



CITY OF KIRKLAND
Planning and Community Development Department
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**DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
MEMORANDUM**

To: David Ramsay, City Manager

From: Angela Ruggeri, AICP, Senior Planner
Jeremy McMahan, AICP, Planning Supervisor
Paul Stewart, AICP, Deputy Director
Eric Shields, AICP, Director

Date: November 20, 2008

Subject: **TOUCHSTONE (PARKPLACE), ORNI AND ALTOM PRIVATE AMENDMENT
REQUESTS
TRANSMITTAL OF PLANNING COMMISSION RECOMMENDATION
FILE ZON07-00016, ZON07-00012 AND ZON07-00019**

I. RECOMMENDATION

Staff recommends that the City Council:

- A. Consider the recommendation from the Planning Commission; and
- B. Provide direction to staff in drafting the ordinances for the Comprehensive Plan, Zoning and Municipal Code amendments and the Planned Action Ordinance to be considered at the City Council's December 16, 2008 meeting.

II. CITY COUNCIL REVIEW

The December 2, 2008 meeting is the City Council's opportunity to provide direction on any changes to the Planning Commission's recommendations described in the exhibits for this memorandum. Staff will then draft ordinances to be adopted by the Council at their December 16, 2008 meeting.

At the City Council's December 2 meeting, Byron Katsuyama, Planning Commission Chair, will transmit the Planning Commission recommendations for the Touchstone (Exhibit A – site A), Orni (Exhibit A – site B) and Altom (Exhibit A – site C) private amendment requests. The Planning Commission's recommendation for the Touchstone PAR is included as Exhibit B and the recommendation for the Orni and Altom PARs is Exhibit I). Staff will present an overview of the recommended Comprehensive Plan, Zoning and Municipal Code amendments (Exhibits C–G and M relate to Parkplace and Exhibits J–M relate to Orni and Altom) as well as an explanation of the

Planned Action Ordinance (Exhibit N). It is suggested that the Council spend the first hour and a half of the study session on the Touchstone (Parkplace) PAR and the last half hour on the Orni and Altom PAR's.

III. PROCESS

The Private Amendment Request (PAR) process has two steps: 1) the threshold determination by the City Council to decide whether to further consider the request; and 2) the study process when the requests that are selected are considered further. The study process involves public hearings by the Planning Commission, a recommendation from the Planning Commission to the City Council, and a final decision by the City Council.

The City Council made the Phase 1 decision to further consider the Touchstone (Parkplace), Orni and Altom private amendment requests in July of 2007. At that time, the Council also passed a resolution which directed the Design Review Board (DRB) to play a role in advising the Planning Commission on the Parkplace PAR.

The role of the DRB during the annual amendment process was to help staff and the Planning Commission develop appropriate Comprehensive Plan policies, development regulations and design guidelines for the portion of CBD 5 where Parkplace is located. The primary issues that the Board focused on were site layout and building massing. The DRB's recommendation was used by the Planning Commission to help in the development of their review alternative that was studied in the Final Environmental Impact Statement (FEIS).

The private amendment request process for the three PARs followed the Process IV procedures as established in the Zoning Code. Below is a brief timeline and summary of this process.

June 28, 2007 The Planning Commission recommended to the City Council that four PARs including Touchstone, Orni, and Altom move forward for study in the 2007-2008 work program.

July 17, 2007 The City Council conducted a threshold review of several private amendment requests and directed staff to begin full review of the Parkplace, Orni, and Altom PAR's. Council also passed a resolution directing the Design Review Board (DRB) to advise the Planning Commission on the Parkplace PAR.

March 25, 2008 DRB made recommendations to the Planning Commission on key issues including site organization and building mass and placement for consideration with the PAR (see Exhibit H). The DRB recommendation followed a series of six meetings reviewing a variety of conceptual development plans.

April 4, 2008 Draft Environmental Impact Statement issued

- April 24, 2008** Planning Commission public hearing on the three PARs and DEIS
- June 2007-
October 2008** Planning Commission study sessions
- June 12 & June
26, 2008** Planning Commission public hearings on the three PARs
- October 16, 2008** Final Environmental Impact Statement issued
- October 22, 2008** Orni and Altom public hearing and deliberation on recommendation to City Council
- October 23, 2008** Touchstone (Parkplace) public hearing
- November 13, 2008** Deliberation portion of public hearing for Parkplace recommendation to City Council

The Planning Commission *packets* for the study sessions and public hearings for the three PARs can be found at the link below (meeting dates include: 6/28/07, 8/23/07, 10/25/07, 11/29/07, 3/27/08, 4/10/08, 4/24/08 public hearing, 5/8/08, 5/22/08, 5/29/08, 6/12/08 public hearing, 7/10/08, 7/31/08, 8/14/08 Parkplace only, 8/28/08, 9/23/08 Parkplace only, 9/25/08, 10/2/08 Parkplace only, 10/22/08 public hearing for Orni and Altom, 10/23/08 public hearing for Parkplace, and 11/13/08 Parkplace only).

http://www.ci.kirkland.wa.us/depart/Planning/Planning_Commission.htm

The Planning Commission *minutes* for the study sessions and public hearings can be found at the link below (see above for list of meeting dates):

http://www.ci.kirkland.wa.us/depart/Planning/Planning_Commission/Planning_Commission_Meetings_Online.htm

The Design Review Board *packets* for Parkplace can be found at the link below (meeting dates include: 5/14/07, 9/17/08, 12/3/07, 1/7/08, 2/4/08, and 3/11/08):

http://www.ci.kirkland.wa.us/depart/Planning/DRB_Meeting_Information.htm

The Design Review Board *minutes* can be found at the link below (see above for list of meeting dates):

http://www.ci.kirkland.wa.us/depart/Planning/DRB_Meeting_Information/Design_Review_Board_Meetings_Online.htm

IV. ENVIRONMENTAL REVIEW

The City issued a Determination of Significance for the Touchstone, Orni, and Altom PAR's on October 16, 2007. A Draft Environmental Impact Statement was issued on April 4, 2008 with a subsequent 45 day comment period running until May 19, 2008. A public open house was held on April 16, 2008 and a public hearing was held on April 24, 2008. The Final Environmental Impact Statement was issued on October 16, 2008.

The EIS review alternative includes the proposed adoption of a Planned Action Ordinance (see Exhibit N) designating the three private amendment requests for Touchstone (Parkplace), Orni and Altom as a Planned Action for the purposes of SEPA compliance, pursuant to RCW 43.21C.031(2)(a) and WAC 197-11-164. A Planned Action is intended to conduct early environmental review under SEPA so that impacts and mitigation measures for the planned development are identified up front. When a permit application and environmental checklist are submitted for the three areas, the City will first verify that:

- the project meets the description of the project designated as a Planned Action by the ordinance;
- the probable significant adverse environmental impacts have been adequately addressed in the EIS; and
- the project includes any conditions or mitigation measures outlined in the ordinance.

If the project meets the above requirements, it qualifies as a Planned Action project and a SEPA threshold determination is not required.

The City will monitor the development levels approved in the three planned action areas as follows:

- Determine if the proposed land uses are within categories of land use studied in the EIS.
- Establish the maximum development potential for each private amendment request as reviewed in the EIS. Development potential can be expressed in square feet of development and in total vehicle trips.
- There is also a requirement for implementation of transportation management plans for development in Areas A, B, and C and associated monitoring.

The City has complied with the requirements of SEPA.

V. PLANNING COMMISSION RECOMMENDATION

Exhibits B and I consist of the complete Planning Commission recommendations.

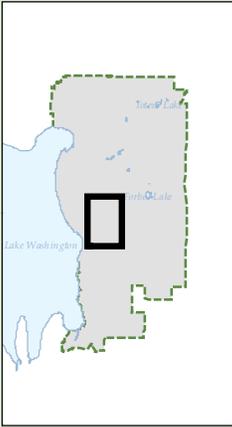
VI. EXHIBITS

- A. Vicinity Map
- B. Planning Commission Recommendation – Touchstone (Parkplace) PAR
- C. Comprehensive Plan amendments - Parkplace

- D. CBD 5A Use Zone Charts and supporting Plates - Parkplace
- E. Zoning Code Chapter 142 amendments - Parkplace
- F. Master Plan and Design Guidelines - Parkplace
- G. Kirkland Municipal Code 3.30 amendments - Parkplace
- H. Design Review Board Recommendation on Parkplace PAR
- I. Planning Commission Recommendation – Orni and Altom PARs
- J. Comprehensive Plan amendments – Orni and Altom
- K. Orni Use Zone Charts (PLA 5D)
- L. Altom Use Zone Charts (PLA 5C)
- M. Proposed Zoning Map
- N. Draft Planned Action Ordinance

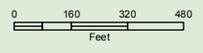
CC: Douglas Howe, 2025 1st Avenue, Suite 790, Seattle, WA 98121
Katherine Orni, 825 5th Avenue, Suite 202, Kirkland, WA 98033
Rhoda Altom, P.O. Box 22926, Seattle, WA 98122
File ZON07-00016
File ZON07-00012
File ZON07-00019

Vicinity Map

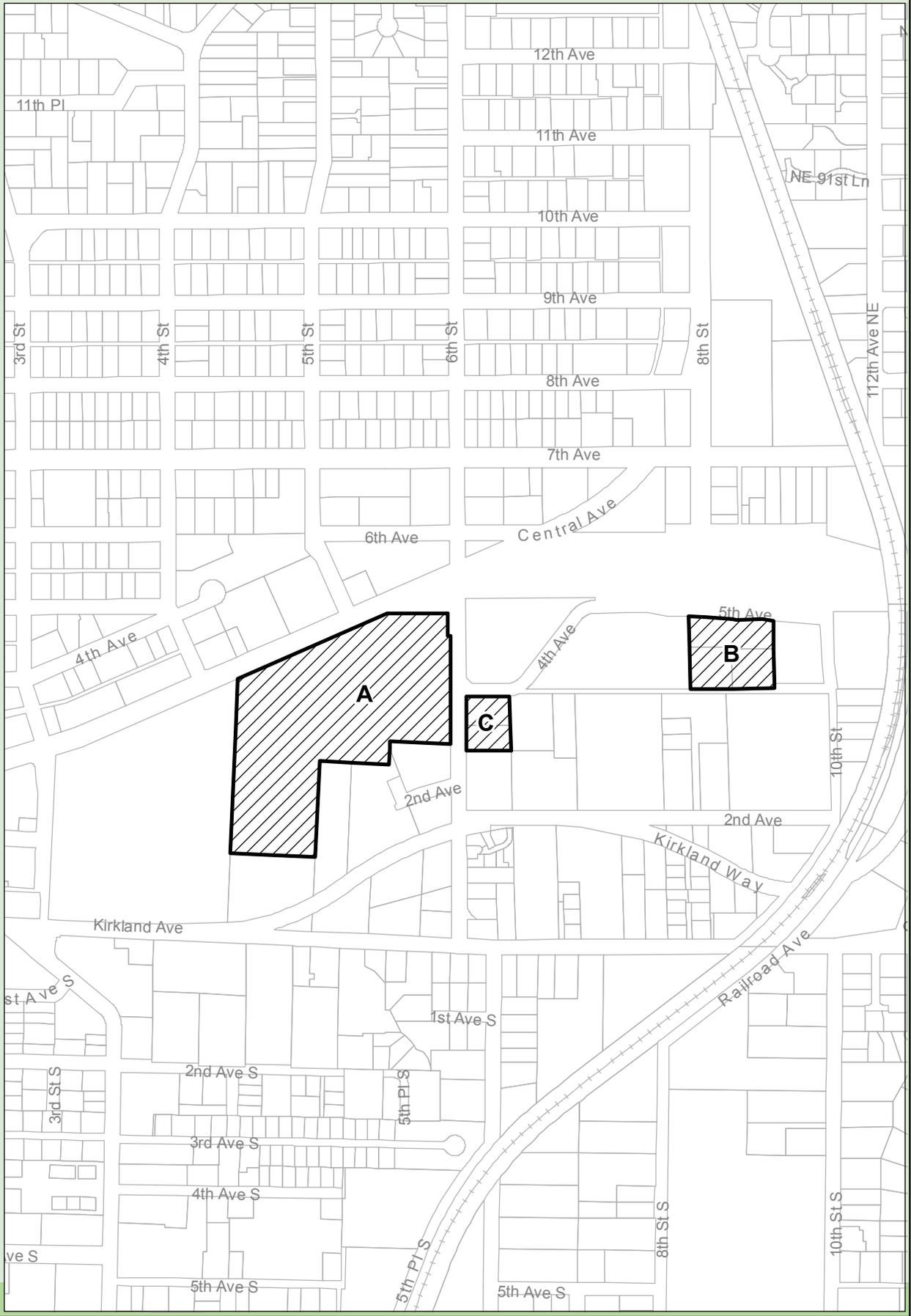


Map Legend

-  Planned Action Areas
- A = Touchstone (Park Place)
- B = Orni
- C = Altom



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MEMORANDUM

To: City Council

From: Planning Commission
 Byron Katsuyama, Chair

Date: November 20, 2008

Subject: **PLANNING COMMISSION RECOMMENDATION
 TOUCHSTONE (PARKPLACE) PRIVATE AMENDMENT REQUEST
 FILE ZON07-00016**

I. INTRODUCTION

The Planning Commission is pleased to submit this recommendation on the Touchstone (Parkplace) Private Amendment Request. Touchstone has submitted a private amendment request (PAR) to amend the Comprehensive Plan and Zoning for the 11.5 acre site of the existing Kirkland Parkplace Center. The request includes a building height increase from 3-5 stories to 4-8 stories as measured from the grade of 6th Street and Central Way and allowance for taller buildings to be located next to Central Way and 6th Street. It also includes a request for a building setback reduction from 20 feet to 0 feet on Central Way and 6th Street, and from 10 feet to 0 feet next to Peter Kirk Park. Flexibility in other regulations such as parking requirements and lot coverage is also requested.

II. RECOMMENDATION ON THE TOUCHSTONE (PARKPLACE) PRIVATE AMENDMENT REQUESTS

The Planning Commission developed potential amendments to the Comprehensive Plan and Zoning Code, as well as a master plan and design guidelines after considering the Touchstone PAR over the past several months at study sessions and public hearings. In shaping draft codes and policies, the Planning Commission has met for over a year to weigh the benefits and impacts of the Touchstone PAR. The Planning Commission's recommendation reflects that deliberation, with the concept of using height as a tradeoff for public benefits including open space, sustainability measures, retail requirements, and pedestrian improvements. The Planning Commission has included regulations and design guidelines to enhance the relationship and orientation to Peter Kirk Park, create wider setbacks from adjoining properties, establish building step backs at key locations, and ensure light and sun into the central public open space. In the end, the majority of the Planning Commissioners supported these amendments, but there were two dissenting opinions which are summarized later in this memo. The recommended amendments include the following:

Comprehensive Plan

The draft amendments to the Downtown Plan include the following key revisions:

- East Core Frame Land Use District: Addition of retail as a significant part of any Parkplace mixed-use development and clarification of where and when residential uses are allowed.
- Urban Design: reference to a new design review document titled “Master Plan and Design Guidelines for Parkplace”, and emphasis on public views near I 405 rather than at 6th Street and Central Way.
- Height and Design District 5: Divides the district into a Design District 5 (properties in the southern portion) and Design District 5A (the Parkplace site). Policies for Design District 5 stay largely the same with minor text edits and clarifications. Design District 5A policies establish:
 - Height range of 3-8 stories with maximum heights allowed as a tradeoff for public open space and creation of a retail destination.
 - Emphasis on vehicular and pedestrian circulation, landscaping, and open space.
 - Special attention to building design and size at downtown gateway, along Central Way, and adjoining Peter Kirk Park.
 - Aggressive sustainability measures including green building, transportation demand management measures, and low impact development techniques.

Various other minor text edits and corrections to the Downtown Plan are included. Note that additional changes to the text of the Moss Bay Neighborhood Plan are recommended for the Orni and Altom PAR's.

Zoning Map and Zoning Code

The draft amendments to the Zoning Map and Kirkland Zoning Code include the following key revisions:

- Creation of a new CBD 5A zone covering the Parkplace center site with regulations that establish the following:
 - The primary allowed use is mixed-use development with office, retail, and restaurant uses. The square footage of retail and restaurant uses must be equal to or exceed at least 25% of the office square footage.
 - Development must be pursuant to the Master Plan and Design Guidelines.
 - Maximum heights are established in four height sub-districts: the center/southeast portion of the zone allowing 115' buildings with a maximum of 8 stories, the Central Way frontage portion allowing 100' buildings with a maximum of 7 stories along Central Way, the Peter Kirk Park frontage portion allowing 60' buildings with a maximum of 4 stories, and a transitional area between the Park portion and the center portion allowing 100' buildings with a maximum of 7 stories.
 - The minimum setbacks are 55' from Peter Kirk Park, 20' from properties to the south and east, and 0' from Central Way and 6th Street.
 - Big box retail (over 70,000 square feet) and drive through uses are prohibited.
 - Rooftop appurtenances are allowed to exceed height limits by 16' with a maximum 25% coverage of rooftops.

- Parking for mixed-use development using a shared parking method is allowed. Parking reductions through parking management and a transportation management program may be considered.
- Amendments to Chapter 142 (Design Review) to incorporate the Master Plan and Design Guidelines under design review authority.

Master Plan and Design Guidelines

The amendments include creation of a master plan and design guidelines, adopted by the Kirkland Municipal Code Section 3.30 that would provide an additional level of detail for reviewing redevelopment plans for the Parkplace center site. The document is divided into three key elements:

- A Policy Overview section establishing the vision, procedures, and design intent.
- A Master Plan Standards section establishing basic site planning requirements for amenities, retail frontages, pedestrian space, access points, and the interior street grid.
- A Design Guidelines section establishing detailed design standards for the site and buildings. The Design Guidelines are divided into four sub districts (Gateway, Central Way, Park Interface, and Retail/Office Hub) to respond to the surrounding context and site conditions.

III. RATIONALE FOR PLANNING COMMISSION'S RECOMMENDATION

It's been nearly a year and a half since the City Council directed the Design Review Board (DRB) and Planning Commission to begin a review of the Parkplace private amendment request (PAR) in July, 2007. The DRB subsequently held a series of six study sessions reviewing a variety of conceptual development plans and made their final recommendation to the Planning Commission on March 25, 2008.

Building upon the DRB's recommendations, the Planning Commission began its own series of study sessions and public hearings to discuss the PAR and to hear input from citizens. The environmental review process was also going on at this time and the draft environmental impact statement was issued in April, 2008. This was followed by several more study sessions and a public hearing resulting in the development of the Commission's preferred alternative to be analyzed in the Final EIS (FEIS) which was issued on October 16, 2008. Throughout our review process there has been significant community interest that has resulted in hundreds of email comments, letters, petitions and public testimony both in support and in opposition to the proposed project.

The final result of this extended process is the Commission's recommendation on the Comprehensive Plan, Zoning, Master Plan and Design Guidelines, and Planned Action Ordinance for Parkplace that we are now transmitting for your consideration and review.

Interest-Based Approach to Project Mitigation Issues

Touchstone's PAR is designed to accommodate their proposal for a 1.8 million sq. ft. mixed-use project that includes 1.2 million sq. ft. of office space and an additional 300,000 sq. ft. of retail. Other uses include a hotel and athletic club.

Throughout our review, the Planning Commission has sought to work with the developer using an interest-based approach aimed at striking a balance between Touchstone's interests in maintaining the parameters of their mixed-use program and the community's interests in addressing issues regarding building size, bulk and mass, and its affect on community character as well as the anticipated traffic and parking issues.

While the commission is generally in favor of the mixed-use project, we have had serious concerns about the size and massing of the buildings on the site just as the DRB did during their deliberations and as they expressed to us in their final recommendations. We have, in fact, agreed with most of the DRB's recommendations on this issue and have crafted recommendations calling for increased building setbacks, upper-story step backs and reduced building heights and mass particularly along Central Way and along the park edge. Our proposal for a three-story height limit immediately adjacent to Central Way actually reflects limitations contained in the city's current regulations for the CBD5 zone.

We also agree with the DRB in their judgment that the best location for the tallest buildings will be along the southern and eastern boundaries of the site. The sloping contours of this site offer a unique opportunity to realize the comprehensive plan's vision for locating a greater intensity of office and retail development here while minimizing some of the inevitable visual impacts on surrounding development.

We have been generally pleased with Touchstone's willingness and ability to creatively address our questions and concerns and to find ways to incorporate these into the project's design, including calls for increased building setbacks, upper-story step backs, height restricted zones along Central and along the park edge, a network of public open spaces, green rooftop terraces, sustainable building measures, and other design-related requirements, the sum total of which we believe have achieved a viable balance between the interests of the developer and the surrounding community.

The Importance of Retail

The commission favors an office/retail mixed-use development for a number of reasons. First and foremost has been our conclusion that a strong retail component should be an essential element of any redevelopment of the Parkplace site.

Most of those who have spoken in favor of the mixed-use project have done so on the basis of their desire to see a vibrant destination retail development in our downtown. Many have also spoken in support of a retail mix that includes a significant proportion of neighborhood convenience retail that will give residents the option of shopping in Kirkland as opposed to having to travel to Redmond or Bellevue for that purpose. For many, this is a simple matter of convenience, but having such options also has implications for other important community goals including reduced traffic generation, increased sales tax revenues and carbon footprint reductions.

Although the voices of Kirkland's youth were not heard in proportion to their numbers during our review process, we were impressed with the testimony of one young lady who took the time to come to two of our public hearings to express her support for the mixed-use proposal and to point out the need for more safe and fun places for teens to go and meet their friends in our downtown. We have also heard similar opinions from parents and adults who have worked with teens in our community.

Another aspect that has been frequently mentioned is the desire to have more "third places" in Kirkland where our residents can go to gather, be entertained and socialize in a variety of indoor and outdoor settings. The multiple public open spaces, restaurants, theater, health club, upper story terraces and other amenities that are included in the mixed-use proposal will add considerably to these types of third place opportunities in our downtown.

Finally, the mixed-use proposal has received broad support among downtown business and property owners, including the Downtown Association and the Chamber of Commerce, and employees who have consistently given us the same message: 5,000 new office workers coupled with a strong retail presence at Parkplace will provide a much needed boost to all of our downtown businesses. An economic impact analysis provided by one of Touchstone's consultants projected a potential 20% increase in sales revenues for businesses located within the downtown area as a direct result of the mixed-use project.

No Requirement for Retail in Current CBD5 Zone

While many have raised questions about the desirability of amending the Comprehensive Plan and Zoning provisions affecting this site, we are convinced that few, if any, would oppose amending the current CBD5 zoning to require that any future development include a certain percentage of retail uses.

Would we be looking at the same or a similar project now if the current zoning code contained a requirement for a fixed percentage of retail in the CBD5 zone? There are those who argue that we would not. But, implicit in that argument is the assumption that any retail requirement that might have been contained in the zoning code would have made economic sense for potential developers. In spite of our best intentions there is no guarantee that this will always be the case.

In fact, any developer considering a mixed-use project on this site would still have to make their own independent determination as to the economic viability of their plans in light of the allowed building heights and any set retail requirements as well as many other aspects of our zoning regulations that can and do affect such bottom line business decisions.

Such zoning and economic considerations will always be factors that developers will have to evaluate as a part of their business decision making process. To be effective, our zoning regulations must be reasonably cognizant of such basic business and market factors.

Office Use

The office component of Touchstone's mixed-use proposal at 1.2 million sq. ft. will of course constitute the single largest use on the site representing an increase of approximately 1.1 million sq. ft. of office space in the area over existing conditions that will transform Parkplace into the key employment focal point of downtown Kirkland.

Intensive office development at this location is in keeping with the land use and economic development elements of the City's Comprehensive Plan that encourage more in-city employment. The policies relating to the East Core frame encourage redevelopment in large intense mixed-use development, particularly office. The CBD5 zone is highlighted as one of the best areas in which to develop a vital downtown employment base.

The mixed-use project is also in keeping with statewide GMA goals to reduce urban sprawl by directing more development into existing urban areas where public facilities and services exist or can be provided in an efficient manner and to encourage economic development through the promotion, retention and expansion of businesses.

Many of the business owners who wrote in or spoke to the Planning Commission emphasized their support for more office space to accommodate the needs of growing businesses in Kirkland. We heard numerous accounts of businesses that have been forced to leave Kirkland as they outgrew their existing space and were unable to find suitable alternatives within the city.

Parking

Touchstone's mixed-use project proposal includes a request for a significant reduction in the parking spaces that would normally be required for each of the uses on the site. A strict application of the parking standards contained in the city's zoning code would call for approximately 5,157 spaces. Touchstone is requesting that this number be reduced to approximately 3,650 spaces. The reduction is based upon a plan that will allow some of the parking on the site to be shared by the different uses whose peak parking demand characteristics vary by the time of day and/or by day of the week. In addition the project will implement transportation demand management and parking management programs to encourage use of alternative transportation modes and more efficient use of the available parking to ensure that the total parking supply on the site will be adequate to meet the demand.

The Planning Commission agrees with the Parking Advisory Board's conclusion that the parking demand estimate for the Parkplace mixed-use project appears to be reasonable as well as the analysis of the peaking characteristics of the various uses by time of day. We note that the use of parking demand rates in the Institute of Transportation Engineers (ITE) *Parking Generation* (3rd Edition) as the basis for the analysis provides a very conservative estimate since these rates are derived primarily from free-standing suburban sites without mixed-uses that have free parking. In addition, in response to a suggestion by the Parking Advisory Board, Touchstone added 150 more parking spaces to provide a buffer during peak commercial parking periods and to reduce the amount of circulation by vehicles looking for parking.

Traffic

Questions about the amount of traffic that will be generated by Touchstone's mixed-use project have consistently been at or near the top of nearly everyone's list of issues and concerns including both project opponents and supporters. With employment estimates for the project topping 5,000 new jobs and with Touchstone's plan to establish Parkplace as a regional retail destination, the Planning Commission certainly agrees that an understanding of the project's potential traffic impacts and proposed mitigation measures are critical elements in the review of this project. We know that the project is likely to add significantly to traffic volumes and congestion in the city. The key questions are: (1) how much new traffic will be generated by the project? (2) what mitigation measures are proposed to deal with it? and (3) how effective will the proposed mitigation measures be as measured by the city's level of service standards?

To answer these questions the Planning Commission has relied primarily upon the analysis provided by Jones & Stokes, the city's traffic consultants. The applicant's implementation of a transportation management plan will also have an effect on traffic levels to the extent they are successful with measures that encourage employees to use alternative modes of transportation.

The Institute of Transportation Engineers *Trip Generation Manual*, which is based upon observed data, was used to estimate vehicle trip rates. Various adjustments to the vehicle trip rates were made using mode split assumptions that were based upon local census data and data collected from actual Kirkland businesses subject to commute trip reduction (CTR) requirements. The Planning Commission asked many questions regarding the consultant's assumptions and methodology and has been generally satisfied with the quality of the analysis and the validity of consultant's conclusions.

A key table presented by the consultant and city staff, "Evaluation of 2014 TIA Mitigation Intersections – PM Peak Hour LOS," compares the projected levels of service, unmitigated and mitigated, associated with the "no action" and "proposed action" scenarios for the 10 intersections for which adverse LOS impacts were identified for 2014 which is the year projected for full project build out. These are the ten intersections where the project related traffic volumes were high enough to trigger mitigation requirements under the city's Traffic Impact Analysis standards.

Evaluation of 2014 TIA Mitigation Intersections – PM Peak Hour LOS

ID	Intersection	Traffic Control ¹	Existing		No Action				Proposed Action			
					Unmitigated		Mitigated		Unmitigated		Mitigated	
			LOS	Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS	Delay
Southwest Subarea												
4	Central Way/Parkplace Driveway	Signal	C	20.2	F	>200	A	10.0	F	>200	C	21.3
105	Central Way/6th Street	Signal	C	30.9	-	-	-	-	F	96.3	D	39
109	NE 85th Street/114th Avenue NE	Signal	F	87.7	F	132.1	F	93.0	F	227.9	F	110.4
110	6th Street/4th Avenue	Signal	B	12.7	-	-	-	-	E	75.1	C	22.0
112	Kirkland Way/6th Street	Signal	C	22.3	-	-	-	-	F	231.0	C	23.6
128	Central Way/5th Street	TWS	E	48.2	-	-	-	-	E	66.2	D	38.7
129	Central Way/4th Street	TWS	E	48.3	F	82.4	C	18.1	F	119.0	C	21.3
169	6th Street/7th Avenue	AWS	B	13.7	-	-	-	-	F	86.7	E	42.6
Northwest Subarea												
211	Market Street/15th Avenue	Signal	C	23.0	-	-	-	-	F	153.3	B	15.9
East Subarea												
402	NE 85th Street/124th Avenue NE	Signal	E	67	-	-	-	-	F	81.0	E	78.4

1. Traffic control for mitigated conditions. AWS = All Way Stop; TWS = Two Way Stop (LOS/Delay shown for worst movement at TWS)
 Source: Heffron Transportation, Inc. 2008

What is noteworthy here with respect to the proposed action is that while the “unmitigated” LOS for most of these intersections is at a level F or E, the “mitigated” LOS improves significantly with most of the intersections achieving an LOS of C or D. Only one intersection is projected to be at a “mitigated” LOS of F, and that intersection (NE 85th St. and 114th Ave. NE) happens to be the only intersection that is at an LOS of F under existing conditions as well. It is also instructive to compare the “mitigated” LOS for the proposed action with the LOS levels under existing conditions at these intersections. This comparison shows that three of the intersections are actually projected to achieve a “mitigated” LOS that is a grade higher than their LOS under existing conditions. Four of the intersections have the same LOS for the existing and “mitigated” conditions, and three of them are reduced by one LOS grade level each from existing to “mitigated” conditions.

As the DEIS points out, while the effects of additional vehicles on traffic congestion can be mitigated to varying degrees the actual increase in traffic volumes generated by the project may be considered a significant unavoidable adverse impact. Significant adverse impacts can also result if one or more mitigation measures are not implemented.

A review of the data in the above table suggests that while there will certainly be some significant unavoidable adverse traffic impacts associated with this project, the projected change in LOS for

the 10 intersections that triggered impact mitigation requirements will likely be within an acceptable range as compared to current LOS levels.

Touchstone's Alternative Proposal

In addition to their mixed-use PAR proposal, Touchstone has submitted a design review application for an alternative development plan that does not require a Comprehensive Plan amendment. The alternative proposal would include 1.2 million square feet of office with limited retail. Touchstone has indicated a preference for the larger mixed-use PAR proposal, but has consistently maintained that it is only feasible if all of the requested additional building heights and related square footage are approved. The alternative office development would only be built if the PAR is not approved. Touchstone offered its most detailed explanation for the program/financial requirements that drive the 5-8 mixed-use proposal in its "[Planning Commission Response Packet](#)" dated June 20, 2008, beginning on page 3.

Throughout this process the Planning Commission has been acutely aware of the large size of the project and the likely significant impacts it will have on the downtown and surrounding areas of the city. At the same time, we are in general agreement that the mixed-use project that includes a strong retail component will, on balance, provide greater benefits to the city than the applicant's alternative proposal to build what will essentially be an office park on the same site. Both proposals would result in developments that are significantly larger than the current Parkplace development.

It is worth noting that while we have heard many people express their opposition to the applicant's project as proposed, most of those same individuals have also stated that they do support the concept of an office/retail mixed-use approach on the site, albeit at a significantly reduced scale. In contrast, few individuals have spoken in favor of the alternative office park proposal.

Project Benefits vs. Impacts/Costs

The following list summarizes the Planning Commission's overall evaluation of the proposed project's anticipated community benefits relative to the anticipated impacts and costs.

Benefits:

- Leverage additional building height into greater public benefits on the site including: public open space, green building design and less surface parking.
- Enhanced retail activity on the site and resulting additional sales and property tax revenues will aid city's fiscal needs. Retail sales in particular are an important revenue component for all Washington cities that have few alternative revenue sources.
- Enhanced shopping opportunities and convenience for residents (reduced need for trips to other regional shopping centers).
- Enhanced employment base for economic development.

