



CITY OF KIRKLAND
Planning and Community Development Department
123 Fifth Avenue, Kirkland, WA 98033 425.587-3225
www.kirklandwa.gov

MEMORANDUM

To: Kurt Triplett, City Manager

From: Jeremy McMahan, Planning Supervisor
Eric Shields, AICP, Director

Date: August 19, 2013

Subject: Planning Commission Recommendation to adopt amendments to the Kirkland Zoning Code, Residential Suites Amendment, File No. CAM13-0078

RECOMMENDATION

Council adopts the enclosed Ordinance consistent with the recommendation of the Planning Commission (Enclosure A). If adopted, the Ordinance would place a limit on the number of Residential Suites units that could be built in the Central Business District and would establish minimum common area requirements for Residential Suites projects.

BACKGROUND DISCUSSION

All amendments are included as an attachment to the ordinance.

In October, 2012, the City Council adopted amendments to the KZC to allow "Residential Suites" within specific Central Business District (CBD) and Totem Lake Business District (TL) zones. As a reminder, Residential Suites are defined as follows:

A structure containing single room living units with a minimum floor area of 120 square feet and maximum floor area of 350 square feet offered on a monthly basis or longer where residents share bathroom and/or kitchen facilities. "Residential suites" does not include dwelling units, assisted living facility, bed and breakfast house, convalescent center, nursing home, facility housing individuals who are incarcerated as the result of a conviction or other court order, or secure community transition facility. For purposes of zones where minimum density or affordable housing is required, each living unit shall equate to one (1) dwelling unit.

With the adoption of the regulations in 2012, the Planning Commission and City Council discussed the use as an opportunity to help diversify Kirkland's housing stock and provide a market based solution to affordable housing. Consistent with City Council Housing Goal "to ensure the construction and preservation of housing stock that meet a diverse range of incomes and needs", the use creates an opportunity for the private sector to build market rate housing that is affordable to a segment of the Kirkland community that is not now well served. Residential Suites provide another housing choice to accommodate the housing needs of a variety of Kirkland residents; particularly those who do not need a larger home, choose not to own a car and don't want to pay for parking, work in Kirkland but may be

forced to commute from outside of Kirkland due to housing costs, or Kirkland's young adults who are just starting out.

Following adoption of the amendments in 2012, the City Council requested consideration of additional amendments that would limit the number of Residential Suites projects that could be built in the CBD within a given area. The concern of the City Council was that multiple Residential Suites projects could be built in close proximity before the City has an opportunity to evaluate the new regulations. Limitations in TL zones were not identified as a concern. Since the adoption of the regulations, the City has approved one Design Review application for a mixed use project on the Crab Cracker site. No other applications have been submitted.

The Planning Commission conducted study sessions on February 14, 2013 ([meeting packet](#), [audio recording](#)) and June 27, 2013 ([meeting packet](#), [audio recording](#)) to develop draft regulations for the public hearing. The Commission also directed consideration of establishing minimum common area requirements for Residential Suites projects. The Commission considered the proposed amendments at its public hearing on July 25, 2013 ([meeting packet](#), [audio recording](#)).

PUBLIC PROCESS

Pursuant to KZC 160.40, notice of the hearing was published in the official City newspaper, posted on official notice boards, and posted on the City website. In addition, the notice was sent to the Moss Bay and Totem Lake Neighborhood Associations, the Chamber of Commerce, and the Kirkland Alliance of Neighborhoods.

The Planning Commission received little correspondence in advance of the hearing and two people testified at the hearing. Following the hearing, the Moss Bay Neighborhood sent a newsletter to their members with information on the amendments and residential suites and encouraged them to contact City Councilmembers with comments. The City Council has received additional correspondence that was not part of the hearing record. The Moss Bay newsletter and additional correspondence are included as Enclosure B.

Enclosures:

- A. Planning Commission Recommendation
- B. Correspondence received after the Public Hearing

cc: File No. CAM13-00185, Planning Commission



CITY OF KIRKLAND
PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
123 FIFTH AVENUE, KIRKLAND, WA 98033 425.587.3225
WWW.KIRKLANDWA.GOV

MEMORANDUM

Date: August 13, 2013

To: Kirkland City Council

From: Jon Pascal, Chair, Kirkland Planning Commission

Subject: Planning Commission Recommendation to adopt amendments to the Kirkland Zoning Code, File No. CAM13-00178

Introduction

We are pleased to submit the recommended amendments to the Kirkland Zoning Code for consideration by the City Council.

