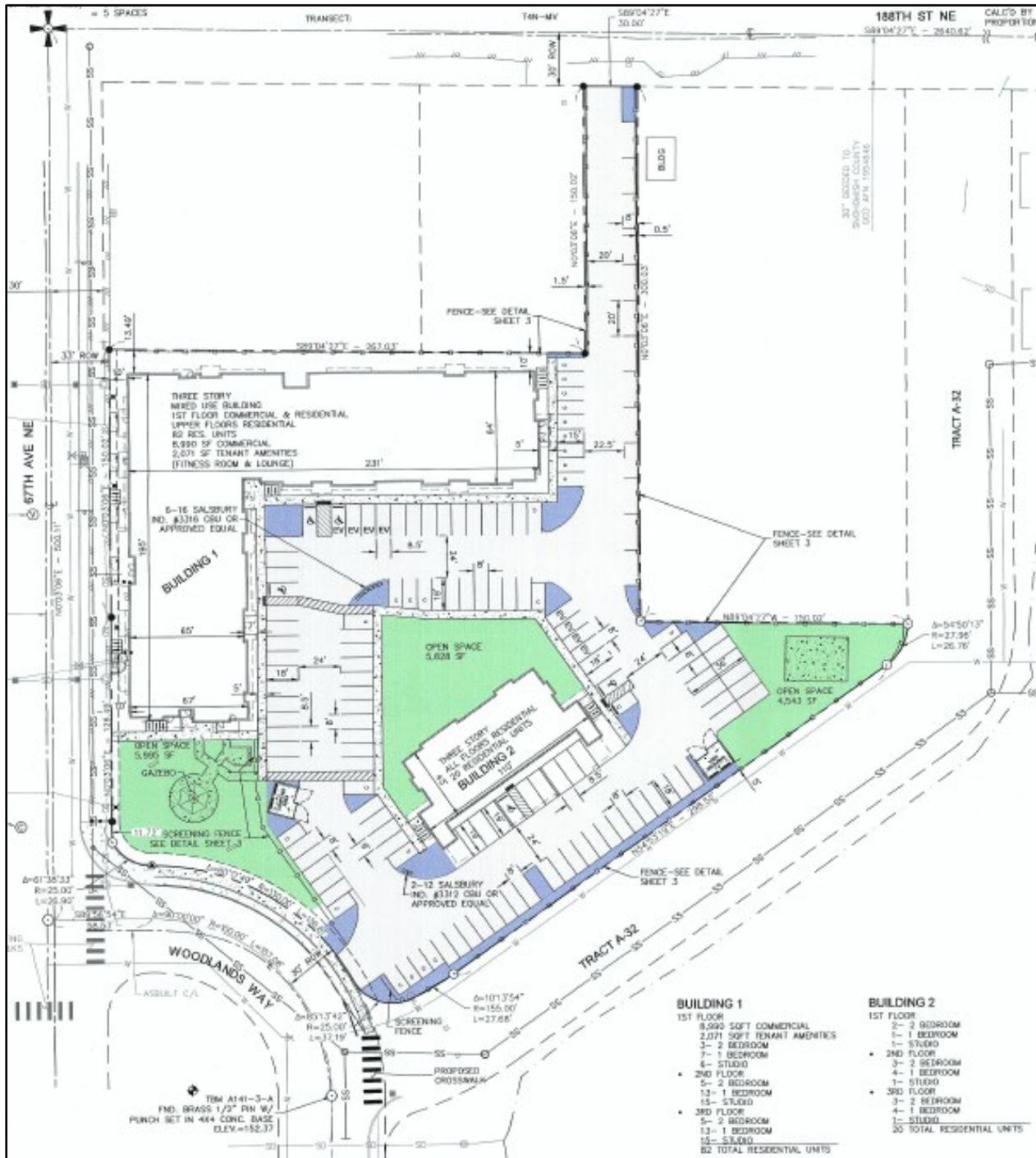




STAFF REPORT & RECOMMENDATION
 Ironwood Place
 Conditional Use Permit - PLN#912



A. PROJECT DESCRIPTION AND REQUEST

The applicant is proposing to construct a Mixed-Use Development (known as “Ironwood Place”) on 2.5 acres located at 18725 67th Avenue NE and 18620 Woodlands Way, Arlington, Washington, on parcel numbers 31052300200500 and 00738500103100. 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 Ironwood Place community consists of a mixed-use project with two buildings on the site consisting of 8,990 square feet of commercial space, 2,071 square feet of tenant amenities, and 102 multi-family residential units. The residential units provided within the project include 39 studio units, 42 one-bedroom units, and 21 two-bedroom units. Building 1 is a three-story building along the 67th Avenue frontage that will consist of commercial and tenant amenities on the ground floor with residential units on the upper floors. Building 2 is a three-story building located towards the rear of the property and will consist of residential units on all floors, with nine covered parking stalls on the ground floor.

The project improvements include 143 parking stalls (111 standard stalls, 19 compact stalls, 5 ADA stalls, and 8 EV stalls), gazebo, patio area, sports court, playground, sidewalk, open space, and landscaping. Stormwater runoff from the proposed development will be managed on-site through infiltration. Frontage improvements along 67th Avenue consists of replacing the existing driveway approaches with curb, gutter, sidewalk, and repairs to Centennial Trail as needed. Frontage improvements along Woodlands Way consists of replacing the existing rolled curb and sidewalk with curb, gutter, sidewalk, and landscaping.

The project site consists of a vacant 2.5-acre parcel that is primarily flat and zoned Neighborhood Commercial (NC) with Mixed Use Overlay (MXO). 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 and commercial uses to the north, residential uses to the east and south, and existing industrial manufacturing uses to the west of the proposed project. Access to the site is proposed in two locations, Woodlands Way and 188th Street NE. The soil underlying the subject properties consist of Lynnwood loamy sand. The project will be served by City of Arlington utilities.

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

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

Areas (“transects”) are defined by 6 zones with T-1 being least intense, a “Natural Zone” to T-6 being the most intense, “Urban Core Zone”. Arlington primarily consists of T-3, T-4 and T-5 uses and the Development Standards are predicated upon those three transects and four place types. The allowed uses and building types are described visibly on the Regulating Plan maps and in detail, in the Use Tables for each Place Type. The Ironwood Place project is in the *Mixed-Use Community Center* Place Type and *Transect T4N-MV* (Transect 4 Neighborhood Medium Volume). This allows for a mix of uses to provide an appropriate transition from a neighborhood main street environment into the residential areas, and to provide flexible buildings in a residential form that can allow a mix of residential and walkable local serving commercial and service uses.

B. PROJECT HISTORY

The application for a Conditional Use Permit was received on December 29, 2021. The application was deemed complete on January 18, 2022. The city issued review comment letters on January 24, 2022, December 16, 2022, March 24, 2023, March 28, 2023, and July 6, 2023. The applicant submitted revised plans and requested information on November 15, 2022, March 13, 2023, June 21, 2023, July 12, 2023, and August 3, 2023. The applicant received several resubmittal extension letters dated March 24, 2022, May 24, 2022, July 24, 2022, September 28, 2022, October 21, 2022, February 7, 2023, and May 23, 2023.

The Notice of Application 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 January 19, 2022.

The City issued a Mitigated Determination of Non-significance (MDNS) per AMC 20.98.120 on January 19, 2022. The notice was published in The Herald, posted on site, mailed to required parties, and posted on the City's website on January 19, 2022.

A Neighborhood Meeting was held February 15, 2022. Notice for the Neighborhood Meeting was published in The Herald, posted on site, mailed to required parties, and posted on the City's website on January 19, 2022.

A Public Hearing is to be held before the Hearing Examiner on August 10, 2023. The Notice of Public Hearing was posted on the City's website on July 19, 2023. The Notice of Public Hearing was posted on the site, mailed to required parties, and published in The Herald on July 20, 2023.

Additional Project Information

Parcel number 00738500103100 was originally part of the Gleneagle subdivision under the Plat of The Woodlands Sector 1 listed as Lot A-31. The Plat of The Woodlands Sector 1 was recorded under AFN 8504035005 (Exhibit 25) with a Statutory Warranty Deed granting additional right-of-way to the City of Arlington for the 67th Avenue improvements that were completed in 2001 under AFN 200109050123 (Exhibit 26).

The applicant met with the City of Arlington for a General Information Meeting on June 2, 2021. The City discussed this project with the applicant over several months prior to submittal, at this time the city believed that the 60-foot portion of land known as Tract A-32 of the Plat of The Woodlands Division A, Sector 1 had been dedicated to the city. The applicant developed a site plan using Tract A-32 as a new public roadway connecting Woodlands Way and 188th Street NE, shown as Brierwood Loop on the original site plan (Exhibit 6).

During the Notice of Application and SEPA comment period the city received public comment regarding Tract A-32. The comment stated that the Tract was not currently dedicated to the city. After further review of the documents and consultation with the city's legal counsel, it was concluded that the Tract is not currently dedicated as public right-of-way. There were many events that took place over the years that resulted in this Tract not being owned by the City of Arlington. To summarize the Tract was quit claimed to the city in 2001/2002 by the Gleneagle Homeowners Association under AFN 200202060084 (Exhibit 27). Shortly after the conveyance, the City started the process of declaring the Tract as surplus, since it was not the City's intentions at this time to open the route as a roadway by adopting Resolution No. 631 (Exhibit 28). A Superior Court Case ruled that everything that had been done by the Association's Board based on a public vote during the time period in question was void for lack of following proper protocols. The City then adopted Resolution No. 632 (Exhibit 29) to reverse Resolution No. 631. The City acquired a utility easement over Tract A-32 under AFN 200411180078 (Exhibit 30). The City quit claimed the Tract back to the Gleneagle Homeowners Association in 2004 under AFN 200411180079 (Exhibit 31). These actions were discussed at the City Council meetings on February 19, 2022, March 18, 2022, and April 1, 2022 (Exhibits 32, 33 and 34).

The roadway connection of Tract A-32 (Brierwood Loop) was still of interest to the city and the developer for access and connectivity for the project site. Since the subject Tract is owned by the Gleneagle Homeowners Association the applicant attended a Gleneagle Homeowners Association Board meeting on June 21, 2022. The city provided a letter of support to the applicant for the board

meeting (Exhibit 35). The applicant’s proposal was for the Gleneagle Homeowners Association to dedicate the land to the city and for the applicant of this project to make all improvements following public street standards. The Gleneagle Homeowners Association Board denied the project applicant’s request and stated that they would not be willing to put the request out for a vote to the Gleneagle Homeowners. The applicant then revised their site plan to remove the improvements to Tract A-32 and redesigned the site with access points from Woodlands Way and 188th Street NE.

At the time of the original submittal, city requested that the applicant save as many trees located at the corner of 67th Avenue NE and Woodlands Way on the site as possible. The applicant was willing to shift the second building to the east in order to meet this request. The site at the time was also utilizing Tract A-32 (Brierwood Loop) for a new public street. Since the applicant was not able to utilize Tract A-32 for a roadway, the trees at this location are not able to be saved due to the required site plan revisions and the location of the access driveway into the site from Woodlands Way.

The proposed project is required to install a 4-way stop at the 67th Avenue NE and 188th Street NE intersection prior to the final occupancy of the buildings. The City of Arlington has planned a signalized intersection at 67th Avenue NE and 188th Street NE and has the project listed as a 2024 Capital Improvement Project.

