, Critical Area Ordinance		
Part I – Purpose and Intent		
20.93.010 Purpose and Intent. This chapter establishes regulations for the protection of environmentally critical areas including critical areas, natural resource lands, and protective buffers.	The Wetland and Fish and Wildlife Habitat Assessment and Conceptual Buffer Averaging Plan completed by Soundview Consultants provides documentation that the subject site contains a portion of a Category II Wetland, Wetland Buffer, and Stream Buffer for an off-site Type F-ESA Stream. The proposed binding site plan and conditional use permit follows the buffers and allowances of the Critical Area Ordinance.	Yes
Part III – General Provisions		
20.93.200 Applicability. This chapter applies to environmentally critical areas within the city’s jurisdiction. No action shall be taken by any person that results in any alteration of any environmentally critical area or their buffers except as consistent with the purposes, objectives, and goals of this chapter.	The proposed project is required to follow Part III – General Provisions, Part VI – Streams, Creeks, Rivers, Lakes, and Other Surface Waters, and Part VII – Wetlands of the Critical Area Ordinance.	Yes
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 contain a portion of a Category II Wetland, Wetland Buffer, and Stream Buffer from an off-site stream.	Yes
20.93.250 Procedures. The City of Arlington shall not grant any approval or permission to conduct development or use in an environmentally critical area prior to the applicant’s fulfillment of the requirements of this chapter.	The City has determined that the applicant has provided a critical area report, followed best available science, and has met all applicable regulations of the Critical Area Ordinance.	Yes
20.93.260 Submittal Requirements. To enable the city to determine compliance with this chapter, at the time of application submittal the applicant shall file a SEPA environmental checklist, site/resource specific reports as specified in 20.93.270, and any other pertinent information requested by the department of community development.	The applicant has submitted a SEPA Checklist, critical area report, geotechnical report, and site plans that provide the information needed to review the wetland and stream that impact the subject property.	Yes
20.93.270 Site/Resource Specific Reports. All applications for land use or development permits proposed on properties containing or adjacent to environmentally critical areas or their defined buffers shall include site/resource specific reports prepared to describe the environmental limitations of the site.	The applicant submitted a Wetland and Fish and Wildlife Habitat Assessment and Conceptual Buffer Averaging Plan completed by Soundview Consultants that provides the information required to assess the site.	Yes

Regulation	Analysis	Meets												
<p>20.93.290. Dedication of Environmentally Critical Area Easements.</p> <p>(a) In order to protect environmentally critical areas, environmentally critical area easements or tracts, where proposed as mitigation, shall be marked as such and dedicated to the city and recorded with Snohomish County.</p>	<p>The applicant has shown on the plans that the Native Growth Protection Area, which include the Type F-ESA Stream Buffer, portion of a Category II Wetland, and the Wetland Buffer will be dedicated to the City of Arlington.</p>	<p>Yes</p>												
<p>20.93.320 Buffer Width Averaging. Buffer widths may be modified by averaging. In no instance shall the buffer width be reduced by more than twenty-five percent of the standard buffer unless specifically identified in other sections of this chapter. Buffer width averaging shall be allowed only where the applicant demonstrates all of the following:</p> <p>(1) That averaging is necessary to avoid an extraordinary hardship to the applicant caused by circumstances peculiar to the property or that there would be a benefit to the environmentally critical area;</p> <p>(2) That the least impactful aspects of the proposed land use would be located adjacent to areas where the buffer width is reduced;</p> <p>(3) That width averaging will not adversely impact the environmentally critical area functional values; and</p> <p>(4) That the total area contained within the buffer after averaging is no less than that contained within the standard buffer prior to averaging.</p>	<p>The applicant has proposed to implement buffer width averaging for the both the Category II Wetland Buffer and the Type F-ESA Stream Buffer.</p> <p>The project was carefully designed to fully utilize the developable area and all permanent impacts are avoided. However, in order to meet all code regulations and required development infrastructure, the project required minor buffer averaging. The least impactful areas were utilized for the buffer averaging and the width averaging does not adversely impact the functional value of the wetland or stream and associated buffers. The total area contained within the buffer is not less than that contained within the standard prior to averaging.</p> <table border="1" data-bbox="800 1056 1317 1184"> <thead> <tr> <th>Critical Area Buffer</th> <th>Buffer Decrease</th> <th>Buffer Increase</th> <th>Net Gain</th> </tr> </thead> <tbody> <tr> <td>Wetland</td> <td>4,313 sf</td> <td>4,323 sf</td> <td>10 sf</td> </tr> <tr> <td>Stream</td> <td>1,482 sf</td> <td>1,487 sf</td> <td>5 sf</td> </tr> </tbody> </table>	Critical Area Buffer	Buffer Decrease	Buffer Increase	Net Gain	Wetland	4,313 sf	4,323 sf	10 sf	Stream	1,482 sf	1,487 sf	5 sf	<p>Yes</p>
Critical Area Buffer	Buffer Decrease	Buffer Increase	Net Gain											
Wetland	4,313 sf	4,323 sf	10 sf											
Stream	1,482 sf	1,487 sf	5 sf											



	STREAM REDUCTION AREA	1,481.82 SF
	STREAM ADDITION AREA	1,487.14 SF
NET 5.32 SF ADDITIONAL STREAM BUFFER		

	WETLAND REDUCTION AREA	4,312.56 SF
	WETLAND ADDITION AREA	4,322.92 SF
NET 10.36 SF ADDITIONAL WETLAND BUFFER		

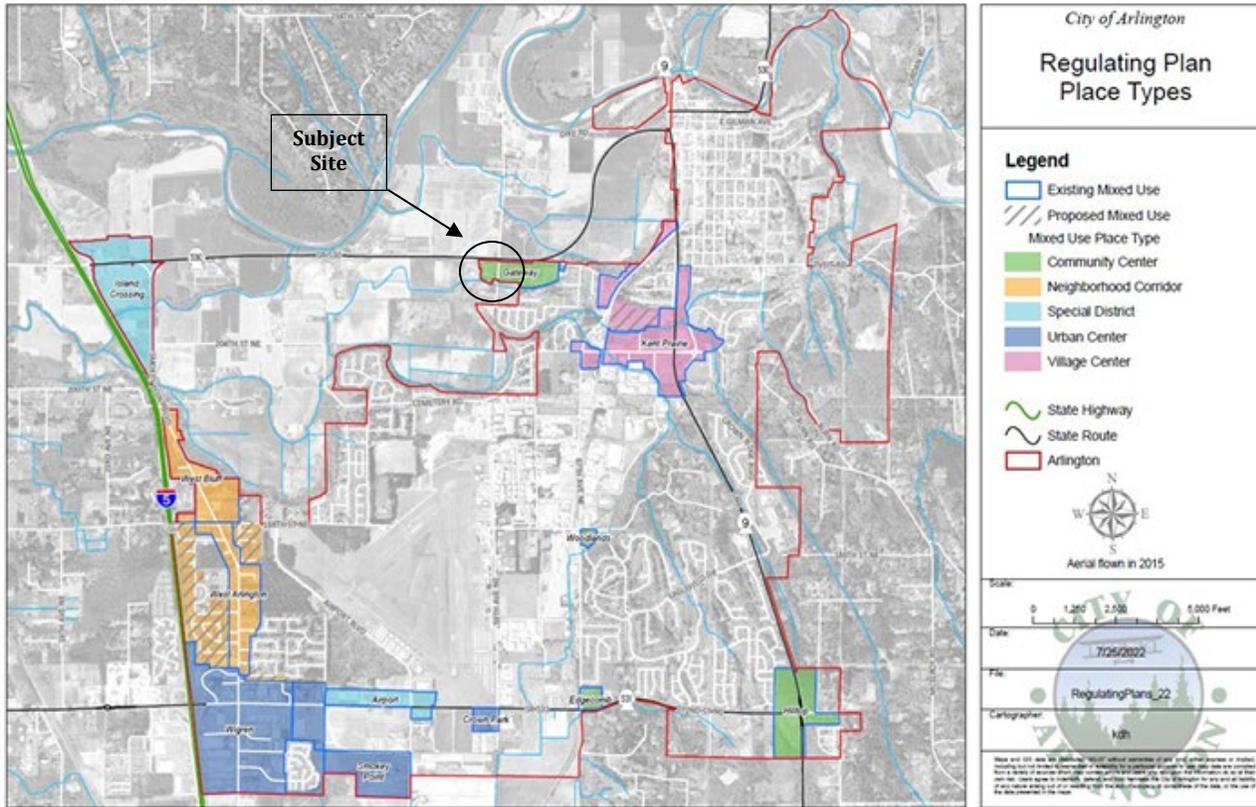
Regulation	Analysis	Meets
<p>20.93.340 Building Setbacks from Buffers. A building setback of fifteen feet is required from the edge of any critical area buffer, as defined in subsequent sections of this chapter.</p>	<p>The proposed site plan layout shows a building setback of 15 feet or more from all paved areas and/or buffers from the critical areas.</p>	<p>Yes</p>
<p>The map displays a site plan with several key features: <ul style="list-style-type: none"> Stream 1 (Type F): A 150-foot buffer is shown along the left side of the stream. Wetland A (Category II): A 110-foot buffer with 3,693 square feet of onsite area is highlighted in green. Property Line: Indicated by a dashed black line. Approximate Wetland Boundary: Shown as a dashed black line. Wetland Buffer: A red dashed line surrounding the wetland area. Wetland Flag Location: Marked with red circles and labeled 'WFL'. Data Plot Location: Marked with red squares and labeled 'DPL'. Stream Centerline: A blue line with arrows indicating flow direction. Stream Buffer: A blue dashed line along the stream. Existing Contour: Shown as blue dashed lines with elevations (e.g., 1-1, 1-2, 1-3, 1-4, 1-5, 1-6, 1-7, 1-8, 1-9, 1-10, 1-11). Stream OHW (Ordinary High Water) Flag Location: Marked with blue triangles and labeled 'OHW'. Ditch Centerline: A black dashed line. </p>		
<p>20.93.390 Mitigation Plan Requirements. In the event that mitigation is required, the applicant shall be required to provide a mitigation plan for approval by the community development director. The plan shall provide information on land acquisition, construction, maintenance and monitoring of the replaced critical area.</p>	<p>The applicant has submitted a Mitigation Plan prepared by Soundview Consultants in the Wetland and Fish and Wildlife Habitat Assessment and Conceptual Buffer Averaging Plan.</p>	<p>Yes</p>
<p>Part VI – Streams, Creeks, Rivers, Lakes, and Other Surface Water</p>		
<p>20.93.700 Classifications. (a) The city hereby adopts the stream classifications system of the state, as specified in WAC 222-16-030, as may be amended. (2) Type F-ESA water means all the waters meeting the criteria of Type F stream but has been identified as having presumed use by ESA listed fish species.</p>	<p>The Wetland and Fish and Wildlife Habitat Assessment and Conceptual Buffer Averaging Plan provides the analysis of determining the off-site stream being classified as Type F-ESA. The stream gradient is accessible for chinook, coho, chum, pink salmon, and steelhead.</p>	<p>Yes</p>
<p>20.93.710 Determination of Boundary. The Community and Economic Development Director, relying on delineation by a licensed engineer or other comparable expert, shall determine the boundary of the creek, stream, river, lake, or other surface water. Where there is no ravine or the bank is less than ten feet in depth, the boundary shall be contiguous with the ordinary high-water mark.</p>	<p>The Wetland and Fish and Wildlife Habitat Assessment and Conceptual Buffer Averaging Plan provides maps of the site showing the location of the streams and established buffers.</p>	<p>Yes</p>