Background

In October, 2012, the City Council adopted amendments to the KZC to allow "Residential Suites" within specific Central Business District (CBD) and Totem Lake Business District (TL) zones. Following adoption of the amendments, the City Council requested consideration of additional amendments that would limit the number of Residential Suites projects that could be built in the CBD within a given area. Limitations in TL zones were not identified as a concern.

The Planning Commission conducted two study sessions to provide direction for draft code amendments. The Commission also directed consideration of establishing minimum common area requirements for Residential Suites projects.

Since the adoption of the regulations in 2012, the City has approved one Design Review application for a mixed use project on the Crab Cracker site in the CBD 7 zone. No other applications have been submitted.

Proposed KZC Amendments

Proposed draft Kirkland Zoning Code amendments are included in the enclosed ordinance. The following summarizes the changes and provides the Planning Commission rationale for the change:

1. Adjacency Limits for CBD Zones: Because this is a new use listing for the City, the intent is to limit the number of units or projects that can be built in the CBD until the City has an opportunity to evaluate the effectiveness of the regulations. The Planning Commission's recommendation includes the following:

- Establish a cap on the number of residential suites living units allowed in each CBD zone where the use is allowed

The recommendation is a cap of 240 living units per zone. The use is allowed in seven (counting CBD 1A and 1B as two zones) of the ten CBD zones. This cap is consistent with the approved CBD 7 project with 226 residential suites living units and there is no desire to make it nonconforming.

- Establish a cap on the number of living units for the entire CBD

The recommendation includes a cap of 720 living units. This would allow three projects of magnitude comparable to the approved project in CBD 7 or multiple smaller projects.

- Establish regulations for administration of the limit

The recommendation includes provisions to fairly administer the allocation of the units. While there is no indication that the City will receive a rush of permit application, rules need to be in place to ensure that the allowed units are allocated to legitimate permit applicants and "placeholdering" is not allowed.

- Include a sunset clause.

The Planning Commission is interested in making it clear that the limits are intended as a temporary measure to allow time to assess these new regulations. This is accomplished in the recommendation by establishing a five-year sunset clause. That provides adequate time for one or more projects to be completed and the City to evaluate and amend the regulations if needed.

2. Common Area Requirements: Because the living space in the individual units is small and amenities are limited, the Planning Commission requested amendments to ensure that these projects provide adequate common areas for residents to use. The typical shared space in these projects is the central kitchen and dining area. Some projects also provide other community space for recreation, entertainment, and arts.

- Establish a minimum amount of common area for Residential Suites projects

The recommendation is to require that projects provide minimum amount of common area of 250 square feet and an additional 20 square feet per living unit. The code includes provisions for what constitutes common area and what elements will not be included in the common area.

Robert Pantley, builder of residential suites projects on the eastside and Seattle, agreed to provide the following data for four of his projects to use as a comparison basis. The following table illustrates the differences between the projects. The last column shows how the recommendation compares.

	Number of living units	Interior common area	Required common area if 250 s.f. +20s.f./unit
Tudor Manor (Redmond)	61	915	1,470
Emerald 10 (Seattle)	36	612	970
Vision (Redmond)	96	4,896	2,170
Arete (planned, Kirkland)	226	14,364	4,810

It should be noted each of these projects has been developed to meet a different market and community need. The design and size of the common area reflects those differences. A large project, like that approved for downtown Kirkland, has significant amenities arranged to attract a specific segment of the market. Comparatively, the Tudor Manor project in Redmond is smaller, has fewer amenities, and is likely more affordable as renters are not paying for those amenities.

The City of Seattle is beginning to establish regulations for "micro dwelling units". In the initial draft staff recommendations, Seattle is proposing rules that allow grouping of a maximum of eight micro units and require a minimum 120 square feet of kitchen/common area for each grouping. For comparison, that would establish a requirement of 15 square feet per unit for an eight-unit group.

Criteria for Amending the Zoning Code

KZC Section 135.25 outlines the following criteria for amending the text of the Zoning Code. The City may amend the text of this code only if it finds that:

1. The proposed amendment is consistent with the applicable provisions of the Comprehensive Plan; and

The proposed amendments are consistent with the Comprehensive Plan. The amendments are needed to clarify and/or improve on existing regulations. The amendments do not include any fundamental policy changes.