C. GENERAL INFORMATION

1. **Property Owner:** Grandview North, LLC
2. **Applicant:** Scott Wammack, Grandview North, LLC, gy@grandviewinc.net
3. **Contact:** Randy Devoir, Cascade Surveying & Engineering, randy@cascadesurveying.com
4. **General Location:** Southeast of the 67th Avenue NE and 188th Street NE Intersection
5. **Address of Property:** 18725 67th Avenue NE & 18520 Woodlands Way, Arlington WA 98223
6. **Property Legal Description (Abbreviated):** NW ¼, NW ¼, S 23, T 31 N, R 05 Quarter NW.
7. **Property Tax ID Numbers:** 31052300200500 & 00738500103100
8. **Topographical Description:** The existing site is relatively flat.
9. **Soil Type:** Lynnwood loamy sand, 0-3 percent
10. **Acreage:** 2.5 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	Neighborhood Commercial with Mixed Use Overlay	NC/MXO	Vacant
North of Site	Neighborhood Commercial with Mixed Use Overlay	NC/MXO	Single Family Residences & Verizon Telephone Building
South of Site	Residential Low Capacity	RLC	Single Family Residences & Vacant Land
East of Site	Neighborhood Commercial with Mixed Use Overlay and Residential Low Capacity	RLC	Single Family Residences
West of Site	General Industrial	GI	Manufacturing Industrial Businesses

12. Public Utilities and Services:

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

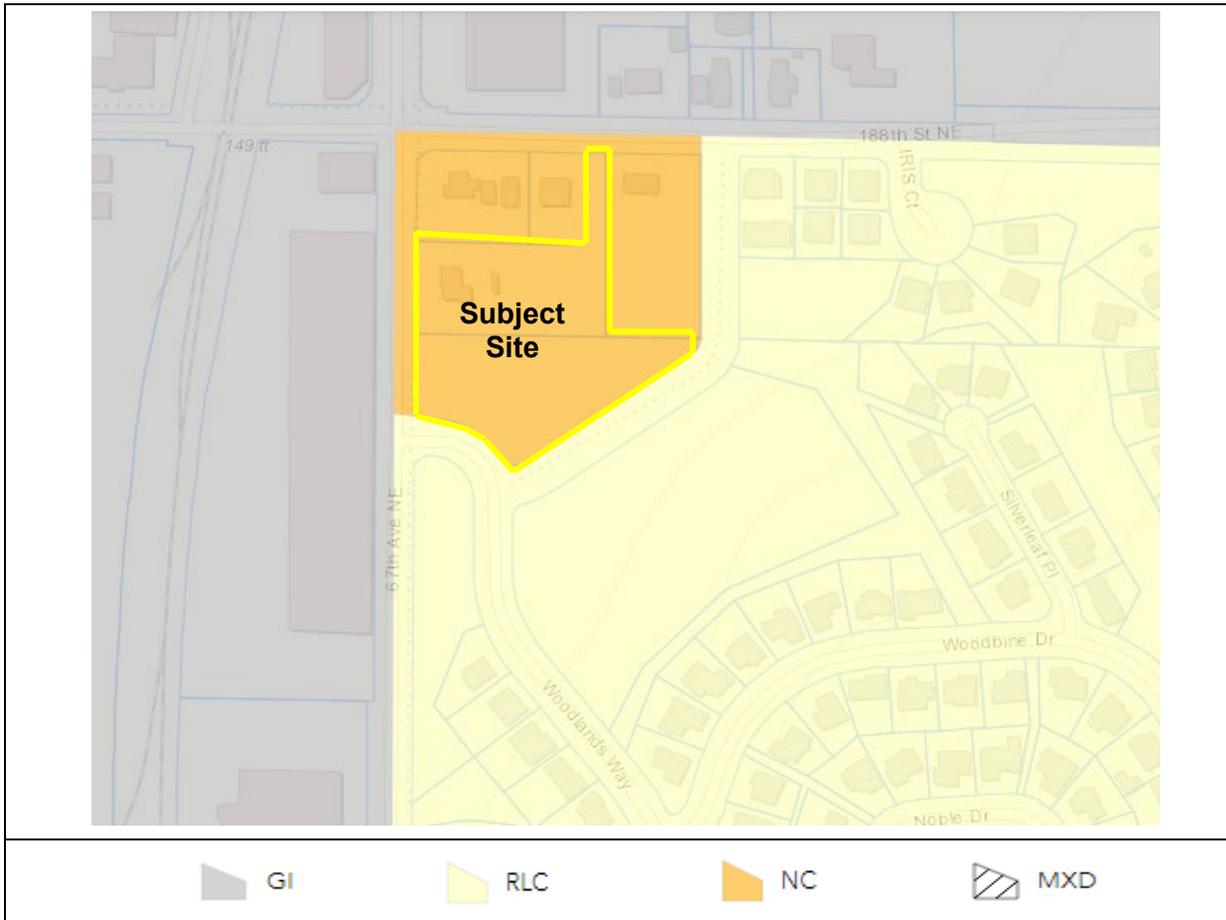
13. Applicable Land Use Code Regulations:

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

14. Proposed Use: The proposed project includes the construction of a 3-story mixed use building. The property is zoned Neighborhood Commercial with Mixed-Use Overlay. A Conditional Use Permit is required for this project per AMC 20.40 Permissible Uses.

15. Surrounding Land Uses and Land Use Permits: Surrounding properties of the subject parcel are zoned Neighborhood Commercial with Mixed-Use Overlay to the north and east, Residential Low Capacity to the south and east, and General Industrial to the west. The property abuts 67th Avenue NE, Woodlands Way, and 188th Street NE.





16. Compatibility and Impacts on Existing Development: The proposed development is urban in nature as required by the Washington State Growth Management Act. The neighboring properties to the north and east are zoned Neighborhood Commercial with Mixed-Use Overlay and are occupied by single family residences and a Verizon Telephone building. The properties to the west are zoned General Industrial and are occupied by industrial manufacturing businesses. The properties to the east and south are zoned Residential Low Capacity and are occupied by single-family residences. The Ironwood Place buildings are a mixed-use project. The development will add additional vehicular trips to the local roads and the applicant is subject to applicable traffic mitigation fees and 4-way stop intersection improvements. Pedestrian and bicycle access will be provided to the site from 67th Avenue, Woodlands Way, and 188th Street NE to ensure non-motorized travel. Minor light pollution may be visible from adjacent properties.

17. Compatibility with the Comprehensive Plan:

Policy	Policy Description Summary
GO - 1	Ensure City Goals and Policies are consistent with the Growth Management Act.
GO - 3	Work towards promoting and maintaining an urban environment within the City that enhances livability for its residents.
PO-6.1	Building architecture in residential and commercial developments should be human scaled and conducive to social interaction.
PO-6.3	Mini Parks should be required with new residential developments.
PO-6.4	Land-use developments should be conducive to social interaction.

Policy	Policy Description Summary
PO-6.5	Public and private civic spaces should be included in both commercial and residential neighborhoods to ensure adequate gathering places.
PO-6.6	Design standards should be enforced to ensure that all new developments are in harmony with the desired character of each subarea.
PH-2.1	Multi-family housing should be located close to commercial centers.
PH-2.3	Utilize mixed-use mechanisms to incentivize housing within close proximity to commercial uses.
PH-8.5.7	Based upon the monitoring and evaluation results from Policy 4.B.1, the City should evaluate the effectiveness of its zoning regulations to produce housing developments that meet the diverse housing needs identified in the Housing Characteristics and Needs Report for the community.
PL-3.1	The City should coordinate growth and development with adjacent jurisdictions to promote and protect inter-jurisdictional interests.
PL-7.2	Higher density residential uses should be located around commercial areas.
PL-7.3	Vertical and Mixed Use developments with a residential component should be permissible in designated zones within the City.
PL-9.1	Where commercial and residential areas abut, new development should include the design and construction of walkways, sidewalks, or other non-motorized features to integrate and link commercial activities to neighborhoods.
PT-1.9	Require developers to construct those streets directly serving new development and pay a fair-share fee for specific off-site improvements necessary to mitigate any adverse impacts.
PT-4.8	All developments in all zoning districts shall provide sufficient parking spaces to accommodate the number of vehicles that are likely to be attracted to the development.
PT-4.10	Require new construction to construct sidewalks, bicycle storage/parking facilities, and access to mass transit where possible and in proportion to the proposal.
PT-4.13	All public streets shall be constructed with curb, gutter, sidewalk, landscape strips and street trees.
PT-5.6	Provide ramps and curb cuts that comply with the Americans with Disabilities Act.
PP-1.4	New residential developments should be required to mitigate impacts to park, recreation, and open space through improvements to property.
PP-1.12	New residential developments should provide adequate on-site park space.
PS-1.7	The City should require new developments mitigate traffic impacts through at least two of the following methods as deemed acceptable by the City: dedication of right-of-way, frontage improvements, or traffic mitigation fees.

18. Public Notification:

Notice Type	Issuance Date	Meeting Date	Distribution
Notice of Complete Application	1/18/2022	N/A	Property Owner/Applicant
Notice of Application & Neighborhood Meeting	1/19/2022	2/15/2022	Property Owner/Applicant Property Owners (within 500ft) On-Site & Website Affected Agencies The Herald-published - 1/19/2022
SEPA MDNS Determination	1/19/2022	N/A	Property Owner/Applicant Property Owners (within 500ft) On-Site & Website Affected Agencies The Herald-published - 1/19/2022
Notice of Public Hearing	7/19/2023 7/20/2023	8/10/2023	Property Owner/Applicant Property Owners (within 500ft) On-Site Affected Agencies The Herald-published -7/20/2023 Website - 7/19/2023

19. Public Comments: The City received comments during the Notice of Application and Notice of SEPA MDNS Decision public comment periods and at the Neighborhood Meeting for the subject project. After review of the comments, the City forwarded the comments to the applicant for their review. Additional comments were received after the Notice of Public Hearing was issued and posted. The public comments are summarized in Section F and provided as Exhibits 37 – 47.

D. ENVIRONMENTAL REVIEW

The City issued a Mitigated Determination of Non-Significance on January 19, 2022. The 14-day comment period lasted until February 4, 2022. The public comments are summarized in Section F. After review of the initial comments, the City forwarded the comments to the applicant for their review.