Regulation	Analysis	Meets						
<p>20.93.730 Requirements. (a) To retain the natural functions of streams and stream corridors, the streamside buffers listed in Table 20.93-3: Stream Buffer Widths shall be maintained on both sides of the environmentally critical area. All existing native vegetation within these buffers shall be preserved.</p> <table border="1" data-bbox="155 359 748 468"> <thead> <tr> <th colspan="2">Table 20.93-3: Stream Buffer Widths</th> </tr> <tr> <th>Type</th> <th>Standard Buffer</th> </tr> </thead> <tbody> <tr> <td>F-ESA</td> <td>150 feet</td> </tr> </tbody> </table>	Table 20.93-3: Stream Buffer Widths		Type	Standard Buffer	F-ESA	150 feet	<p>The proposed project site plans show and the Wetland and Fish and Wildlife Habitat Assessment and Conceptual Buffer Averaging Plan shows the standard buffer and the buffer width averaging to allow for the south drive aisle to enter the site.</p>	<p>Yes</p>
Table 20.93-3: Stream Buffer Widths								
Type	Standard Buffer							
F-ESA	150 feet							
<p>20.93.740 Mitigation. (a) In order to avoid significant environmental impacts for those activities not regulated by the Shoreline Master Program and allowed pursuant to Section 20.93.720, the applicant for a land use or development permit will select one or more of the following mitigation actions, listed in order of preference. (1) On-site environmentally critical area restoration/improvement. (2) On-site ECA/Creation. (3) On-site ECA buffer restoration. (b) All ECA restoration, creation and/or enhancement projects required pursuant to this chapter shall follow a mitigation plan prepared in conformance to the requirements of Section 20.93.390.</p>	<p>The applicant has submitted a Mitigation Plan prepared by Soundview Consultants in the Wetland and Fish and Wildlife Habitat Assessment and Conceptual Buffer Averaging Plan.</p>	<p>Yes</p>						
<p>Part VII – Wetlands</p>								
<p>20.93.800 Classifications. (b)(2) Category II. Category II wetlands are difficult, though not impossible, to replace, and provide high levels of some functions. These wetlands occur more commonly than Category I wetlands, but still need a relatively high level of protection.</p>	<p>The Wetland and Fish and Wildlife Habitat Assessment and Conceptual Buffer Averaging Plan provides the analysis of determining a portion of a Category II Wetland on the site in the southeast corner of the property.</p>	<p>Yes</p>						
<p>20.93.810 Determination of Boundary. The Community and Economic Development Director, relying on a field investigation supplied by the applicant, and applying the wetland delineation provided in this chapter shall determine the location of the wetland boundary. Qualified professionals and technical scientists shall perform wetland delineations.</p>	<p>The proposed project site plans and the Wetland and Fish and Wildlife Habitat Assessment and Conceptual Buffer Averaging Plan provides maps of the site showing the location of the wetlands. The site plans for the project show the stream and wetland area, along with established wetland and stream buffers .</p>	<p>Yes</p>						
<p>20.93.830 Buffer Requirements. (a) The following buffer widths have been established in accordance with the best available science. They are based on the category of wetland and the habitat score as determined by a qualified wetland professional using the Washington State Wetland Rating System for Western Washington. The adjacent land use intensity is assumed to be high.</p>	<p>The Wetland and Fish and Wildlife Habitat Assessment and Conceptual Buffer Averaging Plan delineates the Wetland with Habitat Score of 6 and a High Proposed/Potential Future Land Use Intensity.</p>	<p>Yes</p>						

Regulation	Analysis	Meets												
<p>(1) For wetlands that score 6 points or more for habitat function, the buffers in Table 20.93-4.</p> <p>(A) A relatively undisturbed, vegetated corridor at least 100 feet wide is protected.</p> <p>(B) The corridor is permanently protected for the entire distance between the wetland and the legally protected area by a conservation easement, deed restriction, or other legal site protection mechanisms.</p> <table border="1" data-bbox="155 428 748 630"> <thead> <tr> <th></th> <th colspan="3">Buffer Width (in feet) Based on Habitat Score</th> </tr> </thead> <tbody> <tr> <td>Wetland Category</td> <td>3-5</td> <td>6-7</td> <td>8-9</td> </tr> <tr> <td>Category II: Based on Score</td> <td>75</td> <td>110</td> <td>225</td> </tr> </tbody> </table> <p>(D) The measures in Table 20.93-5 are implemented, as applicable, to minimize the impacts of the adjacent land uses.</p> <p>Required Measures to Minimize Impacts:</p> <ul style="list-style-type: none"> • Lights • Noise • Toxic Runoff • Stormwater Runoff • Change in Water Regime • Pets and Human Disturbance • Dust 		Buffer Width (in feet) Based on Habitat Score			Wetland Category	3-5	6-7	8-9	Category II: Based on Score	75	110	225	<p>The proposed site plans and Wetland and Fish and Wildlife Habitat Assessment and Conceptual Buffer Averaging Plan shows a 110 foot buffer for the Category II Wetland.</p> <p>The applicant was allowed to utilize Table 20.93-4 because the measures of Table 20.93-5 have been implemented on the site.</p> <ul style="list-style-type: none"> • Lights: The parking lot lights from cars will be screened with vegetation between the buffer and pavement. • Noise: Additional vegetation has been proposed between the buffer and buildings and activities. • Toxic Runoff: All stormwater is treated through filtering prior to being exposed to the wetland area. • Stormwater Runoff: All stormwater is treated through filtering prior to being exposed to the wetland area. • Change in Water Regime: On-site water will be substantially infiltrated as in the existing condition. • Pets and Human Disturbance: The wetland and associated buffer requires NGPA fencing, privacy fencing and additional plantings are also proposed between the buffer and use on the site. The NGPA is placed in a Tract to be dedicated to the city for protection. • Dust: Best Management Practice during construction are required and will be monitored through the Civil permit. 	
	Buffer Width (in feet) Based on Habitat Score													
Wetland Category	3-5	6-7	8-9											
Category II: Based on Score	75	110	225											
<p>20.93.840 Mitigation</p> <p>(a) In order to avoid significant environmental impacts, the applicant for a land use or development permit shall compensate for unavoidable wetland impacts, listed in order of preference. What is considered adequate mitigation will depend on the nature and magnitude of the potential impact.</p> <p>(3) On-site wetland buffer restoration – Restoration or improvement in functional value of degraded on-site wetland buffers at the ratio listed in Table 20.93-7 according to the wetland type.</p>	<p>The Wetland and Fish and Wildlife Habitat Assessment and Conceptual Buffer Averaging Plan proposes to add enhancements to the buffer areas through the planting of native trees and shrubs to improve the currently degraded site.</p>	<p>Yes</p>												