- Enhanced office and retail activity will provide a much needed economic boost to nearby downtown businesses.
- More concentrated employment and retail activity will contribute to regional anti-sprawl goals (GMA).
- Increased employment opportunities for residents that are located close in (GMA).
- Make the best use of the commercial zones that we have to avoid commercial creep.
- Development of a new north/ south street that breaks up the existing super block between 3rd St and 6th St.
- Create greater community building opportunities and places where people can meet and interact (more third places).
- Greater hotel and meeting space. We have a deficit of meeting space.
- Increased ridership will lead to improved Metro service for all Kirkland riders.
- An additional venue for free public events, like summer concerts
- Publicly accessible roof-top gardens – the 1st in the city.
- Improved streetscape on Central Way, the primary access route into downtown Kirkland.
- Visually dramatic building as gateway to downtown Kirkland.
- Retail and residential do not make a successful community. They are two legs of stool, but without the third leg – employment – Kirkland is a bedroom community which means more commuting traffic, more pollution, and less shared experiences in our town.
- Avoid the all office business park alternative. 1.2 million square feet of office is possible today, with no retail and no public benefits. Peak hour traffic impacts are (nearly) the same, view impacts are (nearly) the same.

Impacts/Costs:

- Bigger/taller buildings will alter character of CBD5 with a significantly more intensive development pattern which many project opponents feel will have an adverse affect on community character.
- Higher intensity development on this site will result in some declines in LOS at nearby intersections compared to the “no action” and “office only” alternatives.
- Increased shading of buildings to the north and east will occur with both the “office only” and FEIS reviewed alternatives with slightly more shading with the FEIS reviewed alternative.

- View blockage of properties located to the south and east will be significant.
- There is some risk that the project will result in some parking spillover into surrounding neighborhoods. There are safeguards included in the planned action ordinance calling for corrective action on the part of the developer but this will require some monitoring and enforcement action by the city.

IV. CURRENT COMPREHENSIVE PLAN AND ZONING

The subject property is located in the Moss Bay Neighborhood area of the Comprehensive Plan. Policies for development of the area can be found in the Downtown Plan section. The Downtown Plan designates the area as East Core Frame for land use purposes and encourages development in this area to represent a wide range of uses in several large, mixed-use projects. The Downtown Plan notes that this area represents the best opportunity for a vital employment base and should continue to emphasize office redevelopment over residential. The Downtown Plan also designates the area as Design District 5 and discusses maximum building heights of three to five stories, preservation of a sense of openness, and lower height toward the perimeter stepping up to the center of the district. The Plan encourages building orientation to Peter Kirk Park, emphasizes pedestrian and vehicular circulation, and the significance of the gateway at the northeast corner.

The subject property is zoned CBD 5 which allows buildings three to five stories in height and allows a variety of uses including retail, office, hotel, and limited residential. There are currently no requirements in the CBD 5 zone for retail uses.

V. PRIVATE AMENDMENT REQUEST CRITERIA

Criteria found in the Zoning Code must be considered when reviewing a private amendment request.

A. Factors for Consideration: KCZ 140.25 establishes that the City must take into consideration, but is not limited to, certain factors when considering a Comprehensive Plan Amendment. Below is a list of the criteria followed by staff analysis.

1. *The effect upon the physical, natural, economic, and/or social environment.*

The effects of the proposed amendment have been reviewed in detail by the Draft and Final Environmental Impact Statement (EIS) and have been considered in the drafting of the proposed amendment.

2. *The compatibility with and impact on adjacent land uses and surrounding neighborhoods.*

The proposed amendments have been reviewed in the EIS for compatibility with and impact on adjacent uses and surrounding neighborhoods and mitigations have been identified where incompatibilities or significant impacts were identified.

3. *The adequacy of and impact on public facilities and services, including utilities, roads, public transportation, parks, recreation and schools.*

Existing public facilities and services have been evaluated in the EIS and with the mitigating measures identified in the Planned Action Ordinance the public facilities and services are adequate to accommodate the proposed amendment.

4. *The quantity and location of land planned for the proposed land use type and density.*

The proposal is located in an area designated in the Comprehensive Plan as an Activity Area. The Activity Area is planned for high density uses with an emphasis on commercial uses surrounded by high density.

5. *The effect upon other aspects of the Comprehensive Plan.*

The proposed amendment has been reviewed in the EIS for consistency with other aspects of the Comprehensive Plan.

B. Criteria for Amending the Comprehensive Plan: KZC 140.30 establishes the criteria for evaluating a Comprehensive Plan Amendment. These criteria and the relationship of the proposal to them are as follows:

1. *The amendments must be consistent with the Growth Management Act.*

The amendment is consistent with the Growth Management Act, including the following planning goals (RCW 36.70A.020):

- Urban growth. Encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner. *Locating an employment base and a concentration of retail in Kirkland's Central Business District is consistent with this planning goal. The EIS evaluates adequacy of public services and facilities to serve the potential development and concludes that they are adequate.*
- Reduce sprawl. Reduce the inappropriate conversion of undeveloped land into sprawling, low-density development. *The Parkplace site presents an urban infill opportunity that can concentrate jobs and retail in an appropriate urban environment within a designated urban growth area.*
- Transportation. Encourage efficient multimodal transportation systems that are based on regional priorities and coordinated with county and city comprehensive plans. *The Parkplace site is within walking and distance of the existing and soon to be improved Downtown Transit Center and an existing concentration of downtown shops and services. The proposal includes transportation demand management measures to reduce SOV use as addressed in the EIS.*
- Economic development. Encourage economic development throughout the state that is consistent with adopted comprehensive plans, promote economic opportunity for all citizens of this state, especially for

unemployed and for disadvantaged persons, promote the retention and expansion of existing businesses and recruitment of new businesses, recognize regional differences impacting economic development opportunities, and encourage growth in areas experiencing insufficient economic growth, all within the capacities of the state's natural resources, public services, and public facilities. *The proposal presents a substantial economic development opportunity for the City of Kirkland in an area that has public services and public facilities to accommodate that development (see EIS).*

- Environment. Protect the environment and enhance the state's high quality of life, including air and water quality, and the availability of water. *The draft Comprehensive Plan language encourages aggressive sustainability measures including green building, low impact development, deconstruction, and transportation demand management.*
- Citizen participation and coordination. Encourage the involvement of citizens in the planning process and ensure coordination between communities and jurisdictions to reconcile conflicts. *To date, the proposal has undergone 16 months of intensive public process in community meetings, open houses, DRB review, City Council meetings, Planning Commission public meetings and public hearings.*
- Public facilities and services. Ensure that those public facilities and services necessary to support development shall be adequate to serve the development at the time the development is available for occupancy and use without decreasing current service levels below locally established minimum standards. *The proposal has been reviewed through the EIS for adequacy of facilities and services to support the development. With identified mitigations, the development would meet Kirkland's levels of service.*

2. *The amendments must be consistent with the Countywide Planning Policies.*

The amendment is consistent with the Countywide Planning Policies. Kirkland is within a designated urban growth area. The Policies state that land within Urban Growth Areas shall be characterized by urban development (LU-26). Downtown Kirkland is designated as an Activity Area in Kirkland's Comprehensive Plan consistent with the Countywide Planning Policies (FW-17). Policies encourage infill development that enhance community character and include a mix of uses (LU-69) and support open space and neighborhood commercial land uses within office rather than single purpose office parks (LU-74). Policies encourage urban areas characterized by superior urban design as defined locally (FW-25). Economic development policies encourage the retention and expansion of the economic base and a business climate that is supportive of business formation, expansion, and retention (ED-6).

3. *The amendments must not be in conflict with other goals, policies, and provisions of the Kirkland Comprehensive Plan.*

The amendment has been reviewed for consistency with the Kirkland Comprehensive Plan. The amendment is generally consistent with Downtown Plan policies encouraging high density employment and commercial use in CBD 5. With the mitigation measures identified in the EIS and Planned Action Ordinance the amendments would not be in conflict with the Comprehensive Plan.

4. *The amendments will result in long-term benefits to the community as a whole, and is in the best interest of the community.*

If the request is approved, the amendments will provide the long-term community benefit of establishing a significant employment base in downtown Kirkland and an opportunity to maintain the community-oriented aspects of the current Parkplace site as a local retail destination enhanced with improved public gathering spaces. Office development in this area meets the objective of the Downtown Plan by providing a significant increase in office square footage adjacent to the core area as a way to enhance the core area for retail and service businesses (page XD.D-4). The mixed use approach to the amendments also allows mutually supportive land uses on the same site and opportunities for shared parking. As noted in the Economic Development Chapter of the Comprehensive Plan,

“Mixed use development, when combined with multi-story structures, promotes a more compact and sustainable land use pattern and encourages walking and transit use to reduce dependence on automobiles.” (page VIII-10)

The amendments do involve additional mass and scale of buildings to accommodate the proposed density and mix of uses and the issue of scale has been a consistent community interest in the public process to date. The Community Character and Economic Development Chapters of the Comprehensive Plan acknowledge the need to balance growth and change with protection of community character. This balancing of community interests to create long-term benefits to the community as a whole is reflected in the proposed amendments, which allow taller buildings in conjunction with community amenities, sustainability measures, and design standards.

Additional assessment of community interests is located in the next section - C of this report.

- C. Criteria for Rezone:** KZC 130.20 establishes the criteria by which a legislative rezone must be evaluated. These criteria and the relationship of the proposal to them are as follows:

1. *Conditions have substantially changed since the property was given its present zoning or the proposal implements the policies of the Comprehensive Plan; and*

The current CBD 5 zoning and the Comprehensive Plan policy basis were established in the late 1980's and early 1990's. Conditions have changed substantially since the zoning was established, with adoption of the Growth Management Act, significant development in the CBD, and a greater City and regional focus on urban infill development and transit-oriented development. In addition, the rezone would implement the proposed policies of the Comprehensive Plan currently under consideration.

2. *The proposal bears a substantial relationship to the public health, safety, or welfare; and*

Much of the public comment around the proposal has focused on areas of character, traffic, retail importance, parking, views, setbacks, job growth, and open space. A review of those public welfare issues follows:

- **Character:** The character of the area will change with redevelopment of the Parkplace center under the existing five story zoning or the proposed eight story zoning. The draft codes, policies, and guidelines do include measures that seek to balance this additional development intensity with new requirements to protect Kirkland's unique character.
- **Traffic:** Traffic impacts have been identified and evaluated against City standards in the EIS and appropriate mitigating measures incorporated.
- **Retail:** Many comments have identified the importance of preserving the retail components of the existing Parkplace center; however, retail is not a required component of redevelopment under the existing zoning for the area. The proposed rezone would require a substantial retail component in any mixed use development. In addition, the Master Plan establishes guidance for community serving retail such as grocery and theater uses within a redevelopment.
- **Parking:** Parking for the preferred alternative has been evaluated thoroughly through the EIS. The proposed zoning text includes base parking requirements but allows shared use to make more efficient use of the parking. Working in tandem with proposed transportation demand management measure to reduce vehicle trip, the zoning also allows parking reductions to be considered based on a parking and transportation management programs.
- **Views:** Views have been considered and evaluated in the EIS and during the policy discussions with the Planning Commission. It should be noted that Kirkland's Comprehensive Plan specifically notes that the City does not protect private views (page IV-10) but does protect public scenic views

and view corridors. Existing and potential views from 6th Street and Central Way across the Parkplace site were evaluated and determined to be negligible currently and likely eliminated with any redevelopment of the area. The more significant view of the water and mountains as one drives from I 405 down 85th Street were also evaluated and found to be largely unaffected by the proposed rezone.

- **Setbacks:** While the initial PAR requested elimination of setback requirements, the proposed zoning would reduce setback to 0' on Central Way and 6th Street but would increase setbacks along the Park from 0' to 55' and increases setbacks from adjoining properties to the south and east from 0' to 20'.
- **Jobs:** Significant job growth may occur under any redevelopment of the area. Touchstone has submitted an alternative proposal for design review that would include a similar square footage of office use but would not include the mixed use components such as retail that are envisioned under the rezone.
- **Open space:** The policy basis for the rezone and additional height as established in the draft Comprehensive Plan amendments is to provide an incentive to the create a network of public open space around which is organized a dynamic retail destination. The proposed rezone and supporting documents would create such an incentive and establish clear requirement.

Based on the mitigations incorporated into the Planned Action Ordinance, the restrictions and requirements incorporated into the CBD 5A zone, and the development requirements included in the Master Plan and Design Guidelines, the proposed rezone does bear a substantial relationship to the public welfare.

3. *The proposal is in the best interest of the community of Kirkland.*

There is clearly a diversity of community opinion around whether the proposed rezone is in the best interests of the community. The proposed rezone does provide a significant opportunity for the community to create a strong employment base in the downtown activity area and derive the economic development benefits that accompany that base. The proposed rezone provides an opportunity to rewrite the rules for redevelopment of the area to require the retail and open space amenities that the community has identified as valuable. As noted above, the proposed rezone has sought to identify the interests of the community and address them in a substantive way.

VI. TWO DISSENTING OPTIONS ON THE PLANNING COMMISSION

One Planning Commissioner felt that the permitted building height for the southwest corner of the site was too great and that a building of that size would not integrate well with the surrounding neighborhood and the park. The Commissioner felt that maximum height for this area of the site should not exceed 5 stories in order to avoid walling off adjacent development from the rest of the downtown and the park. He stated that he generally liked the project including the retail, orientation to the park, and the underground parking, but could not support the Planning Commission recommendation because of the 7 story height allowance for the southern portion of the site.

The other Planning Commissioner had problems with the design in general and felt that it did not fit the character of Kirkland. This Commissioner felt that 5 stories with retail was the appropriate design for the site.

VII. PUBLIC COMMENT

The Planning Commission has held three public hearings on the Touchstone PAR. The final public hearing prior to the Planning Commission making their recommendation occurred on October 23, 2008. Over the course of the year, they have also received hundreds of e-mails and letters along with petitions both for and against the proposal. Much of this correspondence has already been forwarded to the City Council. A full record is included in files in the Council Study Room for easy reference.

Those supporting the Touchstone private amendment request most often cited:

- Importance of retail in the project
- Growth in number of jobs
- Public open space
- GMA goals

Those against the project cited:

- Overall project size/height
- Traffic
- Parking
- Character of Kirkland
- Impacts of height, scale and building mass on properties to the east

The following text is excerpted from the Downtown Plan section of the Moss Bay Neighborhood Plan to illustrate proposed changes related to the Parkplace PAR within the context of the Plan. For complete text and graphics, review the online version of the Plan from the City's webpage. Edited paragraphs are indicated in shaded text. Graphics showing modifications to neighborhood maps are included at the end of this document.

A. VISION STATEMENT

Downtown Kirkland provides a strong sense of community identity for all of Kirkland. This identity is derived from Downtown's physical setting along the lakefront, its distinctive topography, and the human scale of existing development. This identity is reinforced in the minds of Kirklanders by Downtown's historic role as the cultural and civic heart of the community.

Future growth and development of the Downtown must recognize its unique identity, complement ongoing civic activities, clarify Downtown's natural physical setting, enhance the open space network, and add pedestrian amenities. These qualities will be encouraged by attracting economic development that emphasizes diversity and quality within a hometown setting of human scale.

B. LAND USE

A critical mass of retail uses and services is essential to the economic vitality of the Downtown area.

The Downtown area is appropriate for a wide variety of permitted uses. The area's economic vitality and identity as a commercial center will depend upon its ability to establish and retain a critical mass of retail uses and services, primarily located west of 3rd Street. If this objective is not reached, it relegates the Downtown to a weaker and narrower commercial focus (i.e., restaurant and offices only) and lessens the opportunities and reasons for Kirklanders to frequent the Downtown.

The enhancement of the area for retail and service businesses will best be served by concentrating such uses in the pedestrian core and shoreline districts and by encouraging a substantial increase in the amount of housing and office floor area either within or adjacent to the core. In implementing this land use concept as a part of Downtown's vision, care must be taken to respect and enhance the existing features, patterns, and opportunities discussed in the following plan sections on urban design, public facilities, and circulation.

Land use districts in the Downtown area are identified in Figure C-3.

Figure C3 identifies five land use districts within the Downtown area. The districts are structured according to natural constraints such as topographical change, the appropriateness of pedestrian and/or automobile-oriented uses within the district, and linkages with nearby residential neighborhoods and other commercial activity centers.

CORE AREA

Pedestrian activity in the core area is to be enhanced.

The core area should be enhanced as the pedestrian heart of Downtown Kirkland. Land uses should be oriented to the pedestrian, both in terms of design and activity type. Appropriate uses include retail, restaurant, office, residential, cultural, and recreational.

Restaurants, delicatessens, and specialty retail shops, including fine apparel, gift shops, art galleries, import shops, and the like constitute the use mix and image contemplated in the Vision for Downtown. These uses provide visual interest and stimulate foot traffic and thereby provide opportunities for leisure time strolling along Downtown walkways for Kirklanders and visitors alike.

Drive-through facilities and ground-floor offices are prohibited.

The desired pedestrian character and vitality of the core area requires the relatively intensive use of land and continuous compact retail frontage. Therefore, automobile drive-through facilities should be prohibited. Similarly, office uses should not be allowed to locate on the ground level. These uses generally lack visual interest, generate little foot traffic, and diminish prime ground floor opportunities for the retail uses that are crucial to the ambiance and economic success of the core area.

The attractiveness of the core area for pedestrian activity should be maintained and enhanced. Public and private efforts toward beautification of the area should be promoted. Mitigation measures should be undertaken where land uses may threaten the quality of the pedestrian environment. For example, in areas where take-out eating facilities are permitted, a litter surcharge on business licenses should be considered as a means to pay for additional trash receptacles or cleaning crews.

The creation and enhancement of public open spaces is discussed.

Public open spaces are an important component of the pedestrian environment. They provide focal points for outdoor activity, provide refuge from automobiles, and stimulate foot traffic which in turn helps the retail trade. The establishment and use of public spaces should be promoted. Surface parking lots should be

eliminated in favor of structured parking. In the interim, their role as one form of open area in the Downtown should be improved with landscaped buffers adjacent to rights-of-way and between properties. Landscaping should also be installed where rear sides of buildings and service areas are exposed to pedestrians.

A high-priority policy objective should be for developers to include only enough parking stalls in their projects within the core area to meet the immediate need and to locate the majority of their parking in the core frame. This approach would reserve the majority of core land area for pedestrian movement and uses and yet recognize that the adjacent core frame is within a very short walk.

The City should generally avoid vacating alleys and streets in the core area. The existing network of street and alleys provides a fine-grained texture to the blocks which allows service access and pedestrian shortcuts. The small blocks also preclude consolidation of properties which might allow larger developments with less pedestrian scale. Vacations may be considered when they will not result in increased building mass and there is a substantial public benefit. Examples of public benefit might include superior pedestrian or vehicular linkages, or superior public open space.

NORTHWEST CORE FRAME

Office and office/multifamily mixed-use projects are appropriate in the Northwest Core Frame.

The Northwest Core Frame includes the area south of City Hall and north of the core area. This area should develop with office, or office/multifamily mixed-use projects, whose occupants will help to support the commercial establishments contained in the core. Retail and restaurant uses are desirable provided that they have primary access from Central Way.

This area presents an excellent opportunity for the development of perimeter parking for the core area and is so shown in the Downtown Master Plan (Figure C4). Developers should be encouraged to include surplus public parking in their projects, or to incorporate private parking “transferred” from projects in the core or funded by the fee-in-lieu or other municipal source. While pedestrian pathways are not as critical in this area as they are in the core, drive-through facilities should nevertheless be encouraged to locate elsewhere, to the east of 3rd Street.

Northeast Core Frame

A broad range of commercial uses should be encouraged in the Northeast Core Frame.

The Northeast Core Frame currently contains the bulk of the Downtown area’s automobile-oriented uses. Redevelopment or new development in this area should be encouraged to represent a broader range of commercial uses.

Future development should set the bulk of structures back from the street while providing low, one-story retail shops at the edge of the sidewalk. Development should also underground utilities, and incorporate parking lot landscaping and a reduction in lot coverage in site design. This will present an open, green face to Central

Way and, in conjunction with Peter Kirk Park on the south side of the street, create a tree-lined boulevard effect as one approaches the core area from the east.

EAST CORE FRAME

Development in the East Core Frame should be in large, intensively developed mixed-use projects.

The East Core Frame is located east of Peter Kirk Park, extending from Kirkland Way northerly to 7th Avenue. The area includes the area where the Kirkland Parkplace shopping center as well as several large office buildings and large residential complexes. South of Central way, the area is largely commercial and provides significant opportunities for redevelopment. ~~is located, and extends northerly to 7th Avenue. Developments in this area should continue to represent a wide range of uses, in several large, mixed use projects. However, because this area between Central Way and Kirkland Way provides the best opportunities in the Downtown for creating a strong vital employment base, redevelopment for this area should continue to emphasize office use should be emphasized redevelopment over residential. Within the Parkplace center site, however, retail uses should be a significant component of a mixed use complex.~~

Limited residential use should be allowed as a complementary use adjoining the eastern edge of Peter Kirk Park as a complementary use. ~~These residential uses should be designed to accommodate the active nature of the park (e.g., noise, lighting, etc.) to avoid potential conflicts between future residents and park uses.~~

The north side of Central Way, within the East Core Frame, has been redeveloped to nearly its full potential with high density residential uses.

SOUTH CORE FRAME

Retail, office, and office/multifamily mixed-use projects are suitable for the South Core Frame.

The South Core Frame immediately abuts the southern boundary of the core area. This area is suitable for retail, office, and office/multifamily mixed-use projects.

Public parking may be provided in the South Core Frame.

The South Core Frame, like the Northwest Core Frame, presents an excellent opportunity for the development of close-in public parking. Developers should be allowed to include surplus public parking in their projects in this area or to accommodate private parking “transferred” from the core or funded by “fee-in-lieu” or other municipal source.

The western half of the South Core Frame should develop more intensively than the eastern half of this area, due to its proximity to the Downtown core. The vacation of 1st Avenue South, west of 2nd Street South, and 1st Street South should be considered as a means of concentrating more intensive development to the west.

Mitigation measures to reduce impacts on single-family residences may be required.

As this area lies just north of an established single-family neighborhood, mitigation measures may be required to minimize the impacts of any new nonresidential development on these single-family homes. These measures may include the restriction of vehicle access to projects within the South Core Frame to nonresidential streets. Public improvements, such as physical barriers to restrict traffic flow in these areas, may be considered. The architectural massing of projects in this area should be modulated both horizontally and vertically to reduce their visual bulk and to reflect the topography which presently exists.

C. URBAN DESIGN

The urban design of Downtown Kirkland consists of many disparate elements which, together, define its identity and “sense of place.” This document provides policy guidelines for the design of private development and a master plan for the development of the public framework of streets, pedestrian pathways, public facilities, parks, public buildings, and other public improvements (see Figure C4).

The following discussion is organized into three sections:

- A. Downtown Design Guidelines and Design Review;
- B. Building Height and Design Districts; and
- C. The Image of the City: Urban Design Assets.

DOWNTOWN DESIGN GUIDELINES AND DESIGN REVIEW

Mechanics of Design Review are described.

The booklet entitled “Design Guidelines for Pedestrian-Oriented Business Districts,” which is adopted in Chapter 3.30 of the Kirkland Municipal Code, contains policy guidelines and concepts for private development in Downtown Kirkland. The booklet includes an explanation of the mechanics of the Design Review process to be used for all new development and major renovations in the Downtown area. The booklet entitled “Master Plan and Design Guidelines for Kirkland Parkplace” contains guidelines for the master planned development of the Kirkland Parkplace site (Design District 5A). Discretion to deny or condition a design proposal is based on specific Design Guidelines or a master plan adopted by the City Council and administered by the Design Review Board and Planning Department. Design Review enables the City to apply the Guidelines in a consistent, predictable, and effective manner.

The Guidelines are intended to balance the desired diversity of project architecture with the equally desired overall coherence of the Downtown's visual and historic character. This is to be achieved by injecting into each project's creative design process a recognition and respect of design principles and methods which incorporate new development into Downtown's overall pattern. The Guidelines would be applied to any specific site in conjunction with the policy guidance provided by the Downtown Master Plan and the following text regarding Design Districts.

The Design Review Process enables the City to require new development to implement the policy guidance contained in the Guidelines, the Master Plan for Downtown, and to protect and enhance the area's urban design assets. A more complete description of how Design Review should operate is found in the Zoning Code.

BUILDING HEIGHT AND DESIGN DISTRICTS

Figure C5 identifies eight height and design districts within Downtown Kirkland. The boundaries of these districts are determined primarily by the topographical characteristics of the land and the area's proximity to other noncommercial uses.

Design District 1

Maximum building height in Design District 1 is between two and five stories, depending on location and use.

This district is bordered by Lake Street, Central Way, 3rd Street, and generally 1st Avenue South. When combined with District 2, this area corresponds to the core area as shown in Figure C3.

The maximum building height in this area should be between two and five stories with no minimum setback from property lines. Stories above the second story should be set back from the street. To preserve the existing human scale of this area, development over two stories requires review and approval by the Design Review Board based on the priorities set forth in this plan.

Buildings should be limited to two stories along all of Lake Street South to reflect the scale of development in Design District 2. Along Park Lane west of Main Street, Third Street, and along Kirkland Avenue, a maximum height of two stories along street frontages will protect the existing human scale and pedestrian orientation. Buildings up to three stories in height may be appropriate along Central Way to reflect the scale of development in Design District 8 and as an intermediate height where adequately set back from the street. A continuous three-story street wall should be avoided by incorporating vertical and horizontal modulations into the design of buildings.

The portions of Design District 1 designated as 1A in Figure C-5 should be limited to a maximum height of three stories. As an incentive to encourage residential use of upper floors and to strengthen the retail fabric of the Core Area, a fourth story of height may be allowed. This additional story may be considered by the Design Review Board for projects where at least two of the upper stories are residential, the total height is not more than four feet taller than the height that would result from an office project with two stories of office over ground floor retail, stories above the second story are set back significantly from the street and the building form is stepped back at the third and fourth stories to mitigate the additional building mass, and the project

provides superior retail space at the street level. Rooftop appurtenances and related screening should not exceed the total allowed height, and should be integrated into the height and design of any peaked roofs or parapets.

The portions of Design District 1 designated as 1B in Figure C-5 provide the best opportunities for new development that could contribute to the pedestrian fabric of the Downtown. Much of the existing development in these areas consists of older auto-oriented uses defined by surface parking lots and poor pedestrian orientation. To provide incentive for redevelopment and because these larger sites have more flexibility to accommodate additional height, a mix of two to four stories in height is appropriate. East of Main Street, development should combine modulations in building heights with modulations of facade widths to break large buildings into the appearance of multiple smaller buildings. South of Kirkland Avenue, building forms should step up from the north and west with the tallest portions at the base of the hillside to help moderate the mass of large buildings on top of the bluff. Buildings over two stories in height should generally reduce the building mass above the second story.

As with Design District 1A, an additional story of height may be appropriate in 1B to encourage residential use of the upper floors and to strengthen the retail fabric in the Core Area. This additional story may be considered by the Design Review Board for projects where at least three of the upper stories are residential, the total height is not more than one foot taller than the height that would result from an office project with three stories of office over ground floor retail, stories above the second story are set back significantly from the street and the building form is stepped back at the third, fourth, and fifth stories to mitigate the additional building mass, and the project provides superior retail space at the street level. Rooftop appurtenances and related screening should not exceed the total allowed height, and should be integrated into the height and design of any peaked roofs or parapets.

Design considerations of particular importance in this area are those related to pedestrian scale and orientation. Building design at the street wall should contribute to a lively, attractive, and safe pedestrian streetscape. This should be achieved by the judicious placement of windows, multiple entrances, canopies, awnings, courtyards, arcades, and other pedestrian amenities. Service areas, surface parking, and blank facades should be located away from the street frontage.

Design District 2

One to three stories in building height above Central Way or Lake Street are appropriate in Design District 2, depending on location.

This area is bordered by the shoreline, Central Way, Lake Street, and 3rd Avenue South. This area serves as the link between Downtown and the Lake and helps define the traditional pedestrian-oriented retail environment. In addition, the existing low development allows public views of the Lake from many vantages around the Downtown and allows evening sun into the Downtown core. To emphasize this link and the traditional role, building heights in this area should remain low. Two stories above the street are appropriate along Central Way and south of Kirkland Avenue. Along Lake Street South between Kirkland Avenue and Central Way, buildings should be limited to one story above the street. Two stories in height may be allowed in this area where the impacts of the additional height are offset by substantial public benefits, such as through-block public pedestrian access or view corridors. Buildings over one story in this area should be reviewed by the Design Review Board for both design and public benefit considerations. These benefits could also be provided with the development of the Lakeshore Plaza project identified in the Downtown Master Plan (see

Figure C-4). Building occurring in conjunction with that project or thereafter should be reviewed in relation to the new context to determine whether two stories are appropriate. South of Second Avenue South, buildings up to three stories above Lake Street South are appropriate. Buildings over two stories should be reviewed by the Design Review Board to ensure an effective transition along the street and properties to the south.

As in District 1, pedestrian orientation is an equally important design consideration in District 2. In addition, improvements related to the visual or physical linkage between building in this area and the lake to the west should be incorporated in building design.

The public parking lot located near Marina Park at the base of Market Street is well suited for a parking structure of several levels, due to its topography. Incentives should be developed to encourage the use of this site for additional public parking.

Design Districts 3 and 7

Maximum building height is three stories in Design Districts 3 and 7.

These districts are east of 3rd Street, north of Central Way, and south of Peter Kirk Park. Maximum building height should be three stories, with a minimum front yard setback of 20 feet and maximum lot coverage of 80 percent. Lower portions of projects with a pedestrian orientation should be allowed to encroach into the setbacks to stimulate pedestrian activity and links to eastern portions of the Downtown. Street trees and ground cover are appropriate along Kirkland Avenue and Central Way. By keeping structures in this area relatively low-rise and set back from the street, views from upland residences can be preserved and the openness around Peter Kirk Park enhanced.

In Design District 3, the restriction of access points to nonresidential streets may be necessary in order to prevent a negative impact of development in this area on the single-family enclave which exists to the south.

Design District 4

Maximum building height to be four stories.

This district is located south of 1st Avenue South, east of 1st Street South. Land in this area is appropriate for developments of four stories in height.

The method for calculating building height should be modified for this area as described in the discussion of height calculation for structures in District 8. The opportunity to take advantage of substantial grade changes with terraced building forms also exists in the western half of District 4.

Vehicular circulation will be an important consideration in project design in this area. The restriction of access points to nonresidential streets in order to prevent a negative impact of development in this area on the single-family enclave which exists to the south may be necessary.

Design District 5

Building heights of two to five stories are appropriate in Design District 5.

This district lies at the east side of Downtown between ~~Central Way~~ Design District 5A and Kirkland Way. Maximum building height should be between three and five stories. The existing mix of building heights and arrangement of structures within the district preserves a sense of openness within the district and around the perimeter. Placement, size, and orientation of new structures in this district should be carefully considered to preserve this sense of openness. Buildings over two stories in height should be reviewed by the Design Review Board for consistency with applicable policies and criteria. Within the district, massing should generally be lower toward the perimeter and step up toward the center. ~~Facades~~ Portions of buildings facing Central Way, Kirkland Way, and Peter Kirk Park should be limited to between two and three stories, with taller portions of the building stepped back significantly. Buildings over three stories in height should generally reduce building mass above the third story.

Buildings fronting Peter Kirk Park and the Performance Center should be well modulated, both vertically and horizontally, to ease the transition to this important public space. Buildings should not turn their backs onto the park with service access or; blank walls, etc. Landscaping and pedestrian linkages should be used to create an effective transition. ~~Residential development should be designed to integrate into both the office/retail character of the zone and the active urban nature of Peter Kirk Park. Residential development should also be limited to those portions of the property fronting on park green space, rather than those portions fronting the Teen Center and Performance Center.~~

Design considerations related to vehicular and pedestrian access, landscaping, and open space are particularly important in this area. ~~The intersection of 6th Street and Central Way is a prominent gateway to the Downtown. New development in this area should have a positive impact on the image of Kirkland and should be designed to enhance this entry.~~ Within the district, a north-south vehicular access between Central Way and Kirkland Way should be preserved and enhanced with pedestrian improvements.

Design Districts 5A

Building heights of 3 to 8 stories are appropriate in Design District 5A.

This district lies at the east side of Downtown between Central Way and Design District 5 and is commonly known as Parkplace. This property is distinguished from the remainder of Design District 5 by the following factors: it is a large parcel under common ownership; it is topographically distinct based on previous excavation to a level that is generally lower than Central Way and abutting properties to the south and east; it has frontage on Central Way; and it contains a mix of uses not found on other office or residential only properties in District 5. Design considerations related to vehicular and pedestrian access, landscaping, and open space are particularly important in this area. Within the district a north-south vehicular access between Central Way and Kirkland Way should be preserved and enhanced with pedestrian improvements.