E. FINDINGS OF FACT

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

Regulation	Analysis	Meets
Chapter 20.16 AMC, Permits and Final Plat Approval		
20.16.100 (b) Conditional Use Permits are issued under this title only when a review of the application submitted, including plans contained therein, indicates that the development will comply with the provisions of this title if completed as proposed. All development shall occur strictly in accordance with such approved plans and applications.	The applicant submitted a conditional use permit for a mixed-use development project. The City provides a staff report to the Hearing Examiner and the Hearing Examiner is responsible for the permit decision. The decision is appealable to Snohomish County Superior Court.	Yes
20.16.110 Who May Submit Permit Applications. (a) Applications for zoning, special use, conditional use, or sign permits or subdivision plat approval will be accepted only from persons having the legal authority to take action in accordance with the permit or the subdivision plat approval. By way of illustration, in general this means that applications should be made by the owners or lessees of property, or their agents, or persons who have contracted to purchase property contingent upon their ability to acquire the necessary permits under this title.	The owner of the property is Grandview North, LLC and the owner of the corporation, Scott Wammack, signed the permit application that was 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, Grandview North LLC, has designated Randy Devoir with Cascade Surveying and Engineering, as the official representative for the subject permit.	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 June 2, 2001.	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 application on December 29, 2021.	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 Ironwood Place mixed-use project became vested on January 18, 2022 with the issuance of the Notice of Complete Application. The required impact fees for the subdivision do not vest with the project and the fee in place at the time of payment is the amount due.</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 Ironwood Place mixed-use development conditional use permit.</p>	<p>Yes</p>
<p>20.16.205 (c) Complete Application. Within 28 days of after 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 December 29, 2021. The City issued a Notice of Complete Application on January 18, 2022. 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 application was routed to all effected city departments on January 4, 2022, and after each resubmittal on November 15, 2022, March 23, 2023, June 21, 2023, July 12, 2023, and August 3, 2023.</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 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 August 4, 2023 for review prior to the public hearing.</p>	<p>Yes</p>
<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 January 19, 2022. The notice was advertised in the Everett Herald, posted on the site, city website, post office, city hall, Arlington library, and mailed to all property owners within 500 feet of the property. The comment period was open until February 4, 2022. Public comments received are stated in Section F below.</p>	<p>Yes</p>

Regulation	Analysis	Meets																																								
<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 January 19, 2022. The notice was advertised in the Everett Herald, posted on the site, city website, post office, city hall, Arlington library, and mailed to all property owners within 500 feet of the property. The Neighborhood Meeting was held on February 4, 2022. Public comments received at the meeting are stated in Section F below.</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: (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 Ironwood Place mixed-use development conditional use permit was taken to Public Hearing on day 96 of the 120 day timeframe per the following dates:</p> <table border="1" data-bbox="800 716 1312 1329"> <thead> <tr> <th>Action</th> <th>Date</th> </tr> </thead> <tbody> <tr><td>Notice of Complete Application</td><td>1-18-2022</td></tr> <tr><td>1st Comments Issued</td><td>1-24-2022</td></tr> <tr><td>1st Resubmittal Extension</td><td>3-24-2022</td></tr> <tr><td>2nd Resubmittal Extension</td><td>5-24-2022</td></tr> <tr><td>3rd Resubmittal Extension</td><td>7-24-2022</td></tr> <tr><td>4th Resubmittal Extension</td><td>9-28-2022</td></tr> <tr><td>5th Resubmittal Extension</td><td>10-21-2022</td></tr> <tr><td>2nd Submittal</td><td>11-15-2022</td></tr> <tr><td>2nd Comments Issued</td><td>12-16-2022</td></tr> <tr><td>6th Resubmittal Extension</td><td>2-7-2023</td></tr> <tr><td>3rd Submittal</td><td>3-13-2023</td></tr> <tr><td>3rd Comments Issued</td><td>3-24-2023</td></tr> <tr><td>Updated 3rd Comments Issued</td><td>3-28-2023</td></tr> <tr><td>7th Resubmittal Extension</td><td>5-23-2023</td></tr> <tr><td>4th Submittal</td><td>6-21-2023</td></tr> <tr><td>4th Comments Issued</td><td>7-6-2023</td></tr> <tr><td>5th Submittal</td><td>7-12-2023</td></tr> <tr><td>6th Submittal</td><td>8-3-2023</td></tr> <tr><td>Public Hearing</td><td>8-10-2023</td></tr> </tbody> </table>	Action	Date	Notice of Complete Application	1-18-2022	1 st Comments Issued	1-24-2022	1 st Resubmittal Extension	3-24-2022	2 nd Resubmittal Extension	5-24-2022	3 rd Resubmittal Extension	7-24-2022	4 th Resubmittal Extension	9-28-2022	5 th Resubmittal Extension	10-21-2022	2 nd Submittal	11-15-2022	2 nd Comments Issued	12-16-2022	6 th Resubmittal Extension	2-7-2023	3 rd Submittal	3-13-2023	3 rd Comments Issued	3-24-2023	Updated 3 rd Comments Issued	3-28-2023	7 th Resubmittal Extension	5-23-2023	4 th Submittal	6-21-2023	4 th Comments Issued	7-6-2023	5 th Submittal	7-12-2023	6 th Submittal	8-3-2023	Public Hearing	8-10-2023	<p>Yes</p>
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<p>Chapter 20.24 AMC, Hearing and Pre-Hearing Procedures For Appeals and Applications</p>																																										
<p>20.24.010 Hearing Required on Appeals and Applications. (a) Before making a decision on an application for a conditional use permit, a hearing shall be held on the matter by the appropriate hearing body.</p>	<p>The proposed Ironwood Place mixed-use development project is subject to a Public Hearing before the Hearing Examiner for the conditional use permit.</p>	<p>Yes</p>																																								
<p>20.24.020 Public Notice. The Community and Economic Development Director shall give public notice of any hearing required by 20.24.010 or 20.16.230 for special use permits, conditional use permits or variances, or any other required public notices.</p>	<p>The city issued a Notice of Public Hearing on July 19, 2023 on the city website and July 20, 2023 with the Everett Herald, posted on the site, post office, city hall, Arlington library, mailed to all property owners within 500 feet of the property, and emailed Party's of Record. The Public Hearing is scheduled for August 10, 2023.</p>	<p>Yes</p>																																								

Regulation	Analysis	Meets
Chapter 20.36 AMC, Zoning Districts and Zoning Map		
<p>20.36.020 Commercial Districts Established. (b) The Neighborhood Commercial (NC) zone is established to accommodate commercial activities that would meet the daily convenience needs of people residing or working in the environs.</p>	<p>The subject property for the proposed conditional use permit is zoned Neighborhood Commercial. The project provides commercial uses on the first floor of Building 1, facing 67th Avenue NE. The applicant is utilizing the mixed-use overlay on the property to construct residential units.</p>	<p>Yes</p>
<p>20.36.080 Mixed Use Overlay District Established. The mixed-use overlay district is hereby established as an “overlay” district, meaning that the underlying zoning applicable with each commercial zone remains as the primary or principal zoning designation. The overlay allows for a mix of diversified residential development to co-exist within a proportionate share of the commercially zoned areas of the highway commercial (HC), general commercial (GC), and neighborhood commercial (NC) zones where typical retail or other support services would be located, thus creating a walkable neighborhood concept. This promotes the creation of attractive, sustainable neighborhoods which enable walkability and less automobile dependency. The performance and design standards set forth in Chapter 20.110 place limitations on the characteristics of uses located in these districts.</p>	<p>The subject property for the proposed conditional use permit is zoned Neighborhood Commercial with the Mixed-Use Overlay. The proposed mixed-use buildings on the property are considered a permissible use by following the requirements of the Mixed-Use Development Regulations of AMC Chapter 20.110. The proposed project provides the creation of residential units within an established commercial area where tenants of the building have a walkable neighborhood.</p>	<p>Yes</p>
Chapter 20.38 AMC, Airport Protection District		
<p>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</p>	<p>The property is located under Airport Protection District – Subdistrict C.</p>	<p>Yes</p>
<p>20.38.090 Notice to Future Owners. In order to mitigate impacts to the Arlington Airport, and to provide notice to future property owners, all property owners within the Airport Protection Subdistricts A, B, and C seeking a land use or building permit or undertaking substantial reconstruction shall dedicate an avigation easement over their property to the City of Arlington. The language of the easement and notice shall be as provided by the airport, as approved by the city attorney and recorded with Snohomish County.</p>	<p>The applicant is required to obtain an Avigation Easement with the Arlington Municipal Airport prior to project completion. The Avigation Easement includes the applicant submitting 7480 forms that are compliant with the FAA.</p>	<p>Yes</p>

Regulation		Analysis					Meets																				
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 neighborhood commercial zone, as shown below, with a conditional use permit.					Yes																				
Chapter 20.40.130 AMC, Commercial and Mixed-Use Zones Permissible Use Table																											
Use	NC	OTBD-1	OTBD-2	OTBD-3	GC	CC	HC																				
Multi-Family Use Above a Permitted Non-Residential Use (Mixed-Use) ^{4,5,10}	ZSC	ZSC	ZSC	ZSC	ZSC	SC	ZSC																				
Multi-Family Use Horizontal to a Permitted Non-Residential Use (Mixed-Use) ^{1,2}	SC				SC	SC	SC																				
<ul style="list-style-type: none"> • ZSC = Zoning Permit, Special Use Permit, Conditional Use Permit per requirements of 20.40.020. • ¹ = Residential uses are only allowed in commercial zones when regulated by the mixed-use development regulations. • ² = Commercial Corridor uses are regulated by the mixed-use development regulations. • ⁴ = Subject to section 20.38.080 • ⁵ = Subject to Section 20.38.070 • ¹⁰ = Subject to Section 20.44.016 																											
Chapter 20.52 AMC, Recreational Facilities and Open Space																											
20.52.010 Mini-Parks Required. (a) All residential developments shall provide recreational areas in the form of mini parks in an amount equal to 65 square feet per person expected to reside in that development. (b) For purpose of this section, studio and one-bedroom units shall be deemed to house an average of 1.4 persons and two-bedroom units shall be deemed to house an average of 2.2 persons.		<p>The applicant has proposed the required mini-park space on the site per the calculations below.</p> <table border="1"> <thead> <tr> <th># of units</th> <th>Total Persons</th> <th>SF</th> <th>Total SF</th> </tr> </thead> <tbody> <tr> <td>39</td> <td>1.4 x 39 = 55</td> <td>65</td> <td>3,575</td> </tr> <tr> <td>42</td> <td>1.4 x 42 = 59</td> <td>65</td> <td>3,835</td> </tr> <tr> <td>21</td> <td>2.2 x 21 = 46</td> <td>65</td> <td>2,990</td> </tr> <tr> <td colspan="3">Total Square Feet</td> <td>10,400</td> </tr> </tbody> </table> <p>The applicant has proposed 10,923 square feet of mini-park space.</p>					# of units	Total Persons	SF	Total SF	39	1.4 x 39 = 55	65	3,575	42	1.4 x 42 = 59	65	3,835	21	2.2 x 21 = 46	65	2,990	Total Square Feet			10,400	Yes
# of units	Total Persons	SF	Total SF																								
39	1.4 x 39 = 55	65	3,575																								
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21	2.2 x 21 = 46	65	2,990																								
Total Square Feet			10,400																								
20.52.020 Mini-Parks: Purpose and Standards. (c) For developments of more than fifty dwelling units, at least two recreation facilities shall be provided for the first fifty dwelling units and at least one additional recreation facility for every twenty-five dwelling units or fraction thereof.		<p>The project proposes a total of 10,923 square feet of mini park on the site through the following amenities:</p> <ol style="list-style-type: none"> 1. Play Equipment 2. Sport Court 2. Gazebo and Patio Area 3. Picnic Areas with Tables and Benches 5. Tenant Lounge 					Yes																				
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>The applicant is required to pay Community Park Impact Fees for 102 multi-family residential units. The fee amount is located under 20.90 as part of this report.</p>					Yes																				