Regulation	Analysis	Meets
<p>20.93.850 Monitoring. (a) For projects that include native vegetation, a detailed five-year or ten-year vegetation maintenance and monitoring program is required.</p>	<p>The applicant has proposed monitoring and maintenance in the Wetland and Fish and Wildlife Habitat Assessment and Conceptual Buffer Averaging Plan to ensure the mitigation actions are successful for a period of five years with formal inspections by a qualified Project Scientist. Monitoring events will be scheduled at the time of construction, 30 days after planting, and minimally on an annual basis during Years 1, 2, 3, and 5. Closeout of monitoring occurs in Year 5.</p>	<p>Yes</p>
<p>Chapter 20.98 AMC, State Environmental Policy Act (SEPA)</p>		
<p>20.98.110 (a) Environmental Checklist. A completed environmental checklist in the form provided in WAC 197-11-960, shall be filed at the same time as an application for a permit, license, certificate, or other approval not specifically exempted in this ordinance. The City shall use the environmental checklist to determine the lead agency and for determining the responsible official and for making the threshold determination.</p>	<p>The applicant provided an environmental checklist with the application. The City of Arlington was determined to be the lead agency. A Mitigated Determination of Non-Significance was issued for the proposal on March 5, 2025. The comment period for the MDNS was from March 7, 2025 to March 21, 2025. The city withdrew this Decision on March 14, 2025 to allow for additional time to further evaluate impacts and provide additional analysis of mitigation measures for the proposed mixed-use development project as a result of comments received during the comment period. The city issued a new Mitigated Determination of Non-Significance on September 26, 2025. The comment period for the MDNS was from September 26, 2025 to October 10, 2025. The city received comments during these public comment periods, which are listed under Section F.</p>	<p>Yes</p>
<p>Chapter 20.110 AMC, Mixed Use Development Regulations</p>		
<p>20.110.012 (d) Place Types. Place Types are defined by their location and by their intensity of use. The Mixed-Use Development Overlay Plan creates four “Place Type” overlay descriptions, Neighborhood Corridor, Neighborhood Community Center, Neighborhood Village Center, and Urban Center. In addition, due to their unique development context, two Special Districts were created. Special District I and Special District II with unique characteristics.</p>	<p>The proposed project is in the Community Center place type established by the Mixed-Use Development Regulations.</p>	<p>Yes</p>

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.

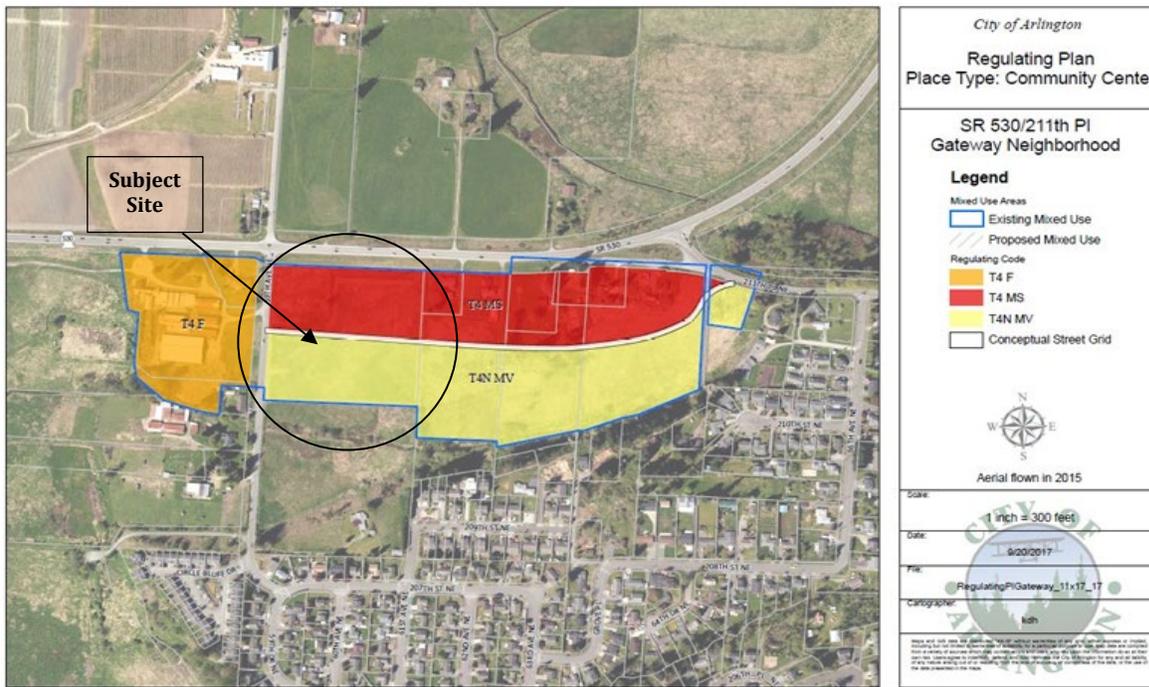
Zone – T4 Neighborhood Medium Volume (T4-MV)
Desired Form: Detached, Small to Medium Lot Width, Medium Footprint, Small to Medium Front Setbacks, Small to Medium Side Setbacks, Up to 3 Stories, Elevated Ground Floor, Primarily with Stoops and Porches.
General Use: Primarily residential with smaller local serving uses in ancillary buildings.
Intent: To provide a variety of housing choices, in medium footprint, medium density building types, which reinforces the walkable nature of the neighborhood, support local serving commercial adjacent to this zone and support public transportation.

The proposed project is in the T4-MS and T4N-MV Transect of the Community Center Mixed-Use Development Regulations. The project provides a medium footprint 1-story future commercial building on lot 1, a wall plane with a 3-story mixed-use building along 211th Place NE (parallel to SR 530), 3-story residential only buildings, and a 1-story club house building centrally located in 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
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Regulating Plan Place Type: Community Center



20.110.014(c)(2) Place Types.
Place Type: Community Center
Location: State Route 9 and 172nd Street, State Route 530 and 211th Place, State Route 531 and 67th Avenue.
Use Intensity Transects:
 T4 Main Street (T4-MS)
 T4 Neighborhood Medium Volume (T4-MV)

The proposed development is located within the Mixed-Use Community Center.

 The project is located southeast of the State Route 530 and 59th Avenue NE Intersection and in the T4-MS and T4N-MS Transects.

Yes

20.110.014(c)(2)
 T4-MS.
Intent: 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.
Key Features: Primary Street with medium intensity commercial activity, along with medium to high density residential, decreasing in intensity toward the adjoining residential neighborhoods.

 T4N-MV
Intent: 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.
Key Features: Mix of medium density building types with a variety of forms, which decrease in size and intensity of use toward the outer boundary of the corridor.

The project provides a neighborhood main street building along the frontage of 211th Place NE and a future commercial lot at the corner of 59th Avenue NE and State Route 530. 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 general commercial with mixed-use overlay and is intended to provide local commercial businesses and medium to high density within the project.

Yes

Regulation			Analysis	Meets
20.110.014(c)(3) Allowed Building Types. Mid Rise			The project has proposed to utilize Mid Rise Buildings throughout the entire site. The buildings have different frontage types depending on the location on the site.	Yes
20.110.014(c)(2) Building Form, Height.			<p>The proposed architectural plans show that the project meets the regulations of this section on Sheets A.05 through A.44.</p> <p>The residential and mixed use buildings are 3 stories, the future commercial building on lot 1 may be a single or multi-story building, and the clubhouse is 1 story.</p> <p>Primary rooms will have a minimum ceiling height of 9 feet.</p> <p>There are seven buildings that front onto a public right-of-way. The floor level of buildings along 59th Avenue is greater than 24" above the ROW. The floor level for the commercial buildings along the frontage road is flush with the ROW to meet ADA access requirements and shopfront frontage requirements. Ground floor residential units in the mixed-use buildings are 2-3 feet above the ROW elevation.</p>	Yes
	T4-MS	T4N-MV		
Main Building Stories	20' min. / 3 stories max.	3 stories max.		
Accessory Structure	1 story max.	1 story max.		
Ground Floor Ceiling Height: Residential	9' min. clear	9' min. clear		
Ground Floor Ceiling Height: Retail/Service	12' min. clear	12' min. clear		
Upper Floor Ceiling Height: Residential	8'6" min. clear	9' min. clear		
Ground Floor Finish Level: Residential < 10 feet from ROW	18" min.	24" min.		
Ground Floor Finish Level: Residential ≥ 10 feet from ROW	0" min.	0" min.		
Ground Floor Finish Level: Retail/Service	6" max.	6" max.		
20.110.014(c)(2) Building Form, Footprint.			<p>The residential building depths are 60 feet, the commercial building depth at the front street are 40 feet and the commercial building depths at side streets exceed 30 feet.</p> <p>The distance between private ground floor stoops are less than 50 feet and the upper floor entries are approximately 50 feet.</p>	Yes
	T4-MS	T4N-MV		
Ground Floor Space Depth: Residential	40' min.	30' min.		
Ground Floor Space Front Depth: Retail/Service	40' min.	30' min.		
Ground Floor Space Side Street Depth: Retail/Service	30' min.	30' min.		
Distance Between Front Entries to Ground Floor	50' max.	50' min.		
Distance Between Front Entries to Upper Floor(s):	100' max.	100' min.		