2. The proposed amendment bears a substantial relation to public health, safety, or welfare; and

The recommended amendments bear a substantial relation to public health, safety, and welfare. The amendments provide for orderly development of residential uses in a manner that accommodates the needs of new residents and considers an ongoing need to refine new code provisions.

3. The proposed amendment is in the best interest of the residents of Kirkland.

The recommended amendments are in the best interest of the community. The proposed regulations continue to support housing options for a diverse population while providing the City time to continue to refine these new regulations.

Public Participation

The Planning Commission held two study sessions leading up to the public hearing on July 25, 2013. At the hearing, two people spoke regarding the amendments.

We have reviewed and considered all correspondence and public comment on the proposed amendments. Attachment 1 provides copies of all written public comment received by the Planning Commission prior to the public hearing.

Attachments:

1. Correspondence

Cc: CAM13-00178

From: Margaret Bull [mailto:wisteriouswoman@gmail.com]
Sent: Monday, June 17, 2013 10:08 AM
To: Planning Commissioners
Cc: Wisterious Woman
Subject: micro-housing

May 17, 2013

Dear Planning Commission members,

I didn't read all the documents regarding micro-housing so I'm not sure what guidelines Planning Commission decided upon in the last year. Some of the things I'm concerned about you may have already included in the regulations. I think Robert Pantley's new residential suite development looks well planned. My concern is in regard to what will happen when other developers decide to make similar developments but want to cut corners to get the most out of their investment. There have been problems with these types of developments in other parts of the country especially in regards to zoning regulations. What happens when there is a new Planning Commission or City Council that wants greater density housing developments in Kirkland? If the city officials in the future want to force growth in certain neighborhoods, then they will bend to the will of a developer and allow all kinds of concessions. The regulations need to be clear about many things now while micro-housing is fairly new. As a city we don't have enough experience with extreme density to know the impact this type of housing will have on Kirkland.

Just in case you do revisit the residential suite guidelines I wanted to mention the things I think are important:

1. A window in each room should be one that can be opened and is large enough for someone my size to fit through. We see photos of house fires on the news all the time. I think a person should be able to escape out a window or call for help. Also, I remember how stinky my teenagers' small bedrooms were after the windows stayed shut for a couple of days. Fresh air and light are important elements for anyone's healthy living environment but this is especially true when a human being is confined to an extremely small living area. Often building codes state that you need two exits from a room, not necessarily a window that you can escape out of. I have been surprised when I have visited colleges and have seen that many rooms have very narrow windows that can't always be opened. Since the residential suite rooms are about the size of a small dorm room I worry that this might be an issue. In the Pacific Northwest natural light is extremely important for mental health and can also save on energy because artificial light doesn't always need to be used.
2. There should be a clear requirement on how much communal space is provided. It seems inhumane to limit a person's total living area to a dinky bedroom. There should always be some sort of formula for making sure that there is a certain amount of shared living space per person. I don't know what that formula should be but if 8 people are sharing what might otherwise be called an apartment then there needs to be no less than X amount of shared space. I visited one of Robert Pantley's developments in Redmond. I felt that the shared space that I saw was too small for the amount of people

living there. There was no counter or cupboards next to the sink and stove, no refrigerator, no couch, and no chairs. Most college dorms have a shared living space that is quite large—definitely bigger than the size of a bedroom especially if it is serving as kitchen, living room, and entertainment area. The idea that people will save money living in micro-apartments is in some ways fraudulent. Eating out all the time, buying coffee from Starbucks, and purchasing microwave meals is not a wise way for anyone to eat if they are trying to save money. If your refrigerator is half the size of a dishwasher, than you barely have any room for fresh fruits and vegetables.

3. It is important to include some type of parking regulation. Considering the fact that places of employment on the eastside are often not easily accessible by transit especially after rush hour and that many businesses have several campuses that require a worker to drive, I believe that a parking requirement should be no less than .5 spaces per individual tenant in a micro-housing complex. This has been one of the biggest neighborhood problems with this type of living unit in other parts of the country. Even if a person usually takes public transit they may also own a car that stays parked most of the time. Or if they don't own a car, they may likely have friends, family and business associates that visit regularly and need a place close by to park their car. When apartment owners give statistics on how few people in their complexes have cars I am very skeptical. It is a hard thing to survey and get honest answers. In the project I saw in Redmond, tenants had to park in front of another tenant in the garage in an extremely narrow space. This could potentially block them from leaving when they desperately needed to get somewhere. This situation may make it seem like less parking is needed because tenants are forced to park on the street to avoid the chance that they won't have access to their car. When thinking of citizens surviving in a car-free environment it has to be recognized that we really can't predict the future of public transit on the eastside. As budgets are slashed public transit funding dries up. You can't always get to where you need to go. For example, you can't catch a bus home from a business on Willows Road after 6 pm on a week day and never on a Sunday. There has to be parking for those that leave their car parked during the day, those that need their car for work related activities, and for those visiting the tenants of the apartments. In dense downtown living areas near transit centers much of the street parking will already be taken by commuters, current apartment owners and employees of local businesses. Often paid garages may be too expensive for those living in micro-housing.