Redevelopment of this area should be governed by the Kirkland Parkplace Master Plan and Design Guidelines as set forth in the Kirkland Municipal Code. Heights of up to eight stories are appropriate as an incentive to create a network of public open spaces around which is organized a dynamic retail destination. Development under the Master Plan and Design Guidelines should guide the transformation of this district from an auto-

oriented center surrounded by surface parking into a pedestrian-oriented center integrated into the community by placing parking underground; activating the streets with retail uses; and creating generous pedestrian paths, public spaces and gathering places. Pedestrian connections to adjoining streets, Peter Kirk Park, and adjoining developments should be incorporated to facilitate the integration of the district into the neighborhood. Residential development could be designed to integrate into both the office/retail character of the zone and the active urban nature of Peter Kirk Park. Special attention to building design, size, and location should be provided at three key locations: at the intersection of Central Way and Sixth Street to define and enhance this important downtown gateway; along Central Way to respond to the context along the north side of street; and facing Peter Kirk Park to provide a transition in scale to downtown's central greenspace.

Because of the intensity of land use in 5A, the design of the buildings and site should incorporate aggressive sustainability measures, including low impact development measures, deconstruction, green buildings, and transportation demand management.

Design District 6

Maximum building heights of two to four stories are appropriate for Design District 6.

This large block of land located between 5th Street and 6th Street, north of Central Way, and south of 7th Avenue, is identified as a major opportunity site for redevelopment elsewhere in this document. Figure C6 contains a schematic diagram of design and circulation considerations that should be incorporated in the redevelopment of this district. Development of this district should be relatively intensive and should be physically integrated through pedestrian access routes, design considerations, and intensive landscaping.

Safe, convenient, and attractive pedestrian connections across the district should be provided. This path should be designed under a covered enclosure or arcade along the storefronts in this area. Visual interest and pedestrian scale of these storefronts will contribute to the appeal of this walkway to the pedestrian. A connection of this pathway to Central Way should be made, with a continuation of the overhead enclosure to unify this pedestrian route.

Design considerations related to vehicular and pedestrian access, landscaping, and open space are particularly important in this area. The intersection of 6th Street and Central Way is a prominent gateway to the Downtown. New development in this area should have a positive impact on the image of Kirkland and should be designed to enhance this entry.

A substantial building setback or mitigating design such as the site configuration on the south side of Central Way is necessary in order to preserve openness at this important gateway site. The northeast and southeast corners of this block should be set aside and landscaped to provide public open spaces or miniparks at these gateways. Side-yard setbacks, however, should be minimal to reduce the appearance of a building surrounded by a parking area.

The northern portion of this district should be developed in uses that are residential both in function and scale. Access to this portion of the site may be either from 7th Avenue or from one of the adjacent side streets. Some of the significant trees along 7th Avenue should be incorporated into the site design as a means of softening the apparent mass of any new structures and to provide additional elements of continuity facing the single-family residences along 7th Avenue. In addition, building mass should step down toward 7th Avenue and design consideration should be given to the massing and form of single-family homes to the north.

Design District 8

Building heights of two to four stories are appropriate, depending on location.

This district is located north of Central Way and south of 4th Avenue, between Market Street and 3rd Street. Maximum building height should be three stories abutting Central Way and two stories at 3rd and 4th Avenues. Structures which do not abut either of these streets should be allowed to rise up to four stories.

Building height calculation should require terracing of building forms on sloped sites.

Where dramatic elevation changes exist in this district, an innovative method of calculating height is appropriate. In order to encourage the terracing of building forms on the hillside, building height should be calculated relative to the ground elevation above which the individual planes of the structure lie. Additional bulk controls should apply to restrict the height within 100 feet of noncommercial neighborhoods to the same height allowed in the adjacent zone. Heights on the north side should step down to ease the transition to the core area and moderate the mass on top of the hillside.

Vehicular circulation to nonresidential portions of projects within this area should not occur on primarily residential streets. In addition, design elements should be incorporated into developments in this area which provide a transition to the residential area to the north.

***THE IMAGE OF THE CITY:
URBAN DESIGN ASSETS***

Many of Downtown's urban design assets are mapped on the Master Plan (Figure C4) or are discussed explicitly in the text of the Height and Design Districts or the Downtown Design Guidelines. The following text should read as an explanation and amplification of references made in those two parts of the Downtown Plan.

Visual Landmarks

Lake Washington is a major landmark in Downtown Kirkland.

The most vivid landmark in Downtown Kirkland is Lake Washington. The lake provides a sense of openness and orientation and is a prominent feature from two of the three main approaches to the Downtown. Many residents and visitors to Kirkland form their impressions of the community from these important vantage points. The preservation and enhancement of views from the eastern (NE 85th Street/Central Way) and northern (Market Street) approaches/gateways is a high-priority policy objective.

Despite the prominence from these vantage points, the core area is not well oriented to capitalize on its waterfront setting. The existing activity centers of the retail core and the lake are separated by large surface parking lots. The City and property owners around Marina Park should aggressively pursue opportunities to

correct this deficiency by structuring the existing surface parking below a public plaza. This open space amenity could redefine the Downtown and become the focal point of the community.

Other outstanding visual landmarks include the large green expanse of Peter Kirk Park, which provides an open space relief to the densely developed Downtown core to the west. The Peter Kirk Park civic and cultural facilities (Library, Municipal Garage, Peter Kirk Pool, Kirkland Performance Center, Peter Kirk Community Center, Teen Union Building) library and Senior Center building located at the southeast edge of Peter Kirk Park, as well as the METRO transit center at the western boundary of the park, are also well-known local landmarks.

The City Hall facility provides an important visual and civic landmark on the northern slope above the Downtown. Marina Park and the pavilion structure situated there are also symbolic reference points of community, recreational, and cultural activities.

There are a number of features in and nearby the Downtown area with historic significance which add to its visual character and historic flavor. These landmarks include the historic buildings on Market Street and the old ferry clock on Lake Street at Kirkland Avenue. These structures should be recognized for their community and historic value, and their preservation and enhancement should have a high priority. In contrast to the bland architecture of many of the buildings in the Downtown constructed since the 1940's, some of the older structures help define the character of the Downtown. The City will consider preserving this character through a process of inventorying these structures and adopting historic protection regulations. New regulations could range from protecting the character of designated historic buildings to protecting the actual structure. Some form of preservation would provide continuity between the Downtown vision and its unique past.

Public Views

Important Downtown views are from the northern, southern, and eastern gateways.

A number of dramatic views exist in the Downtown and its immediate vicinity due to the hills, the valley, and the sloping land areas which form the bowl-like topography which characterizes the City's center. One of the views most often associated with Downtown Kirkland is from NE 85th Street just west of Interstate 405 the eastern gateway, where Central Way meets 6th Street. From this vantage point, the hills north and south of the core area form a frame for a sweeping view of Lake Washington in the distance and the Olympic mountain range beyond.

Another striking view, identified in Figure C4, is from the Market Street entry into Downtown. This approach is met with a view of the lake, Marina Park and its pavilion, and the City's shoreline. This view could be enhanced with redevelopment of the GTE site, where the existing massive building substantially diminishes this broad territorial view.

Where the Kirkland Avenue and 2nd Avenue South rights-of-way cross Lake Street and continue to Lake Washington, an unobstructed view of open water is visible to pedestrians and people traveling in vehicles. These views are very valuable in maintaining the visual connection and perception of public accessibility to the lake. These views should be kept free of obstruction.

Gateways

Topographic changes define gateways into the Downtown area.

The gateways into Downtown Kirkland are very clear and convey a distinct sense of entry. Two of the Downtown's three major gateways make use of a change in topography to provide a visual entry into the area.

At the eastern boundary of the Downtown area, Central Way drops toward the lake, and the core area comes clearly into view. This gateway could be enhanced by an entry sign, similar to one located farther up the hill to the east, or some other distinctive structure or landscaping feature.

A second major gateway is the Downtown's northern entrance where Market Street slopes gradually down toward Marina Park. The historic buildings at 7th Avenue begin to form the visual impression of Downtown's character and identity, and the landscaped median adds to the boulevard feeling of this entryway. Some type of sign or other feature could be incorporated into the improvements to the Waverly site.

At the Downtown's southern border, the curve of Lake Street at about 3rd Avenue South provides a very clear gateway into the commercial core. It is at this point that the transition from residential to retail uses is distinctly felt. Here, also, is an opportunity to enhance this sense of entry by creation of literal gateposts, signs, or landscape materials.

Pathways

An extensive network of pedestrian pathways covers the Downtown area.

The size and scale of Downtown Kirkland make walking a convenient and attractive activity. An extensive network of pedestrian pathways covers the Downtown area, linking residential, recreational, and commercial areas. Downtown Kirkland is a pedestrian precinct unlike virtually any other in the region. It is almost European in its scale and quality.

The core of the shopping district, with its compact land uses, is particularly conducive to pedestrian traffic. Both sides of Lake Street, Park Lane, and Kirkland Avenue are major pedestrian routes. Many residents and visitors also traverse the land west of Lake Street to view and participate in water-oriented activities available there.

The Downtown area's major east/west pedestrian route links the lake with Peter Kirk Park, the Kirkland Parkplace shopping center, and areas to the east. For the most part, this route is a visually clear pathway, with diversity and nearby destinations contributing to its appeal to the pedestrian. Enhancement and improved definition of this important east-west pedestrian corridor would help link Parkplace Place with the rest of the shopping district.

Minor pedestrian routes link the residential areas north of Central Way and south of Kirkland Avenue. These linkages need to be strengthened in order to accommodate the residential and office populations walking from the Norkirk Neighborhood and core frames, respectively. Additional improvements, such as brick paver crosswalks, pedestrian safety islands, and signalization, are methods to strengthen these north-south linkages.

Enhancement of Downtown pedestrian routes should be a high-priority objective.

Enhancement of the Downtown area's pedestrian routes should be a high-priority policy and design objective. For example, minor architectural features and attractive and informative signs should be used to identify public pathways. Public and private efforts to make pedestrian walkways more interesting, functional, convenient, and safe, should be strongly supported. Figure C4 highlights a number of projects proposed for this purpose. These projects are discussed in detail elsewhere in this text.

D. PUBLIC FACILITIES

OPEN SPACE/PARKS

Four major park sites are critical to the Downtown's feeling of openness and greenery. These parks weave a noncommercial leisure-time thread into the fabric of the area and provide a valuable amenity, enhancing Downtown's appeal as a destination. Each of the major approaches to the Downtown is met with a park, with the Waverly site and Marina Park enhancing the northern entry, and Peter Kirk Park and Dave Brink Park augmenting the eastern and southern approaches. Physical improvements in and near these parks should strengthen their visual prominence and prevent view obstruction.

Marina Park and Peter Kirk Park in particular are well-used by families and recreational groups. Public facilities at these parks should continue to expand opportunities for residents, such as the installation of permanent street furniture and play equipment for children at Marina Park.

Pedestrian improvements should be made to improve connections between parks and nearby facilities.

Downtown projects which are not directly related to the parks should continue to locate adjacent to the parks, and in some cases, should share access or parking. Impacts from projects, such as the tour boat dock at Marina Park and the METRO transit center at Peter Kirk Park, should be minimized. Efforts to provide continuity between these facilities and the parks through the use of consistent walkway materials, landscaping, and other pedestrian amenities, will help to reduce the appearance of a separation of uses at these locations.

The boat launch ramp which exists at Marina Park is an important amenity in the community. It should be retained until another more suitable location is found.

OTHER PUBLIC FACILITIES

City Hall and the ~~Peter Kirk Park civic and cultural center Library/Senior Center facility~~ add to the community atmosphere and civic presence in the Downtown area. The plan for Downtown developed in 1977 recommended that the City Hall facility be moved from its previous location in the core area to its present site

overlooking the Downtown from the northern slope. In its new location, City Hall is close enough to Downtown to contribute workers to the retail and restaurant trade, as well as to provide a visually prominent and symbolic landmark when viewed from the Downtown.

Public efforts to assist the Downtown business district should be continued.

The City should help to foster economic vitality in the Downtown by working with the private sector and by encouraging independent efforts toward economic development by the private sector. Such assistance to the business community might include supporting efforts to establish local improvement or business improvement districts. This could take the form of seed money for preliminary studies and the dissemination of information.

Other public efforts to strengthen the Downtown business climate should include the continued promotion of public projects such as the tour boat dock, in addition to continued support for private projects such as the Lakeshore Plaza Boardwalk, which would help to implement public policy goals.

E. CIRCULATION

PEDESTRIAN

Pedestrian routes should have equal priority to vehicular routes in Downtown circulation.

Pedestrian amenities and routes should continue to be improved, and should be given equal priority with that of vehicular routes for circulation within the Downtown. Modifications to the street network and traffic patterns should not be allowed to disrupt Downtown pedestrian activity and circulation.

To be a truly successful walking environment, the core area of the Downtown must be safe, convenient, and pleasant for the pedestrian. Pedestrian safety would be increased greatly by reducing opportunities for conflicts with cars. The reprogramming of crosswalk signals to favor the pedestrian would discourage jaywalking and allow sufficient time for slower walkers to cross the street.

Convenience to the pedestrian will be enhanced by improving the directness and ease of pedestrian routes. “Shortcuts” between streets, or even between buildings, can link pedestrian routes over large distances where vehicles cannot circulate. Coordinated public directory signs and maps of walkways should be developed to clearly identify public pathways for the pedestrian.

A system of overhead coverings should be considered to improve the quality of pedestrian walkways year-round.

The pleasures of walking in the Downtown area would be enhanced by the installation of minor public improvements, such as street furniture (benches, planters, fountains, sculptures, special paving treatments), flower baskets, and coordinated banners and public art. The creation of a system of overhead coverings such

as awnings, arcades, and marquees would provide protection to the pedestrian during inclement weather, allowing for pedestrian activity year-round. All of these features would add visual interest and vitality to the pedestrian environment.

Brick crosswalks have been installed at 3rd Street and Park Lane in conjunction with the METRO transit center facility. The expansion of the use of brick for crosswalks throughout the Downtown should be considered. In any case, additional restriping of crosswalks in the Downtown area should be actively pursued.

The establishment and improvement of pedestrian pathways between activity centers should be a high-priority policy objective. Major pedestrian routes within the Downtown area are identified in Figure C4. Major pathways include the extensive east-west “spine” or “Park Walk Promenade,” which links the lake with points east of 6th Street and the shoreline public access trail.

The Downtown Master Plan also identifies other important pedestrian routes which provide north-south pedestrian access. Improvements to these pathways should be promoted, particularly at the intersection of 6th Street and Central Way. Elevated crosswalks should be considered among the alternatives reviewed for pedestrian access across Central Way. Disadvantages to elevated crosswalks which should be considered are potential view blockage and the loss of on-street pedestrian traffic.

The portion of the Park Walk Promenade spanning Peter Kirk Park was installed by the City during renovation of the park facilities. The walk serves the ~~Senior Center~~ Peter Kirk Park civic and cultural center and library, as well as commercial areas to the east and west. This walkway should be expanded upon when the remaining land south of Kirkland Parkplace develops.

Figure C4 illustrates pedestrian system improvements for the two major routes which are intended to serve several purposes. These projects would improve the safety, convenience, and attractiveness of foot traffic in the Downtown, provide shelter from the weather, and create a unifying element highlighting the presence of a pedestrian linkage.

A large public plaza should be constructed west of buildings on Lake Street to enhance the Downtown’s lake front setting (See Figure C-4).

The Lakeshore Plaza shown on the Downtown Master Plan envisions a large public plaza constructed over structured parking. Ideally, the plaza would be developed through public/private partnerships to provide a seamless connection between the Downtown and the lake. The plaza would be at the same grade as Lake Street and would provide visual and pedestrian access from a series of at-grade pedestrian connections from Central Way and Lake Street.

The Park Walk Promenade identified on the Downtown Master Plan should consist of a series of minor structures placed at prominent locations along the walkway in order to clearly identify the pathway throughout its length, as well as to provide some protection during wet weather. The plexiglas and metal “space frames” used at Mercer Island’s Luther Burbank Park and at the Seattle Center are possible design options for protective structures. The concrete and metal gateway feature where Parkplace abuts Peter Kirk Park is a good model for visual markers along the east-west pedestrian spine.

VEHICULAR

Automobiles and public transit are the modes of transportation which move people in and out of the Downtown, and often between the core area and the frame. Within the Downtown, pedestrian circulation should be given equal priority with vehicular circulation. A primary circulation goal should be to emphasize pedestrian circulation within the Downtown, while facilitating vehicle access into and out of the Downtown.

Alternate traffic routes should be considered.

Lake Street should be designated to function as a major pedestrian pathway. The objectives for land use and pedestrian circulation should be seriously considered during any plans for traffic and roadway improvements on Lake Washington Boulevard. The goal to discourage commuter traffic on the boulevard should not be viewed independently from the need to retain vehicle access for tourists, shoppers, and employees to the Downtown.

State Street should continue to serve as a major vehicular route, bringing shoppers and workers into the Downtown area. Sixth Street should be developed to accommodate additional vehicles. Future plans for Lake Street and Lake Washington Boulevard may include the diversion of cars from the Downtown area, and 6th Street would provide the most appropriate north/south alternative route. The existence of commercial development on this street renders it more appropriate than State Street to handle substantial commuter traffic.

The use of public transportation to the Downtown should be encouraged.

Third Street has been designed for the pedestrian and public transit user, with the METRO transit center located on this street. The use of public transportation as an alternative for people who work or shop in the Downtown should be encouraged. Increased use of this mode of transportation would help to reduce traffic congestion and parking problems in the core area.

The number of vehicular curb cuts in the Downtown area should be limited. Both traffic flow in the streets and pedestrian flow on the sidewalks are disrupted where driveways occur. In the core frame in particular, the placement of driveways should not encourage vehicles moving to and from commercial areas to travel through residential districts.

PARKING

The core area is a pedestrian-oriented district, and the maintenance and enhancement of this quality should be a high priority. Nevertheless, it should be recognized that pedestrians most often arrive in the core via an automobile which must be parked within easy walking distance of shops and services. To this end, as discussed elsewhere in this chapter, private projects which include a substantial amount of surplus parking stalls in their projects should be encouraged to locate these parking stalls in the core frame.

The Downtown area contains a variety of parking opportunities. Four public parking lots exist in the Downtown area: at the west side of Peter Kirk Park, the street-end of Market Street at Marina Park, in Lakeshore Plaza, and at the intersection of Central Way and Lake Street. These lots are shown on the Downtown Master Plan (Figure C4).

Public parking to be a permitted use on private properties north and south of the core area.

Other sites that would be appropriate for public parking include the north and south slope of the Downtown as shown in Figure C4. Public parking in these areas would help to serve core-area businesses, while not detracting from the dense pattern of development critical to the pedestrian environment there.

More intensive development of existing parking areas should be considered as a way to provide more close-in public parking. Certain sites, such as the Market Street-End lot and the Peter Kirk lot would adapt well to structured parking due to the topography in the immediate vicinity of these lots. Structuring parking below Lakeshore Plaza could make more efficient use of the available space and result in a dramatic increase in the number of stalls available.

The fee-in-lieu of parking alternative allows developers in the core area to contribute to a fund instead of providing required parking on site. The City's authority to spend the monies in this fund should be expanded to include the use of the funds on private property in conjunction with parking facilities being provided by private developers.

Another option for off-site parking should be considered which would allow developers to provide the parking required for their projects elsewhere in the core area or core frame. This alternative should include the construction of parking stalls in conjunction with another developer, if it can be shown that the alternative parking location will be clearly available to the public and is easily accessible to the core area.

The City's parking management and enforcement program should be maintained. The program should be evaluated periodically to assess its effectiveness, with revisions made when necessary.

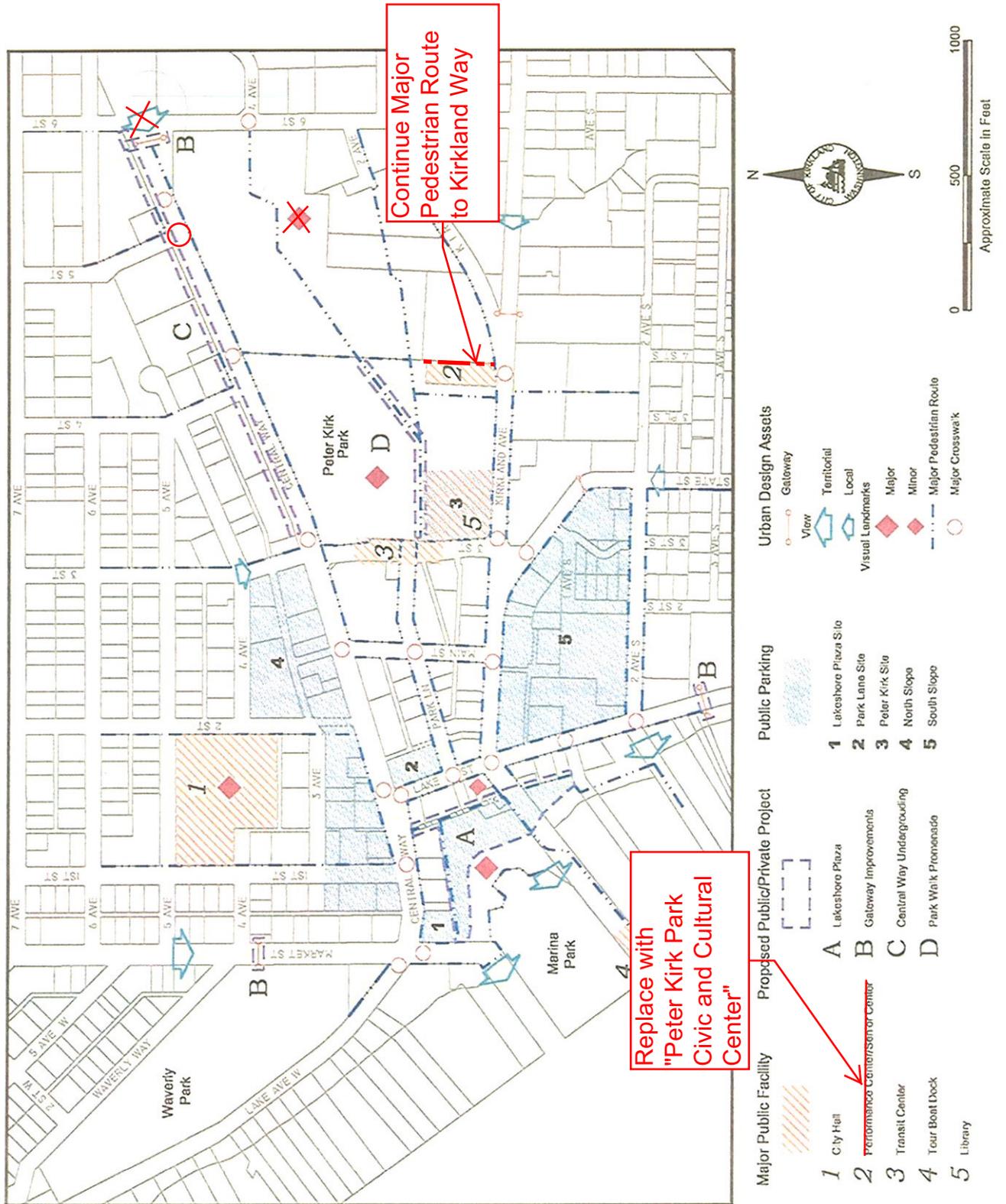


Figure C-4: Downtown Master Plan

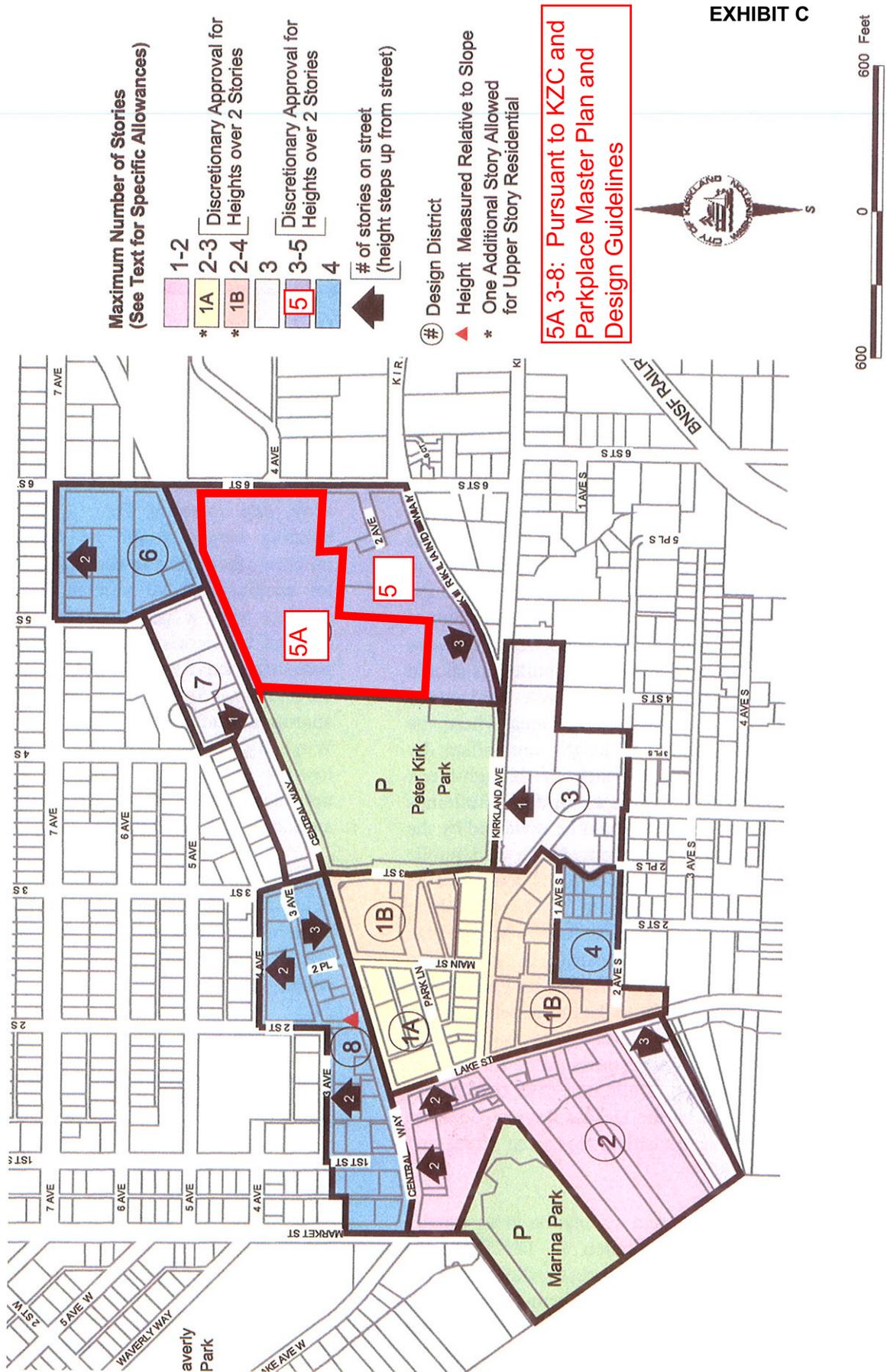


Figure C-5: Downtown Height and Design Districts

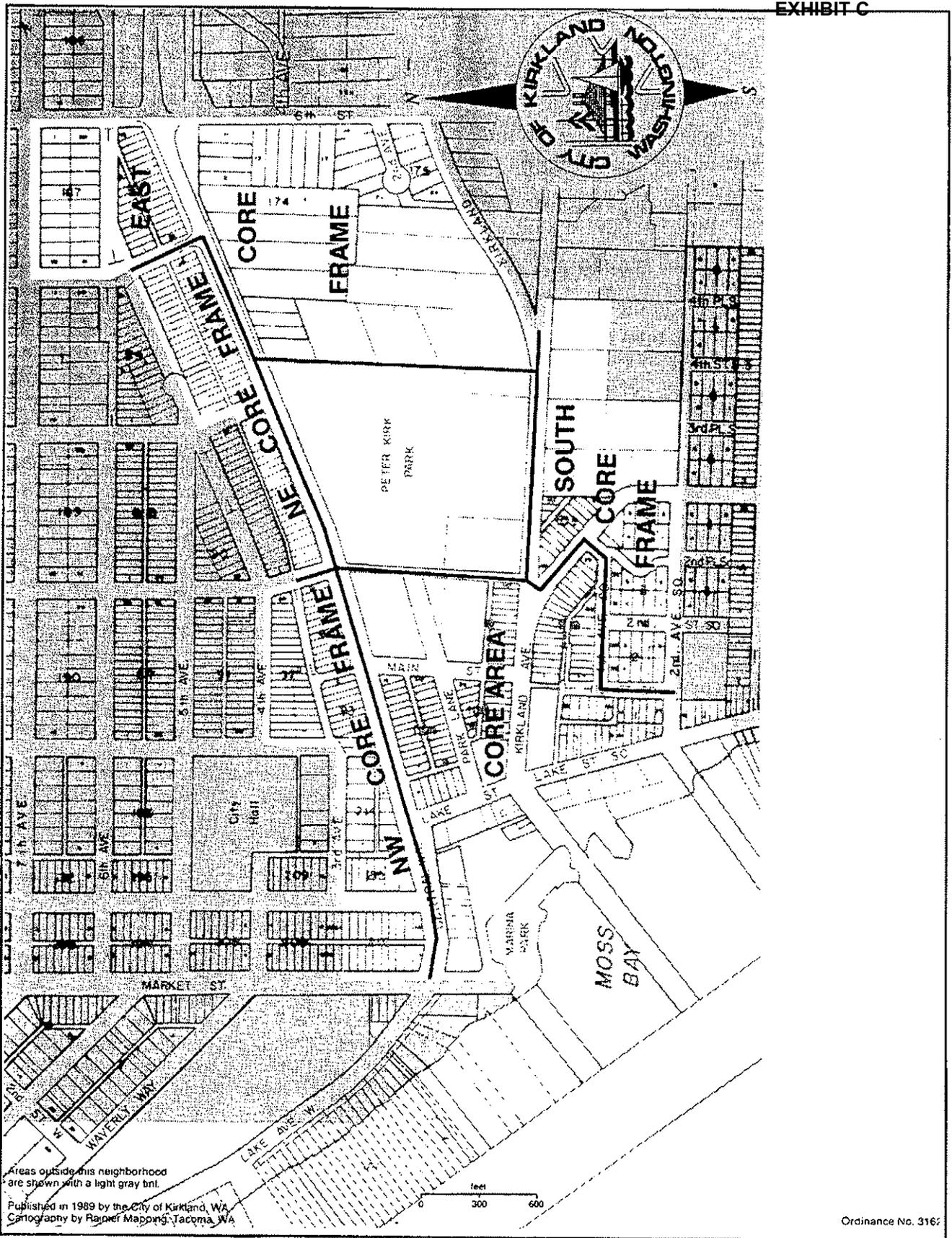


Figure C-3: Downtown Land Use Districts

XV.D. MOSS BAY NEIGHBORHOOD
 3. DOWNTOWN PLAN

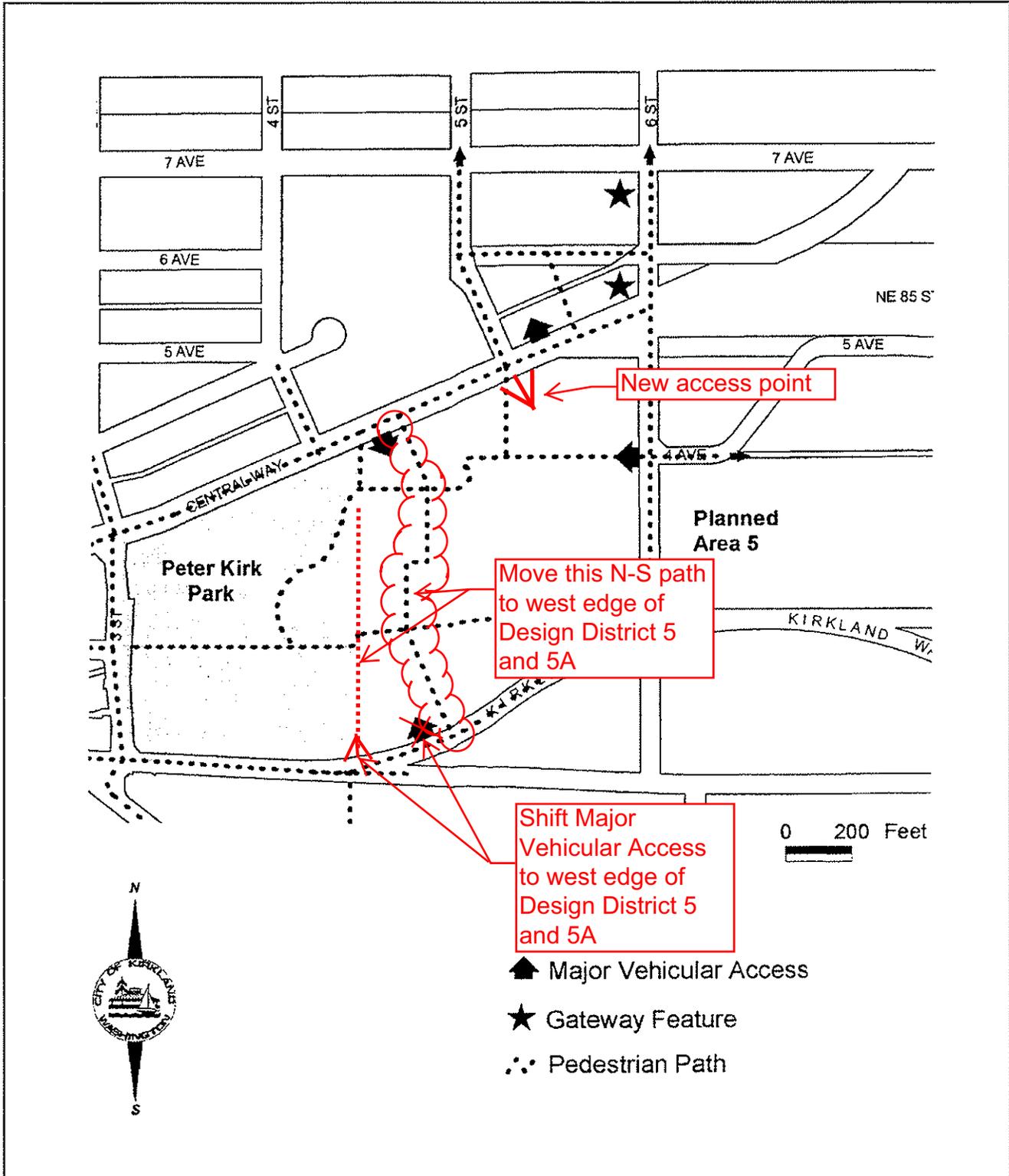


Figure C-6: Design Districts 5 and 6 - Circulation and Gateways

DRAFT CBD 5A USE ZONE CHART

KZC 50.38.A User Guide. The charts in KZC 50.38.C contain the basic zoning regulations that apply in the CBD 5A zones of the City. Use these charts by reading down the left hand column entitled Use. Once you locate the use in which you are interested, read across to find the regulations that apply to that use.