Regulation			Analysis	Meets
20.110.014(c)(2) Building Placement, Setbacks.			<p>The residential building along 59th Avenue NE are set back to the 10' build-to-line. Mixed-use buildings along the frontage road are set at a 0' build-to-line. The clubhouse is set on a curve so the setback varies.</p> <p>See Architectural Sheets A.12 & A.13 for façade zone compliance.</p> <p>Buildings have been set to the required build-to-lines and setbacks. The side and rear building setbacks exceed 20'.</p>	Yes
	T4-MS	T4N-MV		
Build-to-Lines				
Front	0' min. 10' max.	0' min. 10' max.		
Front Lots < 50' wide	60%	100%		
Front Lots ≥ 50' wide	60%	75%		
Side Street	30%	60%		
Setbacks				
Front	5' min. 20' max.	10' min. 20' max.		
Side Street	10' min. 20' max.	10' min. 20' max.		
Side - Main	10' min.	10' min.		
Side - Accessory	5' min.	5' min.		
Rear - Main	20' min.	20'		
Rear - Accessory	5' min.	5' min.		
Façade Zone Front	75% min.	75% min.		
Façade Zone Side Street	50% min.	50% min.		
20.110.014(c)(2) Parking, Required Spaces.			<p>The proposed project has provided 424 combined parking spaces on the site plan and is over the required number of 406 parking spaces. The required parking has been met per the table below.</p>	Yes
<p>Table 20.110-7: Minimum Parking Spaces Required</p>				
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			
Multi-Family Residential 3-Bedroom Units	2.50 spaces per unit, plus 1 additional space for every 2 units.			
Retail/Services Uses < 3,500 sf	No Spaces Required			
>3,500 sf	1/1,000 sf min.			
Multi-Family Studio and 1-Bedroom Unit	152 x 1.25 = 190 152 / 4 = 38			
Multi-Family 2-Bedroom Units	42 x 2.25 = 94.5 42 / 4 = 10.5			
Multi-Family 3-Bedroom Units	12 x 2.5 = 30 12 / 2 = 6			
Retail / Commercial Lot 2	15,500 - 3,500 = 12,000 12,000 / 1,000 = 12			
Retail / Commercial Lot 1	1/300 sf = 11			
Residential ADA (301-400)	9 standard stalls 2 van stalls			
Commercial ADA (26-50)	2 standard stalls 1 van stall			
Total Required	406 Parking Spaces			

Regulation		Analysis	Meets	
20.110.014(c)(2) Parking, Location		Parking along the public street frontage is located behind the buildings. The interior residential buildings on the private street and drive aisle system are located either as street parking or within a parking lot.	Yes	
Front Setback	40' min.			
Side Street Setback	15' min.			
Side Setback	0' min.			
Rear Setback	0' min.			
20.110.014(c)(2) Parking, Parking Drive Width		Interior private drive aisles are all 24 feet in width, with one private road with 20 feet of drive aisle space with parallel parking on both sides.	Yes	
Front < 40 Spaces	20' - 24'			
Front ≥ 40 Spaces	20' - 24'			
Side Street/Alley	20' - 24'			
20.110.014(c)(2) 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	
	T4-MS			T4N-MV
Front	10' max.			8' max.
Side Street	3' max.			8' max.
Side	0'			2'6" max.
Rear	5' max.	2'6" max.		
20.110.014(c)(2) Encroachments and Frontage Types, Allowed Frontage Types. Shopfront Stoop Porch Engaged		The proposed buildings utilize three allowed frontage types in the T4-MS and T4N-MV transects. The Stoop and Shopfront frontages are used on the Mid-Rise building type and the Engaged Porch is used for the Clubhouse to provide a wider, inviting and usable entrance. The frontage types are shown on Architectural Sheets A.16 to A.19.	Yes	
20.110.014(c)(2) Use Table.		The proposed project will be utilizing multi-family residential, commercial retail uses, and some service type businesses. The uses listed are not the only uses that can be utilized in the commercial space. Future businesses will need to ensure compliance with the Use Table for the Community Center Place Type.	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			

Regulation	Analysis	Meets
<p>20.110.014(d) Private Frontage Types.</p> <p>Shopfront and Awning: A frontage where the façade is aligned close to the frontage line with the building entrance at sidewalk grade. This type is conventional for retail use. It has substantial glazing on the sidewalk level and an awning that may overlap the sidewalk to the maximum extent possible.</p> <p>Stoop: A frontage wherein the façade is aligned close to the frontage line with the first story elevated from the sidewalk sufficiently to secure privacy for the windows. The entrance is usually an exterior stair and landing. This type is recommended for ground-floor residential use.</p> <p>Porch Engaged: The main façade of the building has a small to medium setback from the frontage line. The resulting front yard is typically very small and can be defined by a fence or hedge to spatially maintain the edge of the street. The engaged porch has two adjacent sides of the porch that are engaged to the building while the other two sides are open.</p>	<p>The Stoop and Shopfront frontages are used on the Mid-Rise building type for the mixed-use and residential buildings. The Engaged Porch frontage is used for the Clubhouse to provide a wider, inviting and usable entrance.</p> <p>The frontage types are shown on Architectural Sheets A.16 to A.19.</p>	<p>Yes</p>
<p>20.110.014 (e) Building Types.</p> <p>Mid-Rise: This building type is medium to large sized structures, built on a large lot that typically incorporates structured parking. It can be used to provide a vertical mix of uses with ground-floor retail, service uses and upper-floor service, or residential uses; or it may be uses as a single-use building, typically service or residential, where ground floor retail is not appropriate. This type is a primary component of a downtown main street or higher densities that promote walkability.</p>	<p>The project proposes to use the Mid-Rise building types throughout the entire development. This type of building is versatile and can be utilized for commercial only buildings, mixed-use buildings, and residential only buildings. The project provides different frontage types that change up the look of the buildings while keeping with the same theme throughout.</p>	<p>Yes</p>
<p>20.110.014 (f) Block, Thoroughfare, and Public Rights of Way Standards. This section requires block structure, walkability, connectivity, compliance with complete streets program, accessibility, pedestrian facilities, street scrape elements, bicycle facilities, intersection treatments, and meets the thoroughfare standards. Thoroughfare types for this project include a new public street frontage to the north, with private drive aisle throughout the site.</p>	<p>The proposed project is located along 59th Avenue NE and 211th Place (new public road). The frontages of both 59th Avenue NE and 211th Place NE provide accessible vehicular, pedestrian, and bicycle access. The internal streets and drive aisle show Drive F as a Mixed Use Street for parallel parking options. After construction the residents will have direct access to a trail system that will follow 211th Place and connect to Centennial Trail to the east.</p> <p>The project has access from the north, west, and east through these public streets. The project provides multiple modes of travel throughout the entire site and to the surrounding areas.</p>	<p>Yes</p>