4. As cities grapple with increasing density and preserving the livability of a neighborhood it is very clear that not enough forethought is going into 'boarding house' style development complexes. Kirkland needs to make sure this type of development is required to pass Design Review Board standards. It is one of the few ways that neighbors can be alerted to a project and be given a chance to influence the design before it turns out to be a huge ugly eyesore across from their living room window.

5. Developers often want concessions from the city when putting in projects that they think the city desperately needs. Micro-housing should not be given any lower set-back standards than other types of apartment living. There needs to be air space around a building such that windows get as much natural light as possible. Natural light cuts down on energy use and helps keep people sane.

Attachment 1 to PC Recommendation

I think it is easy to imagine this type of housing in its best form but perhaps we need to imagine it in its worse form and regulate accordingly. I am very supportive of micro-housing if it is well done and rents are actually half the cost of an apartment twice the size. There have been times where I benefitted by shared housing or very tiny living quarters and know other people that have as well. There are some areas of Kirkland that micro-housing is an appropriate solution to growth management targets. But it is one thing to put in 2 well planned attractive affordable micro-housing developments and quite another to allow 10 such developments of varying quality in a neighborhood due to lack of oversight and regulations. I realize you already had several opportunities for the community to contribute comments on high-density development but I'm afraid most people are totally unaware that this type of development may proliferate in Kirkland as part of a growth management plan.

Best Regards,
Margaret Bull
6225 108th Place NE
Kirkland WA 98033

July 27, 2013

Planning Commission
City of Kirkland
123 5th Ave
Kirkland, Wa. 98033

Re: Residential Suites

Dear Commissioners:

“Extraordinary project. Well conceived, unfortunately exceptionally rare. Great project. Beautiful. Sensitively detailed above and beyond the norm. These are approval comments from the City’s Design Review Board for Kirkland’s first Residential Suite Community.

The human stories from Tudor Manor and Vision 5 are great and endless on how residential suites makes peoples lives better and here some real facts from Vision 5 with 81 of the 96 suites leased:

- 60% make less than 36,900 per year
- >50% are OVER 30 years of age
- 80% are artists 5% ADA most of the balance walk or bike to work and don’t own a car.
- >95% work (or are retired) in the City
- 72% do not have a car

Tudor Manor in Redmond and Emerald 10 on Capital Hill equally provide choice and preference for many great people. The greater risk is not doing. Because the Planning Commission, City staff and City Council moved Residential Suites forward, Kirkland will be, from our perspective, a richer, more diverse community of all income types and needs that had previously been zoned and priced out. We believe, from our perspective, the City of Kirkland has shown a very progressive attitude in providing for quality, affordable and sustainable housing in its downtown and Totem Lake.

As we see the review of these codes being discussed, we believe there is wisdom in giving the residential suites the opportunity complete a cycle or two. Currently, there are no other applications coming forward even though multiple properties are in development review who could have done so. If it is deemed wise to make a recommendation for a change, may we propose the following:

- In lieu of a 5 year sunset of any restrictions, we propose a review between 2 and 3 years of the code. For those that are concerned about the affects of residential suites, this will provide more timely action. For those who see all of the good for residential suites, it allows a more timely action to proceed to provide more affordable choices in our City for more people, building to a minimum of LEED Gold.
- Be careful of common area requirements. Housing for hospital stay family members by Evergreen may not need much common area nor would they want to pay for the added costs. When designing to LiveWorkArt and LiveWorkTech, more common area will simply occur.

Attachment 1 to PC Recommendation

- Avoid a number of property limit because some applicants might be willing to try “a few” in a larger complex which would then prevent another community that the City wants. It would seem wiser to simply put a total number maximum of residential suites allowed in the downtown, which has been put forth by staff.
- Realistically, except for City Council action, it would appear there are very few remaining properties that can provide the parking to provide for any significant number of Residential Suites. The greater risk is not having more residential suites created in our downtown and we encourage others to do so.
- Think about encouraging Totem Lake redevelopment where affordable housing will be a critical aspect when considering any requirements for both downtown and Totem Lake.