Section 50.38.B - GENERAL REGULATIONS

The following regulations apply to all uses in this zone unless otherwise noted:

1. Refer to Chapter 1 KZC to determine what other provisions of this code may apply to the subject property.

USE ZONE CHART

Section 50.38.C

Use: Mixed Use Development containing office, retail and restaurant uses. See Special Regulations 1, 2, 3 and 4.

Required Review Process: DR, Chapter 142 KZC. See Special Regulation 1

Minimums:

Lot Size: None
Required Yards: see Plate X-1.

Maximums:

Lot Coverage: 100%.
Height of Structures: See Special Regulation 5 and Plate X-2A and X2-B.

Landscape Category: None

Sign Category: E. See Special Regulation 6.

Required Parking: See Special Regulation 7.

Special Regulations:

1. Development under this Use shall be pursuant to the Parkplace Master Plan and Design Guidelines contained in Kirkland Municipal Code 3.30. Compliance with the Master Plan and Design Guidelines shall be determined through DR, Chapter 142.
2. The gross floor area of retail and restaurant uses in this zone shall be equal to or greater than 25% of the gross floor area of office uses in this zone. Retail uses may include accessory short term drop-off children's play facilities.
3. The following additional uses are allowed subject to restrictions listed:
 - a. Hotel; or Athletic Club. Accessory retail or restaurant uses shall be included as retail uses under Special Regulation 2 provided they are open to the public.
 - b. Movie theater. This use may be included as a retail use under Special Regulation 2 provided that the gross floor area of this use shall not count toward more than 10% of the required minimum gross floor area of retail and restaurant uses.
 - c. Private Lodge or Club; Church; School, Day-care Center, or Mini-School or Day-care Center; Public Utility, Government Facility, or Community Facility; Public Park.
 - d. Assisted Living Facility (including a nursing home if part of the facility); Stacked or Attached Dwelling Units; provided that the gross floor area of these uses does not exceed 10% of the total gross floor area for the Master Plan.
4. The following uses are prohibited:
 - a. Any retail establishment exceeding 70,000 square feet.
 - b. At grade drive-through facilities.
 - c. The outdoor storage, sale, service and/or rental of motor vehicles, sailboats, motor boats, and recreational trailers.
5. Rooftop appurtenances may exceed the applicable height limitation by a maximum of 16 feet if the area of all appurtenances and screening does not exceed 25 percent of the total area of the building rooftop. All other regulations for rooftop appurtenances in Chapter 115 shall apply.
6. Prior to installation of permanent signs, the development must submit and receive approval of a Master Sign Plan pursuant to Chapter 100.
7. The following establishes the number of parking spaces required:
 - a. Residential uses must provide 1.7 parking spaces for each dwelling unit and one parking space for each assisted living unit.
 - b. Restaurants and taverns must provide one parking space for each 125 square feet of gross floor area
 - c. All other uses must provide one parking space for each 350 square feet of gross floor area.

A mix of uses with different peak parking times makes a project eligible for applying a shared parking methodology to parking calculations. Further parking reductions may be appropriate through a transportation management plan (TMP) and parking management measures. The development may propose and the Planning Official may permit a reduction in the required number of parking spaces based on a demand and utilization study prepared by a licensed transportation engineer. The study shall include an analysis of shared parking demonstrating that the proposed parking supply is adequate to meet the peak parking demand of all uses operating at the same time. A TMP and parking management measures shall be incorporated into the analysis. An analysis of the effectiveness of the TMP and parking management measures shall be provided for City review. The City's transportation engineer shall approve the scope and methodology of the study as well as the effectiveness of the TMP and parking management measures.

Plate X-1
CBD 5A Required Yards

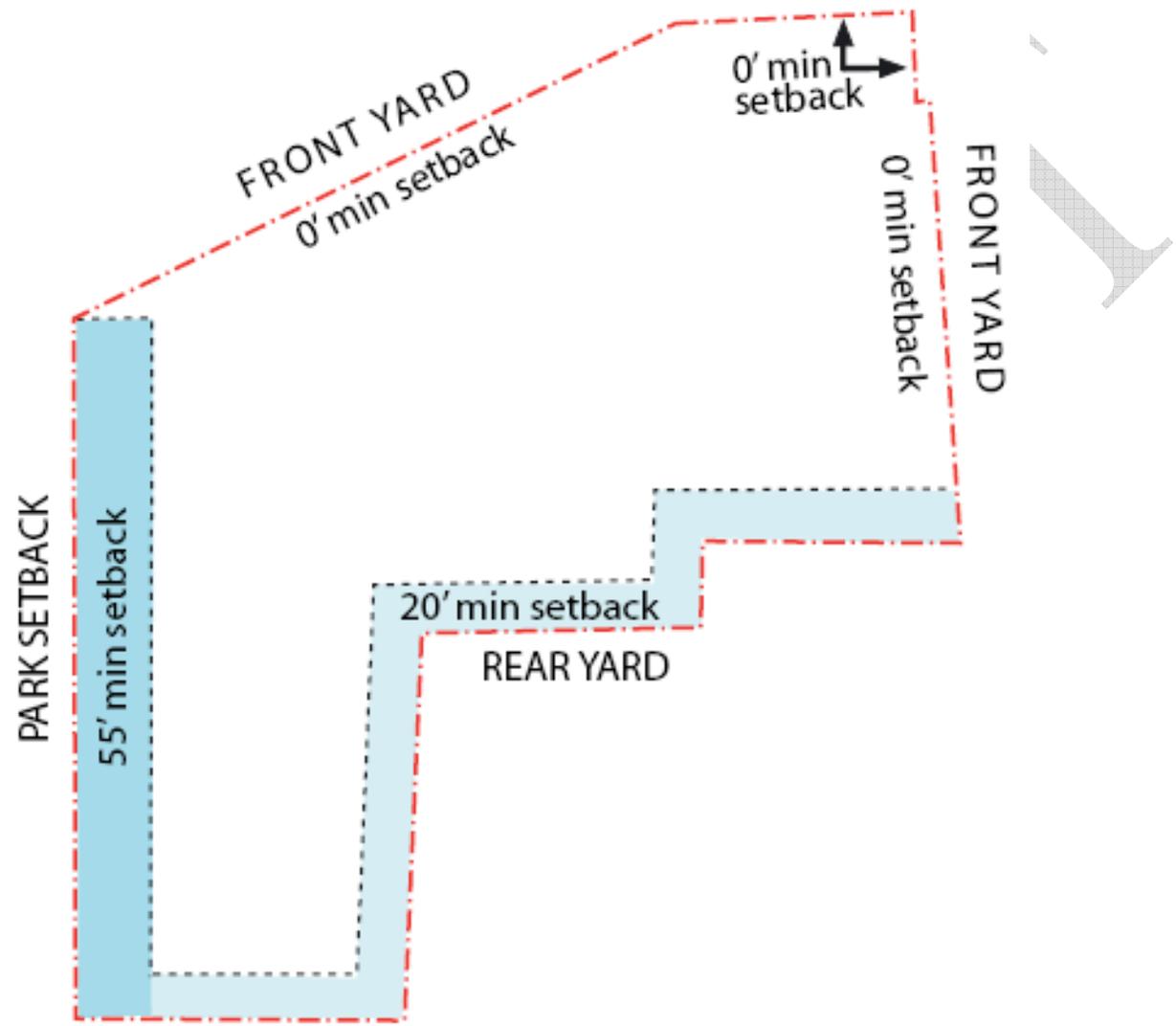


Plate X-2A

CBD 5A Maximum Building Heights

Building height and story maximums shall be measured from elevations points established by Plate X-2B

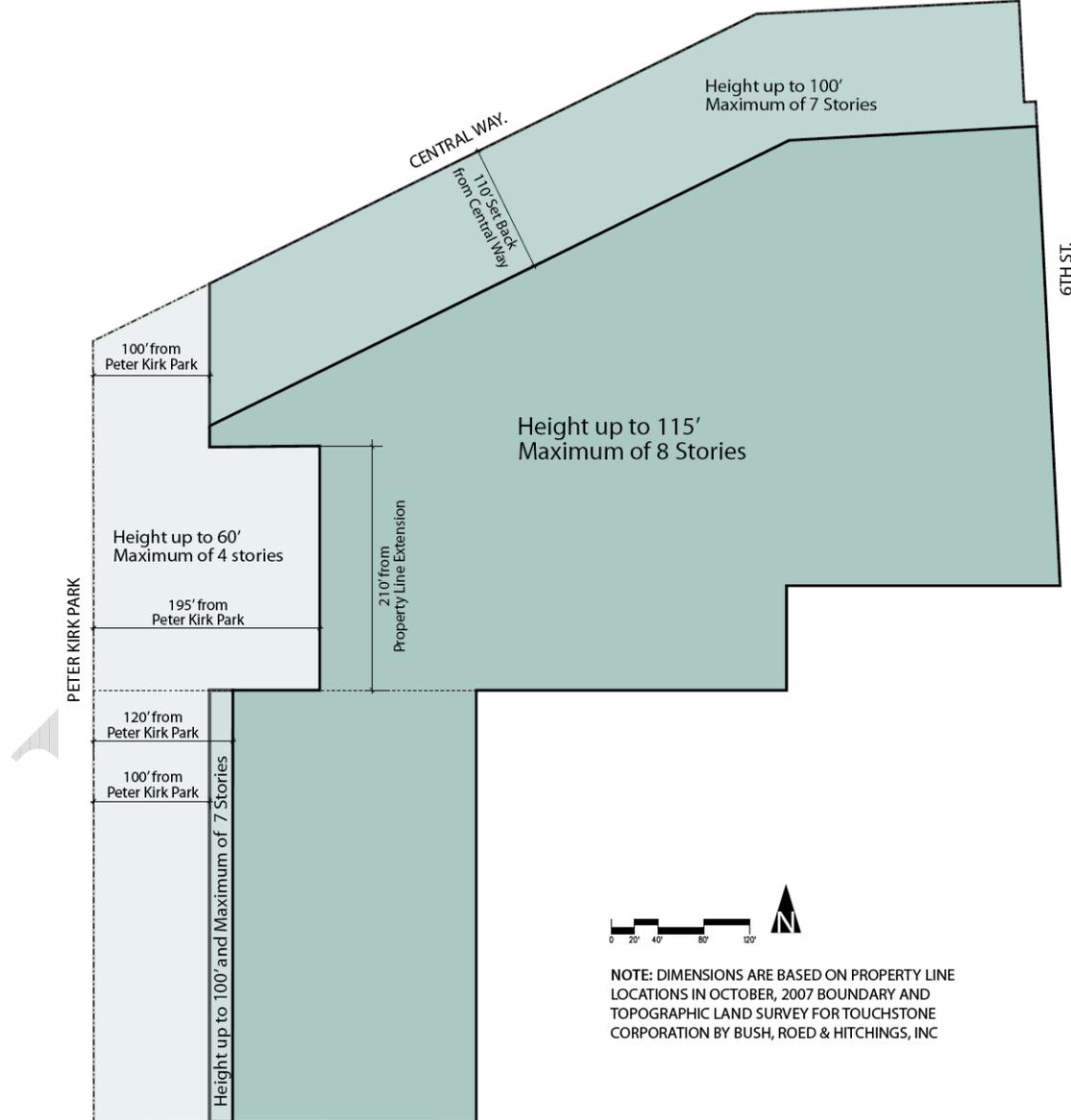
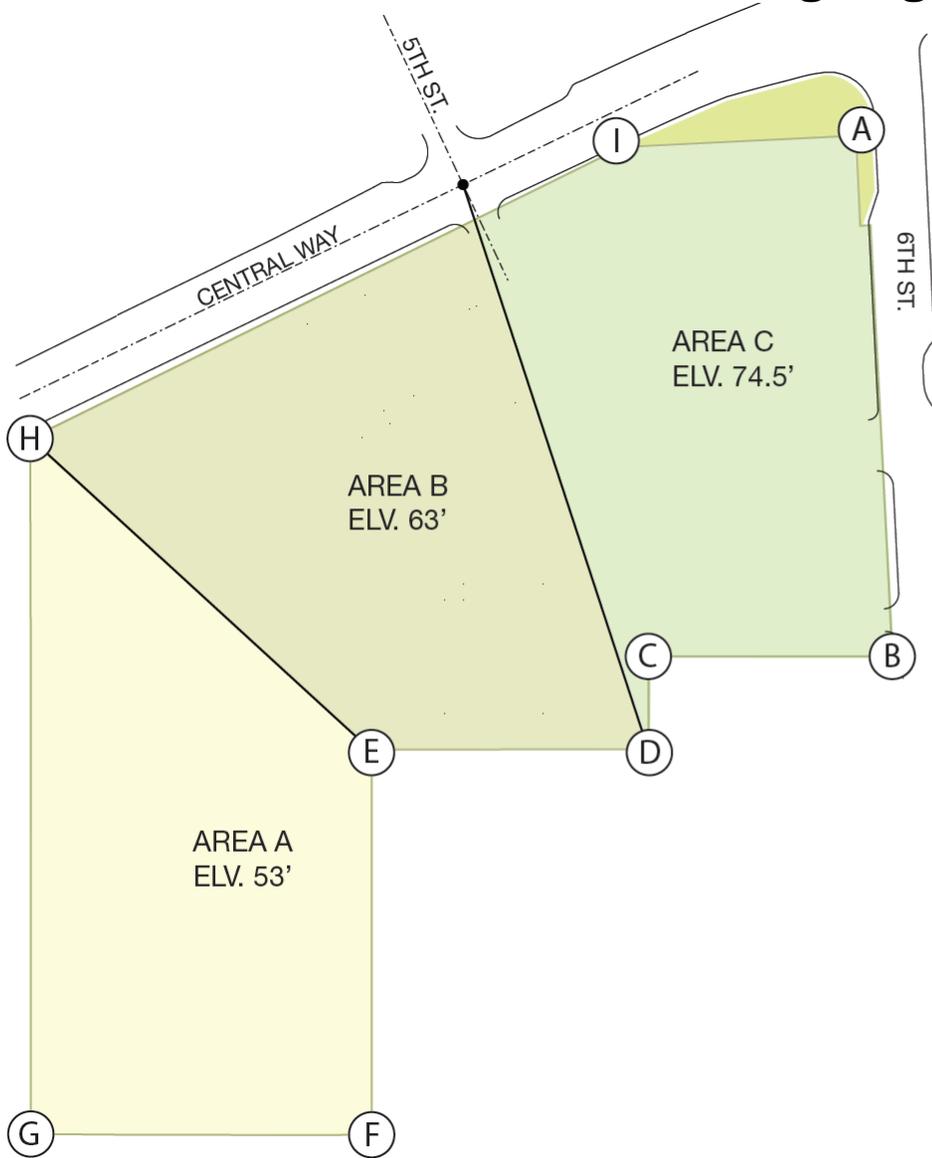


Plate X-2B
CBD 5A Maximum Building Height and Stories Measurement Points



Building Height & Number of Stories: Measurement Points

GENERAL NOTES:

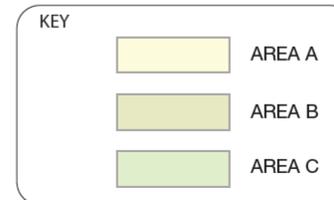
1. Where a minimum of 75% of the Gross Floor Area of a building is located in area "A", the Building Measuring Point will be elevation 53.0 feet above sea level
2. Where a minimum of 75% of the Gross Floor Area of a building is located in area "B", the Building Measuring Point will be elevation 63.0 feet above sea level
3. Where a minimum of 75% of the Gross Floor Area of a building is located in area "C", the Building Measuring Point will be elevation 74.5 feet above sea level

Area A: That portion of property area that lies west and south of a line between Property Corner H and Property Corner E.

Area B: That portion of property area that lies east of a line between Property Corner H and Property Corner E and west of a line from the centerline of the intersection of 5th Street and Central Way and property corner D.

Area C: That portion of property area that lies east of a line from the centerline of the intersection of 5th Street and Central Way and property corner D and west of 6th Street

note: Based on the Boundary and Topographic Survey for Park Place Center by Bush, Roed & Hitchings, INC., dated October 2007



KZC 142.35 Design Board Review (D.B.R.) Process

1. Timing of D.B.R. – For any development activity that requires D.B.R. approval, the applicant must comply with the provisions of this chapter before a building permit can be approved; provided, that an applicant may submit a building permit application at any time during the design review process. An applicant may request early design review, but such review shall not be considered a development permit or to in any way authorize a use or development activity. An application for D.R. approval may be considered withdrawn for all purposes if the applicant has not submitted information requested by the City within 60 calendar days after the request and the applicant does not demonstrate reasonable progress toward submitting the requested information.
2. Public Meetings – All meetings of the Design Review Board shall be public meetings and open to the public.
3. Authority – The Design Review Board shall review projects for consistency with the following:
 - a. Design guidelines for pedestrian-oriented business districts, as adopted in Chapter 3.30 KMC.
 - b. Design Guidelines for the Rose Hill Business District (RHBD) and the Totem Lake Neighborhood (TLN) as adopted in Chapter 3.30 KMC.
 - c. The applicable neighborhood plans contained in the Comprehensive Plan for areas where Design Review is required.
 - d. The Design Principles for Residential Development contained in Appendix C of the Comprehensive Plan for review of attached and stacked dwelling units located within the NE 85th Street Subarea and the Market Street Corridor.
 - e. The Parkplace Master Plan and Design Guidelines for CBD 5A as adopted in Chapter 3.30 KMC.
4. The Design Review Board is authorized to approve minor variations in development standards within certain Design Districts described in KZC 142.25(6)(a) provided the variation complies with the criteria of KZC 142.25(6)(b).

KIRKLAND PARK PLACE MIXED USE DEVELOPMENT

Master Plan and
Design Guidelines
DRAFT November 17, 2008





Master Plan Organization

This document is comprised of the following sections:

POLICY OVERVIEW	<ol style="list-style-type: none"> 1. Introduction 2. Vision 3. Application 4. Determining Compliance 5. Modifications 6. Phasing 7. Comprehensive Plan Design Direction 8. Design Intent
DEVELOPMENT STANDARDS	<ol style="list-style-type: none"> 9. Program Requirements 10. Public Access and Amenities <ol style="list-style-type: none"> a. Pedestrian Access b. Retail Frontages c. Activated Open Space 11. Street Classifications
DESIGN GUIDELINES	<ol style="list-style-type: none"> 12. All District 13. District Specific <ol style="list-style-type: none"> a. Gateway b. Central Way c. Park Interface d. Central Retail Hub

1. INTRODUCTION

Located along Central Way and 6th Street, Kirkland Parkplace has the potential to offer many great amenities to Kirkland's downtown. The proposed mixed-use center includes approximately 1.75 million square feet of development consisting of retail, office, hotel and sports club that are, in effect, an extension of the existing downtown. Parkplace provides components that meet the City's Comprehensive Plan, East Core Frame (2004, 2008) as described below:

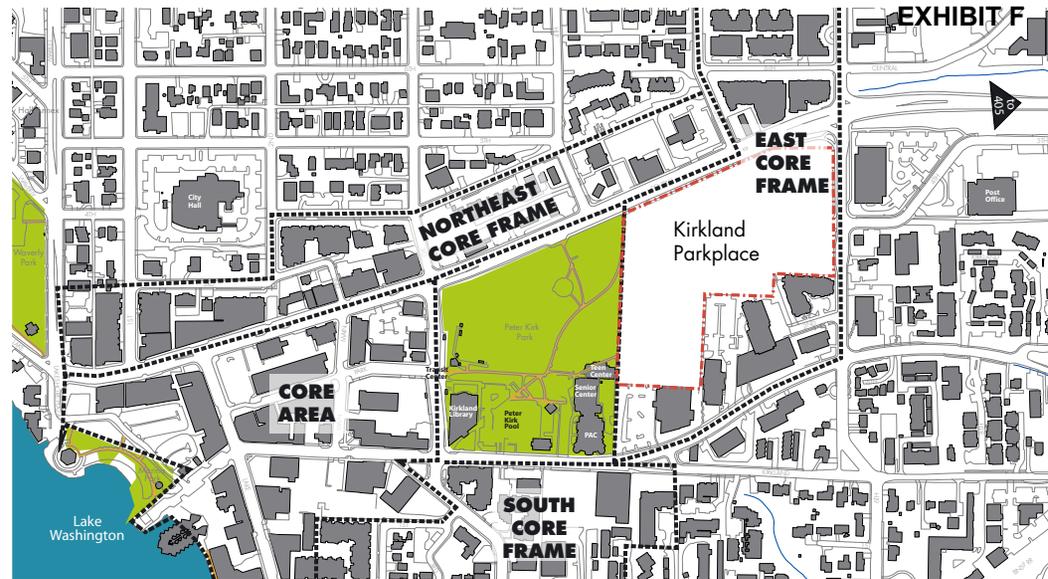
CP Policy: Heights of up to eight stories are appropriate as an incentive to create a network of public open spaces around which is organized a dynamic retail destination.

Response: Parkplace is an urban, open-air retail, restaurant, entertainment, office, hotel and sports club complex. (See page 7 for networks of open space, retail frontage and pedestrian connections.)

CP Policy: Special attention to building design, size, and location should be provided at three key locations: at the intersection of Central Way and Sixth Street to define and enhance this important downtown gateway; along Central Way to respond to the context along the north side of street; and facing Peter Kirk Park to provide a transition in scale to downtown's central greenspace. Pedestrian connections to adjoining streets, Peter Kirk Park, and adjoining developments should be incorporated to facilitate the integration of the district into the neighborhood.

Response: Specific design guidelines have been defined to encourage unique environments and experiences in each of these three locations.

CP Policy: Because of the intensity of land use in 5A, the design of the buildings and site should incorporate aggressive sustainability measures, including low impact development measures, deconstruction, green buildings, and transportation demand management.



Response: The compact development, pedestrian-friendly, mixed-use nature of the land use in 5A is fundamentally sustainable. It provides a live-work balance in downtown Kirkland and provides access to goods and services people need in proximity to where they live. Combined with a commitment to sustainable strategies in the design of the development, Kirkland Parkplace will significantly contribute to lowering carbon emissions and energy use relative to a suburban model of development.

2. VISION

Parkplace creates a new destination in Kirkland featuring tree lined streets, landscaped open spaces, offices overlooking public plazas, and a wide variety of shopping, dining, entertainment and recreation experiences. Parkplace's contemporary Northwest architecture evokes Kirkland and its environs with green design, appropriate massing, and orientation. Appropriate placement of trees, fountains, benches, street lamps, and decorative sidewalk treatments add a rich texture to Parkplace's plazas and streets.

The combination of pedestrian oriented streets, distinctive architecture, unique urban character, sensitive integration and progressive sustainable design strategies will make Kirkland Parkplace an attractive and valued gathering place for Kirkland's citizens for years to come.

3. APPLICATION

The Master Plan and Design Guidelines set forth in this document have been created to guide the development of Kirkland Parkplace to meet the intent of the vision for CBD-5A of the City of Kirkland. Compliance with this Master Plan and Design Guidelines document shall be required to allow increased height and reduced setbacks in exchange for providing a mixed-use center and public amenities. These Standards and Guidelines are to be used in addition to the standard zoning regulations for CBD-5A. These Standards and Guidelines are supplemental, not a substitution, to the City of Kirkland Municipal Code and its supporting documents.

4. REVIEW PROCESS: DETERMINING COMPLIANCE

This document establishes performance criteria and provides recommendations for achieving specific design objectives. Compliance with the Master Plan including: general standards, general public amenity and access locations and street dimensional requirements shall be determined by administrative review. Compliance and consistency with the Design Guidelines shall be determined by the Design Review Board in a Design Response conference, (refer to DRB process KMC 142.35.9). In the DRB's review of the project, the Board shall respect the requirements and commitments established in this Master Plan.

Section	Review Process
Development Standards <ul style="list-style-type: none"> • Program Requirements (Item 9) • Public Amenities and Access (Item 10) • Street Classifications (Item 11) 	Planning Official
Design Guidelines <ul style="list-style-type: none"> • All Districts (Item 12) • District Specific (Item 13) 	Design Review Board

EXHIBIT F

5. MODIFICATIONS

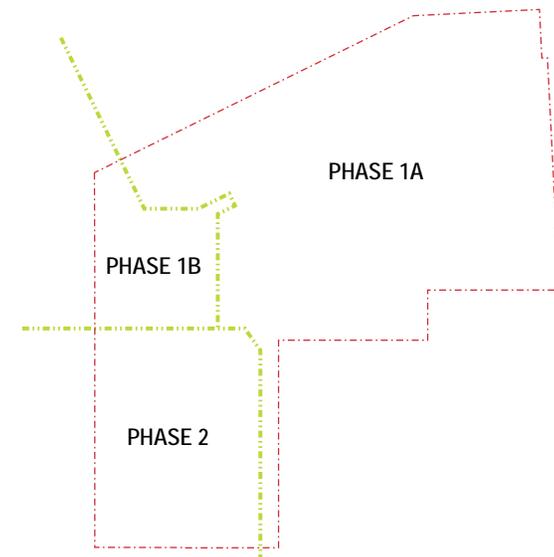
A major modification to the Master Plan is any proposal that would result in a change that would substantially alter the Plan's proposed development such as: decrease in open space quantity, changes to locations of primary access/pedestrian streets, or changes in allowed use. Major modifications to the Master Plan shall require a staff review for consistency with the Comprehensive Plan and City Council Approval, (refer to KMC 3.30.040).

A minor modification to the Master Plan is any proposal that would result in a change that would not substantially alter the Plan's proposed development such as: façade treatments, street design variation, character/design detail of public spaces, or minor variations in design of sidewalks, pathways, lighting and landscaping. The Design Review Board may grant a design departure or minor variation only if it finds that both of the following requirements are met:

- the variation is consistent with the intent of the guideline and results in superior design.
- the departure will not result in any substantial detrimental effect on nearby properties or the neighborhood.

6. PHASING

This development shall be staged in two major phases (1 and 2) with two minor stages in phase one (1A and 1B).



8. DESIGN INTENT

This Master Plan and Design Guidelines document was created using the identified 8 Guiding Principles for the project which were derived from input from the City staff, the Design Review Board, Planning Commission, various community groups and the residents of Kirkland.

GUIDING PRINCIPLES OF INTENT

1. Emotional Ownership by the Community
 - Incorporate the project into the story of Kirkland
 - Enable meaningful community exchanges
 - Inspire unique experiences and discoveries
 - Promote the coalescence of Community, Culture and Commerce
 - Provide a 'transforming experience' vs. a 'transaction experience'
 - Include neighborhood retail
2. Site Planning "Connections"
 - Include public spaces such as plazas
 - Create clear vehicular access and parking
 - Create strong emphasis on the streetscape
 - Support active public spaces
 - Provide clear and inviting public access
3. Places for People
 - Create easily accessible public spaces
 - Develop spaces that vary in size and offer choices for all ages
 - Provide safety and comfort
 - Integrate into the social life of downtown Kirkland
4. Enhance the Pedestrian Environment
 - Promote Walkability: network of internal and external pedestrian connections
 - Create visual interest for along the street
 - Incorporate rich variety of materials
 - Provide and enhance pedestrian circulation and retail continuity
5. Integrate Vehicular Access and Parking
 - Minimize the visual presence of parked cars
 - Allow parking to be utilized during nights/weekends for benefit of community and downtown
6. A Mix of Uses = A mix of Building Types
 - Create a variety of building types, scales, and materials
 - Express a three-dimensional quality to the public spaces
7. Appropriate Massing and Scale
 - Create pedestrian spaces with access to sun
 - Address surrounding edges
 - Consider scale, massing, and detail of individual buildings
 - Express human-scale, detailed street level building façades
8. Sustainability
 - Establish macro-scale/site sustainable strategies
 - Pursue building specific sustainable strategies
 - Encourage tenant-specific sustainable strategies

9. Program Requirements

- A. Pedestrian Space:

The development will include a variety of public open spaces that vary in size and character. A minimum of 10%, or 50,000 of the site shall be activated pedestrian-oriented space, in the form of courtyards, plazas, winter atrium, etc. See diagram (pg 7) for approximate locations and dimensional requirements of specific spaces. Definition of appropriate design treatments are found in the district specific design guidelines.
- B. Arts Commitment:

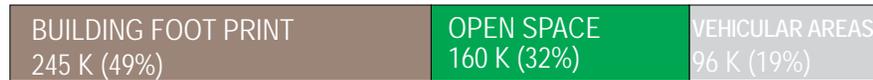
In an effort to encourage integrated art into the project, Parkplace is working in collaboration with representatives from the cultural council and local art community and will identify and create opportunities to integrate art into the project.
- C. Green Building Commitment:
 - 1. The following requirements will apply to the Kirkland Parkplace project:
 - a. All office buildings will be designed to achieve a LEED-CS Gold threshold. A USGBC LEED Pre-Certification application showing points meeting LEED-CS Gold will be included with permit submittals to show which points will be pursued.
 - b. The hotel will be designed to a LEED-CS Certified or LEED-NC Certified threshold, or to meet the sustainability program of the hotel operator.
 - c. The applicant shall encourage all potential tenants for Kirkland Parkplace to pursue LEED-CI. To accomplish this, the applicant will create and distribute to tenants a set of Tenant Design Guidelines to show strategies tenants can use to achieve LEED-CI certification. These Tenant Design Guidelines will be made available to the City of Kirkland to inform their ongoing sustainability programs.
 - d. At the end of all tenant build-outs on the office, the applicant will prepare an executive summary for the City of Kirkland, outlining what sustainability measures were incorporated in the tenant build-outs (unless otherwise restricted by tenant confidentiality).
 - e. In addition, the applicant will strive to make design choices in its Core and Shell buildings that are conducive to the achievement of LEED-CI by tenants.