Regulation	Analysis	Meets																																																																			
<p>20.110.014 (g) Parking Standards.</p> <table border="1" data-bbox="155 174 735 268"> <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)(2)</td></tr> </table> <table border="1" data-bbox="155 289 735 537"> <tr><td colspan="5">Table 20.110-8: Minimum Dimensional Requirements</td></tr> <tr><th>Angle</th><th>Depth</th><th>Two-Way Drive Aisle</th><th>Width</th><th>Length</th></tr> <tr><td>Parallel</td><td>8'</td><td>20'</td><td>8'</td><td>20'</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> <tr><td>Tandem</td><td>36'</td><td>24'</td><td>8'</td><td>36'</td></tr> </table> <table border="1" data-bbox="155 558 735 688"> <tr><td colspan="3">Table 20.110-9: Parking and Loading Area Screening</td></tr> <tr><th>Zone</th><th>Adjacent Zone</th><th>Required Screening</th></tr> <tr><td>T4, T5</td><td>T4, or Residential Non-Transect Zone</td><td>6' wall, fence, or evergreen hedge</td></tr> </table> <table border="1" data-bbox="155 709 735 1058"> <tr><td colspan="3">Table 20.110-10: Bicycle Parking Requirements</td></tr> <tr><th>Use Type</th><th>Required Spaces</th><th>Location</th></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</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)(2)					Table 20.110-8: Minimum Dimensional Requirements					Angle	Depth	Two-Way Drive Aisle	Width	Length	Parallel	8'	20'	8'	20'	60°	21'	18'	9'	20'	Perpendicular	18'	24'	8'	18'	Tandem	36'	24'	8'	36'	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	Within 50 feet of public entrance of the building and adjacent to a bicycle path and/or pedestrian walks	<p>The proposed project provides parking on-site with surface and carport parking. The parking stalls are a mixture of perpendicular, parallel, tandem, and 60° back-in angled parking. The site plan shows the proposed parking with a two-way drive aisle of 24 feet, except for Drive F, which is 20 feet.</p> <p>The parking on the site is screened by the buildings and landscaping. Lot 1 is required to provide a parking lot screening wall when developed in the future.</p> <table border="1" data-bbox="797 636 1312 831"> <tr><td>Residential</td><td>272 Bedrooms / 0.25 = 68</td></tr> <tr><td>Commercial</td><td>30 Spaces x 20% = 6</td></tr> <tr><td>Total Required</td><td>74 Bicycle Spaces</td></tr> </table> <p>*Lot 1 bicycle parking is not included in this calculation. This will need to be calculated when this lot is built out.</p>	Residential	272 Bedrooms / 0.25 = 68	Commercial	30 Spaces x 20% = 6	Total Required	74 Bicycle Spaces	Yes
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<p>20.110.014 (h) Civic and Open Space Standards. Publicly accessible civic spaces are an essential component of a walkable urban environment.</p> <p>Every residential development shall be constructed so that at least 5% of the total development remains permanently as usable open space.</p> <table border="1" data-bbox="155 1346 686 1451"> <tr><th>Lot</th><th>Total Area</th><th>Percent</th><th>Total SF</th></tr> <tr><td>Lot 1:</td><td>14,958</td><td>X 5%</td><td>748</td></tr> <tr><td>Lot 2:</td><td>296,581</td><td>X 5%</td><td>14,829</td></tr> </table>	Lot	Total Area	Percent	Total SF	Lot 1:	14,958	X 5%	748	Lot 2:	296,581	X 5%	14,829	<p>The applicant has split the calculation for each of the two lots on the site. Lot 1 is a future commercial lot and requires 748 square feet of open space. Lot 2 is the mixed-use and residential portion and required 14,829 square feet. The total required open space for the site is 15,577 square feet and the project provides 29,462 square feet.</p>	Yes																																																							
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<p>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.</p> <table border="1" data-bbox="155 277 750 1087"> <caption>Table 20.110-15: Tree Requirements for Parking and Lot Landscaping</caption> <thead> <tr> <th>Landscaping Component</th> <th>Description</th> </tr> </thead> <tbody> <tr> <td>Amount</td> <td>1 tree per 4 stalls*</td> </tr> <tr> <td>Can Size</td> <td>15 gallons</td> </tr> <tr> <td>Box Size</td> <td>20% must be 24 inches</td> </tr> <tr> <td>Caliper</td> <td>1" minimum</td> </tr> <tr> <td>Minimum Height at Installation</td> <td>6'8"</td> </tr> <tr> <td>Minimum Mature Canopy</td> <td>40'</td> </tr> <tr> <td>Characteristics</td> <td>High Branching, Broad Headed, Shaded Form</td> </tr> <tr> <td>Installation</td> <td>Root Barriers and Deep Root Irrigation</td> </tr> <tr> <td>Location</td> <td>Along the line between or at the back of parking bays. At both ends of a line of parking spaces. Evenly spaced to provide uniform shade.</td> </tr> <tr> <td>Required Border</td> <td>6" high curb or equivalent</td> </tr> <tr> <td>Border and Stormwater</td> <td>Curbs shall provide breaks every 4' to provide drainage to retention and filtration areas.</td> </tr> <tr> <td>Minimum Tree Well Width</td> <td>5'</td> </tr> <tr> <td>Car Overhangs</td> <td>Must be prevented by stops.</td> </tr> </tbody> </table>	Landscaping Component	Description	Amount	1 tree per 4 stalls*	Can Size	15 gallons	Box Size	20% must be 24 inches	Caliper	1" minimum	Minimum Height at Installation	6'8"	Minimum Mature Canopy	40'	Characteristics	High Branching, Broad Headed, Shaded Form	Installation	Root Barriers and Deep Root Irrigation	Location	Along the line between or at the back of parking bays. At both ends of a line of parking spaces. Evenly spaced to provide uniform shade.	Required Border	6" high curb or equivalent	Border and Stormwater	Curbs shall provide breaks every 4' to provide drainage to retention and filtration areas.	Minimum Tree Well Width	5'	Car Overhangs	Must be prevented by stops.	<p>The proposed project has provided landscaping throughout the property within the mini-park areas, open spaces, property frontages, property lines, and parking areas.</p> <p>The project proposes an automatic irrigation system on the site.</p> <p>The project provides 32% parking lot shading throughout the site.</p> <p>The project provides 99 parking lot trees. The landscape plans show that 32 trees are provided within the parking area.</p> <p>The Landscape Site Plans on Sheets L1.00 through L2.07 show all required landscaping components have been met. The interior shade trees between the building are proposed to be 1 ½" caliper between the buildings. The street frontage trees are proposed to be 2" caliper and be spaced every 30' on center. All trees will be planted with root barrier per the City of Arlington Standard R-260 along the public rights-of-way. All parking lot landscaping is proposed to be contained within planting beds with a minimum of 6" curbing that provides stormwater breaks.</p>	<p>Yes</p>
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<p>20.110.014 (i) Landscaping, Fencing, and Screening Standards. Fences shall be constructed of wood, metal, masonry, or other permanent materials designed for permanent fencing.</p> <table border="1" data-bbox="155 1276 734 1465"> <caption>Table 20.110-16: Maximum Height of Fences or Walls</caption> <thead> <tr> <th>Location of Fence or Wall</th> <th>Maximum Basic Height</th> <th>Maximum Height Exceptions</th> </tr> </thead> <tbody> <tr> <td>Within front or street side setback</td> <td>4'</td> <td>6'</td> </tr> <tr> <td>Within interior side or rear setback</td> <td>6'</td> <td>8'</td> </tr> </tbody> </table>	Location of Fence or Wall	Maximum Basic Height	Maximum Height Exceptions	Within front or street side setback	4'	6'	Within interior side or rear setback	6'	8'	<p>The project has proposed multiple fence types that include an ornamental metal fence, pool fencing, security chain link fence, and screen fence. All fencing meets the requirements and is shown on Landscape Site Plan Sheet L4.00.</p>	<p>Yes</p>																			
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<p>20.110.014 (j) Low Impact Development. This is an approach to stormwater management with the goal to mimic a site's predevelopment hydrology by using design methods that infiltrate, filter, store, evaporate, and detain runoff close to its source. The stormwater is regulated by AMC 13.28 and the 2019 DOE Stormwater Management Manual for Western Washington.</p>	<p>The development is proposing to use infiltration trenches and chambers, infiltrating bioretention planters, and a detention tank facility. All stormwater is required to meet the most current adopted 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.</p>	<p>Yes</p>																																										
<p>20.110.014 (k) Outdoor Lighting Standards. All outdoor lighting must comply with the following requirements.</p> <table border="1" data-bbox="155 621 761 709"> <thead> <tr> <th colspan="2">Table 20.110-17: Lighting Zones</th> </tr> </thead> <tbody> <tr> <td>LZ-3</td> <td>T4N-MV</td> </tr> <tr> <td>LZ-4</td> <td>T4-MS</td> </tr> </tbody> </table> <table border="1" data-bbox="155 720 761 863"> <thead> <tr> <th colspan="3">Table 20.110-18: Total Site Lumen Limits</th> </tr> <tr> <th></th> <th>LZ-3</th> <th>LZ-4</th> </tr> </thead> <tbody> <tr> <td>Total site lumens allowed per square feet of impervious/semi-impervious surface area</td> <td>5.0 Lumens</td> <td>7.5 Lumens</td> </tr> </tbody> </table>	Table 20.110-17: Lighting Zones		LZ-3	T4N-MV	LZ-4	T4-MS	Table 20.110-18: Total Site Lumen Limits				LZ-3	LZ-4	Total site lumens allowed per square feet of impervious/semi-impervious surface area	5.0 Lumens	7.5 Lumens	<p>The project has proposed lighting that meets the requirements of the T4-MS transect. The proposed outdoor lighting on the Site Plan Sheets IL-01 through IL-08, OC-1 through OC-10 and PC-01 through PC-04 show how the lighting meets the required regulations.</p>	<p>Yes</p>																											
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<p>20.110.014 (k) Outdoor Lighting Standards. All outdoor lighting must comply with the following requirements.</p> <table border="1" data-bbox="155 999 761 1656"> <thead> <tr> <th colspan="3">Table 20.110-19: Maximum BUG Ratings</th> </tr> <tr> <th>Maximum Allowable Backlight (B) Rating</th> <th>LZ-3</th> <th>LZ-4</th> </tr> </thead> <tbody> <tr> <td>Greater than two mounting heights from property line</td> <td>B5</td> <td>B5</td> </tr> <tr> <td>1 to less than 2 mounting heights from property line</td> <td>B3</td> <td>B4</td> </tr> <tr> <td>0.5 to 1 mounting height from property line and ideally located</td> <td>B3</td> <td>B3</td> </tr> <tr> <td>Less than 0.5 mounting height to property line and properly oriented</td> <td>B1</td> <td>B2</td> </tr> <tr> <th>Maximum Allowable Up light (U) Rating</th> <td></td> <td></td> </tr> <tr> <td>Allowed up light rating</td> <td>U3</td> <td>U4</td> </tr> <tr> <td>Allowed % light emission above 90° for street or area lighting</td> <td>0%</td> <td>0%</td> </tr> <tr> <th>Maximum Allowable Glare (G) Rating</th> <td></td> <td></td> </tr> <tr> <td>Allowed glare rating</td> <td>G3</td> <td>G4</td> </tr> <tr> <td>Any luminaire not ideally oriented with 1 to less than 2 mounting heights to any property line of concern</td> <td>G1</td> <td>G2</td> </tr> <tr> <td>Any luminaire not ideally oriented with 0.5 to 1 mounting heights to any property line of concern</td> <td>G1</td> <td>G1</td> </tr> <tr> <td>Any luminaire not ideally oriented with less than 0.5 mounting heights to any property line of concern</td> <td>G0</td> <td>G1</td> </tr> </tbody> </table>	Table 20.110-19: Maximum BUG Ratings			Maximum Allowable Backlight (B) Rating	LZ-3	LZ-4	Greater than two mounting heights from property line	B5	B5	1 to less than 2 mounting heights from property line	B3	B4	0.5 to 1 mounting height from property line and ideally located	B3	B3	Less than 0.5 mounting height to property line and properly oriented	B1	B2	Maximum Allowable Up light (U) Rating			Allowed up light rating	U3	U4	Allowed % light emission above 90° for street or area lighting	0%	0%	Maximum Allowable Glare (G) Rating			Allowed glare rating	G3	G4	Any luminaire not ideally oriented with 1 to less than 2 mounting heights to any property line of concern	G1	G2	Any luminaire not ideally oriented with 0.5 to 1 mounting heights to any property line of concern	G1	G1	Any luminaire not ideally oriented with less than 0.5 mounting heights to any property line of concern	G0	G1	<p>The project has proposed lighting that meets the requirements of the T4-MS transect. The proposed outdoor lighting on the Site Plan Sheets IL-01 through IL-08, OC-1 through OC-10 and PC-01 through PC-04 show how the lighting meets the required regulations.</p>	<p>Yes</p>
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Regulation	Analysis	Meets
<p>20.110.014 (l) (1) Architectural Standards: Compatibility with Surrounding Developments. Arlington and Regional Compatibility Standard: At least one of the following elements:</p> <ol style="list-style-type: none"> 1. A roof overhang with a minimum depth of 4 feet where the entry is in a one-story form. 2. Recessed into the building to minimum depth of 3 feet. 3. An awning or canopy with a minimum depth of 4 feet; and/or 4. A gallery, where allowed in a Transect, construction per section 20.110.014(d). <p>Neighborhood Compatibility Standard:</p> <ol style="list-style-type: none"> 1. Materials and colors 2. Scale and proportions of form. 3. Scale, proportion, pattern, and approximate head heights of doors and windows; and 4. Approximate floor level elevations 	<p>The proposed development is an improvement to the surrounding area and is the first development in the area that will set the bar for design.</p> <p>Regional Compatibility: The design of the building has incorporated design features to address the local weather and complement regional aesthetics. Entries are recessed into the building. Common entrances are approximately 30 feet deep. Entries at individual unit patios are recessed approximately 5 feet.</p> <p>Neighborhood Compatibility: The design incorporates a northwest contemporary style. The buildings are finished in muted, natural-hued colors and natural finishes with deep hue wall colors with a variety of simulated wood finishes. Gabled elements are accented in an off-white color.</p>	Yes
<p>20.110.014 (l) (2) Architectural Standards: Compatibility within a Multiple Building Development. All buildings in a multiple building development shall be designed with size, building massing, building materials, colors, and setbacks that are consistent within the place types in which they are located.</p>	<p>The proposed project complies with the mass and articulation requirements, which is shown in the diagrams in the Architectural Drawings on Sheets A.06 through A.22.</p>	Yes
<p>20.110.014 (l) (3) Architectural Standards: Four-Sided Design. The building shall provide consistent architectural design and details to ensure consistent building details and proportions on all sides of the building. Roof equipment shall be screened from 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.</p>	<p>The proposed project has architectural design and details on all four sides of the buildings, providing consistent style, colors, and materials. Each building has a sloped roof without any equipment requiring screening. The mixed-use buildings have a small portion of flat roof. The height of the front parapet will screen any roof mounted equipment. Ground and wall mounted equipment will be screened.</p>	Yes
<p>20.110.014 (l) (4) Architectural Standards: Signage and Design Elements. A building shall not be dominated by corporate or trademark architectural details; a building shall be compatible with other surrounding buildings and should not consist of building forms that primarily serve as signage and marketing elements. All street frontages and signage material shall be integrated into the overall design of the building. Signs shall be located to complement the architectural features of a building such as above the building entrance, storefront opening, or other similar features.</p>	<p>The proposed project does not have any dominate corporate or trademark architectural details. The project will provide signage for the name of the project through a freestanding sign along 59th Avenue NE near the project entrance. The individual commercial or retail businesses on the first floor of the building will submit proposed signage to the city for approval prior to installation. The signage shall meet all requirements of AMC 20.68 and blend in with the overall building.</p>	Yes