Thank you for your consideration.

Warm Regards,

Robert Pantley



Its Manager and CEO

~ Building Certified LEED Platinum

~ Governor's Smart Communities Award Winner

~ Hammer Award, Built Green Builder of the Year

robert@pantley.com

naturalandbuilt.com

USAsustain.com

mobile: 206-795-3545

office: 425-828-4663



From: [Janet Jonson](#)
To: [Jeremy McMahan](#)
Subject: FW: Residential Suite Zoning in the Moss Bay Neighborhood
Date: Thursday, August 08, 2013 11:45:42 AM

Janet Jonson

City Manager's Office

City of Kirkland

123 5th Avenue

Kirkland, WA 98033

425-587-3007

425-587-3019 fax

jjonson@kirklandwa.gov

From: Moss Bay Neighborhood [mailto:donw@mossbay.org]
Sent: Wednesday, August 07, 2013 1:02 PM
To: donw@mossbay.org
Subject: Residential Suite Zoning in the Moss Bay Neighborhood

To our Moss Bay Neighbors:

Summary: The City Council will be considering a recommendation to allow up to 720 Residential Suite units in downtown Kirkland. Since this directly impacts our neighborhood, we encourage you to read the information below, consider the pros and cons, and provide input to the City Council between now and 9/3/13. Residential Suites, also known as "Apodments" or "SROs" are very compact units (120 to 350 sq ft) where residents share common area kitchens, etc. and which have significantly less required parking.

The City Council is considering a zoning change that affects our neighborhood and their decision could occur at their next meeting on Tuesday September 3 at 7:30PM. The Board of the Moss Bay Neighborhood Association encourages you to read this e-mail and to provide input - pro or con - to the City Council.

The issue relates to Residential Suites and what limits should apply to these developments in our downtown. Also known as "Apodments" or "SROs," people live in very compact units (120 to 350 sq ft) and share common area amenities (such as kitchens) with several of their neighbors. For example, one of these developments has been approved at the Crab Cracker site, with approximately 226 Residential Suite units. Robert Pantley and his team made presentations about this project at two of our meetings.

The City recently rezoned all of the Central Business District (CBD) to allow these developments. The zoning also provides for reduced parking requirements, requires Design Review and also requires minimum LEED (environmental, energy efficient, etc.) standards.

When the Council did the re-zoning, it was done without limit in the CBD. Some Councilmembers thought the City should consider a limit and so the question was referred back to the Planning Commission. The staff recommendation, approved by a 4 to 2 vote of the Planning Commission, is to cap the number of units in the CBD at 720 units. It is now up to the City Council to decide.

What do you think? Should the City Council:

- Leave the zoning as it is, have no limit on Residential Suites in the downtown core?
- Approve the recommendation of the Staff and the Planning Commission at 720 units?

- Have a lower limit than 720 (how many? 400? 500? Something else?)

- Limit it to just the one approved project and see how things work out from there?

So that you have some additional information to help you consider this, here's some useful links:

- The Planning Commission

packet

<http://www.kirklandwa.gov/Assets/Planning/Planning+PDFs/Planning+Commission/Re> from their most recent meeting which discusses the proposal to allow 720 units. It also includes some information about common area requirements and also limits within individual CBD zones (as many as 240 would be allowed in any one zone)

- Some information about the development <http://liveworkart.com/gallery/arete/> approved at the Crab Cracker site (known as "Arete")

- Some general information from USA

Today <http://www.usatoday.com/story/news/nation/2013/07/30/tiny-apartments-apodments-catch-on-us-cities/2580179/> and from Seattle

Magazine <http://www.seattlemag.com/article/are-apodments-ruining-seattle-neighborhoods> about Residential Suites including some varying opinions about these developments

Some pros and cons that have been voiced so far about the proposal for a limit of 720 (note, we don't necessarily agree or disagree with these, these are just comments that have been made and we share them to assist you in your consideration):

Pros:

- At 720 units, the proposed zoning would permit approximately 3 developments of the scale of the current proposal (including the one at Crab Cracker site) and that is a good quantity.