- 2. In the interest of promoting a holistic sustainability approach, The applicant will strive to integrate site-specific strategies identified as focus areas, such as:
 - a. Energy efficiency strategies, like centralized cooling options and heat recovery.
 - b. Low Impact Development (LID) strategies like stormwater planters, vegetated roofs, and bioswales.
 - c. Materials and Resource strategies, like recycled materials, regional materials, and FSC certified wood.
- D. Community Serving Retail and Services:

Include neighborhood serving retail and services such as: grocery, childcare, bookstore, drugstore, dry cleaner, movie theatre, barbershop, shoe repair, etc.



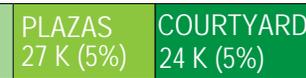
SITE AREA BREAKDOWN



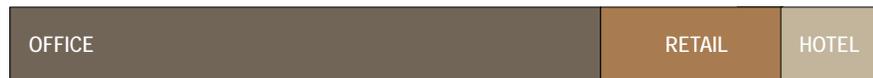
OPEN SPACE BREAKDOWN



PEDESTRIAN SPACE



BUILDING GROSS SQUARE FOOTAGE BREAKDOWN



OFFICE SPACE 1.2 MIL SQFT 68%

MIX USE 550K SQFT 32%

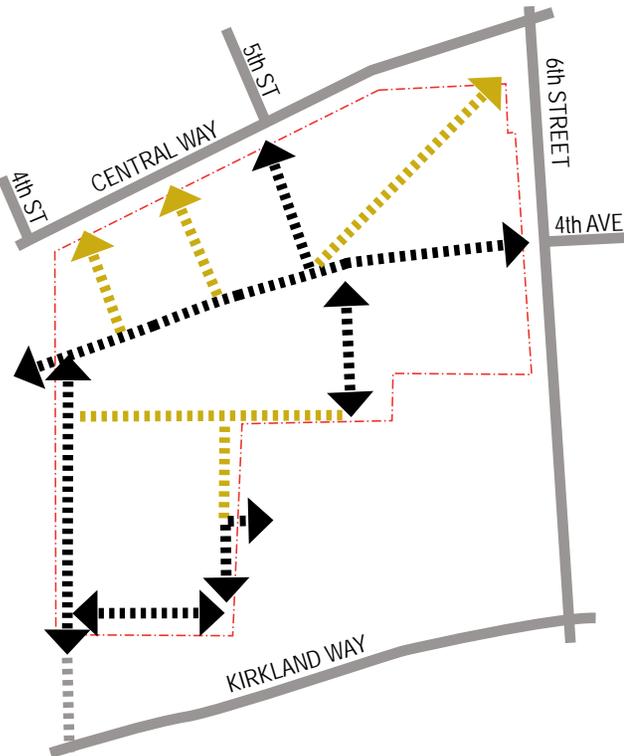
10. PUBLIC AMENITIES AND ACCESS

PEDESTRIAN CONNECTIONS

Intent: To create a network of identifiable linkages into and through the project site for pedestrians.

The diagram below shows approximate pedestrian connections. Darker lines indicate primary connections required by the Comprehensive Plan. Lighter lines show secondary pedestrian connections linking to existing and proposed streets as well as Peter Kirk Park.

-  primary pedestrian connections
-  secondary pedestrian connections

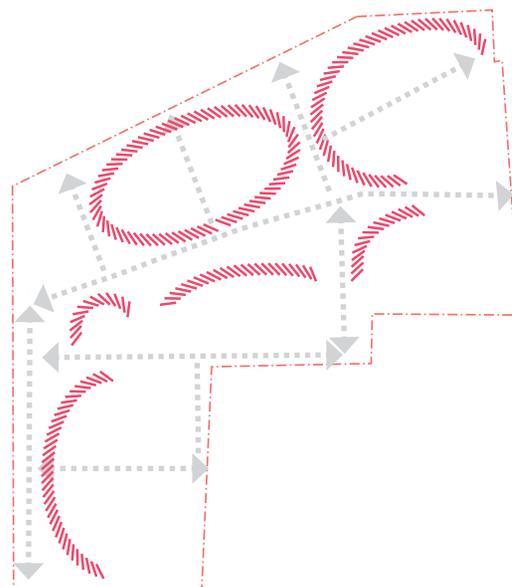


RETAIL/RESTAURANT FRONTAGE

Intent: To encourage and contribute to the liveliness and activation of pedestrian-oriented streets and spaces by providing retail and activating uses at the ground level.

Predominant retail uses including shops, restaurants, grocery, and a movie theatre are required along pedestrian-oriented streets and public spaces. Additional activating uses are encouraged on the ground level throughout the development where feasible.

 retail/restaurant frontage



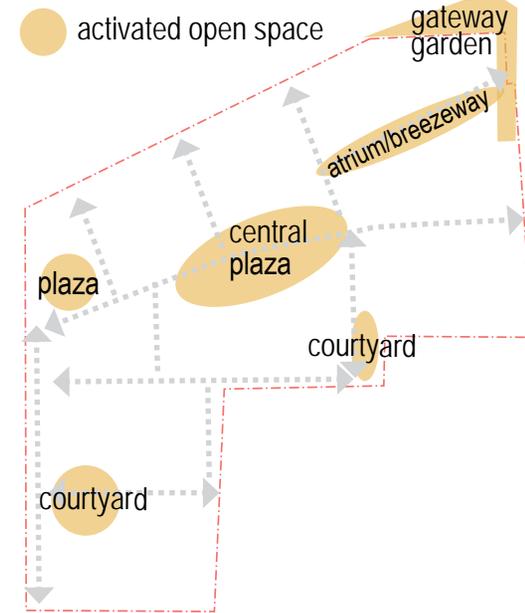
PEDESTRIAN SPACE

Intent: To provide a functional and diverse pedestrian environment by creating a variety of usable pedestrian open spaces.

The following types of public/ pedestrian space are to be provided at a minimum of 10% of the total lot area, or 50,000 sf*. Locations are approximate and not limited to those shown on the diagram below.*

- central plaza:** shall have a minimum area of 15,000 square feet with a minimum average width of 70 feet
- courtyard/plaza:** shall have a minimum area of 2,500 square feet each
- atrium/breezeway:** shall have a minimum 35 foot wide separation between office floor plates
- roof top terraces:** shall provide a minimum of 10,000 sf total of publicly accessible rooftop terraces in one or more locations

*See district specific guidelines for design parameters of public space (ex. central plaza, pg 27).



11. STREET CLASSIFICATION

Intent: To create a street and sidewalk network that responds to the existing Kirkland grid pattern, creates a pedestrian oriented environment and allows direct interaction with Peter Kirk Park.

Adjacent Street Improvements

Central Way
6th Street

Access Streets

- A.1 Central and 5th Street Connection
- A.2 6th Street and 4th Avenue Connection
- A.3 6th Street access to service alley (minor)
- A.4 Central Way and 4th Street Connection

Pedestrian Streets

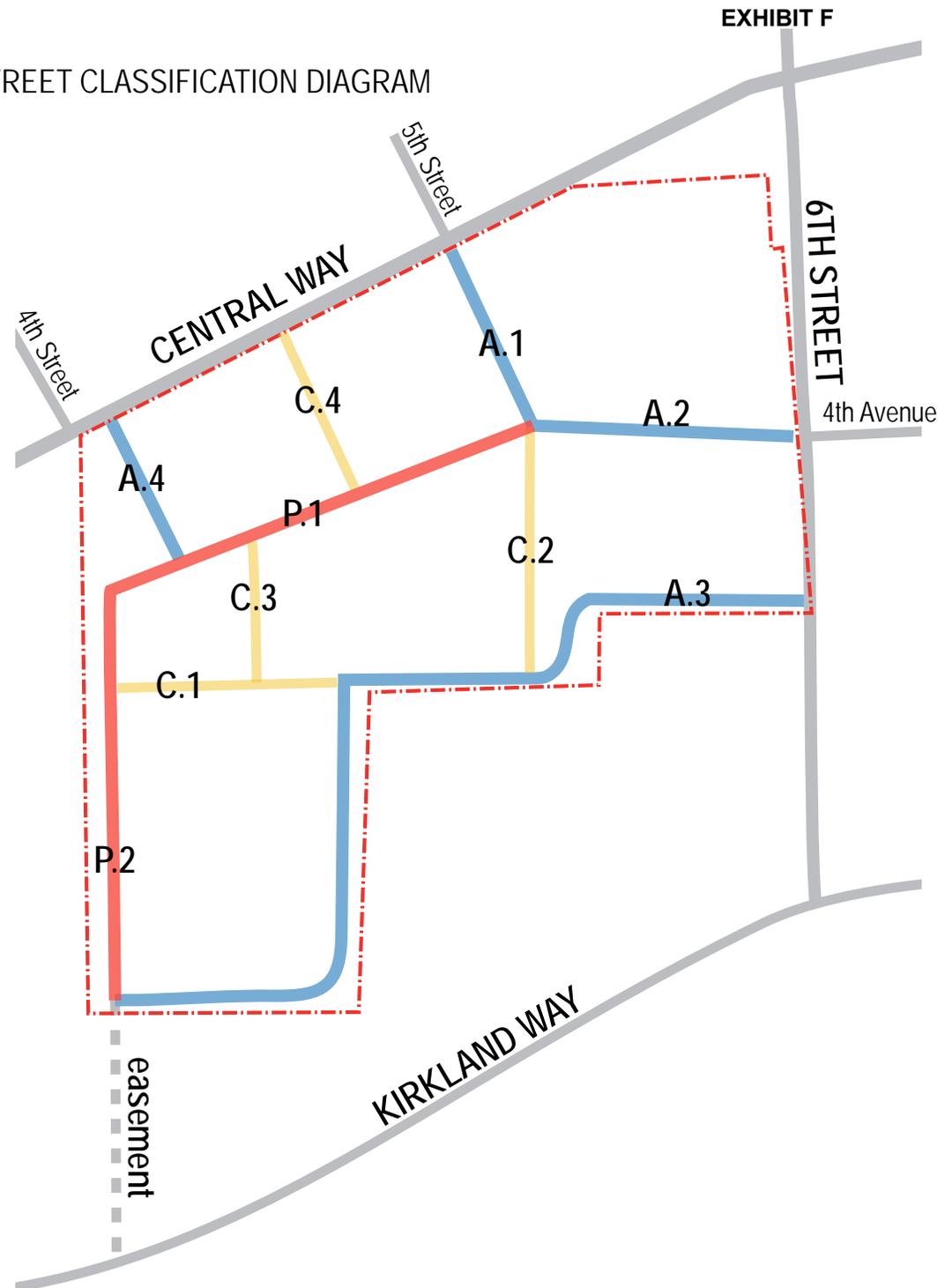
- P.1 Main Street
- P.2 Park Promenade

Secondary Connections

- C.1 Service Alley/Park Promenade
- C.2 Service Alley /Main Street Connection
- C.3 Main Street/C.1 Connection (ped only)
- C.4 Central Way Mid-Block Connection (right in, right out)

The following street classifications and diagrams represent the various types of streets anticipated in the project. Final location and classification of streets may be adjusted in the final design to include such design techniques as: tight turning radii to calm traffic, curb bulb outs, textured crossings, etc. Access shall be in compliance with city codes and policies for public improvements and emergency access.

STREET CLASSIFICATION DIAGRAM

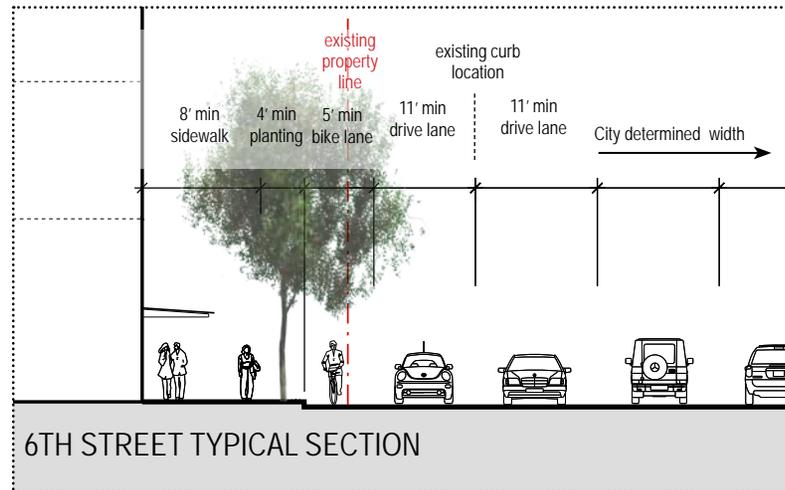
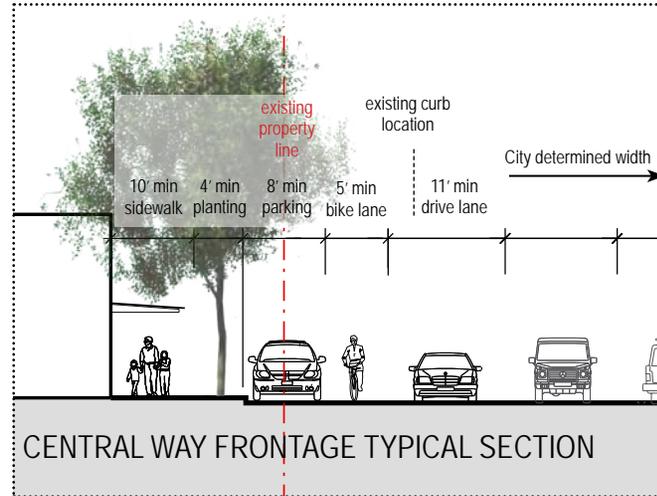
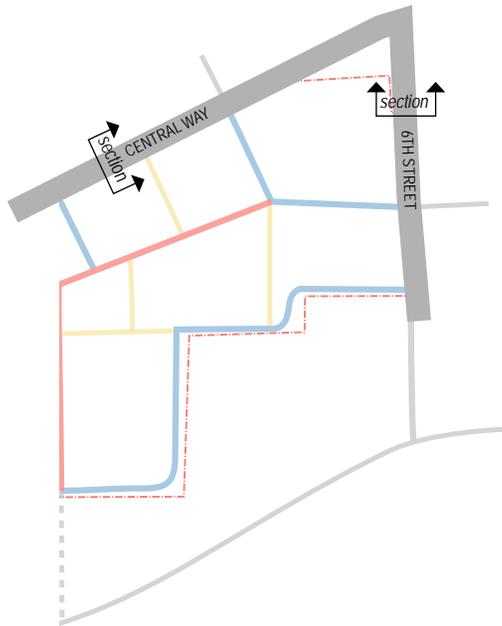


11. STREET CLASSIFICATION

Adjacent Street Improvements

Central Way
6th Street

Street classifications are meant to be typical sections of the roadway. Slight variations may be necessary to accommodate driveways, varied landscaping techniques, street furniture, structural constraints, etc.

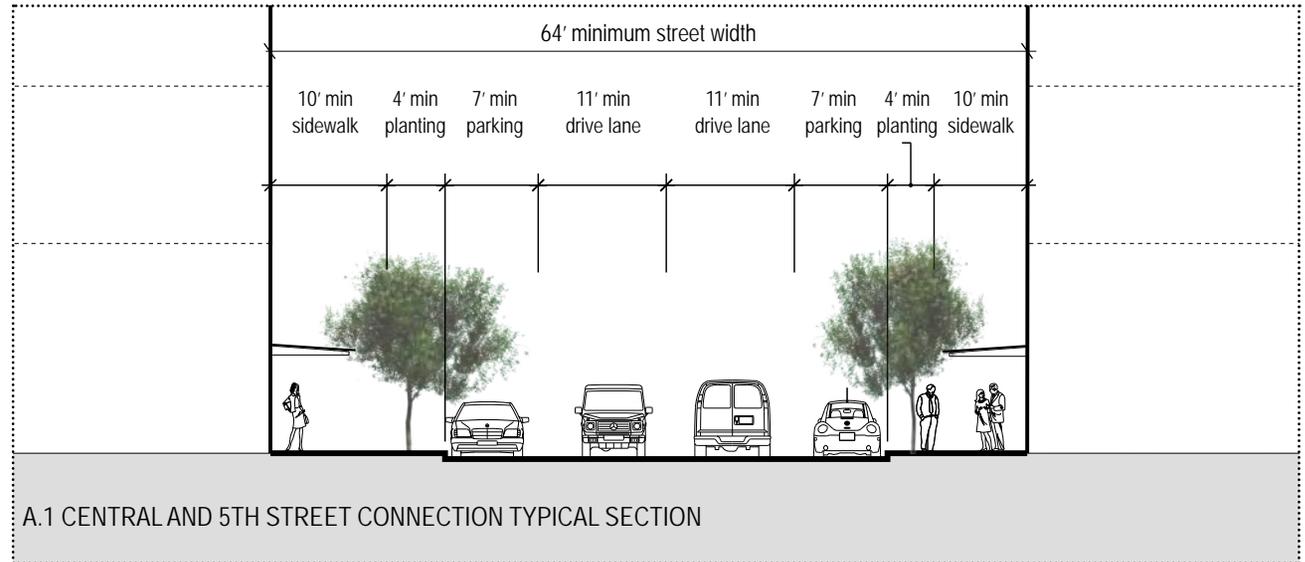
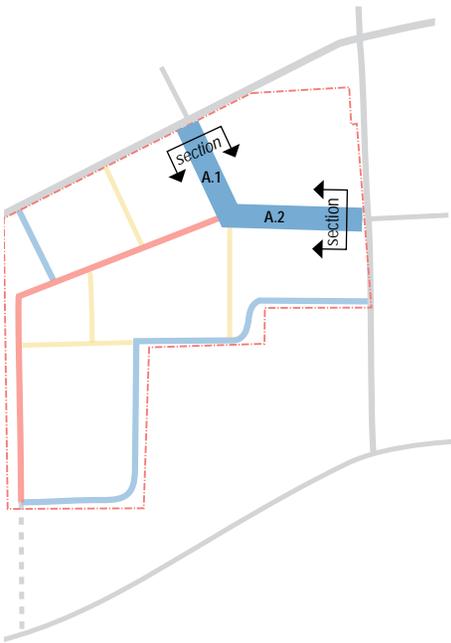


11. STREET CLASSIFICATION

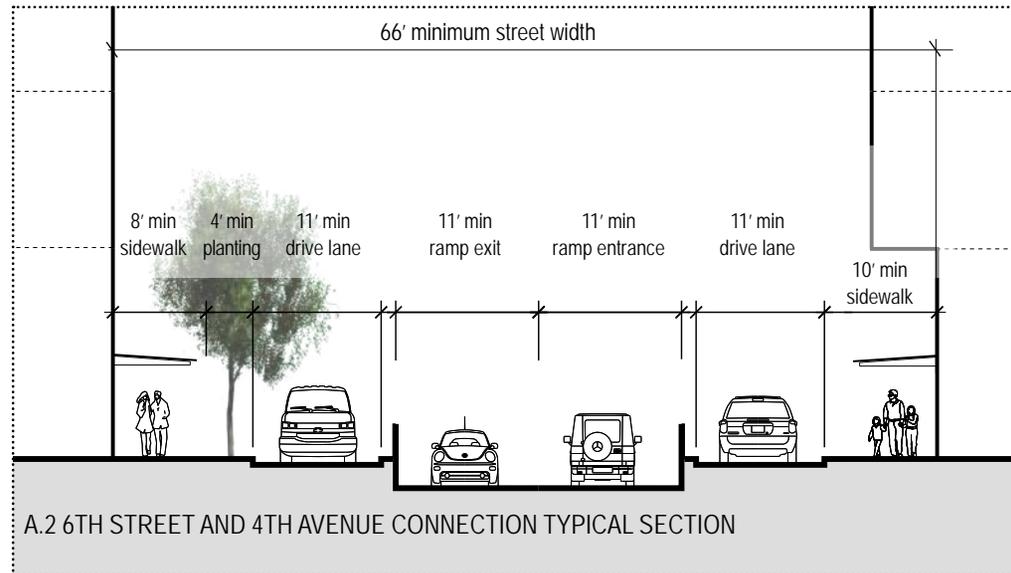
Access Streets

- A.1 Central and 5th Street Connection
- A.2 6th Street and 4th Avenue Connection

Street classifications are meant to be typical sections of the roadway. Slight variations may be necessary to accommodate driveways, varied landscaping techniques, street furniture, structural constraints, etc.



A.1 CENTRAL AND 5TH STREET CONNECTION TYPICAL SECTION



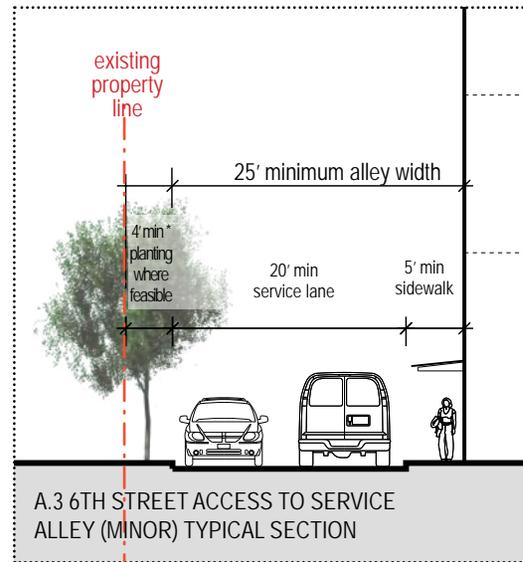
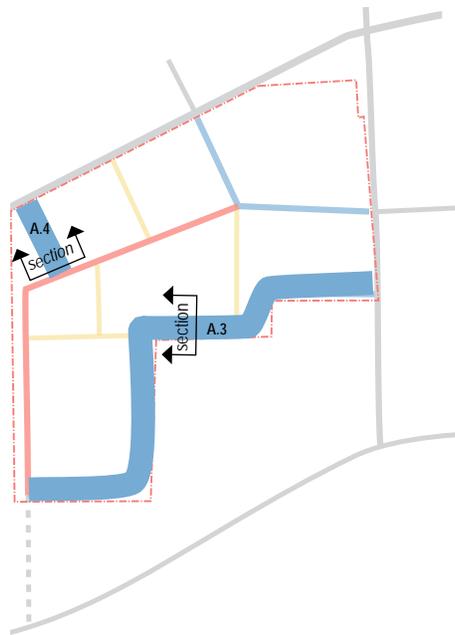
A.2 6TH STREET AND 4TH AVENUE CONNECTION TYPICAL SECTION

11. STREET CLASSIFICATION

Access Streets

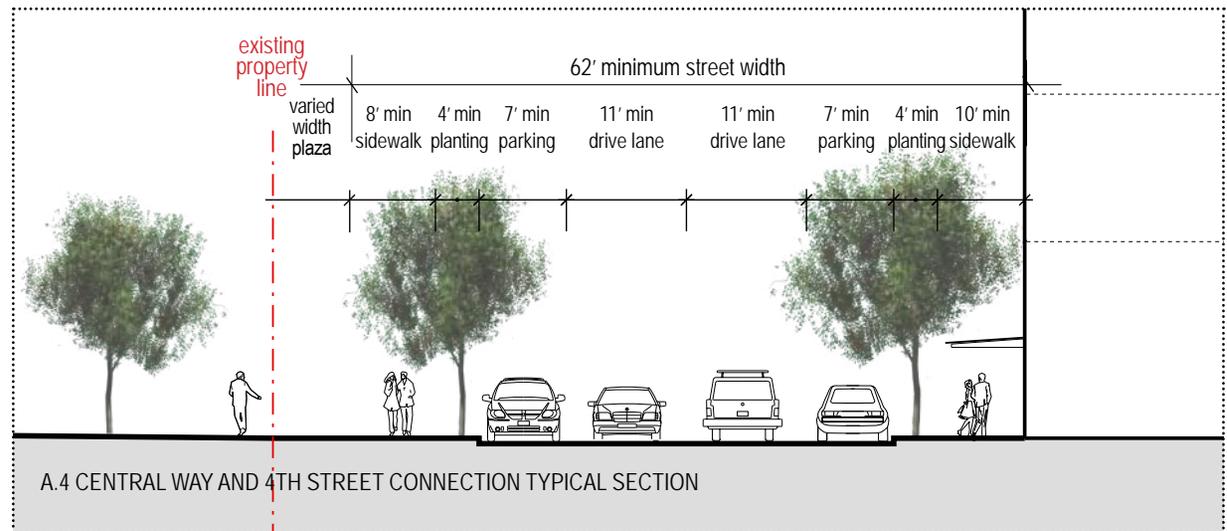
- A.3 6th Street access to service alley (minor)
- A.4 Central Way and 4th Street Connection

Street classifications are meant to be typical sections of the roadway. Slight variations may be necessary to accommodate driveways, varied landscaping techniques, street furniture, structural constraints, etc.



* a landscape or architectural screen should be incorporated along south east property line to buffer property from the adjacent the residential use, (see design guideline on page 27 for exact location).

** an 8' pedestrian path is required along the established pedestrian connections on the southeast portion of the street.

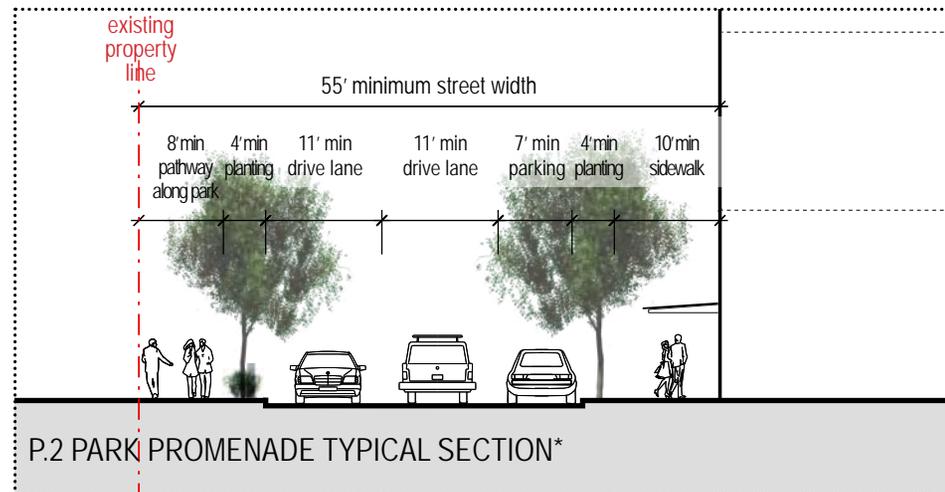
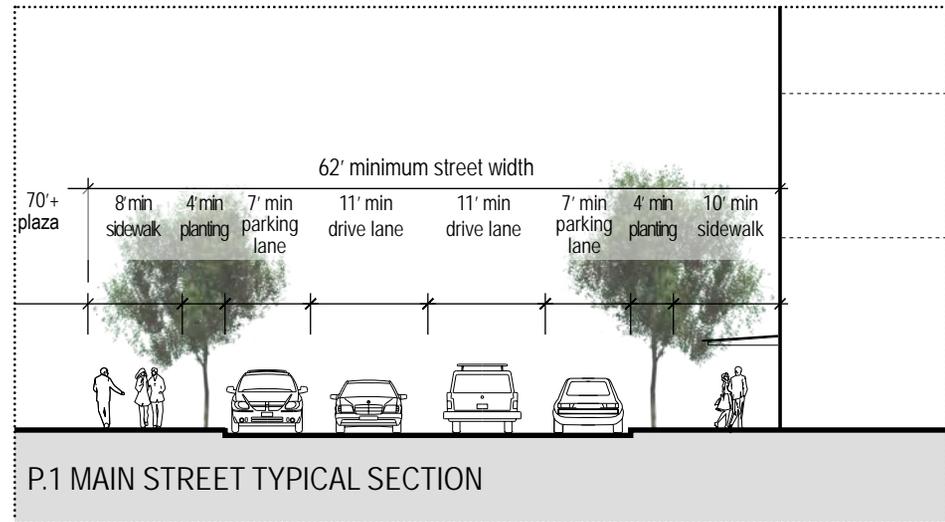
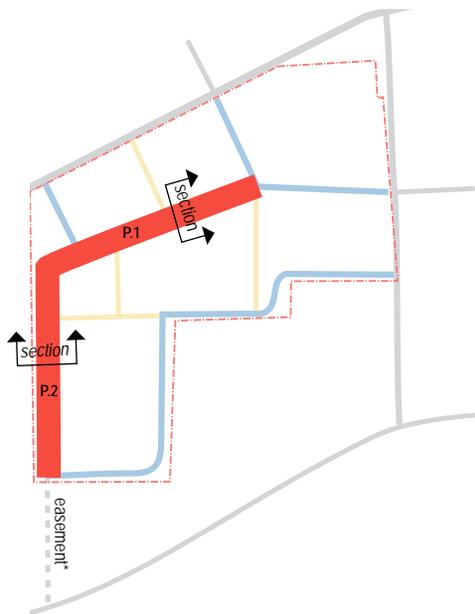


11. STREET CLASSIFICATION

Pedestrian Streets

- P.1 Main Street
- P.2 Park Promenade

Street classifications are meant to be typical sections of the roadway. Slight variations may be necessary to accommodate driveways, varied landscaping techniques, street furniture, structural constraints, etc.



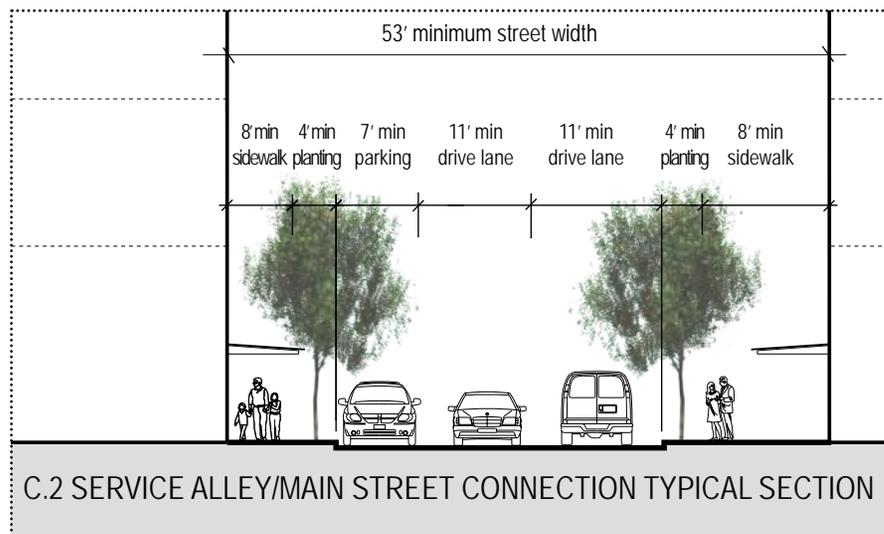
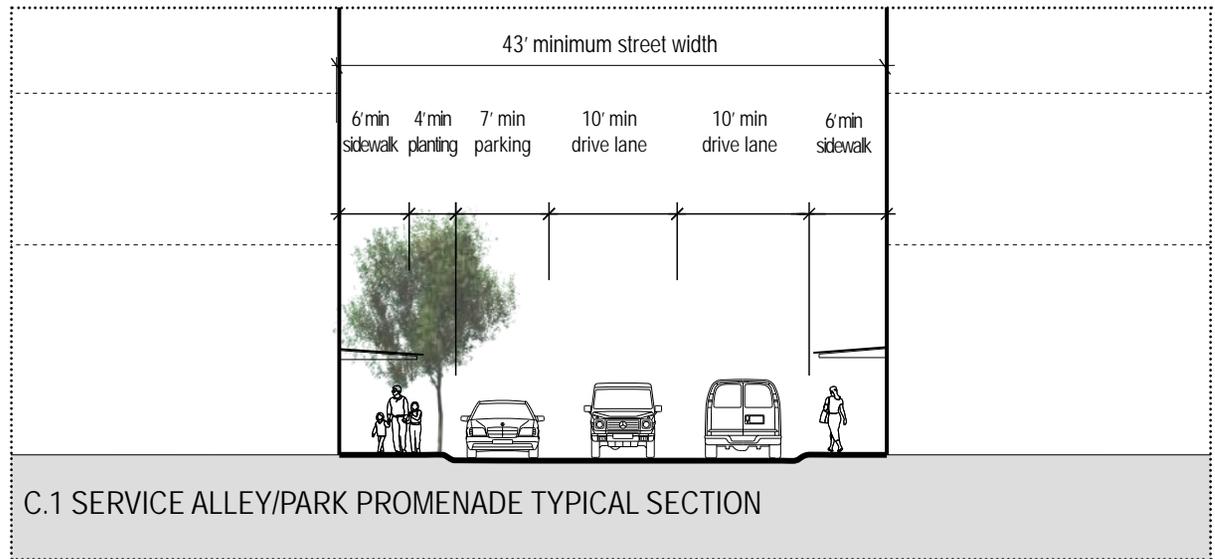
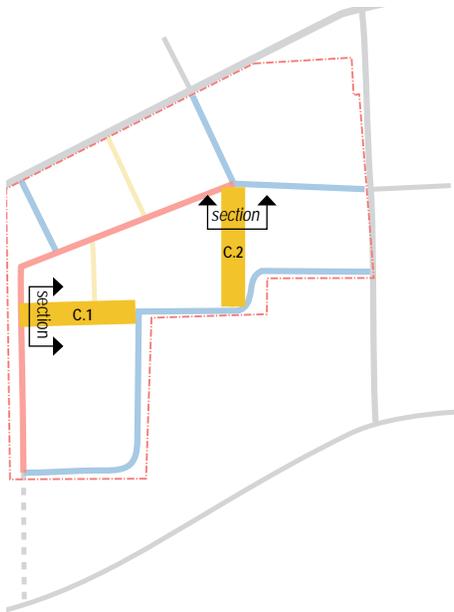
* The existing easement to the south shall include a pedestrian sidewalk connecting the Park Promenade with Kirkland Way.