Regulation	Analysis	Meets
<p>20.110.014 (l) (5) Architectural Standards: Building Height and Transition. Abrupt or severe differences in building scale or massing within mixed use developments, or in adjacent developments can dwarf or overwhelm the neighboring areas. Buildings shall be designed to minimize this difference in scale.</p>	<p>The project proposes buildings that have a consistent height, massing, and articulation, and some buildings are stepped to follow the finished grade. The centrally located clubhouse is 1-story with high ceilings and provides for an appropriate transition. All buildings are setback more than 50 feet from any shared property lines.</p>	<p>Yes</p>
<p>20.110.014 (l) (6) Architectural Standards: Building Materials. The building shall be attractive and durable. To ensure this, buildings shall be constructed of high-quality materials and require minimal maintenance. The exterior building materials are classified according to their visual weight; and shall include Heavy, Light and Roofing Materials. Heavy materials shall be located below medium and light materials and medium materials below light materials.</p>	<p>The proposed building materials are constructed with high-quality materials and use heavy materials located on the lower portions of the buildings with lighter materials on the upper portions. The project incorporates horizontal wide-exposure wood siding, thin-brick veneer, synthetic wood columns, soldier course lintels. There are vertical and horizontal material changes and transitions.</p>	<p>Yes</p>
<p>20.110.014 (l) (7) Architectural Standards: Building Modulation and Articulation. Long, large buildings can be monotonous if they contain large or long expanses of surface area with no detailing or shadow lines; recesses and projections in building walls help to proportion and subdivide the massing of large buildings. Any façade exceeding 30 feet in length shall include at least one change in wall plane, such as projections or recesses, having a depth of at least 3% of the entire length of the façade; this projection or recess shall extend over at least 20% of the entire length of the façade. A building base and building top shall be recognizable through materials, textures, treatments, and roofing.</p>	<p>The project has proposed buildings elevations that have consistent details and articulation with an apparent base, middle, and top. All facades greater than 30 feet in length have a least one change in wall plane. All facades consist of vertical bays that break up the façade into bays that are a maximum of 30 feet in width. The bays are articulated with either balconies that are recessed 5 feet and project 2 feet beyond the façade or gables extending out a minimum of 8 inches. The building base is differentiated from the wall above with a different material texture and a 4' thick ledger trim which creates a shadow line at the transition of materials.</p>	<p>Yes</p>
<p>20.110.014 (l) (8) Architectural Standards: Building Scale. To ensure a comfortable pedestrian experience, the scale of large buildings shall be visually reduced by elements that divide a large building into smaller proportions. Building walls shall be subdivided and proportioned using features such as windows, entrances, storefronts, arcades, arbors, awnings, trellises, or 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.</p>	<p>Each building is divided into smaller components with porches and balconies, gables, and changes in materials. Long residential facades are subdivided with balconies, windows, and entrances covering at least 120 feet (90%) of the front wall length. Side elevations are subdivided with windows, gables, and other similarly scaled features covering at least 36 feet (60%) of the wall length.</p>	<p>Yes</p>

Regulation	Analysis	Meets
<p>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.</p>	<p>All buildings have a hipped or gabled roof with a variety of alternating gables to provide visual relief along each façade. The main roof of the residential building has a slope of 5:12. Gables along the façade are steeper between 6:12 and 8:12 to provide more dramatic interest as seen from the ground. The maximum roof ridge length does not exceed 90 feet.</p>	<p>Yes</p>
<p>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.</p>	<p>The sloped roofs have rain gutter and downspouts. The proposed construction is high-quality metal. The gutters will be painted to match the building trim color and the downspouts will be painted to match the adjacent wall color.</p>	<p>Yes</p>
<p>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.</p>	<p>The residential buildings incorporate common entrances for residents in conformance with the Stoop frontage requirements with a projected portico with roof overhang in front of a recessed entrance with double columns on each side. The clubhouse incorporates a generously proportioned Porch Engaged frontage with a central gabled canopy entrance with a peaked roof form and arcade which shelters an outdoor patio. The commercial spaces in the mixed-use buildings will have a Shopfront frontage with recessed entrances and awnings, along with brick veneer with a wainscot base.</p>	<p>Yes</p>
<p>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.</p>	<p>The windows are vertically proportioned 3' wide by 5' wide single hung windows that are stacked on all floors. The window trim is greater than 2" wide.</p> <p>The interior display lighting at commercial windows will be shielded and not visible from the exterior. This will be incorporated into the tenant improvements for each commercial space.</p>	<p>Yes</p>