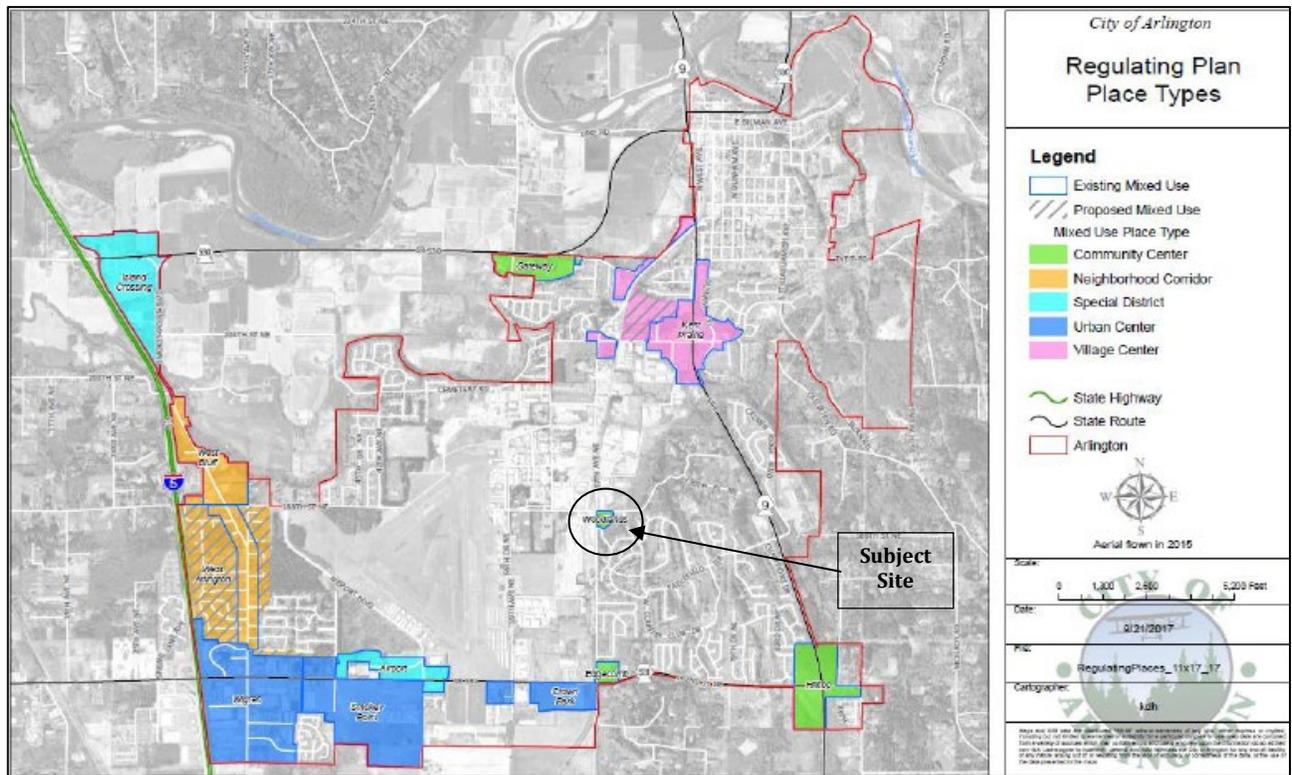
Regulation	Analysis	Meets
Chapter 20.56 AMC, Streets and Sidewalks		
<p>20.56.030 Access to Lots. Every lot shall have access to it that is sufficient to afford a reasonable means of ingress and egress for emergency vehicles as well as for all those likely to need or desire access to the property in 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 through the public streets of 188th Street NE and Woodlands Way. Pedestrian and bicycle access to the property can also be made from 67th Avenue NE from the Centennial Trail.</p>	Yes
<p>20.56.050 Entrances to Streets. (a) All driveway entrances and other openings onto streets within the city’s planning jurisdiction shall be constructed so that:</p> <ol style="list-style-type: none"> 1. Vehicles can enter and exit from the lot in question without posing any substantial danger to themselves, pedestrians, or vehicles traveling in abutting streets, and 2. Interference with the free and convenient flow of traffic in abutting or surrounding streets is minimized. 3. Driveway cuts shall be limited so the narrowest width necessary to provide safe ingress and egress onto and from the property. 4. Driveways shall not be located adjacent to one another in such a manner as to create a “double width” driveway without any landscaping between the driveways. 	<p>The proposed mixed-use development project provides driveway access to each building lot from internal private drive aisles. The proposed project complies with the following City of Arlington Standards and Specifications:</p> <ul style="list-style-type: none"> • The proposed entrances have the appropriate signage, stop bars, and crosswalks to protect vehicles, pedestrians, and bicyclists. • The proposed driveway entrances are located in the areas that would have the least interference with surrounding streets. • The proposed driveway cuts are 20’ from 188th Street and 24’ from Woodlands Way. Both are within the allowed width limits to provide safe access to the site. • The proposed driveways are not “double width” and are private drive aisles to accommodate a vehicle moving in both directions . 	Yes
<p>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.</p>	<p>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. The Woodlands Way access point location is to be finalized with the Civil plans.</p>	Yes
Chapter 20.60 AMC, Utilities		
<p>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.</p>	<p>The proposed project is required to connect to City of Arlington Sanitary Sewer. The construction of utilities will take place after Civil Permit approval and shall meet all requirements of the Public Works Construction Standards and Specifications.</p>	Yes

Regulation	Analysis	Meets
20.60.300 Water Supply System Required. Every principal use and every lot within a subdivision shall be served by a water supply system that is adequate to accommodate the reasonable needs of such use or subdivision lot and that complies with all applicable health regulations.	The proposed project is required to connect to City of Arlington water. The construction of utilities will take place after Civil Permit approval and shall meet all requirements of the Public Works Construction Standards and Specifications.	Yes
20.60.400 Lighting Requirements. (a) All public streets, sidewalks, and other common areas or facilities shall be sufficiently illuminated to ensure security of property and the safety of persons using such streets, sidewalks and other common areas or facilities.	The proposed project shall provide sufficient lighting throughout the site that will illuminate the private drive, parking areas, and residences. The street lighting along 67 th Avenue are required to comply with the Complete Streets Lighting Guide. The final lighting plan shall be approved with the civil permit.	Yes
(d) All outdoor lights shall be low sodium or similar lamp type and be down shielded to prevent light pollution.	The proposed project shall provide low sodium or similar lamp type outdoor lighting. All lighting is required to be down shielded to prevent light pollution. The final lighting shall be approved with the civil permit.	Yes
20.60.410 Excessive Illumination. Lighting within any lot that unnecessarily illuminates any other lot or public right-of-way and substantially interferes with the use or enjoyment of such other lot or public right-of-way is prohibited.	The proposed project shall provide down-shielded lighting that illuminates the site but does not shine onto neighboring properties or public rights-of-way. The final lighting shall be approved with the civil permit.	Yes
20.60.450 Underground Utilities. All existing, extended, new electrical power lines, telephone, gas distribution, cable television, and other communication and utility lines shall be placed underground in accordance with the specifications and policies of the respective utility service providers and located in accordance with the Public Works Construction Standards and Specifications.	All proposed utilities to and on the site shall be located underground. All utility lines are required to be shown on the Civil plans and shall be approved by the City of Arlington prior to construction activities on the site.	Yes
Chapter 20.72 AMC, Parking		
20.72.060 Parking Area Surface. (a) All parking areas shall be graded and surfaced with asphalt, concrete or other material that will provide equivalent protection against potholes, erosion, and dust. Specifications for surfaces meeting the standard set forth in this subsection are contained in the Public Works Construction Standards and Specifications. (b) Parking spaces shall be appropriately demarcated with painted lines or other markings. (c) Parking areas shall be properly maintained in all respects.	The project site plan shows paving throughout all drive aisles and parking spaces on the site and the striping of all parking spaces. These requirements shall be reviewed and approved through the Civil permit.	Yes

Regulation	Analysis	Meets												
<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>												
<p>Chapter 20.90 AMC, Concurrency & Impact Fees</p>														
<p>20.90.032 Interlocal Agreements Allowed. Pursuant to state law, the council may enter into an interlocal agreement, with any jurisdiction, that requires reciprocal traffic mitigation for extraterritorial impacts to one another's transportation systems. The city has an interlocal agreement with Snohomish County for traffic impact fees.</p>	<p>The applicant provided a Traffic Impact Analysis prepared by Gibson Traffic Consultants, (aka Kimley Horn) in November 2021. The report identified one Snohomish County project that is impacted due to the proposed development. The 67th Avenue NE and 152nd Street NE intersection under INT-007. Snohomish County bases mitigation fees from Peak Hour Trip calculations that are listed below.</p> <table border="1" data-bbox="800 932 1321 1079"> <thead> <tr> <th>Traffic Fee</th> <th># Of Trips</th> <th>Total Amount</th> </tr> </thead> <tbody> <tr> <td>\$185</td> <td>55.5</td> <td>\$10,267.50</td> </tr> <tr> <td>\$157</td> <td>32.1</td> <td>\$5,039.70</td> </tr> <tr> <td colspan="2">Total</td> <td>\$15,307.20</td> </tr> </tbody> </table>	Traffic Fee	# Of Trips	Total Amount	\$185	55.5	\$10,267.50	\$157	32.1	\$5,039.70	Total		\$15,307.20	<p>Yes</p>
Traffic Fee	# Of Trips	Total Amount												
\$185	55.5	\$10,267.50												
\$157	32.1	\$5,039.70												
Total		\$15,307.20												
<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 Gibson Traffic Consultants, (aka Kimley Horn) in November 2021. The traffic analysis concluded that the proposed use would produce 77 new PM peak-hour-trips to the site up to 102 multi-family apartments and up to 12,870 square feet of commercial space. The city concurs with the amount proposed for City Traffic Impact Fees as shown below.</p> <table border="1" data-bbox="800 1486 1321 1560"> <thead> <tr> <th>Traffic Fee</th> <th># Of Trips</th> <th>Total Amount</th> </tr> </thead> <tbody> <tr> <td>\$3,355.00</td> <td>77</td> <td>\$258,335.00</td> </tr> </tbody> </table> <p>A memorandum to the traffic impact analysis was provide to the city in August 2023 confirming that the current evaluation of traffic is unchanged by the removal of Brierwood Loop (Tract A-32).</p>	Traffic Fee	# Of Trips	Total Amount	\$3,355.00	77	\$258,335.00	<p>Yes</p>						
Traffic Fee	# Of Trips	Total Amount												
\$3,355.00	77	\$258,335.00												
<p>20.90.230 School Impact Fees. Each development activity, as a condition of approval, shall be subject to the school impact fee of \$3,455 per two/+ bedroom multi-family dwelling unit.</p>	<p>The applicant is required to pay the following Arlington School District Impact Fee.</p> <table border="1" data-bbox="800 1864 1321 1938"> <thead> <tr> <th>School Fee</th> <th>2-Bed Units</th> <th>Total Amount</th> </tr> </thead> <tbody> <tr> <td>\$3,455.00</td> <td>21</td> <td>\$72,555.00</td> </tr> </tbody> </table>	School Fee	2-Bed Units	Total Amount	\$3,455.00	21	\$72,555.00	<p>Yes</p>						
School Fee	2-Bed Units	Total Amount												
\$3,455.00	21	\$72,555.00												

Regulation	Analysis	Meets						
20.90.400 Community Parks Impact Fee. In addition to the requirements of mini parks, each residential development shall pay a Community Park impact fee of \$1,497 for each multi-family dwelling unit prior to issuance of a building permit.	<p>The applicant is required to pay the following Community Parks Impact Fee.</p> <table border="1" data-bbox="800 247 1328 352"> <thead> <tr> <th data-bbox="800 247 976 310">Community Park Fee</th> <th data-bbox="976 247 1122 310"># of units</th> <th data-bbox="1122 247 1328 310">Total Amount</th> </tr> </thead> <tbody> <tr> <td data-bbox="800 310 976 352">\$1,497.00</td> <td data-bbox="976 310 1122 352">102</td> <td data-bbox="1122 310 1328 352">\$152,694.00</td> </tr> </tbody> </table>	Community Park Fee	# of units	Total Amount	\$1,497.00	102	\$152,694.00	Yes
Community Park Fee	# of units	Total Amount						
\$1,497.00	102	\$152,694.00						
Chapter 20.93 AMC, Critical Area Ordinance								
20.93.230 Compliance. All land uses or development applications shall be reviewed to determine whether an environmentally critical area exists on the property for which the application is filed, what the action’s impact to any existing environmentally critical area would be, and what actions are required for compliance with this chapter.	The City of Arlington concludes that the subject property does not contain environmentally critical areas and does not impact nearby critical areas.	Yes						
Chapter 20.98 AMC, State Environmental Policy Act (SEPA)								
20.98.110 (a) Environmental Checklist. A completed environmental checklist in the form provided in WAC 197-11-960, shall be filed at the same time as an application for a permit, license, certificate, or other approval not specifically exempted in this ordinance. The City shall use the environmental checklist to determine the lead agency and for determining the responsible official and for making the threshold determination.	The applicant provided an environmental checklist with the application. The City of Arlington was determined to be the lead agency. A Mitigated Determination of Non-Significance was issued for the proposal on January 19, 2022. The comment period for the MDNS was from January 19, 2022 to February 4, 2022. The city received comments during the public comment period, which are listed under Section F	Yes						
Chapter 20.110 AMC, Mixed Use Development Regulations								
20.110.012 (d) Place Types. Place Types are defined by their location and by their intensity of use. The Mixed-Use Development Overlay Plan creates four “Place Type” overlay descriptions; Neighborhood Corridor, Neighborhood Community Center, Neighborhood Village Center, and Urban Center. In addition, due to their unique development context, two Special Districts were created. Special District I and Special District II with unique characteristics.	The proposed project is located in the Community Center place type established by the Mixed-Use Development Regulations.	Yes						

