



**CITY OF KIRKLAND**  
Planning and Community Development Department  
123 Fifth Avenue, Kirkland, WA 98033 425.587-3225  
www.ci.kirkland.wa.us

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## MEMORANDUM

**To:** David Ramsay, City Manager  
**From:** Eric Shields, Planning Director  
**Date:** August 21, 2008  
**Subject:** Letter from Craig Shriner

### **RECOMMENDATION**

Authorize the mayor to sign the proposed response letter to Craig Shriner.

### **BACKGROUND DISCUSSION**

Mr. Shriner wrote to the City Council asking that the zoning requirement for ground floor retail use be eliminated for the commercial space he currently owns at 16 Central Way (in the Tiara De Lago Building on the NE corner of Central Way and Market St.). Mr. Shriner purchased the space to use primarily as a real estate office. Because the space is not ideally suited for retail use, the Planning Department allowed the ground floor office use subject to integrating the office with a retail art gallery. Several months ago, the real estate office was moved to the corner of 7<sup>th</sup> and Market. Since then Mr. Shriner has sought to sell the space, but has been unsuccessful in finding a buyer who is willing/ able to occupy the space with a retail use. He now has two potential buyers, neither of which qualifies as an office use. His preferred buyer is the Foster Foundation.

As the Council is aware, the City recently engaged the services of E.D. Hovee & Company to prepare a retail assessment and strategy for the downtown. A draft report has been prepared and will be transmitted to the Council in the Sept. 2 reading file. Figure 16 on page 40 of the report identifies Mr. Shriner's property as "Weak Retail – active ground floor use but weak/ limited street presence." The draft report will be discussed by the Downtown Advisory Committee (DAC) over the next few months. Based on the findings of the report, the DAC will recommend potential implementation actions to the City Council.

A Council study meeting for this purpose has been scheduled for January 20, 2009. If authorized, by the Council, zoning changes to implement the report would be referred to the Planning Commission and potentially completed by mid year, depending on other work program priorities identified by the Council. If, however, Comprehensive Plan amendments are also involved, code and plan amendments would likely be adopted at the end of the year (December, 2009).

The attached letter to Mr. Shriner assumes that the Council would like his request to be considered as part of the implementation of the Hovee retail report. However, this would defer a decision on Mr. Shriner's request well beyond the time frame he is hoping for. If the Council would like to address this request more quickly, the Council could direct the Planning Commission to consider a code amendment targeted to the Shriner property. The Commission's schedule is very full through the remainder of the year, so consideration of this amendment would either have to wait until early next year or the Council would have to reprioritize existing tasks.

Kirkland City Council,

Three years ago with the help of both Eric Shields and the City Council, I was able to purchase 16 Central Way for the purpose of opening a Windermere Real Estate office. Because of the commercial nature of our business and the requirement of retail in this space, we were able to open a very boutique style of office incorporating real estate sales and works of art. The office did very well and in a very short time we had 45 agents. However this did create some unexpected problems, namely parking. We had some agents racking up hundreds of dollars of parking fines. When the Sears building became available (7th and Market), I elected to buy that and move both my Juanita office and Central office there. Solving both location and parking problems.

I was able to sell the Juanita building quickly, but Central did not sell, so I tried the art gallery for a while and then a wine shop. The thing I discovered was, although this location was great for our office, it was not good for retail. It seems to be just out of the walking traffic that is in Kirkland. Since I tried strictly retail and it just did not work, I put the space up for sale in March. I have had a lot of interest, and a few offers, ranging from restaurants, doctors (of all types), dentists but no retail buyers. I now have 2 purchasers one is a plastic surgeon and the other is the Foster Foundation ([thefosterfoundation.org](http://thefosterfoundation.org)). I picked the Foster Foundation for three of reasons. One, having my own charitable foundation (Shoes from Santa) and the fact that Windermere has its own foundation; this is something very important to me. Two, the Foster Foundation being located in Kirkland and in this location, in my estimation, would be quite a feather in Kirkland's cap. And three, I believe the condos would be proud to have this foundation in their building.

What I am formally asking for is that the City Council relieves this space of the retail zoning burden so the Foster Foundation can make this their home.

Could you please help me and the Foster Foundation? Your help, as always is greatly appreciated.

Thank You,

Craig Shriner  
(can always be reached at 206-819-2897)

September 3, 2008

**DRAFT**

Craig Shriner  
Windermere Real Estate  
701 Market St.  
Kirkland, WA 98033

Re: Request to change ground floor retail requirement on Central Way

Dear Mr. Shriner,

Thank you for your letter to the City Council requesting a change to the zoning requirement for ground floor retail use on your property located at 16 Central Way. As you may be aware, the City recently engaged the services of a consultant to prepare a retail assessment and strategy for the downtown. A draft report designates your property as "Weak Retail – active ground floor use but weak/limited street presence" (see Figure 16, page 40). This appears to provide support for your concerns about the viability of retail uses on the site.

The draft retail strategy report will be discussed over the next few months by the Downtown Advisory Committee (DAC), an advisory group to the City Council. Your request will be forwarded to the DAC for consideration. The DAC will present recommended implementation actions to the City Council at a meeting tentatively scheduled for January 20, 2009. At that time, the City Council will determine whether to proceed with any actions, including whether to authorize further consideration of your request. Note that your request involves a change to the Zoning Code, which would require a public hearing by the Planning Commission before returning for a final decision by the City Council.

Thank you again for you request. We understand that you would prefer more immediate action. However, we believe that evaluating your request in light of a broader retail strategy for the downtown will result in a more thoughtful decision. We encourage you to read the retail strategy report and offer you comments to the City. The report may be viewed on the City's web site at: [www.ci.kirkland.wa.us/\\_shared/assets/interim\\_retail\\_report9636.pdf](http://www.ci.kirkland.wa.us/_shared/assets/interim_retail_report9636.pdf).

For more information about the report or the Downtown Advisory Committee, please contact Planning Supervisor Jeremy McMahan at [jmcmahan@ci.kirkland.wa.us](mailto:jmcmahan@ci.kirkland.wa.us) or 425-587-3229.

Sincerely,  
Kirkland City Council

by James Lauinger, Mayor

cc: Eric Shields, Planning Director  
Jeremy McMahan, Planning Supervisor