Regulation			Analysis	Meets									
<p>20.110.014 (l) (13) Architectural Standards: Glazing. The ground floor of commercial buildings shall be transparent for visual connection to the pedestrians and is usually necessary for most retail structures.</p> <table border="1"> <thead> <tr> <th>Transect</th> <th>Minimum Glazing on Primary Facades</th> <th>Minimum Transparency on Primary Facades</th> </tr> </thead> <tbody> <tr> <td>T4-MS</td> <td>75% of pedestrian view plane</td> <td>75% of pedestrian view plane</td> </tr> <tr> <td>T4N-MV</td> <td>50% of pedestrian view plane</td> <td>25% of pedestrian view plane</td> </tr> </tbody> </table> <p>Between 25% and 60% of the second-floor façade and above shall be transparent glazing. Transparent glass shall possess a minimum 60% light transmittance factor.</p> <p>Areas of the buildings that are functionally restricted from providing vision glass may be exempted provided other architectural scaling techniques are employed.</p> <p>No highly reflective glazing shall be permitted within the lower 80% of the building façade (maximum reflectance factor of .20). No first-floor reflective coating is permitted.</p>			Transect	Minimum Glazing on Primary Facades	Minimum Transparency on Primary Facades	T4-MS	75% of pedestrian view plane	75% of pedestrian view plane	T4N-MV	50% of pedestrian view plane	25% of pedestrian view plane	<p>The residential buildings will have transparency based on the T4N-MV standard. The commercial spaces within mixed-use buildings will have transparency based on the T4-MS standards.</p> <p>All building facades will incorporate glazing in conformance with the requirements of this code section.</p> <p>No first floor reflective coating is permitted.</p> <p>This requirement will be reviewed at the time of building permit submittal. Compliance with this code section is required prior to building permit issuance.</p>	Yes
Transect	Minimum Glazing on Primary Facades	Minimum Transparency on Primary Facades											
T4-MS	75% of pedestrian view plane	75% of pedestrian view plane											
T4N-MV	50% of pedestrian view plane	25% of pedestrian view plane											
Chapter 13.28 AMC, Stormwater													
<p>13.28.070 Applicability of the Utility. The following actions or applications for the following permit and/or approvals will require submittal for approval by the utility: site plans, design drawings, and operations and maintenance plans. Submittals shall be consistent with the provisions of this Code, and shall comply with the stormwater manual and engineering standards:</p> <p>(3) New Development</p>			<p>The proposed project is subject to meeting the required stormwater regulations for the site. 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.</p>	Yes									

F. PUBLIC COMMENTS

Public Comment	Response
<p>Public comments received during the Notice of Application and MDNS comment periods, along with the Neighborhood Meeting, and Notice of Public Hearing for the Arlington Garden Apartments mixed-use development project, Binding Site Plan PLN #1263 and Conditional Use Permit PLN #1264.</p> <p>Below is a summary of the comments and concerns that were submitted to the city by agencies or citizens during the public comment periods. The original comments submitted are shown in the exhibits for this project and are labeled with each comment.</p>	<p>Below is a summary of the responses provided by city staff for those comments received during the public comment periods.</p>
<p>WSDOT Aviation – Exhibit #45</p> <p>The letter provided information that the property is located in Compatibility Zone 6 and listed that the proposal was permitted. Requirements were listed, such as height hazard obstructions, airspace hazards, and notification to future residents of their proximity to the Arlington Municipal Airport.</p>	<p>Requirements from this comment letter was incorporated into the conditions of the permit in Section H.</p>
<p>Department of Archaeology and Historic Preservation – Exhibit #33 and Exhibit #95</p> <p>The first comment letter received (Exhibit #95) requested an Archaeological Survey of the site. The second comment letter received (Exhibit #33) stated that DAHP concurred with the Archaeological Survey that was submitted.</p>	<p>After the first comment letter was received, staff forwarded the information to the applicant to let them know that an archaeological survey would be required for the site. The applicant completed an archaeological survey and it was submitted back to DAHP for review.</p> <p>A condition from the second comment letter was incorporated into the conditions of the permit in Section H.</p>
<p>Stillaguamish Tribe of Indians – Exhibit #96</p> <p>The comments requested notification of archaeological field work associated with the project as well as the opportunity to review a draft of the archaeological survey report.</p>	<p>Staff forwarded this information to the applicant to let them know to notify the Stillaguamish Tribe of Indians prior to completing the archaeological field work. The Tribe was sent the archaeological survey with the revised SEPA MDNS and no additional comments were received.</p>
<p>Public Utility District No. 1 of Snohomish County – Exhibit #31</p> <p>The comments stated that there was enough electrical system capacity to serve the proposed development and provided regulations for electrical facilities and easements.</p>	<p>Staff forwarded this information to the applicant so they would be informed of the requirements of Snohomish County PUD.</p>
<p>The following comments (Exhibits #46 to #102, minus agency comments) were received during the Notice of Application and SEPA MDNS public comment periods. All public comments received expressed concern with at least one of the following: roads, traffic, utilities, parking, noise, lighting, low-income apartments, apartments in general, critical areas and wildlife, and the impact to the Arlington School District.</p> <p>Each public comment below has an exhibit number to see the original comment.</p>	

Public Comment	Response
Jennifer Taton – Exhibit #46	<p data-bbox="797 117 1442 369">Staff issued one comment letter response to public comments received during the Notice of Application comment period (Exhibits #46 through #102), minus the agency comments. The city comment letter is provided as Exhibit #43 and includes the following topics and information:</p> <ul data-bbox="849 384 1276 804" style="list-style-type: none"> • Background of the Property • Permitting Process • Comprehensive Plan • Roads and Traffic • Utilities • Parking • Noise and Lighting • Apartments • Critical Areas and Wildlife • Floodplain • Arlington Public Schools
Elizabeth Vincenzi – Exhibit #47	
John Walker – Exhibit #48	
Tyler Walton – Exhibit #49	
Donna Huckabay – Exhibit #50	
Joan Anderson – Exhibit #51	
Paige Anderson – Exhibit #52	
Bill and Robin Kmet – Exhibit #53	
Rob Wagy – Exhibit #54	
Maureen Frandsen – Exhibit #55	
Kathy Whitley (Lindquist) – Exhibit #56	
Aarene Storms – Exhibit #57	
Michelle Dietz – Exhibit #58	
Rod Halstead – Exhibit #59	
Stephen Younger – Exhibit #60	
S. Stovall – Exhibit #61	
Shane Mason – Exhibit #62	
Tracie Sea – Exhibit #63	
Jenny B. – Exhibit #64	
Jeremy Robling – Exhibit #65	
Patricia Garrett – Exhibit #66	
Nikki Starup – Exhibit #67	
Leigh Kellogg – Exhibit #68	
Heidi Swanson – Exhibit #69	
Melia Fletcher – Exhibit #70	
Azra Grudic – Exhibit #71	
Samantha McCarty – Exhibit #72	
Dominic Johnson – Exhibit #73	
June Bohannon – Exhibit #74	
Jennifer McCormick – Exhibit #75	

Public Comment	Response
Millie Wilcoxson – Exhibit #76	<p data-bbox="797 121 1435 373">Staff issued one comment letter response to public comments received during the Notice of Application comment period (Exhibits #46 through #102), minus the agency comments. The city comment letter is provided as Exhibit #43 and includes the following topics and information:</p> <ul data-bbox="846 384 1276 806" style="list-style-type: none"> • Background of the Property • Permitting Process • Comprehensive Plan • Roads and Traffic • Utilities • Parking • Noise and Lighting • Apartments • Critical Areas and Wildlife • Floodplain • Arlington Public Schools
Andrew Wilson – Exhibit #77	
Jamie Wilson – Exhibit #78	
Mitchell Matronic – Exhibit #79	
David Hovik – Exhibit #80	
Kirsten Marsh – Exhibit #81	
Sarah Tsoukalas – Exhibit #82	
Trinidy Linger – Exhibit #83	
Maureen Frandsen – Exhibit #84	
Scott Robertson – Exhibit #85	
Cynthia Drinkwater – Exhibit #86	
Lelia Beakey – Exhibit #87	
Carol Howe – Exhibit #88	
Lynda and Mike Thomas – Exhibit #89	
Larry Adamski – Exhibit #90	
Carl Fargon – Exhibit #91	
Ron and Vickie Johnson – Exhibit #92	
Ardie Ogden – Exhibit #93	
Reidar and Nellie Thompson – Exhibit #94	
Todd and Brenda Leighton – Exhibit #97	
David Nelson – Exhibit #98	
Karen Bukis – Exhibit #99	
Curtis McCarty – Exhibit #100	
Britt Thompson – Exhibit #101	
Jonas Hylton – Exhibit #102	