11. STREET CLASSIFICATION

Secondary Connections

- C.1 Service Alley/Park Promenade
- C.2 Service Alley /Main Street Connection

Street classifications are meant to be typical sections of the roadway. Slight variations may be necessary to accommodate driveways, varied landscaping techniques, street furniture, structural constraints, etc.

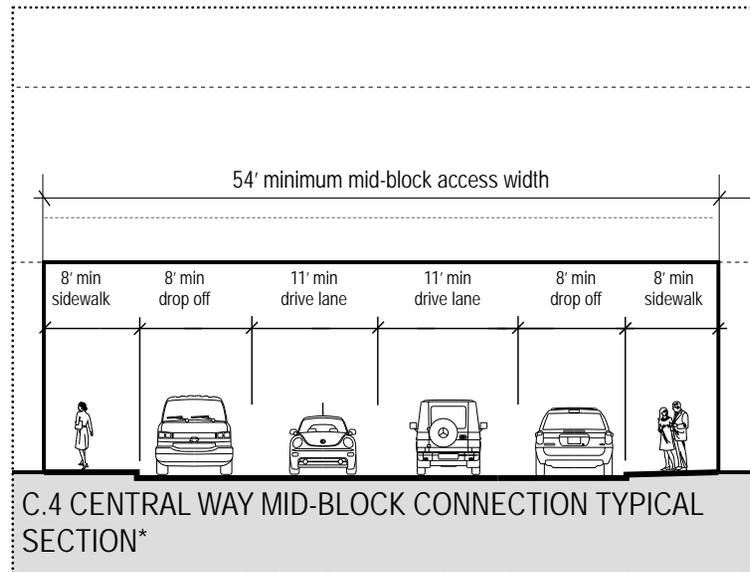
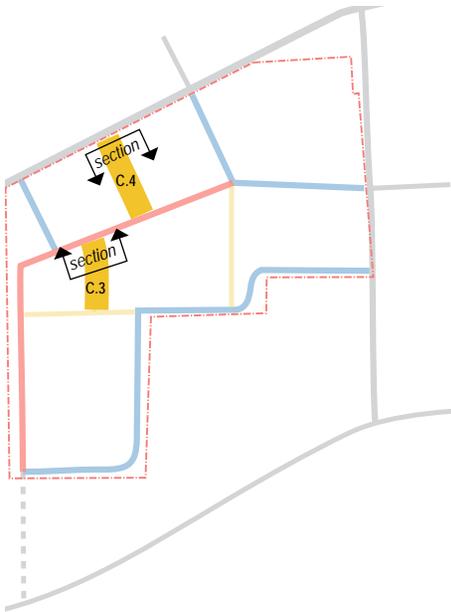
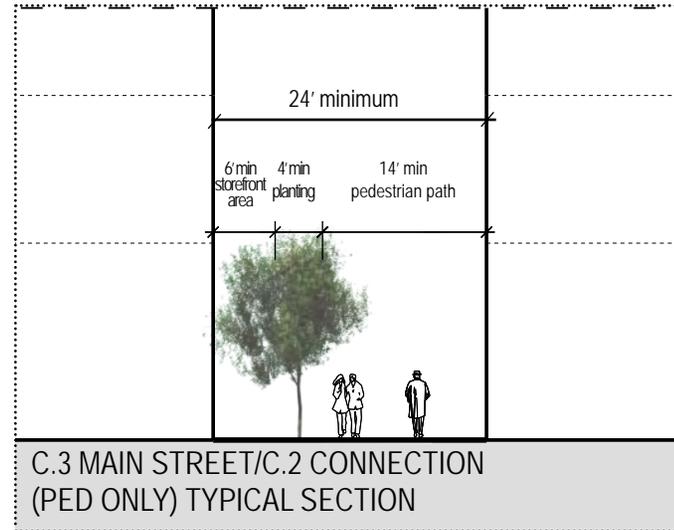


11. STREET CLASSIFICATION

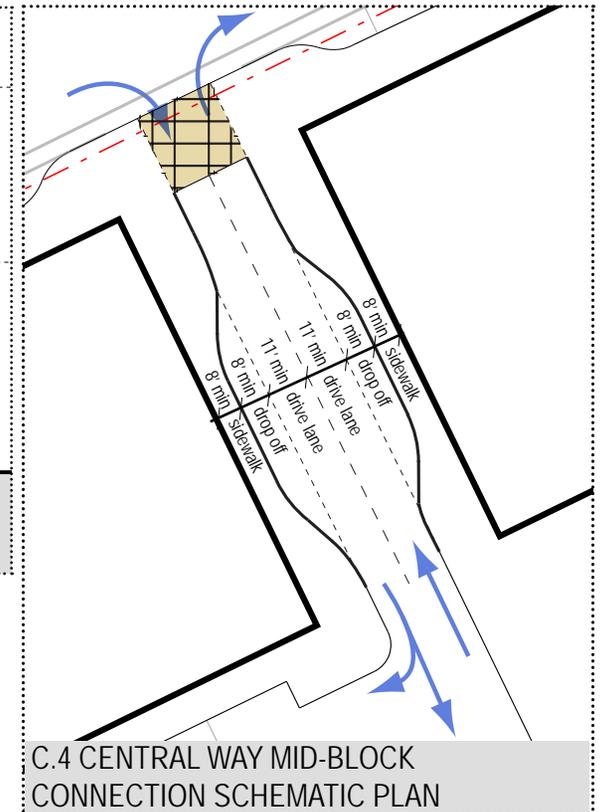
Secondary Connections

- C.3 Main Street/C.2 Connection (ped only)
- C.4 Central Way Mid-Block Connection

Street classifications are meant to be typical sections of the roadway. Slight variations may be necessary to accommodate driveways, varied landscaping techniques, street furniture, structural constraints, etc.



* The connection to Central Way will be a right in, right out per City of Kirkland street standards CK-R.22)



12. ALL DISTRICTS

Overall Intent:

To create a rich pedestrian-oriented environment and successful mixed-use center.

SITE PLANNING

1. Streetscape.

Intent: To maintain a continuous and safe streetscape with a pedestrian-friendly character.

- a. Sidewalks should maintain at least a 6-8ft clear zone for pedestrian travel.
- b. All streets should contribute to the physical safety and comfort of pedestrians. Provide both of the following where feasible to help define the sidewalk space:
 - On-street parking, (see street classifications, pgs 8-14)
 - A well-defined amenity zone set to the curb for understory planting, street trees*, and other street furniture such as benches, trash receptacles, signs
 - where restaurants are anticipated the sidewalk should be wide enough to accommodate outdoor seating.
- c. Use design elements such as separate storefronts, pedestrian-oriented signs, exterior light fixtures, awnings and overhangs to add interest and give a human dimension to street-level building facades.
- d. In general, buildings should be set as close as possible to sidewalk to establish active, lively uses. Maintain a continuous street wall, limiting gaps to those necessary to accommodate vehicular and pedestrian access.
- e. Encourage recessed main building and/or shop entrances consistent with a traditional "main street" design that is inviting and promotes streetscape continuity.
- f. The corners of buildings located at street intersections may recess to promote visibility and allow for a collection of people.
- g. Allow larger buildings to recess from the sidewalk edge to allow for entry fore-courts, provided street continuity is not interrupted along the majority of the block.

*Minor deviations for street trees and major planting spaces may be necessary in some spaces due to structural constraints.

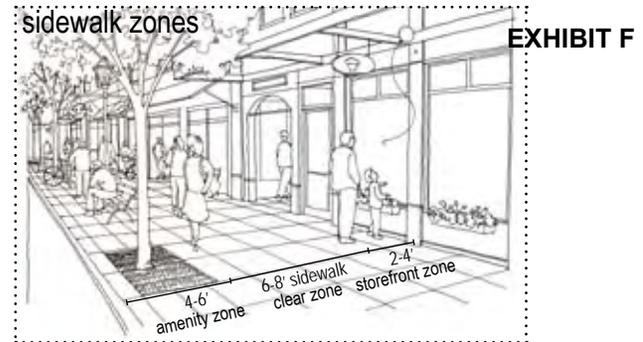
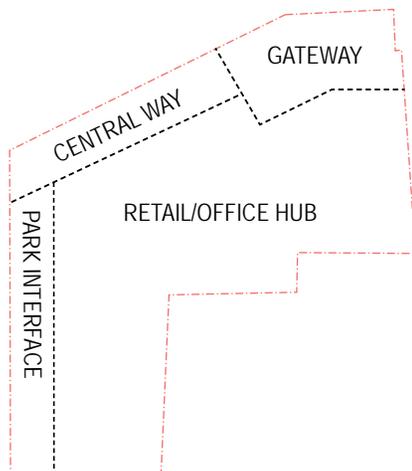
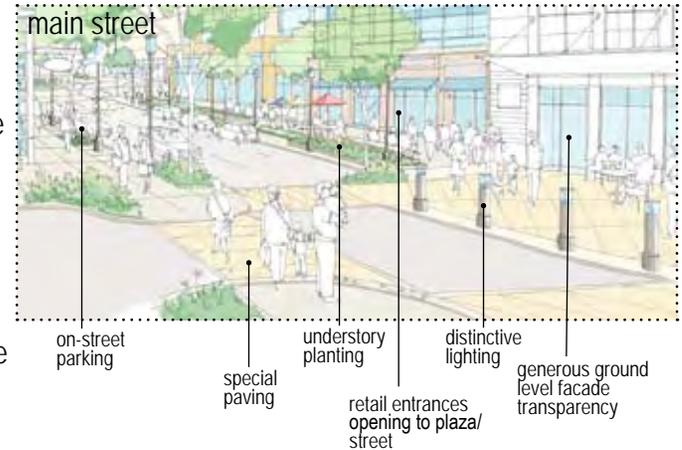
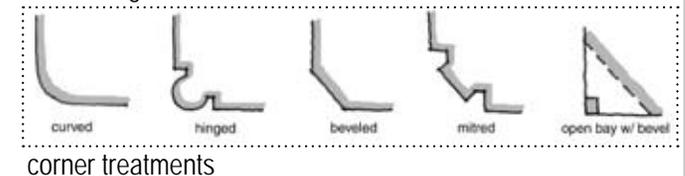


EXHIBIT F



street level faced with recessed entrances, pedestrian oriented signs, and street trees

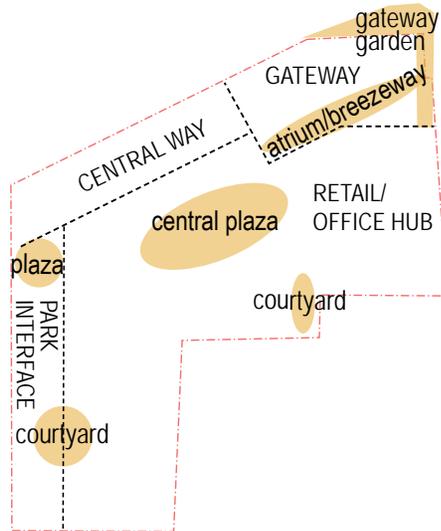


corner treatments

12. ALL DISTRICTS

Overall Intent:

To create a rich pedestrian-oriented environment and successful mixed-use center.



SITE PLANNING

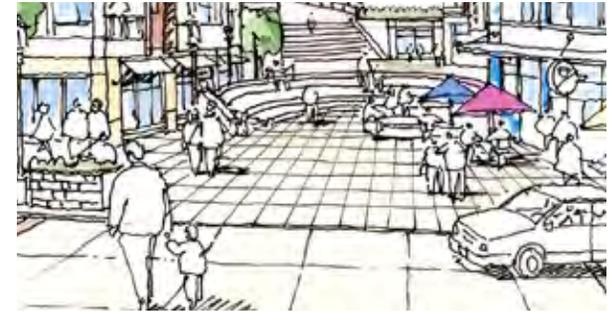
2. Public Spaces: Plazas, Courtyards and Seating Areas

Intent: To provide a friendly pedestrian environment by creating a variety of usable and interesting public and semi-public open spaces within private development

- a. Make plazas and courtyards comfortable for human activity and social interaction – standing, sitting, talking, eating.
- b. Define and contain outdoor spaces through a combination of building and landscape; oversized spaces that lack containment are discouraged.
- c. Establish pedestrian pathways that link public spaces to other public spaces and streets.
- d. Plazas and courtyards should include the following:
 - Planters and trees to break up space.
 - Seating, such as benches, tables, or low seating walls.
 - Special paving, such as integral colored/stained concrete, brick, or other unit pavers.
 - Specialty pedestrian scale bollards or other types of accent lighting.
 And at least one of the following:
 - Public art.
 - Water feature.
- e. Design spaces to allow for variety and individualization of temporary installations such as: lighting, banners, artwork, etc.

3. Environmental Considerations.

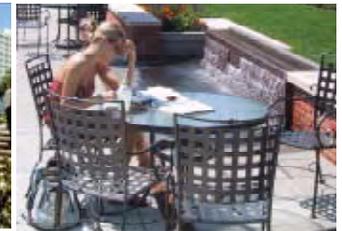
Consider environmental conditions such as sun, shade and prevailing winds when positioning courtyards and outdoor seating areas. Provide features and amenities to encourage and enhance pedestrian and bicycle access through out the project.



contained outdoor space with special paving, landscaping, seating and pedestrian linkages



plaza space with seating and landscaping



courtyard with seating and water features

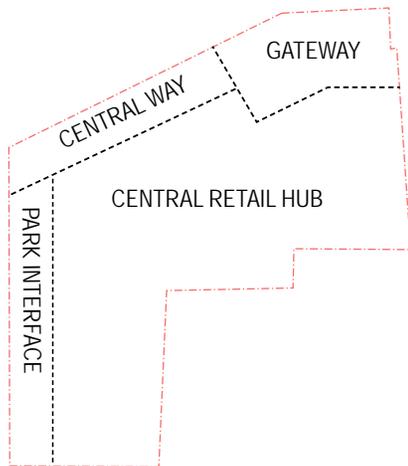


outdoor space encouraging bike and pedestrian use

12. ALL DISTRICTS

Overall Intent:

To create a rich pedestrian-oriented environment and successful mixed-use center.



SITE PLANNING

4. Pedestrian Connections and Wayfinding

Intent: To create a network of safe, attractive, and identifiable linkages for pedestrians.

- a. Clearly defined pedestrian connections shall be provided at locations specified in the Street Classification sections (pgs 8 -14).

5. Lighting

Intent: To ensure that lighting contributes to the character of the project, provides personal safety, and does not disturb adjacent developments and residences

- a. Use City-approved fixtures for street lighting along the city streets.
- b. Lighting elements throughout the project and on adjoining rights of way should be coordinated, including public open spaces, accent lighting, and streets.
- c. Accent lighting along public right of way should be soft in character and enrich the pedestrian street life.
- d. Accent lighting within the central pedestrian space should be congruous with the character of the project and the arts and pedestrian space commitments (see page 6) .
- e. Lighting should include non-glaring design solutions, such as cut off fixtures that avoid light spilling over onto other properties.
- f. Flood lighting of entire building facades is discouraged.
- g. Lighting on upper levels should be sensitive to residences and drivers.

6. Screening of Trash and Service Areas

Intent: To screen trash and service areas from public view.

- a. All service, loading and trash collection areas shall be screened by a combination of planting and architectural treatment similar to the design of the adjacent building.
- b. Avoid where ever possible locating service, loading and trash collection facilities in pedestrian-oriented areas.



passageway with retail and pedestrian-scale lighting



clear pedestrian connection alley with retail and landscaping



pedestrian-scaled lighting

artful and expressive lighting

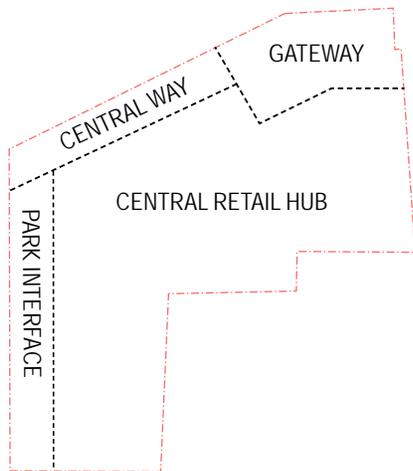


service screening

12. ALL DISTRICTS

Overall Intent:

To create a rich pedestrian-oriented environment and successful mixed-use center.



SITE PLANNING

7. Signs: A Master Sign Plan will be created with the City that is in keeping with the following design objectives:

Intent: To create signs that are creative, engaging and effective for a variety of user groups and respond to a variety of spaces.

- a. Signage should be complementary and integrated with the unique character of the specific districts and/or buildings where they are located.
- b. Signage should be high quality and consistent with the contemporary urban/downtown character of comparable developments in similar regions.
- c. The design of buildings should identify locations, sizes and general design for future signage.
- d. The Master Sign Plan should include a hierarchy of elements based on use and function, such as:
 - site signage for entries, wayfinding, Parkplace identity
 - building signage for addressing and landmarking
 - tenant signage to encourage expressive individualization.

EXHIBIT F



signage integrated with the building design



unique character of pedestrian-oriented retail signage

12. ALL DISTRICTS

Overall Intent:

To create a rich pedestrian-oriented environment and successful mixed-use center.

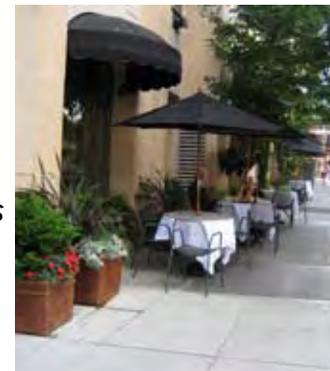
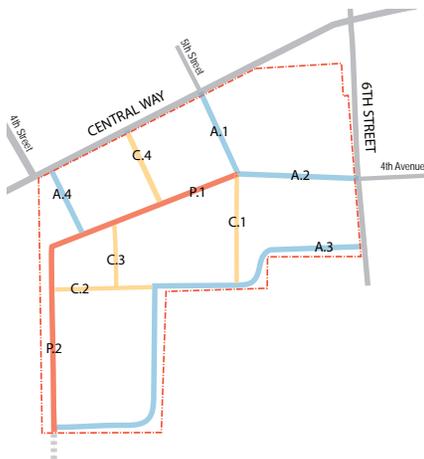
BUILDING DESIGN

1. Orientation to the Street

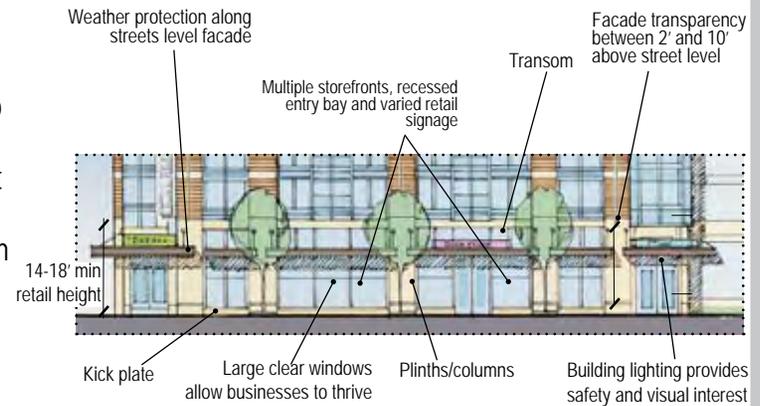
Intent: Ensure that buildings contribute to the liveliness of Parkplace's public spaces, and overall community character.

The following design treatments should apply to areas with required retail frontages, (see diagram on page 7):

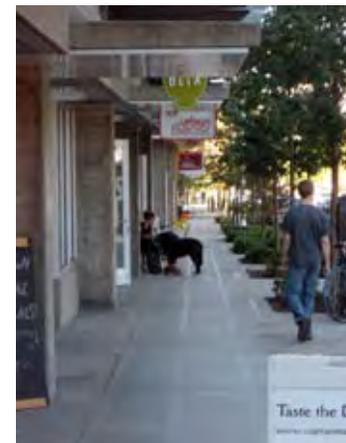
- a. Streets and public spaces should be enlivened by storefronts, windows, merchandise and other activity. Buildings should be designed with frequent entrances to encourage multi-tenant occupancy and walk-in traffic.
- b. Ground level retail heights should be between 14-18 feet in height.
- c. Entrances: Principal building entry should be visible from the street and public space and marked by large entry doors, canopy/portico/overhang.
- d. Transparency: To provide a visual connection between activities, ground floor façades should provide the following minimum standards
 - windows of clear vision glass (i.e. transparent) beginning no higher than 2' above grade to at least 10' above grade
 - 60% minimum of facade length along Central Way, P.1, P.2 should provide transparency
 - 50% minimum of facade length along A.1, A.4 should provide transparency.
- e. Weather Protection: To provide pedestrians cover from weather, canopies or awnings should be:
 - a minimum of 5 feet in width unless in conflict with vehicles
 - at least 75% of facades along required retail frontages constructed of permanent, durable various materials
 - allowed to vary in design
 - encouraged to have continuity, minimizing gaps.



street level emphasis



pedestrian-oriented street level facade

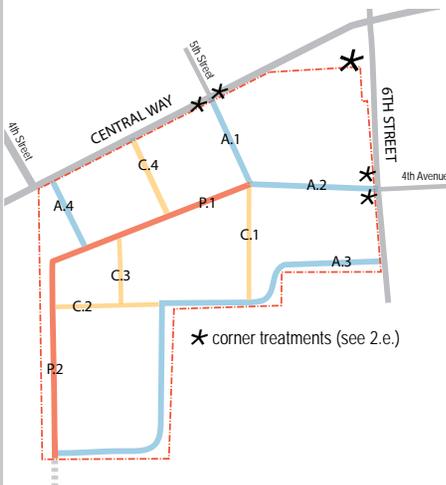


building design that enhances the activity on the street with multiple storefronts, and a variety of signage, awnings and merchandise displayed.

12. ALL DISTRICTS

Overall Intent:

To create a rich pedestrian-oriented environment and successful mixed-use center.

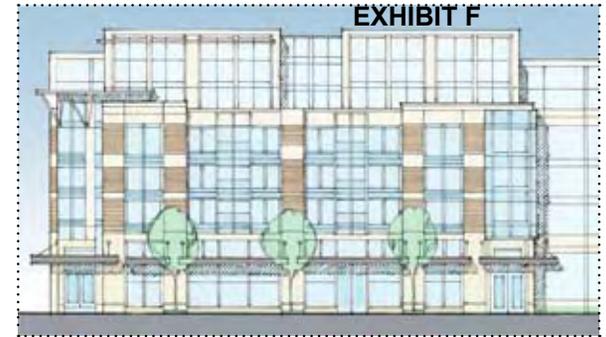


BUILDING DESIGN

2. Massing/Articulation

Intent: To create a variety of form and massing through articulation and use of materials to maintain a pedestrian scale.

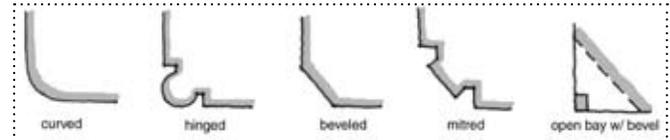
- In general, break down the scale and massing of buildings into smaller and varied volumes.
- Buildings should distinguish a “base” using articulation and materials. Include regulating lines and rhythms which may include cornice lines, belt lines, doors and windows, etc to create a pedestrian-scaled environment.
- Provide clear pattern of building openings. Windows, balconies and bays should unify a building’s street wall and add considerably to a façade’s three-dimensional quality.
- The use of ribbon windows and extensive use of mirrored glass is discouraged.
- Employ major architectural expressions into the façade, roof form, massing and orientation, such as tower forms, over-sized windows and entrances to demarcate important gateways and intersections; strong corner massing can function as a visual anchor at key locations within the project area. See diagram (left) for encouraged key locations.
- Building modulation should be employed to break up long facades and create a visual interest unique to each building in the project. The type of modulation should be determined by the overall design concept of each building, using dimensions from window sizes, column spacing, rain screen paneling, etc to a determine a distinct design solution.
- Roof Silhouettes:
 - Express roofs in varied ways.
 - Give consideration to potential views of the roof top from adjacent buildings.
 - Avoid monotonous design
- Rooftop Equipment. Locate and/or screen rooftop equipment so that it is not visible from streets and other public spaces. Use methods of rooftop screening that are integral to the building’s form.



window patterns, articulation, building modulation



window patterns, articulation architectural expression



corner treatments

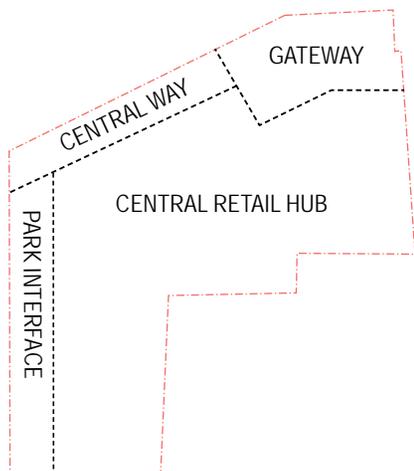


roof forms

12. ALL DISTRICTS

Overall Intent:

To create a rich pedestrian-oriented environment and successful mixed-use center.



BUILDING DESIGN

3. Blank Wall Treatments

Intent: To reduce the visual impact of blank walls by providing visual interest.

- a. Although blank walls are generally not encouraged along public streets and pedestrian spaces, there may be a few occasions in which they are necessary for functional purposes. Any blank walls in these locations that are longer than 20 feet should incorporate two or more of the following:
 - Vegetation, such as trees, shrubs, ground cover and or vines adjacent to the wall surface.
 - Artwork, such as bas-relief sculpture, murals, or trellis structures.
 - Seating area with special paving and planting.
 - Architectural detailing, reveals, contrasting materials or other special visual interest.

4. Encourage High-Quality Design

Intent: To ensure that all buildings in the project area are constructed as a quality addition to the Kirkland Community.

- a. Exterior architectural design and building materials should exhibit permanence and quality appropriate to an urban setting.

5. Building Diversity

Intent: To ensure that buildings in the project are distinct and respond to the unique character of their specific district.

- a. Buildings should be designed to integrate with each other, while demonstrating architectural diversity. Buildings should be responsive to each specific district and its site conditions.
- b. Materials should be selected to integrate with each other, while allowing a richness of architectural diversity.
- c. Windows should incorporate variation in patterning between buildings.



columns, trellis, art and varied materials offer visual appeal on blank walls



a green wall can soften an otherwise unwelcoming street level facade

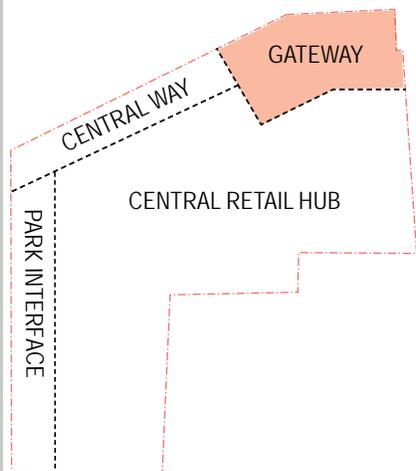


buildings using high quality materials at the street level

13a. GATEWAY DISTRICT

INTENT:

To create a welcoming feature to the Parkplace development and downtown Kirkland. This area should create an inviting entryway that is representative of the community through the use of art, landscape and architecture.



SITE PLANNING

1. Incorporation of Triangular Lot "Gateway Garden"

Incorporate the northeast triangular lot (excess right-of-way) into the project design to create a distinct gateway entrance that is integrated with the Parkplace development. Include:

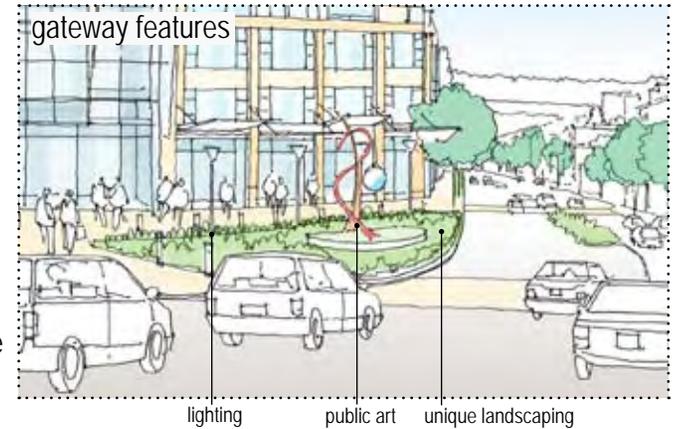
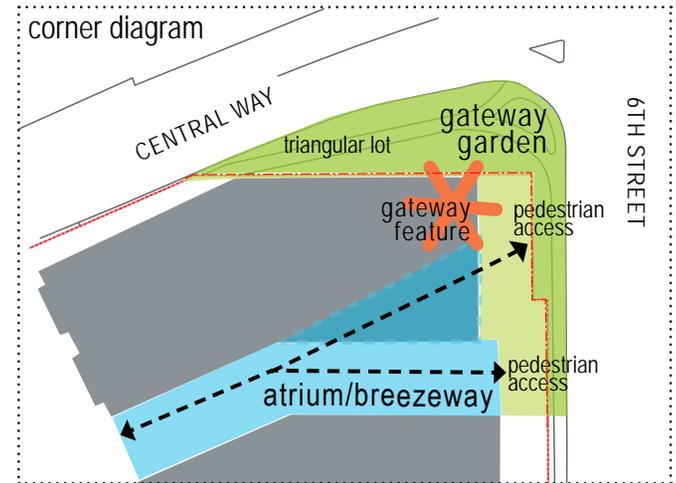
- a. **Public Access:** Public access into the site should be visible and accessible from the corner of 6th Street and Central Way.
- b. **Hardscape / Vegetation:** Paving and landscaping materials should identify pedestrian spaces and access.
- c. **Trees and Other Planting:** Landscaping should be of appropriate scale and species to make a significant gateway gesture. Trees should be selected to provide visibility of businesses, and maintained to encourage proper growth and height.
- d. **Signage (downtown entry):** Incorporate wayfinding signage directing visitors to: Downtown, Peter Kirk Park, Waterfront/Marina, City Hall, and Civic District.

2. Public Space Connecting to Triangular Lot

Design of additional public space should be integrated with the triangular lot to provide a congruous pedestrian environment.

- a. **Public Access:** Connect pedestrian access to the gateway garden, adjacent streets and public open spaces.
- b. **Hardscape / Vegetation:** Paving and landscaping materials should identify pedestrian spaces and access.
- c. **Seating:** Incorporate seating along pedestrian pathways and gathering spaces.
- d. **Artwork:** Incorporate public art in an appropriate scale to distinguish the significance of this corner.