Regulating Plan Place Types



Regulation	Analysis	Meets
<p>20.110.012 (e) Transect Summary. Zone – T4 Neighborhood Medium Volume.</p> <p>Desired Form: Detached, Small to Medium Lot Width, Medium Footprint, Small to Medium Front Setback, Small to Medium Side Setback, Up to 3 Stories, Elevated Ground Floor, Primarily with Stoops and Porches.</p> <p>General Use: Primarily residential with smaller local serving uses in ancillary buildings.</p> <p>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 commercial adjacent to this zone and support public transportation.</p>	<p>The proposed project is located in the T4N-MV Transect of the Mixed-Use Development Regulations. The project has a medium footprint, built to 3 stories, and provides a wall plane along 67th Avenue. Building 1 utilizes vertical mixed use with commercial and retail uses located on the first floor and multi-family residential units on second and third floors. Building 2 utilizes horizontal mixed-use and is comprised of multi-family residential units. The project provides for a walkable neighborhood for future tenants with the commercial uses within the building and provides access to nearby commercial areas and employment opportunities.</p>	<p>Yes</p>

Regulating Plan Place Type: Community Center



City of Arlington
Regulating Plan
Place Type: Community Center

67th Ave/188th St
Woodlands Neighborhood

Legend

Mixed Use Areas
 Existing Mixed Use
 Proposed Mixed Use
 Regulating Code
 T4N MV

Aerial flown in 2015

Scale:
1 inch = 200 feet

Date:
8/21/2017

File:
RegulatingPWWoodlands_11x17_17

Cartographer:
kdn

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Regulation	Analysis	Meets
20.110.014(c)(2) Place Types. <u>Place Type:</u> Mixed Use Community Center <u>Location:</u> State Route 9 and 172 nd Street, State Route 530 and 211 th Street, State Route 531 and 67 th Avenue, and 188 th Street and 67 th Avenue. <u>Transect:</u> T4 Neighborhood Medium Volume (T4N-MV)	The proposed development is located within the Mixed-Use Community Center. The project is located southeast of the 188 th Street NE and 67 th Avenue NE Intersection and in the T4N-MV Transect.	Yes
20.110.014(c)(2) T4N-MV. <u>Intent:</u> 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.	The project provides a neighborhood main street building along the frontage of 67 th Avenue NE and a smaller residential building to the east utilizing horizontal mixed-use on the site creating a transition off the main street. This area is zoned neighborhood commercial and is intended to provide local commercial businesses and higher density along the 67 th Avenue corridor.	Yes
20.110.014(c)(2) Allowed Building Types. Mid-Rise	The project has proposed to utilize the Mid-Rise style building type with commercial and retail uses on the ground floor for building 1 and residential on all floors with structured ground floor parking.	Yes

Regulation		Analysis	Meets
20.110.014(c)(2) Building Form, Height.		The proposed architectural plans shows that the project meets the regulations and shall meet the requirements of this section through the building permit application submittal.	Yes
Main Building Stories	3 stories max.		
Ground Floor Ceiling Height: Residential	9' min. clear		
Ground Floor Ceiling Height: Retail/Service	12' min. clear		
Upper Floor Ceiling Height: Residential	9' min. clear		
Ground Floor Finish Level: Residential	24" min.		
Ground Floor Finish Level: Retail/Service	6" max.		
20.110.014(c)(2) Building Form, Footprint.		The proposed project has provided a ground floor space depth of 67 feet for the commercial and retail tenant spaces in building 1 and 55 feet for the residential in building 2. The entries to the commercial and retail tenant spaces are shown as evenly spaced and provide an entry for each commercial suite along the frontage of the building.	Yes
Ground Floor Space Depth: Residential	30' min.		
Ground Floor Space Front Depth: Retail/Service	30' min.		
Ground Floor Space Side Depth: Retail/Service	30' min.		
Distance Between Entries to Ground Floor:	50' min.		
20.110.014(c)(2) Building Placement, Build-to-Lines and Setbacks.		The proposed project has complied with the building placement and setbacks proposed per the site plan. The setbacks work well with the neighboring properties, access aisles, required landscaping, open space, and access.	Yes
Front	10' min. / 20' max.		
Side Street	10' min. / 20' max.		
Side - Main Building	10' min.		
Rear - Main Building	20' min.		
20.110.014(c)(2) Parking, Required Spaces.		<p>The proposed project was vested on January 18, 2022, prior to the city's parking code change that occurred in October of 2022.</p> <p>The proposed project is not required to provide a certain number of parking spaces for the residential uses on the site, however the parking is the responsibility of the owner or covenants of the property. If parking issues arise it is the responsibility of the owner to limit the number of cars a tenant can have on the site. Parking is not allowed off-site unless a parking agreement is reviewed by the city and recorded.</p> <p>The applicant has provided a total of 143 parking stalls on the site and provided a Parking Demand Study, dated October 2022 and submitted by Kimley Horn Traffic Consultants.</p>	Yes
Residential Spaces	No Spaces Required		
Retail/Services Uses < 3,500 sf	No Spaces Required 2/1,000 sf min.		
>3,500 sf			
Residential Spaces	0		
Retail / Commercial	8,990/1000 = 9		
Total Required	9 (x2) = 18		

Regulation	Analysis	Meets								
<p>20.110.014(c)(2) Parking, Location</p> <table border="1" data-bbox="159 212 737 359"> <tr> <td>Front Setback</td> <td>40' min.</td> </tr> <tr> <td>Side Street Setback</td> <td>15' min.</td> </tr> <tr> <td>Side Setback</td> <td>0' min.</td> </tr> <tr> <td>Rear Setback</td> <td>0' min.</td> </tr> </table>	Front Setback	40' min.	Side Street Setback	15' min.	Side Setback	0' min.	Rear Setback	0' min.	<p>The proposed project has complied with the location of parking, as shown on the site plan. Building 1 provides the parking to the east of the building and Building 2 provides parking setback from the side street.</p>	<p>Yes</p>
Front Setback	40' min.									
Side Street Setback	15' min.									
Side Setback	0' min.									
Rear Setback	0' min.									
<p>20.110.014(c)(2) Parking, Parking Drive Width</p> <table border="1" data-bbox="159 453 737 562"> <tr> <td>Front < 40 Spaces</td> <td>20' - 24'</td> </tr> <tr> <td>Front ≥ 40 Spaces</td> <td>20' - 24'</td> </tr> <tr> <td>Side Street/Alley</td> <td>20' - 24'</td> </tr> </table>	Front < 40 Spaces	20' - 24'	Front ≥ 40 Spaces	20' - 24'	Side Street/Alley	20' - 24'	<p>The proposed project has provided parking drive aisle widths of both 20' and 24' throughout the site, as shown on the site plan.</p>	<p>Yes</p>		
Front < 40 Spaces	20' - 24'									
Front ≥ 40 Spaces	20' - 24'									
Side Street/Alley	20' - 24'									
<p>20.110.014(c)(2) Encroachments and Frontage Types, Allowed Encroachments.</p> <table border="1" data-bbox="159 653 737 821"> <tr> <td>Front</td> <td>8' max.</td> </tr> <tr> <td>Side Street</td> <td>8' max.</td> </tr> <tr> <td>Side</td> <td>2'6" max.</td> </tr> <tr> <td>Rear</td> <td>2'6" max.</td> </tr> </table>	Front	8' max.	Side Street	8' max.	Side	2'6" max.	Rear	2'6" max.	<p>The proposed project has not shown any encroachments of the building into the setbacks established from the public right of way.</p>	<p>Yes</p>
Front	8' max.									
Side Street	8' max.									
Side	2'6" max.									
Rear	2'6" max.									
<p>20.110.014(c)(2) Encroachments and Frontage Types, Allowed Frontage Types.</p> <p>Shopfront</p> <p>Porch Projecting</p>	<p>Building 1 utilizes the Shopfront frontage type and Building 2 utilizes the Porch Projecting frontage type. There are no proposed encroachments, the applicant has provided a widened sidewalk for access to the commercial or retail spaces.</p>	<p>Yes</p>								
<p>20.110.014(c)(2) Use Table.</p> <table border="1" data-bbox="159 1087 737 1205"> <tr> <td>Residential: Multi-Family</td> <td>Allowed</td> </tr> <tr> <td>Retail</td> <td>Allowed</td> </tr> <tr> <td>Services</td> <td>Allowed</td> </tr> </table>	Residential: Multi-Family	Allowed	Retail	Allowed	Services	Allowed	<p>The proposed uses of the project are allowed on the site. The first floor of building 1 allows for commercial, retail, or service uses and the second and third floors accommodate the multi-family residential use. The first floor through third floor of building 2 allows for residential throughout.</p>	<p>Yes</p>		
Residential: Multi-Family	Allowed									
Retail	Allowed									
Services	Allowed									
<p>20.110.014(d) Private Frontage Types.</p> <p>Shopfront and Awning: A frontage where in the façade is aligned close to the frontage line with the building entrance at sidewalk grade. This type is conventional for retail use. It has substantial glazing on the sidewalk level and an awning that may overlap the sidewalk to the maximum extent possible.</p> <p>Porch Projecting: The main façade of the building has a small to medium setback from the frontage line. The resulting front yard is typically very small and can be defined by a fence or hedge to spatially maintain the edge of the street. The projecting porch is open on three sides and all habitable space is located behind the setback line.</p>	<p>Building 1 has proposed a frontage type of shopfront and awning on the west and south sides of the building that front the public streets. The commercial or retail store fronts provide access from the sidewalk with large windows for the businesses.</p> <p>Building 2 has proposed a frontage type of porch on the east and west sides of the building that face the public street on the west and the parking area to the east to provide residents access to the building.</p>	<p>Yes</p>								