- These developments help reduce dependency on vehicles; many residents do not have a car because of proximity to transit, pedestrian access to goods and services, and use of bicycles. Also there is reduced parking and requirements to prohibit on-street parking which further decreases traffic.

- Our standards require Design Review for developments in the CBD which protects us.

- The City requires a high level of environmental and energy efficiency (LEED) for these developments which protects us.

- The market will control how many of these developments will be built so that will ultimately determine how many units will be developed i.e. it will be self-limiting.

- Residential suites provide a housing alternative that is affordable for many people who work in the CBD and/or who would use the transit center to get to work.

- More residents in the downtown will mean more people buying goods and services in the core.

- Many of the "cons" come from fear that these developments will cause problems however other developments (in Redmond, as an example) demonstrate that these fears are unfounded.

Cons:

- At 720 units, this would mean that about 25% of the residences in the CBD would be Residential Suites. Is that the right balance and is it consistent with the vision for the downtown? (With the current number of units in our CBD and counting projects in the pipeline, there will be about 2000 units in the CBD, so adding 720 would take it to about 25%).

- The City should wait and see how these work out before having too many of these units. We can raise the limit later but it will be more difficult to go the other direction (i.e. to lower the limit later.)

- There is skepticism about the reduced parking requirements and the impact on on-street parking and traffic. Will residents actually have fewer

cars? And where will their guests park?

- Will the residents actually dine, shop and use services in the core? And as a related matter, will this be a plus or a minus for businesses who might locate in the downtown (or renew their existing leases)?

- Are there public safety issues that we should be concerned about, with many people living in close quarters, especially if there are that many units downtown?

- Many of the "pros" speak to the positive attributes of Residential Suites instead of to why a lower limit would still be appropriate. For example, citizens in Seattle have raised many concerns over these developments.

What do you think?

We encourage you to weigh in with your thoughts. Please do one or more of the following:

- Send an e-mail to the City Council (and we recommend e-mailing them individually, they will see your message more quickly than sending it to the group address) We also recommend that you try to get your message sent prior to the Labor Day weekend so you can be sure they have time to read and consider your comments.

- o Mayor Joan McBride
jmcbride@kirklandwa.gov<mailto:jmcbride@kirklandwa.gov>

- o Deputy Mayor Doreen Marchione
dmarchio@kirklandwa.gov<mailto:dmarchio@kirklandwa.gov>

- o Councilmember Dave Asher
dasher@kirklandwa.gov<mailto:dasher@kirklandwa.gov>

- o Councilmember Toby Nixon
tnixon@kirklandwa.gov<mailto:tnixon@kirklandwa.gov>

- o Councilmember Shelley Kloba
skloba@kirklandwa.gov<mailto:skloba@kirklandwa.gov>

- o Councilmember Penny Sweet
psweet@kirklandwa.gov<mailto:psweet@kirklandwa.gov>

- o Councilmember Amy Walen
awalen@kirklandwa.gov<mailto:awalen@kirklandwa.gov>

- Attend the City Council meeting and speak pro or con on this subject. The meeting is Tuesday September 3, 2013 at 7:30PM at City Hall. Comments from the audience are allowed up to 3 minutes per speaker, with a limit of 3 speakers for a position and a limit of 3 speakers against a position.

The Moss Bay Neighborhood Association Board thanks you for your involvement in your neighborhood and in your City!

Don Winters -- Co-chair
Mark Eliassen -- Co-chair
Leslie Keller -- Treasurer
Bea Nahon -- KAN Representative

www.mossbay.org

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Don Winters
Moss Bay Neighborhood Association
www.mossbay.org
425-827-2650

From: [Janet Jonson](#) on behalf of [Joan McBride](#)
To: [Jeremy McMahan](#)
Subject: FW: 720 new units
Date: Friday, August 09, 2013 8:18:54 AM

Janet Jonson

City Manager's Office

City of Kirkland

123 5th Avenue

Kirkland, WA 98033

425-587-3007

425-587-3019 fax

jjonson@kirklandwa.gov

From: sandra fredric [<mailto:gem.gen@frontier.com>]
Sent: Thursday, August 08, 2013 3:37 PM
To: Joan McBride
Cc: donw@mossbay.org
Subject: 720 new units

Dear Mayor Joan,

As a downtown Kirkland condo owner since 1989 I am totally against these new units. I moved her in 1986 and rented until I bought. The noise pollution level, dust, and traffic have increased beyond livable comfort for at least a dozen years. I can no longer leave windows open on warm nights as sleeping is impossible. And even during day time it is hard to sit and visit with windows open. I'm really tired of hearing about how it will increase spending in our downtown core. That benefit is to a small number of businesses and not the only source of city revenue. If the city insists on catering to a few business owners (some of them council members) then how about addressing the overgrown trees on Lake St. and Central that have diminished my view and devalued by property greatly, as well as many others. My HOA has sent more than one letter to city council over the years asking that a few of the taller trees simply be trimmed a bit.