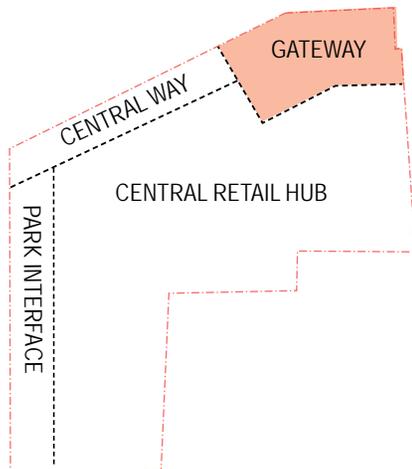
EXHIBIT F



13a. GATEWAY DISTRICT

INTENT:

To create a welcoming feature to the Parkplace development and the City. This area should create an inviting entryway that is representative of the community through the use of art, landscape and architecture.



SITE PLANNING

4. Atrium/Breezeway Space

Create a pedestrian connection, visually open, from the corner of 6th and Central into the heart of the project, (see standards on page 7). The atrium/breezeway space will include the following:

- Covered walkway
- Public connection from 6th to central plaza open during regular operating hours
- Pedestrian lighting
- Seating

and may consider including:

- Enclosed public space
- Retail / restaurant uses
- Covered play /activity space.

- Buildings should be separated from or differentiated from each other at this corner so that they are not perceived as one building.

possible atrium/breezeway treatments:

EXHIBIT F



galleria accessing restaurants and landscaped public seating areas



open air lattice covered atrium with outdoor cafe seating



breezeway between buildings

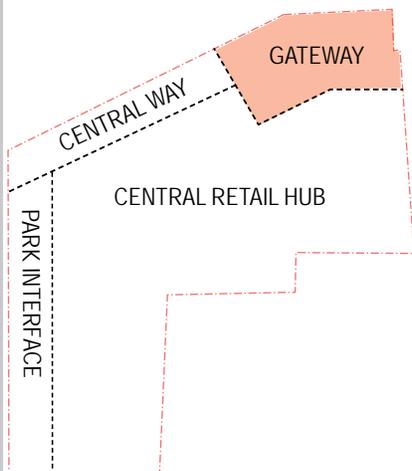


conceptual rendering of corner buildings on 6th and Central showing ground level setbacks and change of expression for upper levels

13a. GATEWAY DISTRICT

INTENT:

To create a welcoming feature to the Parkplace development and the City. This area should create an inviting entryway that is representative of the community through the use of art, landscape and architecture.



BUILDING DESIGN

1. Ground Level Treatment

- Setbacks from Streets** - The ground floor levels of the corner building should be permitted to set back to allow for cut away view and obvious pedestrian connection into the site.
- Retail / Restaurant Uses** - Design for retail and restaurant uses along ground floor of the corner building.
- Details Visible at Different Movement Speeds** - Incorporate details in the building along the corner that bring visual interest at the pedestrian level, as well as for vehicular traffic entering Kirkland.

2. Upper Levels

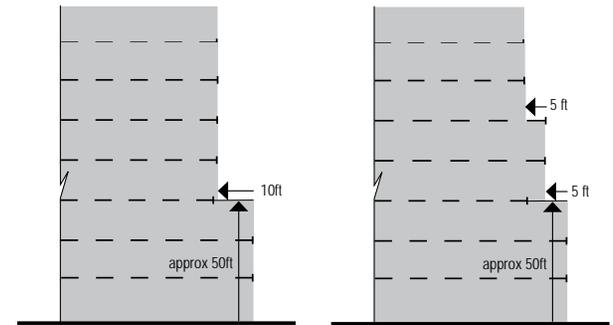
- Change of Expression: Material Choices** A clear visual division between upper and lower floors should be incorporated through a change in materials, colors, and forms.
- Step backs:** A modulated step back should be incorporated after the third level (approximately 50') on building facade along Central Way. This step back can vary in depths from 0-10 feet, so long the upper levels of building appear to be receding from the base. Step backs are measured from the exposed face of the building above grade, not from any property line.
- Top Floor / Roof Edge** - Should have a distinct profile against the sky through elements such as projections, overhangs, cornices, step backs, trellises, changes in material or other elements.
- Accent Lighting:** The innovative use of accent lighting incorporated into the building facade is encouraged.
 - Lighting should include non-glaring design solutions, such as cut off fixtures that avoid light spilling over onto other properties.
 - Flood lighting of entire building facades is discouraged.

gateway corner approaches

EXHIBIT F



conceptual rendering of corner buildings on 6th and Central showing ground level setbacks and change of expression for upper levels



possible upper level step backs



example of 10' step back modulation

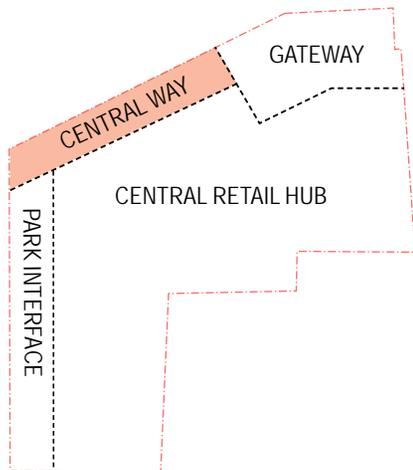


accent and pedestrian lighting

13b. CENTRAL WAY DISTRICT

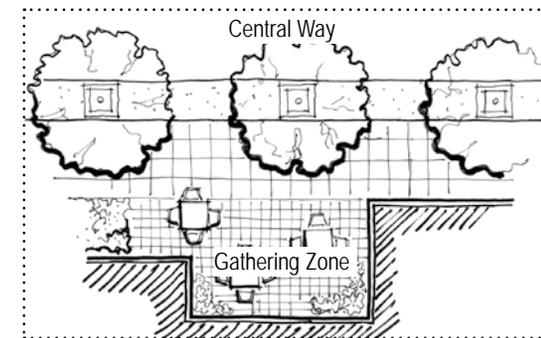
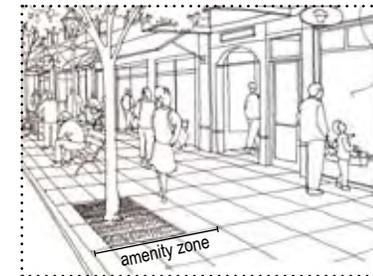
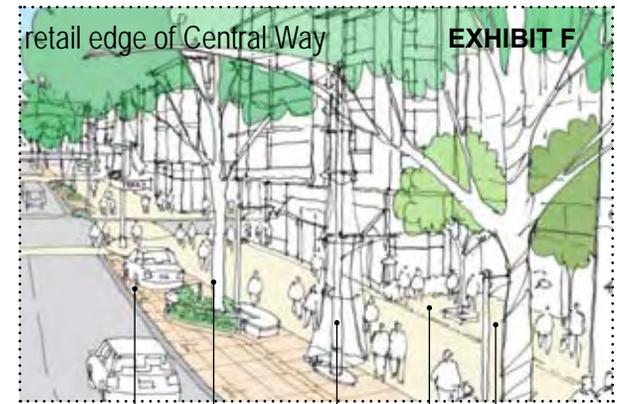
INTENT:

To respond to Central Way as a major arterial that links downtown Kirkland with the areas east and beyond, Parkplace must take advantage of this traffic volume and activity to help create a multi-functioning, pedestrian-scale shopping street.



SITE PLANNING

1. Encourage and activate the street edge by incorporating:
 - on-street parking along Central Way
 - buildings located up to the edge of the sidewalk
 - storefront and hotel entrances
 - generous sidewalk amenity zone (trees, lights, benches, see section on pg 9)
 - street tree selection and spacing that provide visual continuity, buffers pedestrians from the busy street, and allows visibility of retail
 - pedestrian signage.
2. Reduce the length of the street wall by pulling back portions of the building at the ground level from the street edge in key locations, provided street continuity is not interrupted.
3. The limited vehicular access to mid-block connection may be accessed from Central Way and into the interior of the project, (per C.4 section on pg 14). Pedestrian access along this route should include pedestrian-scaled lighting and a clear connection to the streetscape/plaza space on the opposite side.



courtyard and gracious entry along Central Way

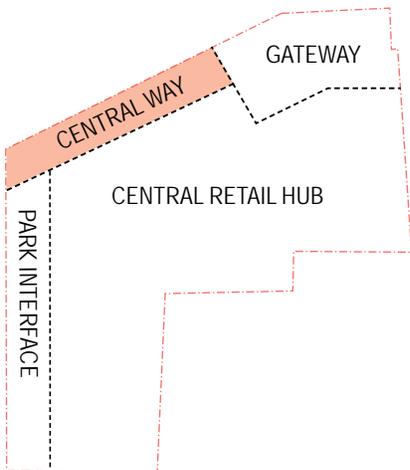


building set to sidewalk with on-street parking

13b. CENTRAL WAY DISTRICT

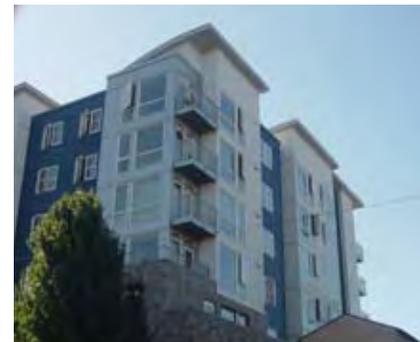
INTENT:

To respond to Central Way as a major arterial that links downtown Kirkland with the areas east and beyond, Parkplace must take advantage of this traffic volume and activity to help create a multi-functioning, pedestrian-scale shopping street.



BUILDING DESIGN

1. Reduce apparent bulk of buildings along Central Way by incorporating a 20 foot upper level step back after the third (3rd) story along the majority of the facade. However in places, step backs can vary in depths from 0-20 feet, so long as the overall upper levels of building appear to be receding from the base. Step backs are measured from the exposed face of the building above grade, not from any property line.
2. Facades that are stepped back should be distinguished by a change in elements such as window design, railings, trellises, details, materials and/or color so that the result is a richly organized combination of features that face the street.
3. Balconies, terraces and landscaping features are encouraged in upper level step backs.

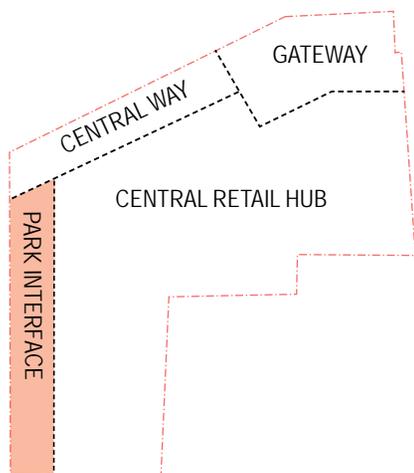


examples of varied step backs

13c. PARK INTERFACE DISTRICT

INTENT:

To create a strong connection from the park and downtown core that allows for clear pedestrian flow to and into the site by incorporating engaging building frontages and other design treatments.

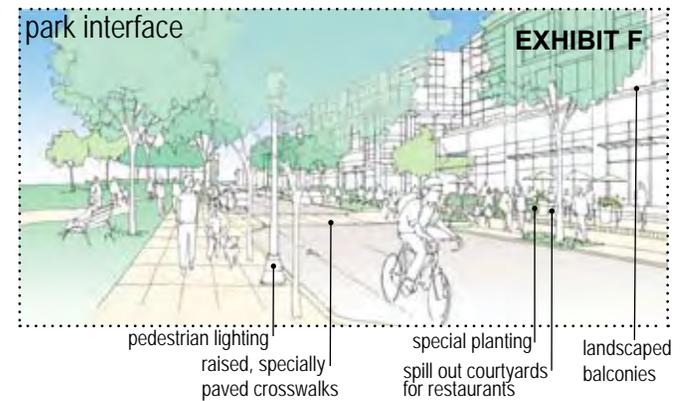


SITE PLANNING

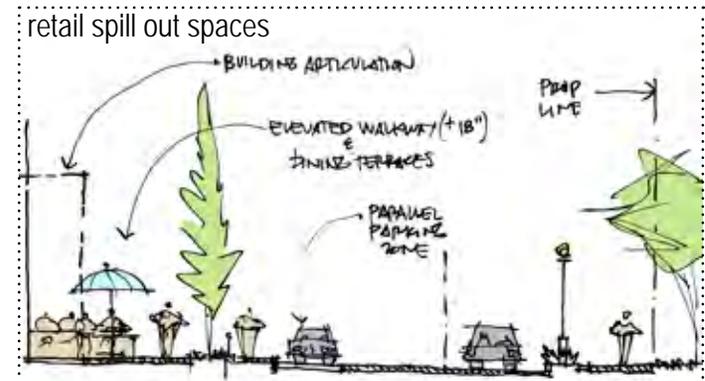
1. Incorporate ample landscaping and distinctive lighting.
2. Incorporate raised crosswalks 20' minimum in width and special paving to promote pedestrian priority along the promenade (see street section on page 12)
3. Encourage retail spill out spaces and landscaped courtyards along the building edge. Bring the "indoor" out and the "outdoor" in by spilling retail spaces onto the sidewalk and creating small gathering spaces along building edges.
4. Create a visual barrier for drivers between the drive lane and pedestrian walkway along the Peter Kirk Park edge using one or more elements such as: plantings, bollards, small seating walls, stone artwork, etc. (see section on page 12).

BUILDING DESIGN

1. Buildings shall address park and promenade street by incorporating:
 - terraces and balconies
 - entrances to retail along promenade
 - greater transparency at ground floor
 - street front courtyards
 - retail spill-out spaces.
2. Where feasible, provide rooftop terraces on lower roof levels as gathering spaces that include such amenities as:
 - seating
 - landscaping
 - canopies or coverings for weather protection
 - public access open during regular operating hours.



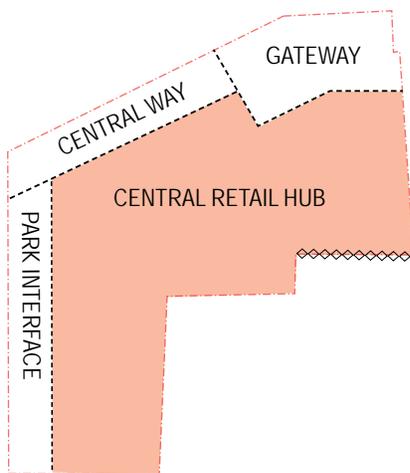
buildings addressing promenade and providing street fronting courtyards



13.d CENTRAL RETAIL HUB

INTENT:

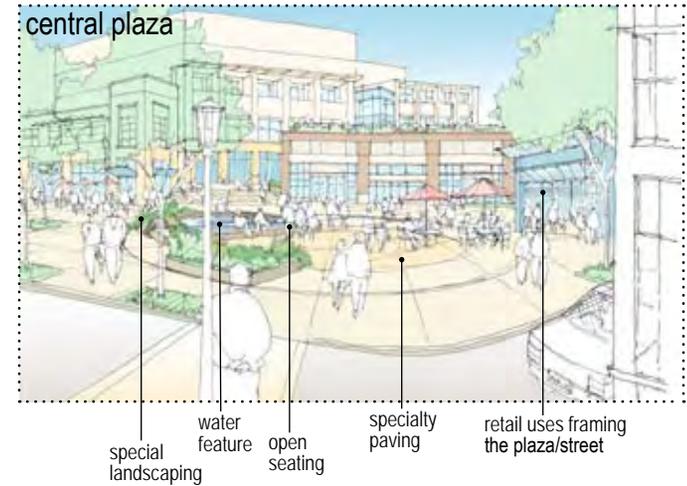
To establish a vibrant Central Retail Hub with activated public space and retail/window shopping experience with mix of uses overlooking a common central plaza.



SITE PLANNING

1. The central plaza space (see pedestrian space standards, pg 7) should be a significant gathering and activity space by incorporating the following:
 - special paving
 - water feature
 - special landscaping
 - seating- covered and open
 - distinct lighting
 - access to sunlight
 - accommodations for concerts/performances
2. The plaza space should be supported as an important activity space by being surrounded by active public-oriented amenities such as ground floor retail, restaurants and cafes.
3. Locate plaza at or near street grade to promote physical and visual connection to the street and adjacent buildings and their entrances.
4. Design outdoor space with safety in mind; public plazas should promote visibility from the street and provide architecturally compatible lighting to enhance night time security.
5. A 10 foot permanent landscaped edge along the southeast property line adjacent to residential uses should be incorporated within the street design, (see section on page 11 and diagram to the left as shown: ◇◇◇◇◇).
6. This district should also consider providing:
 - small retail pavilion
 - children's interactive feature.

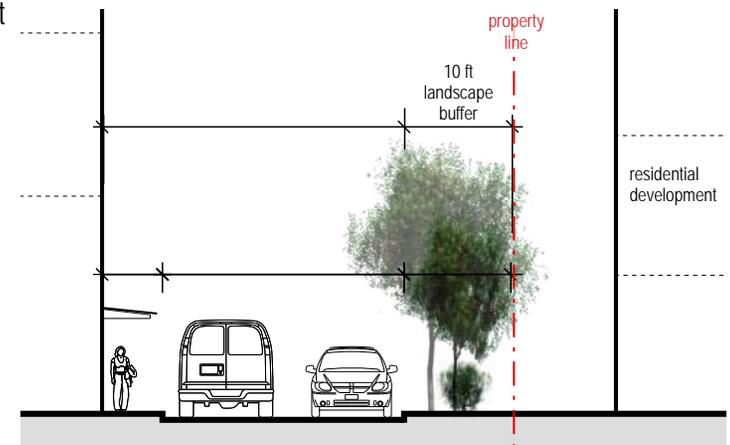
EXHIBIT F



large plaza space with distinctive lighting and interactive water feature



plaza space with special paving and seating and small retail pavilion

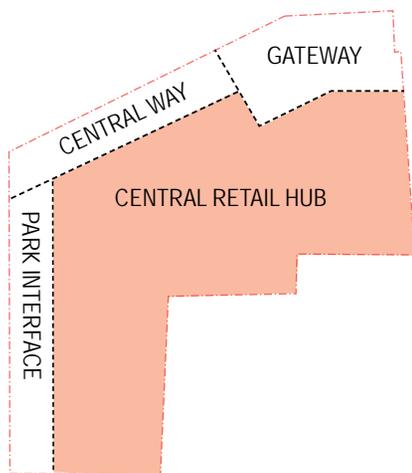


landscaped edge along adjacent residential use

13.d CENTRAL RETAIL HUB

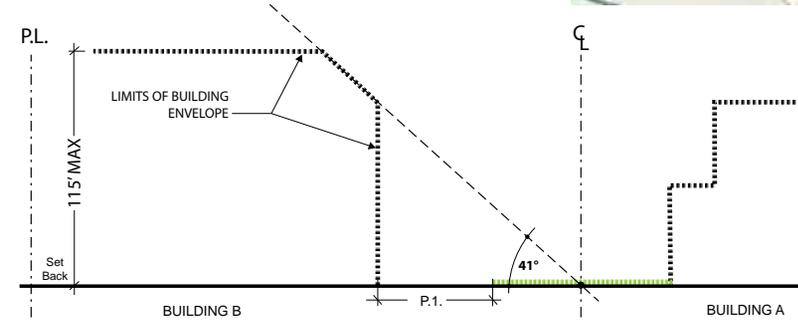
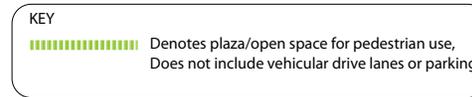
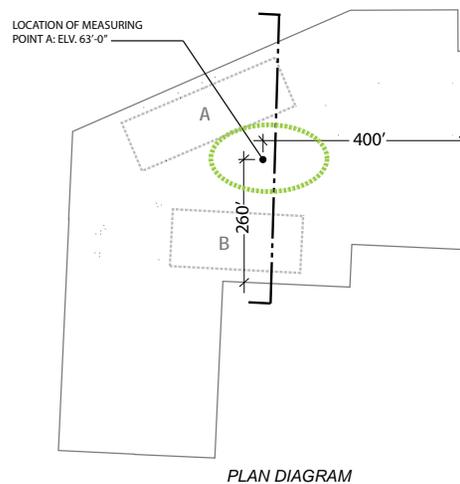
INTENT:

To establish a vibrant Central Retail Hub with activated public space and retail/window shopping experience with a mix of uses overlooking a common central plaza.



BUILDING DESIGN

1. Lower level facades with predominantly retail uses should locate entrances at the sidewalk or edge of public space to frame pedestrian spaces in key locations.
2. Where feasible, provide rooftop terraces on lower roof levels as gathering spaces that include such amenities as:
 - seating
 - landscaping
 - canopies or coverings for weather protection
 - public access open during regular operating hours.
3. In order to maximize the amount of sunlight in the central plaza, building B as depicted in the diagram below should be contained under a line at a 41 degree angle measured from the center of the plaza, per diagrams below.



publicly accessible roof top terrace



retail uses framing pedestrian courtyards and patios



Chapter 3.30 DESIGN REVIEW BOARD

Sections:

3.30.010 Membership—Appointment—Compensation—Removal.

3.30.020 Qualifications.

3.30.030 Powers and duties.

3.30.040 Design guidelines adopted by reference.

3.30.050 Conflict of interest.

3.30.010 Membership—Appointment—Compensation—Removal.

The design review board shall be composed of seven appointed members. In addition, the director of planning and community development shall sit on the design review board (“DRB”) as a nonvoting member for purposes of advising the board on regulatory and urban design issues. Members shall be appointed by a majority vote of the city council, without regard to political affiliation. The members of the DRB shall serve without compensation. Each member shall be appointed to a four-year term; provided, that as to the two positions added in 2003, one new member’s initial term shall expire March 31, 2005, and the other new member’s initial term shall expire March 31, 2007. Any vacancy shall be filled for the remainder of the unexpired term of the vacant position. When a member misses three or more consecutive meetings not excused by a majority vote of the DRB, the DRB will consider recommending removal of that member. The board shall recommend removal if the absences have negatively affected the board’s abilities to perform its duties. The recommendation will be forwarded to city council. Members finding themselves unable to attend regular meetings are expected to tender their resignations. A member may be removed by a majority vote of the city council. (Ord. 3901 § 1, 2003: Ord. 3683A § 1 (part), 1999)

3.30.020 Qualifications.

Members of the design review board shall include design professionals and building/construction experts, and residents of Kirkland capable of reading and understanding architectural plans and knowledgeable in matters of building and design. The board shall at all times have a majority composition of professionals from architecture, landscape architecture, urban design/planning, or similar disciplines. In selecting members, professionals who are residents and/or whose place of business is within Kirkland will be preferred. (Ord. 3683A § 1 (part), 1999)

3.30.030 Powers and duties.

The design review board shall have the responsibilities designated in the zoning code. In addition, the design review board shall perform such advisory functions related to design issues as designated by the city council. (Ord. 3683A § 1 (part), 1999)

3.30.040 Design guidelines adopted by reference.

The design review board in combination with the authority set forth in Chapter 142 of the zoning code shall use the following design guidelines documents to review development permits:

(1) The document entitled "Design Guidelines for Pedestrian Oriented Business Districts" bearing the signature of the mayor and the director of the department of planning and community development dated August 3, 2004, is adopted by reference as though fully set forth herein. The city council shall consult with the planning commission prior to amending this document.

(2) The document entitled "Design Guidelines for the Rose Hill Business District" bearing the signature of the mayor and the director of the department of planning and community development dated January 3, 2006, is adopted by reference as though fully set forth herein. The city council shall consult with the planning commission prior to amending this document.

(3) The document entitled "Design Guidelines for the Totem Lake Neighborhood" bearing the signature of the mayor and the director of the department of planning and community development dated June 6, 2006, is adopted by reference as though fully set forth herein. The city council shall consult with the planning commission prior to amending this document.

(4) The document entitled "Kirkland Parkplace Mixed Use Development Master Plan and Design Guidelines" bearing the signature of the mayor and the director of the department of planning and community development dated _____, is adopted by reference as though fully set forth herein. The city council shall consult with the planning commission prior to amending this document.

~~(4)~~(5) Text Amended. The following specific portions of the text of the design guidelines are amended as set forth in Attachment A attached to Ordinance 4106 and incorporated by reference. (Ord. 4106 § 1, 2007; Ord. 4052 § 1, 2006; Ord. 4038 § 1, 2006; Ord. 4031 § 1, 2006)

3.30.050 Conflict of interest.

If a member of the design review board is an applicant or a paid or unpaid advocate, agent, or representative for an applicant on a design review application, the member shall not participate in a decision on that design review application. (Ord. 3683A § 1 (part), 1999)



CITY OF KIRKLAND

Planning and Community Development Department
 123 Fifth Avenue, Kirkland, WA 98033 425.828.1257
www.ci.kirkland.wa.us

DESIGN REVIEW BOARD RECOMMENDATION

TO: Planning Commission

FROM: Design Review Board

DATE March 25, 2008

PROJECT NAME: Touchstone (Park Place) Private Amendment Request - ZON07-00016

Touchstone Corporation (Park Place) has submitted a private amendment request (PAR) for the redevelopment of the existing Kirkland Park Place Center. The City Council made the decision to consider this PAR last July. At that time, the Council also passed a resolution which directed the Design Review Board (DRB) to play a role in advising the Planning Commission on the Park Place PAR.

The role of the DRB during this annual amendment process has been to help staff and the Planning Commission develop appropriate Comprehensive Plan policies, development regulations and design guidelines for the portion of CBD 5 where Park Place is located. The primary issues that the Board focused on were site layout and building massing. The Board has also reviewed the conceptual development plans that the applicant submitted and used them as a starting point for recommendations to the Planning Commission. The DRB completed the review process and compiled the following list of recommendations for the Park Place PAR at the March 11, 2008 DRB meeting. Drawings are also included with this recommendation to further explain the concepts listed below.

KEY ISSUES

- The existing development is in a hole below the grade of Central Way. New development should be brought up to street level to better orient to the sidewalk and to the community.
- The way the development addresses the park is a key design issue.
- The northeast corner of the site is a very important gateway to the downtown and should have special treatment.
- The buildings should not all be the same in terms of floorplate, shape, height, and façade treatments.
- Height and open space are reciprocal variables (additional height requested should be strongly related to open space created). The open space should mitigate and justify the additional height.
- Upper level step backs should be used to mitigate height.
- There should be a view corridor into/through the site.
- The development should be pedestrian friendly/welcoming from the outside.

- The impact of the south side of the project adjacent to the existing residential and office buildings needs to be carefully considered.

SITE ORGANIZATION

1. Access points

- The access points proposed by the applicant in their plan are generally appropriate.
- Elimination of the west access point on Central Way should be considered in order to enhance connections to the park.

2. Pedestrian circulation

- Pedestrian-oriented uses at the ground floor along Central Way are important.
- There needs to be a pedestrian environment next to the park.

3. Vehicle circulation

- The DRB expressed mixed feelings about the street adjacent to the park. It provides a good connection through the site and public orientation to the park, but there is concern that it may not be safe for pedestrians and may separate the site from the park.
- If there is a street, the DRB agreed that there should not be parking on the park side of that street and that the design should strongly favor pedestrians over cars.

4. Open space

- The interior of the project should be organized around a large open space through the site that connects to the park, transit center and the rest of downtown. The width of the open space where it connects the park to the central open space should be greater than is shown in the plan presented by the applicant.
- The project should establish continuity and hierarchy of open space as it progresses from 6th Street and Central Way to the park.

BUILDING MASS AND PLACEMENT

1. Height – if buildings up to 8 stories are allowed:

- There should be three height zones on the site – see attached diagram.
- There should be enough difference in height in these zones to be clearly noticeable. This will require a difference of 15' to 20' between zones.
- 8 story buildings up to approximately 115' could be accommodated in the SE portion of the site (the maximum height zone).
- The podium height (height at the 3 story mark) along Central Way should be a maximum of 45' (the minimum height zone).
- There could be a 60' setback from the park (if a road is placed on the west side of the site) with a maximum building height of 45' in the minimum height zone to the east of the

park. Building height could then increase relative to the distance from the park (for example: by an additional 1' for each additional 1 foot setback up to the maximum height limit for each zone going east).

- The intermediate (medium height zone) would be between 65 and 95 feet.

Building height should be measured relative to:

- The adjacent streets for buildings fronting on Central Way and 6th Street.
- The existing grade for remaining buildings.

The DRB also suggested that height be measured by feet rather than by number of stories.

2. Building setbacks

There should be three setback zones (see diagram)

- *Small:* Central Way and 6th Street - Consider no setback (sidewalk adjacent to the building) if there is a relationship between the building and the pedestrian (for example: a retail use). There should be some setback, if the building does not relate to the pedestrian at the street level.
- *Medium:* Park side – a 60' setback from the park if the road is located there. A lesser setback would be appropriate if the road is not located on the west side of the site.
- *Large:* the widest setbacks should occur adjacent to the south side of the site along the interior property lines.

3. Step backs

- Along Central Way, stories above the third story should be stepped back 10-20 feet.
- At major entry points to the project, building corners should be setback and or stepped back in both directions.
- Upper story step backs around the central open space should be organized around the sun angles.

4. Treatment of gateway at the corner of 6th Street and Central Way

- There should not be a tall building at this gateway.
- Building mass should be sculpted back from the corner. Upper level step backs can be used to help achieve this.
- The buildings at the corner should be parallel to Central Way.
- Buildings should be separated and differentiated from each other at this corner so that they don't read as one large building.
- A portal or entry way into the site and beyond that is near the corner of 6th Street and Central Way should be explored. (There was no consensus on the exact location of the portal. It may not need to be located at the corner.)

- The buildings could be staggered and reoriented so that you can see into the site and potentially to the park beyond.
- The corner treatment should establish a gateway to downtown, not just a gateway to the buildings located there.

5. Sustainability

- The project should have smaller environmental footprint by incorporating sustainability measures for green building.

Attachments

5 drawings showing recommendations

Drawings may be viewed at http://www.ci.kirkland.wa.us/depart/Planning/DRB_Meeting_Information.htm



CITY OF KIRKLAND
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MEMORANDUM

To: City Council

From: Planning Commission
Byron Katsuyama, Chair

Date: November 20, 2008

Subject: **PLANNING COMMISSION RECOMMENDATION
ORNI AND ALTOM PRIVATE AMENDMENT REQUESTS
FILE ZON07-00012 and FILE ZON07-00019**

The Planning Commission is pleased to submit their recommendation on the Orni and Altom Private Amendment Requests (PARs) as described below:

I. ORNI PRIVATE AMENDMENT REQUEST

A. Applicant's request

Kathy Orni has submitted a PAR to amend the City of Kirkland Comprehensive Land Use Map from High Density Residential (HDR) to Office/Multifamily (O/MF) and to rezone the parcels at 825, 903, and 911 5th Avenue from the Planned Area 5D (PLA 5D) zone to the Planned Area 5C (PLA 5C) zone. The site currently contains three office building that are nonconforming uses. The amendment would make the offices conforming uses and would allow an increase in permissible building height above average building elevation (ABE) from 4 stories or 40 feet whichever is less up to the lower of 6 stories or 60 feet above ABE. An accompanying Zoning Code amendment would allow a reduction of building setbacks where PLA 5C development abuts low-density single family uses in the PLA 5A zone.

B. Current Comprehensive Plan and Zoning

The subject property is located in Planned Area 5, Subarea D of the Moss Bay Neighborhood and has a High-Density Residential (HDR) Comprehensive Plan designation. This designation allows detached, attached, or stacked residential uses at up to 24 dwelling units per acre. The office uses that exist in this area are not consistent with this Comprehensive Plan designation. The office development is considered a legally existing nonconforming use.

The subject property is zoned PLA 5D. This zone allows multifamily and non-residential uses that are typically found in residential zones, including churches, schools and daycare facilities, among others. Office and most commercial uses are not permitted in this zone. With at least 1 acre of property, multifamily buildings can be a maximum height of the lower of 4 stories or 40 feet above ABE. Otherwise, buildings may be a maximum of 30 feet above ABE. The office uses in Area B are legally nonconforming to the City's zoning standards as a result of previous Plan and Code amendments in 1979.