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<p>20.110.014 (e) Building Types. Mid-Rise: This building type is medium to a medium to large sized structure, 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, or service uses and upper-floor service, or residential uses; or it may be used 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 and higher densities that promote walkability.</p>	<p>The proposed project is a medium to medium-large sized structure that incorporates structured parking in building 2, utilized the southern portion of the ground floor. Building 1 proposes commercial/retail on the first floor with multi-family residential on floors two and three, while building 2 proposes multi-family residential on all three floors.</p>	<p>Yes</p>																																														
<p>20.110.014 (f) Block, Thoroughfare, and Public Rights of Way Standards. This section requires block structure, walkability, connectivity, compliance with complete streets program, accessibility, pedestrian facilities, street scrape elements, bicycle facilities, intersection treatments, and meets the thoroughfare standards. Thoroughfare types for this project include a new public street to the north, private drive to the south and an alley within the project site.</p>	<p>The proposed project is located along 67th Avenue and Woodlands Way, with an access point to 188th Street. The frontage along 67th Avenue provides pedestrian and bicycle access from Centennial Trail. The frontage of 188th Street and Woodlands Way provides accessible vehicular, pedestrian, and bicycle access. The project has access from the north and south through public streets. The project complies with the complete street program and provides multiple modes of travel throughout the entire site.</p>	<p>Yes</p>																																														
<p>20.110.014 (g) Parking Standards.</p> <table border="1" data-bbox="155 1115 737 1304"> <thead> <tr> <th colspan="5">Table 20.110-8: Minimum Dimensional Requirements</th> </tr> <tr> <th>Angle</th> <th>Depth</th> <th>Two-Way Drive Aisle</th> <th>Width</th> <th>Length</th> </tr> </thead> <tbody> <tr> <td>Parallel</td> <td>8'</td> <td>20'</td> <td>8'</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> </tbody> </table> <table border="1" data-bbox="155 1339 737 1461"> <thead> <tr> <th colspan="3">Table 20.110-9: Parking and Loading Area Screening</th> </tr> <tr> <th>Zone</th> <th>Adjacent Zone</th> <th>Required Screening</th> </tr> </thead> <tbody> <tr> <td>T4, T5</td> <td>T4, or Residential Non-Transect Zone</td> <td>6' wall, fence, or evergreen hedge</td> </tr> </tbody> </table> <table border="1" data-bbox="155 1493 737 1854"> <thead> <tr> <th colspan="3">Table 20.110-10: Bicycle Parking Requirements</th> </tr> <tr> <th>Use Type</th> <th>Required Spaces</th> <th>Location</th> </tr> </thead> <tbody> <tr> <td>Residential: Multi-Family</td> <td>1 per 4 bedrooms</td> <td>Either within the building or within 25 feet of the building entrance</td> </tr> <tr> <td>Retail / Services</td> <td>4 stalls or 20% of the required off-street automobile parking spaces, whichever is greater up to a maximum of 30 bicycle spaces</td> <td>Within 50 feet of public entrance of the building and adjacent to a bicycle path and/or pedestrian walks</td> </tr> </tbody> </table>	Table 20.110-8: Minimum Dimensional Requirements					Angle	Depth	Two-Way Drive Aisle	Width	Length	Parallel	8'	20'	8'	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, whichever is greater up to a maximum of 30 bicycle spaces	Within 50 feet of public entrance of the building and adjacent to a bicycle path and/or pedestrian walks	<p>The proposed project provides parking on-site with surface and structured parking. The parking stalls are a mixture of parallel, perpendicular, and tandem. The site plan shows that the parking spaces are 8' x 18', 8' x 19', 8' x 20', and 8' x 36' with a two-way drive aisle of 20 and 24 feet.</p> <p>The project has provided screening of the parking areas by installing a fence and landscaping on the southwest portion of the site, as shown on the site plan.</p> <p>The project has provided 32 bicycle parking spaces on the site. The bicycle space location and rack details shall be provided on the Civil Plans.</p>	<p>Yes</p>
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<p>20.110.014 (h) Civic and Open Space Standards. Publicly accessible civic spaces are an essential component of 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="155 436 688 506"> <thead> <tr> <th>Total Area</th> <th>Percent</th> <th>Total SF</th> </tr> </thead> <tbody> <tr> <td>108,855</td> <td>X 5%</td> <td>5,443</td> </tr> </tbody> </table>	Total Area	Percent	Total SF	108,855	X 5%	5,443	<p>The proposed project has provided a walkable urban environment for the tenants of the building. The project has provided for 5,443 square feet of permanent open space on the site.</p>	<p>Yes</p>																																													
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<p>20.110.014 (i) Landscaping, Fencing, and Screening Standards. Landscaping shall be a major component of site design in order to create a city that has a strong landscaped character.</p> <table border="1" data-bbox="155 680 751 802"> <thead> <tr> <th rowspan="2">Zones</th> <th colspan="3">Landscaping Components</th> </tr> <tr> <th>Frontage Landscaping</th> <th>Parking Area Landscaping</th> <th>Automatic Irrigation</th> </tr> </thead> <tbody> <tr> <td>T4N-MV</td> <td>Required</td> <td>Required</td> <td>Not Required</td> </tr> </tbody> </table> <table border="1" data-bbox="155 835 751 1075"> <caption>Table 20.110-14: Required Interior Parking Lot Landscaping</caption> <thead> <tr> <th>Number of Parking Spaces</th> <th>Percent of Gross Parking Area in Landscaping</th> </tr> </thead> <tbody> <tr> <td>6 or fewer</td> <td>0%</td> </tr> <tr> <td>7-15</td> <td>4%</td> </tr> <tr> <td>16-30</td> <td>8%</td> </tr> <tr> <td>31-70</td> <td>12%</td> </tr> <tr> <td>71 and over</td> <td>16%</td> </tr> </tbody> </table> <table border="1" data-bbox="155 1108 751 1858"> <caption>Table 20.110-15: Tree Requirements for Parking and Lot Landscaping</caption> <thead> <tr> <th>Landscaping Component</th> <th>Description</th> </tr> </thead> <tbody> <tr> <td>Amount</td> <td>1 tree per 4 stalls*</td> </tr> <tr> <td>Can Size</td> <td>15 gallons</td> </tr> <tr> <td>Box Size</td> <td>20% must be 24 inches</td> </tr> <tr> <td>Caliper</td> <td>1" minimum</td> </tr> <tr> <td>Minimum Height at Installation</td> <td>6'8"</td> </tr> <tr> <td>Minimum Mature Canopy</td> <td>40'</td> </tr> <tr> <td>Characteristics</td> <td>High Branching, Broad Headed, Shaded Form</td> </tr> <tr> <td>Installation</td> <td>Root Barriers and Deep Root Irrigation</td> </tr> <tr> <td>Location</td> <td>Along the line between or at the back of parking bays. At both ends of a line of parking spaces. Evenly spaced to provide uniform shade.</td> </tr> <tr> <td>Required Border</td> <td>6" high curb or equivalent</td> </tr> <tr> <td>Border and Stormwater</td> <td>Curbs shall provide breaks every 4' to provide drainage to retention and filtration areas.</td> </tr> <tr> <td>Minimum Tree Well Width</td> <td>5'</td> </tr> <tr> <td>Car Overhangs</td> <td>Must be prevented by stops.</td> </tr> </tbody> </table>	Zones	Landscaping Components			Frontage Landscaping	Parking Area Landscaping	Automatic Irrigation	T4N-MV	Required	Required	Not Required	Number of Parking Spaces	Percent of Gross Parking Area in Landscaping	6 or fewer	0%	7-15	4%	16-30	8%	31-70	12%	71 and over	16%	Landscaping Component	Description	Amount	1 tree per 4 stalls*	Can Size	15 gallons	Box Size	20% must be 24 inches	Caliper	1" minimum	Minimum Height at Installation	6'8"	Minimum Mature Canopy	40'	Characteristics	High Branching, Broad Headed, Shaded Form	Installation	Root Barriers and Deep Root Irrigation	Location	Along the line between or at the back of parking bays. At both ends of a line of parking spaces. Evenly spaced to provide uniform shade.	Required Border	6" high curb or equivalent	Border and Stormwater	Curbs shall provide breaks every 4' to provide drainage to retention and filtration areas.	Minimum Tree Well Width	5'	Car Overhangs	Must be prevented by stops.	<p>The proposed project has provided landscaping throughout the property within the park, open space and parking areas.</p> <p>The project is not required to install irrigation, but the property owner may choose to install automatic irrigation on the site. If this is proposed then plans will need to be submitted, reviewed, and approved with the Civil Permit.</p> <p>The project has provided 20% shading in the parking lot area. The total area of shading is 9,251 square feet.</p> <p>The project is vested to the previous code that required 1 tree per 5 parking stalls. The landscape plans show that 31 trees are provided within the parking area.</p> <p>The landscape plans show all required landscaping components have been met. The interior shade trees between the building are proposed to be 1 ½" caliper between the buildings. The street frontage trees are proposed to be 2" caliper and be spaced every 30' on center. All trees will be planted with root barrier per the City of Arlington Standard R-260 along the public rights-of-way. All parking lot landscaping is proposed to be contained within planting beds with a minimum of 6" curbing that provides stormwater breaks.</p>	<p>Yes</p>
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<p>20.110.014 (i) Landscaping, Fencing, and Screening Standards. Fences shall be constructed of wood, metal, masonry, or other permanent materials designed for permanent fencing.</p> <table border="1" data-bbox="155 317 737 499"> <thead> <tr> <th colspan="3">Table 20.110-16: Maximum Height of Fences or Walls</th> </tr> <tr> <th>Location of Fence or Wall</th> <th>Maximum Basic Height</th> <th>Maximum Height Exceptions</th> </tr> </thead> <tbody> <tr> <td>Within front or street side setback</td> <td>4'</td> <td>6'</td> </tr> <tr> <td>Within interior side or rear setback</td> <td>6'</td> <td>8'</td> </tr> </tbody> </table>	Table 20.110-16: Maximum Height of Fences or Walls			Location of Fence or Wall	Maximum Basic Height	Maximum Height Exceptions	Within front or street side setback	4'	6'	Within interior side or rear setback	6'	8'	<p>The project has proposed a 6-foot solid privacy fence constructed of cedar along all property lines, except for the frontage along 67th Avenue.</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 2012 Stormwater Management Manual for Western Washington, with 2014 Updates.</p>	<p>The development is proposing to use infiltration on the site to manage the stormwater. All stormwater is required to meet the 2012 Stormwater Management Manual for Western Washington, with 2014 Updates. The final drainage plan 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="155 961 737 1178"> <thead> <tr> <th colspan="2">Table 20.110-17: Lighting Zones</th> </tr> <tr> <th>LZ-3</th> <th>T4N-MV</th> </tr> </thead> <tbody> <tr> <td colspan="2">Table 20.110-18: Total Site Lumen Limits</td> </tr> <tr> <td></td> <td>LZ-3</td> </tr> <tr> <td>Total site lumens allowed per square feet of impervious/semi-impervious surface area</td> <td>5.0 Lumens</td> </tr> </tbody> </table>	Table 20.110-17: Lighting Zones		LZ-3	T4N-MV	Table 20.110-18: Total Site Lumen Limits			LZ-3	Total site lumens allowed per square feet of impervious/semi-impervious surface area	5.0 Lumens	<p>The project has proposed lighting that meets the requirements of the T4N-MV transect. The proposed outdoor lighting is shown on sheet 2 of the site plan.</p>	<p>Yes</p>																		
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<p>20.110.014 (l) (1) Architectural Standards: Compatibility with Surrounding Developments. Arlington and Regional Compatibility Standard: At least one of the following elements:</p> <ol style="list-style-type: none"> 1. A roof overhang with a minimum depth of 4 feet where the entry is in a one-story form; 2. Recessed into the building to minimum depth of 3 feet; 3. An awning or canopy with a minimum depth of 4 feet; and/or 4. A gallery, where allowed in a Transect, construction per section 20.110.014(d) <p>Neighborhood Compatibility Standard:</p> <ol style="list-style-type: none"> 1. Materials and colors 2. Scale and proportions of form; 3. Scale, proportion, pattern, and approximate head heights of doors and windows; and 4. Approximate floor level elevations 	<p>The proposed development has met the compatibility of the surrounding developments.</p> <p>Regional Compatibility: The design of the building has incorporated design features to address the local weather and compliment regional aesthetics. Every entry either has a roof overhang, awning, canopy or is recessed back to create cover from the elements.</p> <p>Neighborhood Compatibility: The design is a craftsman style and proposed earth tone colors and natural materials, such as brick and wood-grain siding and trim. This site is in a transitional district and creates a model for future projects in the immediate area and are compatible with existing neighboring residential.</p>	<p>Yes</p>
<p>20.110.014 (l) (2) Architectural Standards: Compatibility within a Multiple Building Development. All buildings in a multiple building development, shall be designed with size, building massing, building materials, colors, and setbacks that are consistent within the place types in which they are located.</p>	<p>The proposed project consists of two buildings on the site that both have the same craftsman design, with similar colors and materials. This project is the first to develop in the neighborhood commercial mixed-use overlay transect.</p>	<p>Yes</p>
<p>20.110.014 (l) (3) Architectural Standards: Four-Sided Design. The building shall provide consistent architectural design and details to ensure consistent building details and proportions on all sides of the building. Roof equipment shall be screened from view of pedestrians and vehicles on all sides with a screen that is at a minimum the same height as the equipment. Utilities shall be 100% screened from the view of the public and internal streets.</p>	<p>The proposed project has architectural design and details on all four sides of the buildings, providing consistent style, colors and materials. The HVAC equipment shall be screened and designed to blend in with the building.</p>	<p>Yes</p>
<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, signage material shall be integrated into the overall design of the building. Signs shall be located to complement the architectural features of a building such as above the building entrance, storefront opening, or other similar features.</p>	<p>The proposed project does not have any dominate corporate or trademark architectural details. The project will provide signage for the name of the project. The individual commercial or retail businesses on the first floor of the building will submit proposed signage to the city for approval prior to installation. The signage shall meet all requirements of AMC 20.68 and blend in with the overall building.</p>	<p>Yes</p>