I invite you to come into my home to see what I'm talking about.

Sincerely,

Sandy Fredric
125 3rd Ave. #6
Kirkland, WA
98033

From: [Jeremy McMahan](mailto:Jeremy.McMahan)
To: [Jeremy McMahan](mailto:Jeremy.McMahan)
Subject: FW: Apodments
Date: Friday, August 09, 2013 4:54:49 PM

Janet Jonson

City Manager's Office
City of Kirkland
123 5th Avenue
Kirkland, WA 98033
425-587-3007
425-587-3019 fax
jjonson@kirklandwa.gov

From: Curtis Thompson [<mailto:ct@it4hire.com>]
Sent: Wednesday, August 07, 2013 10:18 PM
To: Joan McBride
Subject: RE: Apodments

Please put on the breaks!

The potential for huge unintended consequences from the 'Apodments' requires that someone put on the breaks until a clear and known plan and impact are fully understood and controlled. The huge impact to downtown Kirkland of the unprecedented influx of very low income residents with extremely limited capacity and resources must not happen without very careful and time tested observations of the intended and unintended consequences of a change of such magnitude at a relative speed that would be experienced as nearly instantaneous. By instantaneous, I mean the impact that would express itself some years after the initial development and after the initial realization of revenue to Kirkland. An unchecked and unrestricted redevelopment of the downtown properties

has the potential to produce huge returns for developers while, in the long term, leaving a community saturated with people with little or no means and properties that might well rapidly deteriorate into an unsustainable state for lack of income and eventually creating a whole new version of ghetto or ghost town. The retail tax and property basis foundations of Kirkland would crumble if a disproportionate sector of the population had little if any disposable income and was exempt or substantially relieved of property tax obligations as might well be expected to represent a substantial portion of the target population.

Curtis Thompson
127 - 3rd Avenue Ste.302
Kirkland, WA 98033
(206) 919-8700 Mobile
(425) 822-2000 Home Office
(425) 822-2100 Secure Fax

From: [Janet Jonson](#) on behalf of [Joan McBride](#)
To: [Jeremy McMahan](#)
Subject: FW: RESIDENTIAL SUITES
Date: Thursday, August 08, 2013 11:47:04 AM

FYI

Janet Jonson

City Manager's Office

City of Kirkland

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jjonson@kirklandwa.gov

From: Laura Loomis [mailto:laura@charlesloomis.com]
Sent: Wednesday, August 07, 2013 5:35 PM
To: Joan McBride
Subject: RESIDENTIAL SUITES

Hi Joan,

I am all for creating Residential Suite type dwellings for young people, the working poor, artists, self sufficient elderly people, and physically impaired people, etc. I do have concerns about how they are managed, whether they have rules in place to control drugs (selling, manufacturing or using), noise levels, smoking, rules of conduct, etc. (Can the city set regulations for these types of developments to prevent crimes and to ensure the buildings are maintained? Who will maintain the common living areas(kitchens, bathrooms, etc.)? Since these will essentially be large dorms, they should be managed by someone that has authority to evict tenants.

Since these developments are allowed to include less parking, they should only be located near bus terminals, shopping centers that include grocery stores, and parks. Tenants should have to either pay an extra monthly fee for a car or should not be allowed to have a car if the parking stalls are all rented.

I am also concerned about whether families can live in these developments. Many of the people working for low paying jobs in our community have families. Do these developments include rooms and amenities for families?

Finally, they should have residential height limits if they are allowed in neighborhoods and should not be taller than the zoning for their location - downtown or otherwise. They shouldn't stick out like a sore thumb. They should definitely be required to go through a design review process.

These developments can be a really positive thing, with residents making long lasting friendships. However, without rules and regulations, they can become low income slums. We owe it to the potential tenants, their surrounding neighborhoods, and the city to create Residential Suites that are a long term asset - not a long term liability.

Thanks for considering these suggestions - I appreciate you!