Public Comment	Response
<p>Inslee Best – Exhibit #39 This comment letter was provided by an attorney on behalf of Reidar and Nellie Thompson. The letter included information regarding discrepancies with the classification of the wetland that is located on both the Thompson’s and subject property. They also supplied a third party evaluation letter of the subject wetland from Wetlands & Wildlife, Inc, along with excerpts from a delineation completed by Wetlands & Wildlife, Inc.</p>	<p>The city forwarded to the applicant, applicant’s attorney and the city attorney for review. There were discussions between the attorneys but there were no additional comments submitted to the city or responses from the city regarding this comment letter. This letter resulted in the City withdrawing the SEPA MDNS to ensure that all information was considered and reviewed. Response to Wetland, Fish and Wildlife Comments are shown in Exhibit #39.</p>
<p>Jeremy Robling – Exhibit #40 Comments included a statement he does not see in the project notice anything regarding impact to existing infrastructure, notably the impact on Hwy 530 and the surrounding arterials.</p>	<p>The city did not provide a comment letter as no questions were asked just statements made.</p>
<p>Rob Wagy – Exhibit #41 Comments included a question asking when the next public hearing would be because he does not see any infrastructure additions being required. More lanes and amendments to the roundabouts that already have too much traffic during peak hours, along with island crossing.</p>	<p>The city did not provide a comment letter.</p>
<p>Jenny Francisco – Exhibit #29 Comments included questions regarding the apartments being low income and not seeing any specific park/play area or basketball court in the plans. Concerns were raised about the Rivercrest Estates development mini basketball court not being open to the public and is private property owned by the HOA and new residents of the subject project would try to utilize their amenity.</p>	<p>Staff provided responses to the comment letter as shown in Exhibit #28.</p>
<p>Jeremy Robling – Exhibit #30 Comments included a statement that the city made the wrong choice as usual and that we don’t want any more stinkin apartments and we want the ones now to be affordable.</p>	<p>The city did not provide a comment letter as no questions were asked just statements made.</p>
<p>Reidar and Nellie Thompson – Exhibit #32 Comments include concerns with the critical area report and included: inconsistency and lack of justification for wetland boundary modification, buffer reduction without complying with mitigation standards, buffer enhancement plantings outside of the final buffer line, potential conflict of interest with Soundview consultants, repeated submission of inaccurate/ incomplete data by Soundview consultants, use of public funds for utility expansion and developer cost responsibility, request for clarification of multi-family housing across from a tier 2 cannabis processor/producer, and request for written response and disclosure of records.</p>	<p>Staff provided responses to the comment letter as shown in Exhibit #27.</p>

G. CONCLUSION & RECOMMENDATION

- (a) The applicant has applied for a Conditional Use Permit as required under AMC 20.16.
- (b) Under AMC 20.16.140(c), subject to Subsection (d) the designated decision-maker shall issue the requested permit unless it concludes, based upon the information submitted at a hearing if there is a hearing or by signed letter if there is not, that:

Regulation	Analysis	Meets
Chapter 20.16.140(c)		
(1) The requested permit is not within its jurisdiction according to the table of permissible uses.	The property is within the city limits and the City of Arlington Zoning Map identifies the subject property as General Commercial with Mixed-Use Overlay. 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 November 27, 2024.	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 a revised MDNS on September 26, 2025. No parties appealed the MDNS. Public comments received are documented and 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, 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 September 25, 2025, 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 October 2, 2025. 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 construction and final development shall meet all Title 20 AMC regulation requirements, along with all local, state, or federal code requirements.
5. The developer shall clear any outstanding Planning Division permit-processing accounts with the City within 60 days of issuance of this permit.
6. 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.
7. All public improvements along 59th Avenue NE and 211th Place NE shall be dedicated to the City of Arlington upon completion and acceptance of the improvements. City Council approves all dedications processed with Binding Site Plans; survey exhibits will be required from the applicant prior to the meeting.
8. The Native Growth Protection Area (NGPA) shall be dedicated to the City of Arlington upon completion and acceptance of the improvements. City Council approves all dedications processed with Binding Site Plans; survey exhibits will be required from the applicant prior to the meeting.
9. All proposed stream and wetland buffer mitigation from the Wildlife Habitat Assessment and Conceptual Buffer Averaging Plan completed by Soundview Consultants shall be implemented.
10. All lighting installed for the project shall be downshielded due to the proximity of the Arlington Municipal Airport.
11. Opaque landscape screening shall be installed and maintained between the parking lot and adjacent critical area buffers.
12. Recording of the approved Binding Site Plan shall take place within 30 days of the Applicant's acquisition of the subject property.
13. WDOT Right-of-Way
 - 13.1 If the City has not acquired the necessary WSDOT ROW required to construct 211th Place NE by the time the applicant receives their first occupancy permit for the Project, the applicant will modify its approved Conditional Use Permit and Binding Site Plan, pursuant to AMC 20.16.370 as needed to ensure code-compliant parking, sidewalk and landscaping where Drive F and Drive G dead-end along WSDOT frontage, adequate emergency vehicle and fire access, compliance with stormwater requirements, and enhanced landscaping along the WSDOT frontage of the Property.
 - 13.2 The City will issue occupancy permits: (i) upon the applicant posting a bond, or equivalent financial guarantee as approved by the City, sufficient to ensure construction of 211th Place NE as described in Condition 13.1, by the City, (ii) once required utility connections have been finalized, and (iii) demonstration by the applicant that all other applicable code and permit conditions have been met.

- 13.3 If the City acquires the WSDOT ROW within three years of the date the applicant receives their first occupancy permit for the project, the applicant shall construct the entirety of 211th Place NE as described in Condition 13.1, and upon final approval of the construction of the road construction of 211th Place NE, the City shall release the performance guarantee in exchange for a maintenance bond per applicable City requirements. If the City does not acquire the WSDOT ROW within three years of the date the applicant receives their first occupancy permit for the Project, the City will release the financial guarantee upon the applicant executing a reimbursement agreement with the City, guaranteeing that applicant or future property owner shall pay all costs, at prevailing wage, for the design and construction of WSDOT ROW; provided that the term of the reimbursement agreement does not extend more than five (5) years.
14. Applicant shall apply for land use entitlements of Lot 1 within seven (7) years of the date the applicant receives final approval for all applied building permits on Lot 2.
 15. The subject property may experience low-flying aircraft, aircraft engine and propeller noise, vibrations, and exhaust fumes. The property management company of the proposed apartments shall inform all future residents of these potential impacts and their proximity to the Arlington Municipal Airport.
 16. The proposed project shall not inhibit the Arlington Municipal Airport with smoke, glare, electronic interference, wildlife attractants, or any other airspace hazard.
 17. The proposed Traffic Impact Analysis from TENW does not account for the commercial building on Lot 1. Future permitting for Lot 1 requires a traffic analysis and/or addendum prior to approval of a land use permit and payment of additional traffic impact fees.
 18. Bicycle parking calculations for the commercial building on Lot 1 was not included under this permit. Future permitting for Lot 1 is required to provide this information and install bicycle racks.
 19. Transportation: The applicant shall construct frontage improvements that include curb, gutter, sidewalk, landscape planting strip, multi-modal trail, and pavement, along 59th Avenue NE, through the project site, along the future public roadway along the northern property line between the subject parcel and State Route 530. The applicant shall further construct an approximately 22 foot wide access road with an approximately 12 foot multi-modal trail from the property's east boundary parallel to State Route 530 and the currently existing 211th Place NE. An intersection shall be constructed at the connection point with the existing 211th Place NE, or other similar improvements subject to approval by the city engineer.

Civil Construction:

20. 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.
21. All stormwater is required to meet the most current adopted version of the Department of Ecology Stormwater Management Manual for Western Washington. The final drainage plan shall be approved with the Civil permit.
22. The Applicant is required to obtain utility permits from the City of Arlington for water and sanitary sewer connections.
23. The Applicant is required to provide an automatic irrigation system on the site. The proposed irrigation plan shall be submitted with the Civil Permit.

24. 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.
25. 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.
26. Due to the location of the property the developer shall contact the Arlington Municipal Airport prior to the use of cranes or equivalent on the property to ensure there are no height hazard obstructions.
27. The Applicant shall follow the Unanticipated Discovery Plan submitted on October 31, 2024. The Unanticipated Discovery Plan is required to be on-site and followed should archaeological resources or human remains be encountered.

Building:

28. 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.
29. The applicant shall submit building plans meeting the architectural standards of AMC 20.110, as approved with this permit.
30. Business Licenses for all contractors working on the site shall be required to obtain a City of Arlington Business License.
31. 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.
32. Issuance of any Certificate of Occupancy shall be limited to 49 residential units prior to the start of construction of the mixed-use buildings as shown on the approved site plan.
33. The buildings are required to meet the window glazing standards in AMC 20.110.014(l)(13) prior to approval of each building permit.

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

Arlington Garden Apartments Hearing Examiner documents are on file at the Community Development Office under Binding Site Plan – PLN#1263 and Conditional Use Permit – PLN#1264 and are available online on the City of Arlington’s public notice webpage.

Distributed to the Following Parties:

- Peregrin Sorter, Hearing Examiner
- Yoshi Kumara, Attorney
- Brad Machat, Applicant/Contact
- Will Penner, Applicant/Contact
- Courtney Flora, Applicant Attorney
- Emily Romanenko, City Attorney
- Amy Rusko, CED Director