Regulation	Analysis	Meets
20.110.014 (l) (5) Architectural Standards: Building Height and Transition. Abrupt or severe differences in building scale or massing within mixed use developments, or in adjacent developments can dwarf or overwhelm the neighboring areas. Buildings shall be designed to minimize this difference in scale.	The project has proposed two three-story buildings, building 1 at 44 feet and building 2 at 40'4" in height to the peak of the roof. The design height of the building meets the requirements for the zone and there are no abrupt or severe differences in building scale or massing within the complex.	Yes
20.110.014 (l) (6) Architectural Standards: Building Materials. Building shall be attractive and durable. To insure this, buildings shall be constructed of high-quality materials and require minimal maintenance. The exterior building materials are classified according to their visual weight; and shall include Heavy, Light and Roofing Materials. Heavy materials shall be located below medium and light materials and medium materials below light materials.	The proposed buildings start with a brick and board & batten exterior surface surrounding the first floor. The color and material forms give the project a solid, recognizable base. The upper floors consist of hardie-plank and hardie-shake. These materials and colors represent the middle of the building. The roof material is proposed to be architectural composition roofing, which represents the top of the building. The combination of these colors and materials help define a distinctive bottom, middle, and top of the structure.	Yes
20.110.014 (l) (7) Architectural Standards: Building Modulation and Articulation. Long, large buildings can be monotonous if they contain large or long expanses of surface area with no detailing or shadow lines; recesses and projections in building walls help to proportion and subdivide the massing of large buildings. Any façade exceeding 30 feet in length shall include at least one change in wall plane, such as projections or recesses, having a depth of at least 3% of the entire length of the façade; this projection or recess shall extend over at least 20% of the entire length of the façade. A building base and building top shall be recognizable through materials, textures, treatments, and roofing.	The project has proposed many vertical and horizontal elements, including modulation and articulation on all sides of the building. The elevations show the bump outs, gable roofs, decks, entry canopies, and storefronts. In addition, the use of trellises and knee-braces throughout the project, creates additional shadow lines and interest. The buildings follow the typical northwest craftsman style with the eaves, overhangs, and brackets.	Yes
20.110.014 (l) (8) Architectural Standards: Building Scale. To ensure a comfortable pedestrian experience, the scale of large buildings shall be visually reduced by elements that divide a large building into smaller proportions. Building walls shall be subdivided and proportioned using features such as windows, entrances, storefronts, arcades, arbors, awnings, trellises, or tother similarly scaled architectural details. These features shall cover at least 90% of the building front wall length and at least 60% of other building wall lengths.	The project proposes a pleasing pedestrian experience by breaking up the building elements and dividing the building into smaller proportions. The front (west elevation) incorporates canopies, decks, trellises, windows, and vertical and horizontal modulations that cover 90% of the street elevation. The remaining elevations utilize the same elements and cover at least 60% of each elevation.	Yes

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>The project has proposed hip and gable roofs with a minimum 4:1 slope. The gable roofs break up the eave length a minimum of every 30 feet. There are hip roof elements over each deck that are modulated from the main eave height.</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 float roofs.</p>	<p>The project proposes gutters and downspouts that are incorporated into the building design. The gutter are across the face of the eaves. The downspout locations are integrated into the façade.</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 proposed project provides customer and public entrances to the commercial and retail spaces on the west side of building 1. Each individual commercial suite will have their own entrance. The entrances will be visible through awning/canopy covers with recessed entrances. The awning/canopy design is a gable roof form with heavy timber accents that is similar in design to the numerous knee-braces throughout the project. All entrances are clearly defined and face public streets and the internal drives.</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 project proposes first-floor storefront windows facing 67th Avenue are of commercial material, vertically proportioned, and recessed into the brick veneer. The residential windows on all sides of both buildings are vertically proportioned and provide trim.</p>	<p>Yes</p>

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>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	T4N-MV	50% of pedestrian view plane	25% of pedestrian view plane	<p>The project has proposed many windows, especially with the commercial storefronts on the first floor. The commercial floor level is minimally transparent with storefront glazing with a pedestrian view of between 0 to 10 feet, as shown on the west side of building 1.</p> <p>The first floor glazing along the street will meet the 50% of the elevation, the upper floors will meet the 25% - 60% of the frontage. The transparent glass will possess a minimum of 60% light transmittance factor. The project will meet a maximum reflectance factor of .20. No first floor reflective coating is permitted.</p>	Yes
Transect	Minimum Glazing on Primary Facades	Minimum Transparency on Primary Facades								
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. A Civil Permit shall be required for all site improvements. The approval of the conceptual stormwater system takes place during this review process. 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 Ironwood Place mixed-use development project, PLN #912.</p>	<p>The City received comments from the below listed agencies or citizens in the community. A summary of these comments is provided below and the actual comments received are provided in Exhibits #37-52.</p>

Public Comment	Response
Stillaguamish Tribe of Indians requested an archaeological survey of the site, notification of archaeological field work and to be notified prior to ground disturbance for the project.	The city responded to the Stillaguamish Tribe of Indians to let them know that the city would require the applicant to complete an archaeological study and provided the request for notification. The report was sent to the Stillaguamish Tribe after it was completed for approval. The notification for ground disturbance and the requirement of an unanticipated discovery plan are conditions of the permit.
Washington State Department of Historical and Archaeological Preservation (DAHP) requested an archaeological survey of the site prior to approval.	The city responded to DAHP to let them know that the city would require the applicant to complete an archaeological study and would send them the report when completed for approval.
WSDOT Aviation Division provided comments that the project was located within Zone 6 of the WSDOT Airports and Compatible Land Use Guidebook Compatibility Zones. Recommended that the city require a title notice advising property owner and future tenants that they live near an airport and may be impacted by airport operations. Additional comments were made during the Notice of Public Hearing notice requiring Form 7480 to be submitted to the FAA.	The city responded thanking WSDOT Aviation Division for the comments. The city requires that all property owners record an Avigation Easement with the Snohomish County Auditor's Office after approval of the appropriate documents, including Form 7480, have been submitted and reviewed by the Arlington Municipal Airport. This requirement was a condition of the MDNS and remains as permit condition.
WSDOT provided an email that they had no comments for this project.	The city did not take any action as no comments or requests were made.
Curt & Kathy Ladines provided comments concerning the traffic study and the distribution data, turning movement counts, level of service, intersection concerns, not family friendly apartments, increase in crime, school bus stop, private amenity and landscaping concerns.	The city responded with a written letter explaining how the traffic report is developed and addressing the concerns that were brought up.
Janice Van Hook provided comments concerning Tract A-32 after receiving information from Mike Bickford.	The city responded stating that we were looking into the legal ownership of Tract A-32.
Kristin Banfield provided comments inquiring about the project, noticing, and status. These occurred through several emails.	The city responded with answers to her questions after each email. There was also information regarding the Gleneagle HOA meetings and information was provided for the project re-design.
Mike Bickford provided comments regarding Tract A-32 and the proposed Brierwood Loop road. He provided information questioning the ownership of the tract and that it was not city right-of-way through his experience with a previous development.	The city responded thanking him for his comments. These comments provided information that the city then looked into further, where it was discovered that this tract was in fact not public right-of-way owned by the city. These comments required the applicant to revise the site plan.

Public Comment	Response
Pam & Roger Meneses provided comments concerning the traffic study, traffic mitigation fees, exclusivity and privacy of Gleneagle neighborhood that will be lost, proposed structure heights, and flora and fauna surrounding the site, and existing school bus stop.	The city responded with a written letter explaining how the traffic report is developed and addressing the concerns that were brought up.
Jason Davis provided an email requesting to become a party of record and for the project number.	The city responded with the project information and made the requestor a party of record.
Keith Russell provided an email requesting a copy of the most current site plan for the project.	The city responded and provided the requestor a PDF of the current site plan.
David Kuhl provided comments when the Notice of Public Hearing was issued. The items that were brought up were the Comprehensive Plan for transportation improvements, intersection levels of service, intersection of 67 th Avenue and Woodlands Way concerns, traffic control, access to Brierwood and not Woodlands Way.	The city did not provide information back to the requestor, as the staff report addresses the concerns this close to the hearing. The comment letter is included as an exhibit.
Laura Kuhl provided comments and questions regarding a stoplight on 67 th Avenue and if the proposed egress onto Woodlands Way is necessary.	The city did not provide information back to the requestor, as the staff report addresses the concerns this close to the hearing. The comment letter is included as an exhibit.
Christin Flynn Peterson provided comments and concerns regarding the number of proposed residential units and vehicles, strain on roads, water, sewer, and environment, lack of parking for vehicles, traffic along 172 nd Street, removal of trees along Woodlands Way, safety of school children, displacement of wildlife, and one access to the development.	The city did not provide information back to the requestor, as the staff report addresses the concerns this close to the hearing. The comment letter is included as an exhibit.
Chuck McKinney attended the neighborhood meeting and provided comments. General discussion about the project, use, layout, access, traffic, and over design of the project.	The city discussed and answered questions at the neighborhood meeting.
John Donahue attended the neighborhood meeting and provided comments. General discussion about the project, use, layout, access, traffic, and over design of the project.	The city discussed and answered questions at the neighborhood meeting.
John & Eyleen Shouman called with the request to become a party of record for the project and to provide comments regarding the developer not building on his property and building on Gleneagle property.	The city discussed these concerns and provided answers during the phone conversation. The requestor was added as a party of record.

Public Comment	Response
Larry Pomeroy called with the request to become a party of record for the project and to ask questions about the project.	The city discussed concerns and provided answers during the phone conversation. The requestor was added as a party of record.
Laura Jacoby called to discuss the project and to become a party of record.	The city discussed concerns and provided answers during the phone conversation. The requestor was added as a party of record.
Bob Vick stopped and talked to city staff on the site about traffic on Woodlands Way, distance of driveway from intersection, and general access to the site.	The city responded in person, providing answers to the questions that were asked.