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ORDINANCE O-4417

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO ZONING AND LAND USE AND AMENDING THE KIRKLAND ZONING ORDINANCE 3719, AS AMENDED, TO ESTABLISH LIMITS ON THE NUMBER OF RESIDENTIAL SUITES UNITS ALLOWED IN THE CENTRAL BUSINESS DISTRICT AND ESTABLISHING MINIMUM REQUIRED COMMON LIVING AREA, FILE NO. CAM13-00178.

WHEREAS, the City Council has received a recommendation from the Kirkland Planning Commission to amend certain sections of the text of the Kirkland Zoning Code, Ordinance 3719, as amended, as set forth in the report and recommendation of the Planning Commission dated August 13, 2013, and bearing Kirkland Department of Planning and Community Development File No.; CAM13-00178 and

WHEREAS, prior to making the recommendation, the Kirkland Planning Commission, following notice as required by RCW 35A.63.070, on July 25, 2013, held a public hearing on the amendment proposals and considered the comments received at the hearing; and

WHEREAS, on August 9, 2013, draft regulations were forwarded to the Washington State Department of Commerce for review, as required by RCW 36.70A.106; and

WHEREAS, pursuant to the State Environmental Policy Act (SEPA), there has accompanied the legislative proposal and recommendation through the entire consideration process, a SEPA Addendum to Existing Environmental Documents issued by the responsible official pursuant to WAC 197-11-600 and WAC 197-11-625; and

WHEREAS, in regular public meeting the City Council considered the environmental documents received from the responsible official, together with the report and recommendation of the Planning Commission; and.

NOW THEREFORE, the City Council of the City of Kirkland do ordain as follows:

Section 1. Zoning text amended: The following specified sections of the text of Ordinance No. 3719, as amended, the Kirkland Zoning Ordinance, are amended as set forth in Attachment A attached to this Ordinance and incorporated by reference.

Section 2. If any section, subsection, sentence, clause, phrase, part or portion of this Ordinance, including those parts adopted by reference, is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

Section 3. Except as provided in Section 2, this ordinance shall be in full force and effect five days from and after its passage by the Kirkland City Council and publication, as required by law.

Passed by majority vote of the Kirkland City Council in open meeting this _____ day of _____, 2013.

Signed in authentication thereof this _____ day of _____, 2013.

MAYOR

Attest:

City Clerk

Approved as to Form:

City Attorney

KZC Amendments

KZC 50.68 Residential Suites Adjacency Restrictions within CBD Zones

Within each of the Central Business District (CBD) zones where Residential Suites are an allowed use, no more than 240 Residential Suite living units are allowed. Within all CBD zones where the use is allowed, not more than a total of 720 Residential Suite living units are allowed. For purposes of administering these restrictions, the following rules are established for City acceptance of applications for projects containing Residential Suites living units:

1. The City will accept complete building permit applications and/or complete Design Response Conference applications for projects until the limit has been reached. At such time as the limit is reached, no additional projects containing Residential Suites living units are allowed and the City will not accept or process any additional applications that would exceed the limit.
2. For projects requiring Design Response Conference review, the applicant shall submit a complete application for a building permit for the approved D.B.R. development within 180 days of the final D.B.R. decision. After 180 days, any application pursuant to subsection 1 shall replace the subject Design Response Conference application.

This section shall terminate as of September 1, 2018.

Add the following Special Regulations

CBD Zones

Developments containing this use shall provide common living area available to all residential suite residents. Common living area shall consist of areas such as shared kitchens, dining areas, and community rooms. Areas such as bathrooms, laundries, utility rooms, storage, stairwells, mailrooms, and hallways shall not be counted as common living area. The minimum amount of common living area for each project shall be 250 feet plus an additional 20 square feet per living unit.

50.12.085; new Special Regulation 5

50.17.095; new Special Regulation 7

50.27.075; new Special Regulation 7

50.32.085; new Special Regulation 7

50.47.125; new Special Regulation 6

50.52.115; new Special Regulation 8

TL Zones

Developments containing residential suites use shall provide common living area available to all residential suite residents. Common living area shall consist of areas such as shared kitchens, dining areas, and community rooms. Areas such as bathrooms, laundries, utility rooms, storage, stairwells, mailrooms, and hallways shall not be counted as common living area. The minimum amount of common living area for each project shall be 250 feet plus an additional 20 square feet per living unit.

55.09.040; new Special Regulation 8

55.15.020; new Special Regulation 9

55.21.060; new Special Regulation 5