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)		
The requested permit is not within its jurisdiction according to the table of permissible uses.	The property is located in the city limits and the City of Arlington Zoning Map identifies the subject property as Neighborhood 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 January 18, 2022.	Yes
(3) If completed as proposed in the application, the development will not comply with one or more of the requirements of this title.	The proposed mixed-use project complies with all required sections of AMC Title 20 per the staff analysis.	Yes
(4) The proposed project had not complied with SEPA.	The City issued an MDNS on January 19, 2022. No parties appealed the MDNS, and public comments received are addressed in Section F.	Yes
(5) The proposed project is not in conformance with the Comprehensive Plan, Transportation Plan, or other adopted plans, regulations, or policies.	The requested Conditional Use Permit, as conditioned, is consistent with all AMC Title 20 requirements: permit processing procedures, and all other applicable plans, regulations, and policies.	Yes

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

Regulation	Analysis	Meets
Chapter 20.16.140(d)		
(a) Will materially endanger the public health or safety.	The City concludes that the proposed development will not materially endanger the public health or safety of the City of Arlington. The proposed development has met the intent of the zoning and the mixed-use development regulations.	Yes
(2) Will materially harm adjoining or abutting property.	The City concludes that the proposed development, as mitigated and conditioned, will not materially harm adjoining or abutting property.	Yes
(3) In terms of design and use will not be compatible with the area in which it is located.	The City concludes that, in terms of the site design/layout, building design and proposed commercial/retail and residential use, that the proposed development will be compatible with the surrounding land uses in the area in which it is located.	Yes

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

H. CONDITIONS

Land Use Approval

1. All development shall be in substantial conformance with the Project Site Plan received on August 3, 2023, Architectural Plans received on July 12, 2023, and Landscape Plans received on March 13, 2023, subject to any conditions or modifications that may be required as part of the permit and construction plan review
2. The developer is vested under the code in place at the time of Complete Application on January 18, 2022.
3. The approved Conditional Use Permit shall expire two years after the date of issuance per AMC §20.16.220.
4. The development shall meet all Title 20 AMC regulation requirements.
5. The developer shall meet all local, state, or federal code requirements. Attached as Attachment A is a list of code requirements that are specifically called to the developer's attention. It is in no way intended to be a complete list of code requirements, but a general checklist of major steps and issues.
6. The developer shall clear any outstanding Planning Division permit-processing accounts with the City within 60 days of issuance of this permit.
7. No permits and/or construction pursuant to the Conditional Use Permit shall begin or be authorized until 21 days from the date of the decision.

8. Prior to the removal of trees along Woodlands Way, the developer shall provide a clear surveyed property line staked on the ground to ensure that no trees are removed from the property owned by Gleneagle Homeowner Association in Tract A-32.
9. The developer is required to pay full city traffic impact fees and install a 4-way stop intersection at 67th Avenue NE and 188th Street NE. The intersection improvements include new stop signs on all sides, new stop bars on 67th Avenue, repainting existing stop bars on 188th Street, and repainting of existing crosswalks. These improvements are required to be installed prior to the final occupancy of either building.
10. The property owner is responsible for managing all parking for residents and commercial uses on the site with the proposed amount of parking stalls. The city requires that the property owner establishes a parking permit system for tenants to show who is allowed to park in the private parking lot and to track compliance with parking. The proposed tandem parking spaces are required to be assigned to specific units that will utilize both spaces. If parking issues arise it is the responsibility of the property owner to limit the number of cars a tenant can have on the site. Parking is not allowed off-site unless a parking agreement is reviewed and approved by the city and recorded.
11. The final location of the driveway access from Woodlands Way to the site shall be determined and approved with the Civil permit.
12. The applicant shall notify the Stillaguamish Tribe of Indians prior to ground disturbance associated with the construction of this project.

SEPA MDNS Conditions

The developer shall comply with all conditions of the SEPA MDNS issued on January 19, 2022.

13. **(B)(1) Earth:** The applicant proposes an estimated grading of 6,000 cubic yards. To mitigate for potential earth impacts, the Applicant shall implement Best Management Practices per Department of Ecology for Stormwater Pollution Prevention and TESC Controls to prevent erosion during and after construction.
14. **(B)(2) Air:** To mitigate for potential air impacts, the Applicant shall implement dust control measures to reduce fugitive dust emissions during construction. A Construction Management Plan shall be submitted to the City prior to commencement of construction to ensure these measures. Construction equipment emissions shall comply with all State and Federal regulations for emissions.
15. **(B)(3)(b) Ground Water:** To mitigate for potential impacts to ground water the Applicant shall employ best design practices meeting the current Department of Ecology's Stormwater Management Manual for Western Washington.
16. **(B)(3)(c) Water Runoff:** To mitigate for potential impacts to water runoff the Applicant shall follow the current edition of the Department of Ecology's Stormwater Management Manual for Western Washington and Best Management Practices used to protect groundwater.
17. **(B)(4)(b) Plants:** To mitigate for the removal of significant trees on the site the Applicant shall replant at a ratio of 3:1 for every significant tree removed. If the required amount of trees cannot be replanted on site, then a tree in-lieu fee shall apply.
18. **(B)(7)(A) Environmental Health:** Applicant shall comply with current codes to reduce or control environmental health hazards. A spill prevention plan shall be in place according to local, State and Federal policies.
19. **(B)(7)(b) Noise:** City of Arlington noise standards found in AMC 9.20.060 shall be complied with. Specifically, in section 9.20.060(8) noises resulting from any construction or development activity or the operation of heavy equipment from 7:00pm to 7:00am Monday through Saturday shall be prohibited. The project will generate short term noise associated with construction activities. Construction hours will conform to City requirements. Noise from vehicle traffic and residential units will be generated after project completion.

20. **(B)(8) Land and Shoreline Use:** The applicant shall comply with the Airport Protection District Overlay within AMC 20.38. The property is located within Subdistrict C and shall comply with the Federal Aviation Regulations (FAR) Part 77 and complete a Federal Aviation Administration form 7460. An Avigation Easement over the subject parcels shall be reviewed by the Arlington Municipal Airport and recorded at the Snohomish County Auditor's Office.
21. **(B)(10)(c) Aesthetics:** The height of the proposed building will be approximately 34 feet (3-story). The project shall comply with the design requirements set forth in the Mixed-Use Development Regulations of AMC Chapter 20.110. The exterior of the building will consist of a variety of materials, including horizontal lap siding, vertical board & batten siding, brick siding, cedar wood trim, and class B composition roofing.
22. **(B)(11)(a) Light and Glare:** To mitigate for potential light pollution the Applicant will be required to install light fixtures that are down shielded. The property is located within the Arlington Airport Protection District – Subdistrict C.
23. **(B)(12)(c) Recreation:** A variety of on-site common open space recreation areas are proposed to meet the mini-park requirement with the development and includes a playground, sport court, and plaza area. Each residential development shall pay a Community Park Impact fee of \$1,497 per multi-family dwelling unit for a total of \$152,694 in Park Mitigation fees for 102 units. Every Development shall be developed so that at least 5 percent of the total area remains permanently usable open space. In this instance, the open space requirement equals to a total of 5,443 square feet of required open space, where the applicant has provided 6,600 square feet of common use open space.
24. **(B)(13) Historic and Cultural Preservation:** The applicant submitted an Unanticipated Discovery Plan. If historical, cultural, or archaeological sites or artifacts are discovered in the process of development, work on that portion of the site shall be stopped immediately, the site secured, and the find reported as soon as possible to the planning director. The property owner also shall notify the Washington State Department of Archaeology and Historic Preservation and affected tribes.
25. **(B)(14)(d) Transportation:** The proposal is required to construct or repair frontage improvements along 67th Avenue NE, Woodlands Way, and Brierwood Loop as approved on the Civil Construction plans. The Traffic Impact Analysis, that was submitted by Gibson Traffic Consultants, Inc. dated November 2021, states that the level of service (LOS) at the intersection of 188th Street NE and 67th Avenue NE currently operates at a LOS E and is anticipated to operate at LOS F with the development of the proposed project under current intersection conditions. The City of Arlington 6-Year Transportation Improvement Plan (TIP) shows improvements to the intersection that convert the intersection from a 2-way stop to a controlled intersection with a traffic signal. The traffic impact analysis states that with a signalized intersection and the proposed project the subject intersection would operate at a LOS B. Discussion between the developer and the city is required prior to issuance of the land use permit to determine the timing and construction details of the improvements to the intersection. The use of a Development Agreement may be required to address the signalized intersection.
26. **(B)(14)(f) Transportation:** Trip generation has been calculated at 77 PM Peak Hour Trips (PMPHT) and 876 Average Daily Traffic (ADT) trips per the Traffic Impact Analysis that was submitted by Gibson Traffic Consultants, Inc., dated November 2021. The analysis includes the traffic calculation for 102 multi-family residential units and 12,870 square feet of commercial space. The city traffic mitigation fee is \$3,355 per PMPHT for a total of \$258,335 in traffic mitigation fees. The Traffic Impact Analysis identified that the project impacts the Snohomish County intersection of 67th Avenue NE and 152nd Street NE, under project INT-007. Snohomish County bases mitigation fees from Peak Hour Trips (PHT). The required traffic mitigation for this intersection is \$185 for 55.5 PHT and \$157 for 32.1 PHT for a total of \$15,307.20. All City and Snohomish County traffic mitigation fees shall be paid prior to building permit issuance.

27. **(B)(15)(b) Public Services:** The proposal is within the Arlington School District and will be required to pay \$3,455 for every 2-bedroom multi-family dwelling unit for 21 units, for a total of \$72,555 in school mitigation fees. The applicant shall provide the City a copy of payment/receipt to Arlington School District prior to building permit issuance.
28. **(B)(16)(a) Utilities:** The applicant shall connect to the City of Arlington water and wastewater systems.

Civil Construction:

29. Prior to any construction activities, the applicant shall file and receive approval of civil construction plans which comply with all requirements of the Land Use Code, International Building Code, International Fire Code and Public Works Construction Standards and Specifications. Said plans shall address all site improvements, either required or voluntarily provided.
30. All stormwater is required to meet the 2012 Stormwater Management Manual for Western Washington, with 2014 Updates. The final drainage plan shall be approved with the Civil permit.
31. 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.
32. If irrigation is proposed on the site, the applicant is required to submit irrigation plans with the Civil Permit.

Building:

33. 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.
34. The applicant shall submit building plans meeting the architectural standards of AMC 20.110, as approved with this permit.
35. Business Licenses for all contractors working on the site shall be required to obtain a City of Arlington Business License.
36. Building signage is required to be permitted through a sign permit application. All signage requires city approval prior to installation. The signage shall meet all code requirements and blend in with the overall building design.

I. DECISION

- (a) The decision whether to approve or deny this proposal shall be made by the Hearing Examiner.
- (b) Per AMC 20.16.220 (a), a Conditional Use Permit shall expire automatically if, within two (2) years after the issuance of such permits:

1. The use authorized by such permits has not commenced, in circumstances where no substantial construction, erection, alteration, excavation, demolition, or similar work is necessary before commencement of such use, or
2. Less than 10 percent of the total cost of all construction, erection, alteration, excavation, demolition, or similar work on any development authorized by such permits has been completed on the site.

J. RECONSIDERATION OF PERMIT – ISSUING AUTHORITY’S ACTION

Reconsideration of permits shall follow the requirements of AMC 20.16.260.

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

K. APPEALS

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

L. EXHIBITS

Ironwood Place Hearing Examiner documents are on file at the Community Development Office under Conditional Use Permit – PLN#912.

Distributed to the Following Parties:

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