C. Planning Commission Recommendation for the Orni PAR

The Planning Commission has developed potential amendments to the Comprehensive Plan and Zoning Code for recommendation to the City Council. Although the property has contained nonconforming office buildings for the past 30 years, the Commission felt that redevelopment of the property for exclusively office use would not be appropriate due to the predominance of residential uses to the east and south. The Commission was also concerned with the potential impacts to adjoining residential properties if additional building height was permitted. However, in recognition of the existing offices and the location of the property between office and residential zones, the Commission is recommending that a compromise mixed-use option be added to the PLA 5D zone. The recommendation would allow mixed-use with over 50% residential and the remainder office. The additional height requested was not recommended because of the concern for impact on the adjoining residential properties. In summary, the amendments include:

1. Comprehensive Plan:

The draft amendments to the Planned Area 5 section of the Moss Bay Neighborhood Plan include the following key revisions:

- Amend Planned Area 5D to allow mixed-use office and residential development.
- Remove reference to greater height limitation, large setbacks and limitation of horizontal dimensions adjacent to single family dwellings in Planned Area 5A.

In addition, various other minor text edits to Planned Area 5 are included. Note that additional changes to the text of the Downtown Plan in the Moss Bay Neighborhood Plan are recommended for the Parkplace PAR.

2. Zoning Map and Zoning Code:

The draft amendments to the Kirkland Zoning Code include the following key revisions:

Uses: The PLA 5D existing zoning will be maintained, but an additional mixed-use listing (residential and office) will be added for the study area only. This listing will require that more than 50% of the building area on the site be residential. An office only development as proposed by the applicant will not be allowed.

Height Allowances: The maximum height limit for the new mixed-use listing will be 4 stories or 40 feet above ABE, whichever is less. This is consistent with the existing code, which presently allows multifamily buildings up to 4 stories or 40 feet above average building elevation (ABE), whichever is less if the site is at least one acre, otherwise 30' ABE is allowed.

Setback Requirements: A special regulation will be added requiring office uses to be setback at least 15' from residential uses on adjoining properties. Buildings containing office uses that are over 30 feet in height must set back portions of the building with office uses over 30' high an additional 10 feet from the property line if there are residential uses on adjoining properties. The existing code requirement for an additional setback from single family uses in PLA 5A for buildings over 30' above ABE will be removed.

Design review: Administrative design review will be a requirement for the mixed-use development, but not for residential only development.

II. ALTOM PRIVATE AMENDMENT REQUEST

A. Applicant's request

Rhoda Altom has submitted a PAR to amend the Comprehensive Plan and rezone the property at 220 6th Avenue from Planned Area 5B (PLA 5B) to Planned Area 5C (PLA 5C) and remove the minimum lot size requirement of 1 acre now established in the PLA 5C zone to attain a 60-foot maximum height.

The existing Comprehensive Plan Office/Multifamily (O/MF) land use designation for the property containing a single-story office building at 220 6th Avenue will be retained. The City has expanded the area for consideration in this private amendment request to include the parcel to the north (603 4th Avenue) that contains two 2-story office buildings.

B. Current Comprehensive Plan and Zoning

The subject property is located in Planned Area 5, Subarea B of the Moss Bay Neighborhood and has an Office/Multifamily (O/MF) Comprehensive Plan designation. This designation is mapped in areas where both office and medium- or high-density residential uses are allowed. Uses may be allowed individually or within the same building in this designation.

The subject property is zoned PLA 5B. The zone allows a mix of multifamily and office uses, either separately, or as part of a mixed-use development with both uses. Office and multifamily buildings within the PLA 5B zone are allowed to reach a maximum of 30 feet above ABE.

C. **Planning Commission Recommendation for the Altom PAR**

The Planning Commission has developed potential amendments to the Comprehensive Plan and Zoning Code for recommendation to the City Council. The Planning Commission's main concern with the proposal was the request for removal of the lot size requirement of one acre for additional height. The Commission is recommending an alternative four tier approach that will allow some additional height in relationship to lot size. In summary, the amendments include:

1. **Comprehensive Plan:**

The draft amendments to the Planned Area 5 section of the Moss Bay Neighborhood Plan include the following key revisions:

- Recommend minimum lot area of 1 acre in order to allow structures that are 5 to 6 stories high.
- Remove reference to greater height limitation, large setbacks and limitation of horizontal dimensions adjacent to single family dwellings in Subarea A.

In addition, various other minor text edits to Planned Area 5 are included. Note that additional changes to the text of the Downtown Plan in the Moss Bay Neighborhood Plan are recommended for the Parkplace PAR.

2. **Zoning Map and Zoning Code:**

The draft amendments to the Kirkland Zoning Code include the following key revisions:

- Uses: Both the existing Comprehensive Plan designation and the proposed designation are for office/multifamily uses and so a change in use is not being considered.
- Height Allowances and Lot size requirements: The existing zoning allows up to 6 stories or 60' above ABE whichever is less if the site is at least 1 acre, otherwise, 30' above ABE. The Commission has added the following lot size/height limitations to the zoning: If there is at least .4 acres developed, 40' above ABE or 3 stories whichever is less is allowed. If at least .8 acres is developed, 52' above ABE or 4 stories whichever is less is allowed.
- Design review: Administrative design review will be a requirement for all buildings over 30' above ABE.

III. **PRIVATE AMENDMENT REQUEST CRITERIA**

Criteria found in the Zoning Code must be considered when reviewing the Orni and Altom private amendment requests.

A. Factors for Consideration: KCZ 140.25 establishes that the City must take into consideration, but is not limited to, certain factors when considering a Comprehensive Plan Amendment. Below is a list of the criteria followed by staff analysis for both the Orni and Altom PARs.

1. *The effect upon the physical, natural, economic, and/or social environment.*

The effects of the proposed amendments have been reviewed and documented in detail by the Draft and Final Environmental Impact Statements (EIS).

2. *The compatibility with and impact on adjacent land uses and surrounding neighborhoods.*

The proposed amendments have been reviewed in the EIS for compatibility with and impact on adjacent uses and surrounding neighborhoods and mitigations have been identified where incompatibilities or significant impacts were indicated.

3. *The adequacy of and impact on public facilities and services, including utilities, roads, public transportation, parks, recreation and schools.*

Existing public facilities and services have been evaluated in the EIS with the mitigating measures identified in the Planned Action Ordinance the public facilities and services are adequate to accommodate the proposed amendments.

4. *The quantity and location of land planned for the proposed land use type and density.*

The proposed amendments have been reviewed in the EIS for consistency of quantity and location of proposed land use type and density.

5. *The effect upon other aspects of the Comprehensive Plan.*

The proposed amendments have been reviewed in the EIS for consistency with other aspects of the Comprehensive Plan.

B. Criteria for Amending the Comprehensive Plan: KZC 140.30 establishes the criteria for evaluating a Comprehensive Plan Amendment. These criteria and the relationship of the Orni and Altom proposals to them are as follows:

1. *The amendments must be consistent with the Growth Management Act.*

The amendment is consistent with the Growth Management Act, including the following planning goals (RCW 36.70A.020):

- *Urban growth. Encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner.*

Locating additional office space near Kirkland's Central Business District is consistent with this planning goal. The FEIS evaluates adequacy of public services and facilities to serve the potential development and concludes that they are adequate.

- *Transportation. Encourage efficient multimodal transportation systems that are based on regional priorities and coordinated with county and city comprehensive plans.*

Both sites are within walking distance of the existing and soon to be improved Downtown Transit Center and an existing concentration of downtown shops and services. The proposal includes transportation demand management measures to reduce SOV use as addressed in the FEIS.

- *Economic development. Encourage economic development throughout the state that is consistent with adopted comprehensive plans, promote economic opportunity for all citizens of this state, especially for unemployed and for disadvantaged persons, promote the retention and expansion of existing businesses and recruitment of new businesses, recognize regional differences impacting economic development opportunities, and encourage growth in areas experiencing insufficient economic growth, all within the capacities of the state's natural resources, public services, and public facilities.*

The proposals present an economic development opportunity for the City of Kirkland in an area that has public services and public facilities to accommodate that development (see FEIS).

- *Citizen participation and coordination. Encourage the involvement of citizens in the planning process and ensure coordination between communities and jurisdictions to reconcile conflicts.*

To date, the proposals have undergone 16 months of intensive public process in community meetings, open houses, City Council meetings, Planning Commission public meetings and public hearings.

- *Public facilities and services. Ensure that those public facilities and services necessary to support development shall be adequate to serve the development at the time the development is available for occupancy and use without decreasing current service levels below locally established minimum standards.*

The proposals have been reviewed through the FEIS for adequacy of facilities and services to support the development. With mitigating measures, the developments will meet Kirkland's levels of service.

2. *The amendments must be consistent with the Countywide Planning Policies.*

The amendments are consistent with the Countywide Planning Policies. Kirkland is within a designated urban growth area. The policies state that land within Urban Growth Areas shall be characterized by urban development (LU-26). Downtown Kirkland is designated as an Activity Area in Kirkland's Comprehensive Plan consistent with the Countywide Planning Policies (FW-17). Policies encourage urban areas characterized by superior urban design as defined locally (FW-25). Economic development policies encourage the retention and expansion of the economic base and a business climate that is supportive of business formation, expansion, and retention (ED-6).

3. *The amendments must not be in conflict with other goals, policies, and provisions of the Kirkland Comprehensive Plan.*

The amendments have been reviewed for consistency with the Comprehensive Plan. The amendments are generally consistent with the Moss Bay Neighborhood Plan for Planned Area 5 which is designated for high-density residential and office uses.

4. *The amendments will result in long-term benefits to the community as a whole, and is in the best interest of the community.*

If the requests are approved they will provide the long-term community benefit of contributing to the employment base in the downtown area of Kirkland. The Community Character and Economic Development Chapters of the Comprehensive Plan acknowledge the need to balance growth and change with protection of community character. This balance of community interests to create long-term benefits to the community as a whole is reflected in the proposed amendments. The amendments for the Orni PAR allow mixed-use with additional setbacks for office uses adjacent to residential uses. Administrative design review is also required for mixed-use proposals. The amendments for the Altom PAR limit maximum height allowed in relationship to the size of the site and require administrative design review for buildings over 30 feet above ABE.

C. Criteria for Rezone: KZC 130.20 establishes the criteria by which legislative rezones must be evaluated. These criteria and the relationship of the proposals to them are as follows:

1. *Conditions have substantially changed since the property was given its present zoning or the proposal implements the policies of the Comprehensive Plan; and*

Orni PAR

Although the site is zoned for high density residential use, it has contained office uses for nearly 30 years. The three existing legally nonconforming office buildings were allowed to be built because of a legal action that was taken when the property was rezoned from office to residential. The proposed mixed-use residential and office use listing that is to be added to the existing zone is a reasonable compromise which acknowledges the conditions on the site (office uses) and on neighboring properties (residential uses) and provides a reasonable transition. When the original zoning was put in place 30 years ago, the area was predominately single family. It is now predominately high density multifamily with office uses to the west.

Altom PAR

Conditions have substantially changed since the zoning was put in place for this property 30 years ago. The nearby downtown area has redeveloped and there is more focus on urban infill and development in the area.

2. *The proposal bears a substantial relationship to the public health, safety, or welfare; and*

See explanation in section B.1.4 above.

3. *The proposal is in the best interest of the community of Kirkland.*

The proposed rezones provide an opportunity to increase the employment base in the area of the downtown and derive the economic development benefits that accompany that base. It allows for a mix of uses with the potential for residential and office.

IV. PUBLIC COMMENT

The Planning Commission has held three public hearings on the Touchstone (Parkplace), Orni and Altom PARs. The final public hearing prior to the PC making their recommendation occurred on October 22, 2008. Over the course of the past several months, they have also received hundreds of e-mails and letters. The vast majority was related to the Touchstone proposal, but some also included Orni and Altom. Much of this correspondence has already been forwarded to the City Council. A full record is also included in files in the Council Study Room for easy reference.

There were general comments for and against the Orni and Altom proposals which were included with comments on the Touchstone proposal.

There were also comments from a group of residents living to the east of the Orni proposal who are against the PAR. Their main concern appears to be the additional height adjacent to their property, but they have also voiced concern about the allowance of office uses in that location.

C. PLANNED AREA 5

The following text is excerpted from the Perimeter Areas section of the Moss Bay Neighborhood Plan to illustrate potential changes related to the Orni and Altom PARs within the context of the Plan. For complete text and graphics, review the online version of the Plan from the City's webpage. Edited paragraphs are indicated in shaded text.

High-density residential and office uses permitted in Planned Area 5.

The eastern portion of the Central Neighborhood has been designated as Planned Area 5. Due to topographic conditions and circulation patterns, land in Planned Area 5 is relatively secluded. The area has been designated for high-density residential and office uses because of the ability to buffer such high-density development from other uses in the area. **The area is developed primarily in high-density residential development while limited office uses exist in the northeasternwestern portion of the area. In addition, a number of single-family homes as well as several parcels of vacant land remain in the area.** This planned area is divided into five subareas, based on the unique conditions for development within each area.

Central A Subarea

The Central A subarea of PLA 5 should be permitted to develop with high-density residential uses (up to 24 dwellings/acre). **Several single-family homes remain in the area, however, and should be protected from incompatible high density development. Adjacent to single family residential development, high density structures should be set back and limited in height and horizontal dimension.**

West B Subarea

The southern portion of Subarea B is aAdjacent to 6th Street and **the entire subarea is** south of 4th Avenue,⁵ Subarea B is heavily impacted by traffic, as well as existing and future commercial uses and offices to the west. The noise and traffic make this area inappropriate for single-family use, while its ease of access and proximity to the Downtown makes it appropriate for both offices and multifamily uses at a density of up to 24 dwelling units per acre. New development in this subarea should minimize access points directly onto 6th Street. Access for offices, however, should be provided exclusively from 6th Street or 4th Avenue and precluded

from Kirkland Way. Structures should be limited to three stories in height. ~~Greater height limitation, large setbacks, and limitation on horizontal dimensions should be required adjacent to single family dwellings in Subarea A.~~

North C Subarea

Subarea C, located north of Subareas B and A, contains **office development and** the U.S. Post Office facility serving Greater Kirkland. Remaining land should develop as professional office or multifamily residential at a density of up to 24 dwelling units per acre. Structures up to five or six stories in height are appropriate here **for developments containing at least one acre.**~~as t~~The adjacent steep hillside limits potential view obstruction from tall buildings. At the same time, taller than normal structures could themselves take advantage of views to the west while maintaining greater open area on site and enhancing the greenbelt spine. ~~Greater height limitation, large setbacks, and limitation of horizontal dimensions should be required adjacent to single family dwellings in Subarea A.~~

East D Subarea

The easternmost third of PLA 5 is identified as Subarea D. This area has developed in high-density multifamily uses ~~in recent years.~~ **There is also an existing office complex in the northwest portion of the Subarea. The future redevelopment of this site could include either high density residential or mixed use office and residential.** Remaining developable land ~~is limited to one parcel in the southeast portion of the subarea.~~ **Any other f**Future development should be multifamily residential at a density of up to 24 dwelling units per acre. ~~However, to minimize impacts of future development or redevelopment on remaining single family dwellings in Subarea A, height limitations, large setbacks, and limitation of horizontal dimensions should be required where this development is adjacent to single family homes.~~

South E Subarea

The most southerly subarea is the smallest and is somewhat isolated from the other subareas. Lying between 2nd Avenue and Kirkland Way, this area could develop with high-density multifamily residential (up to 24 units per acre). Due to sight distance problems on Kirkland Way, access to and from this area should be restricted to 2nd Avenue.

DRAFT PLA5D USE ZONE CHART

The following is excerpted from the PLA5D zone of the Zoning Code to illustrate potential changes related to the Orni PAR. For the complete text of the PLA 5D zone, review the online version of the Code from the City's webpage. Edited portions are indicated in shaded text.

KZC 60.44 User Guide. The charts in KZC 60.47 contain the basic zoning regulations that apply in the Planned Area 5D, including sub-zones. Use these charts by reading down the left hand column entitled Use. Once you locate the use in which you are interested, read across to find the regulations that apply to that use.

Section 60.45 - GENERAL REGULATIONS

The following regulations apply to all uses in this zone unless otherwise noted:

1. Refer to Chapter 1 KZC to determine what other provisions of this code may apply to the subject property.
2. If any portion of a structure is adjoining a low density use within PLA 5A, then either:
 - a. The height of that portion of the structure shall not exceed 15 feet above average building elevation, or
 - b. The horizontal length of any façade of that portion of the structure which is within 100 feet of the lot containing a low density use within PLA 5A shall not exceed 75 feet.See KAC 115.30, Distance Between Structures/Adjacency to Institutional Use, for further details.
(Does not apply to Detached Dwelling Unit uses).
3. Any portion of a structure that exceeds 30 feet above average building elevation must be setback from the front property line one foot for each one foot that the portion of the structure exceeds 30 feet above average building elevation (does not apply to Detached Dwelling and Public Park uses).
- ~~4. The minimum setback from a lot containing a low density use within PLA 5A of any structure that exceeds 30 feet above average building elevation is twice the height of that structure as measured on the side of the structure closest to the lot containing a low density use within PLA 5A (does not apply to Detached Dwelling and Park uses).~~
5. If the subject property abuts the 4th Avenue right-of-way or the easterly extension of the alignment of that right-of-way to 10th Street, the following regulations apply:
 - a. The City may require the applicant to dedicate and improve land as shown in the Public Improvements Master Plan adopted by the City for this area.

- b. Any required yard of the subject property abutting the 4th Avenue right-of-way or the easterly extension of that right-of-way will be regulated as a front yard.
- c. Any required yard of the subject property abutting 5th Avenue will be regulated as a rear yard.
- d. Service and parking areas must, to the maximum extent possible, be located and oriented away from the 4th Avenue right-of-way unless primary vehicular access to the subject property is directly from that right-of-way. (Does not apply to Public Park uses).

USE ZONE CHART

Section 60.47.XXX (new listing)

Use: Development containing over 50% of its square footage of floor area in Stacked or Attached Dwelling Units and the remainder in Office Uses (Veterinary office is not permitted). See Special Regulation #1 and 2.

Required Review Process: Administrative Design Review, Chapter 142 KZC.

Minimums:

Lot Size: 3600 square feet with at least 1,800 square feet per unit.

Required Yards: Front: 20'; Side: 5', but 2 side yards must equal at least 15'; and Rear: 10' See Special Regulations #3, #4 and #6.

Maximums:

Lot Coverage: 70%.

Height of Structures:

- If the development contains at least 1 acre, then the lower of 4 stories or 40 feet above average building elevation, Otherwise, 30' above average building elevation.

Landscape Category: C

Sign Category: D

Required Parking: 1.7 per residential unit. If a Medical or Dental office, then 1 per each 200 square feet of gross floor area. Otherwise, 1 per each 300 square feet of gross floor area.

Special Regulations:

1. This use listing only applies to development of the 3 properties located in the westernmost portion of the Planned Area 5D zone, south of 5th Avenue.
2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. (This is an existing special regulation for multi family uses in this zone.)
3. Office use has a minimum setback of 15' from the property line of a lot containing a residential use; any portion of the office building higher than 30' above average building elevation must be setback an additional 10 feet.
4. Chapter 115 KZC contains regulations regarding common recreational space requirements for this use. (This is an existing special regulation for multi family uses in this zone.)
5. The side yard may be reduced to zero feet if the side of the dwelling unit is attached to a dwelling unit on an adjoining lot. If one side of a dwelling unit is so attached and the opposite side is not, the side that is not attached must provide a minimum side yard of five feet. (This is an existing special regulation for multi family uses in this zone.)
6. The rear yard may be reduced to zero feet if the rear of the dwelling unit is attached to a dwelling unit on an adjoining lot. (This is an existing special regulation for multi family uses in this zone.)
7. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if:
 - a. The ancillary assembled or manufactured goods are subordinate to and dependent on this use.
 - b. Outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other office uses.

DRAFT PLA5C USE ZONE CHART

The following is excerpted from the PLA5C zone of the Zoning Code to illustrate potential changes related to the Altom PAR. For the complete text of the PLA5C zone, review the online version of the Code from the City's webpage. Edited portions are indicated in shaded text.

KZC 60.39 User Guide. The charts in KZC 60.42 contain the basic zoning regulations that apply in Planned Area 5C, including subzones. Use these charts by reading down the left hand column entitled Use. Once you locate the use in which you are interested, read across to find the regulations that apply to that use.

Section 60.40 - GENERAL REGULATIONS

The following regulations apply to all uses in this zone unless otherwise noted:

1. Refer to Chapter 1 KZC to determine what other provisions of this code may apply to the subject property.
2. If any portion of a structure is adjoining a low density use within PLA 5A, then either:
 - a. The height of that portion of the structure shall not exceed 15 feet above average building elevation, or
 - b. The horizontal length of any façade of that portion of the structure which is within 100 feet of the lot containing a low density use within PLA 5A shall not exceed 75 feet.See KZC 115.30, Distance Between Structures/Adjacency to Institutional Use, for further details.
(Does not apply to Detached Dwelling Unit uses).
3. Any portion of a structure that exceeds 30 feet above average building elevation must be setback from the front property line one foot for each one foot that the portion of the structure exceeds 30 feet above average building elevation (does not apply to Detached Dwelling and Public Park uses).
- ~~4. The minimum setback from a lot containing a low density use within PLA 5A of any structure that exceeds 30 feet above average building elevation is twice the height of that structure as measured on the side of the structure closest to the lot containing a low density use within PLA 5A (does not apply to Detached Dwelling and Park uses).~~
5. If the subject property abuts the 4th Avenue right-of-way or the easterly extension of the alignment of that right-of-way to 10th Street, the following regulations apply:
 - a. The City may require the applicant to dedicate and improve land as shown in the Public Improvements Master Plan adopted by the City for this area.

- b. Any required yard of the subject property abutting the 4th Avenue right-of-way or the easterly extension of that right-of-way will be regulated as a front yard.
- c. Any required yard of the subject property abutting 5th Avenue will be regulated as a rear yard.
- d. Service and parking areas must, to the maximum extent possible, be located and oriented away from the 4th Avenue right-of-way unless primary vehicular access to the subject property is directly from that right-of-way. (Does not apply to Public Park uses).

USE ZONE CHART

Section 60.42.030

Use: Office Use

Required Review Process: If the development is on one of the three properties located at the southeast corner of 4th Avenue and 6th Street then Administrative Design Review for buildings over 30' above average building elevation, Chapter 142 KZC; Otherwise, none.

Minimums:

Lot Size: None

Required Yards: Front: 20'; Side: 5', but 2 side yards must equal at least 15'; and Rear: 10'

Maximums:

Lot Coverage: 70%.

Height of Structures:

- If the development contains at least 1 acre, then the lower of 6 stories or 60 feet above average building elevation.
- If the development is on one of the three properties located at the southeast corner of 4th Avenue and 6th Street and contains at least .8 acres, then the lower of 4 stories or 52' feet above average building elevation.
- If the development is on one of the three properties located at the southeast corner of 4th Avenue and 6th Street and contains at least .4 acres, then the lower of 3 stories or 40 feet above average building elevation.

- Otherwise, 30 feet above average building elevation.

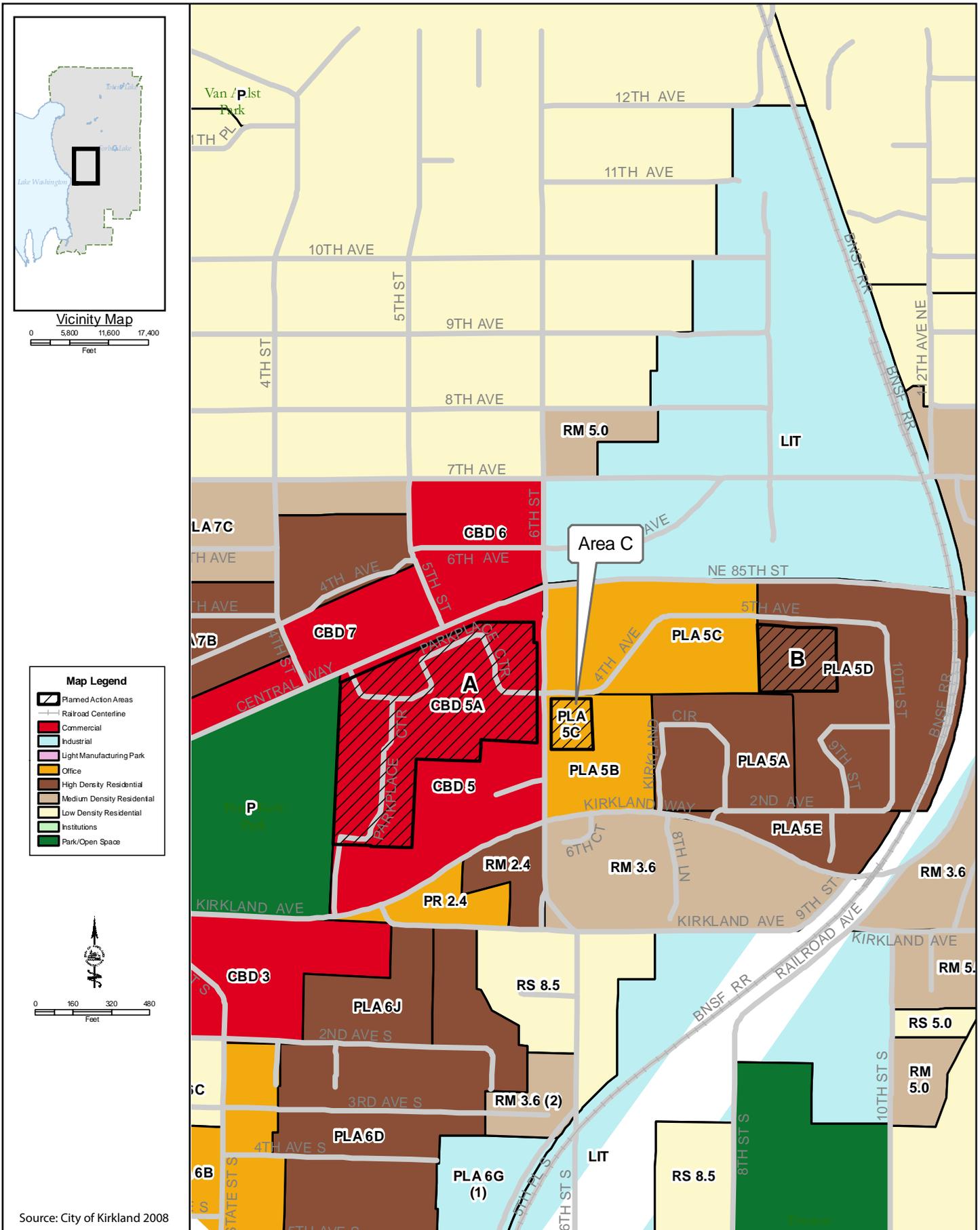
Landscape Category: C

Sign Category: D

Required Parking: If a Medical, Dental, or Veterinary office, then 1 per each 200 square feet of gross floor area. Otherwise, 1 per each 300 square feet of gross floor area.

Special Regulations:

1. The City may limit access points onto 6th Street and require traffic control devices and right-of-way realignment.
2. The following regulations apply to veterinary offices only:
 - a. May only treat small animals on the subject property.
 - b. Outside runs and other outside facilities for the animals are not permitted.
 - c. Site must be designed so that noise from this use will not be audible off the subject property. A certification to this effect, signed by an Acoustical Engineer, must be submitted with the development permit application.
3. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if:
 - a. The ancillary assembled or manufactured goods are subordinate to and dependent on this use.
 - b. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other office uses.



Source: City of Kirkland 2008

Figure 2-4
FEIS Review Alternative Zoning Map Amendments

DRAFT ORDINANCE _____

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO LAND USE AND PLANNING; ESTABLISHING A PLANNED ACTION FOR THREE AREAS IN THE MOSS BAY NEIGHBORHOOD GENERALLY LOCATED EAST OF PETER KIRK PARK, SOUTH OF CENTRAL WAY/NE 85TH STREET, WEST OF 10TH STREET, AND NORTH OF KIRKLAND WAY PURSUANT TO THE STATE ENVIRONMENTAL POLICY ACT, RCW 43.21C.031.

WHEREAS, the State Environmental Policy Act (“SEPA”, 43.21C)) and implementing rules (WAC 197-11) provide for the integration of environmental review with land use planning and project review through designation of “Planned Actions” by jurisdictions planning under the Growth Management Act (“GMA”); and

WHEREAS, designation of a Planned Action expedites the permitting process for subsequent, implementing projects whose impacts have been previously addressed in a Planned Action environmental impact statement (“EIS”), and thereby encourages desired growth and economic development; and

WHEREAS, the Planned Action EIS identifies impacts and mitigation measures associated with planned development in the Planned Action Area.

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

Section 1. Purpose. The purpose of this ordinance is to:

- A. Combine environmental analysis with land use planning;
- B. Streamline and expedite the development permit review process by relying on the EIS completed for the Planned Action;
- C. Establish criteria and procedures, consistent with state law, that will determine whether subsequent projects qualify as Planned Actions;
- D. Provide the public with an understanding of Planned Actions and how the City will process Planned Actions;
- E. Apply the City’s development regulations together with the mitigation measures described in the EIS and this Ordinance to address the impacts of future development contemplated by the Planned Action.

Section 2. Findings. The City Council finds as follows:

- A. The City is subject to the requirements of the Growth Management Act, RCW 36.70A, and is located within an Urban Growth Area;
- B. The City has adopted a Comprehensive Plan complying with the GMA;
- C. The City is adopting development regulations applicable to the proposed development concurrent with adoption of this Planned Action Ordinance to address many of the impacts of future development;
- D. The City has prepared an EIS complying with SEPA for the area designated as a Planned Action (“Planned Action EIS”) and finds that it adequately addresses the probable significant environmental impacts associated with the type and amount of development planned to occur in the designated Planned Action area;
- E. The mitigation measures identified in the Planned Action EIS are attached to this Ordinance as Exhibit B. These mitigation measures, together with City development regulations, will adequately mitigate significant impacts from development within the Planned Action area;
- F. The Planned Action EIS and this Ordinance identify the location, type and amount of development that is contemplated by the Planned Action;
- G. Future projects that are consistent with the Planned Action will protect the environment, benefit the public and enhance economic development;
- H. The City has provided numerous opportunities for meaningful public involvement in the proposed Planned Action; has considered all comments received; and, as appropriate, has modified the proposal or mitigation measures in response to comments;
- I. The proposal is not an essential public facility as defined by RCW 36.70A.200(1);
- J. The Planned Action area applies to a defined area that is smaller than the overall City boundaries; and
- K. Public services and facilities are adequate to serve the proposed Planned Action.

Section 3. Procedures and criteria for evaluating and determining projects as Planned Actions:

- A. Planned Action Area. The Planned Action designation shall apply to the three areas in the Moss Bay Neighborhood as are specifically shown in Exhibit A, “Planned Action Area”: the 11.5 acres of property at 457 Central Way known as the Parkplace Mall and generally located east of Peter Kirk Park (Area A on Exhibit A); the

three parcels located at 825, 903, and 911 Fifth Avenue totaling approximately 2.0 acres of land (Area B on Exhibit A); and the parcel at 220 6th Street and the parcel at 603 4th Avenue to the north on 0.9 acres of land (Area C on Exhibit A). Additionally, the Planned Action designation shall apply to any off-site improvements necessitated by proposed development on the subject sites, where the off-site improvements have been analyzed in the Planned Action EIS.

B. Environmental Document. A Planned Action determination for a site-specific permit application shall be based on the environmental analysis contained in the Draft Planned Action EIS issued by the City on April 4, 2008, and the Final Planned Action EIS published on October 14, 2008. The mitigation measures contained in Exhibit B, which is attached hereto and adopted by reference as though fully set forth herein, are based upon the findings of the Draft and Final EISs and shall, along with existing City codes, ordinances, and standards, provide the framework that the City will use to impose appropriate conditions on qualifying Planned Action projects. The Draft and Final EISs shall comprise the Planned Action EIS.

C. Planned Action Designated. Land uses described in the Planned Action EIS, subject to the thresholds described in Subsection D of this Section and the mitigation measures contained in Exhibit B, are designated Planned Actions pursuant to RCW 43.21C.031. A development application for a site-specific Planned Action project located within the Planned Action Area shall be designated a Planned Action if it meets the criteria set forth in Subsection D of this Section and applicable laws, codes, development regulations and standards of the City.

D. Planned Action Thresholds. The following thresholds shall be used to determine if a site-specific development proposed within the Planned Action area is contemplated by the Planned Action and has had its environmental impacts evaluated in the Planned Action EIS. Thresholds and required mitigation measures are based on the FEIS Review Alternative contained in the Planned Action Final EIS:

(1) *Land Uses.* Subject to the mitigation measures described in Exhibit B, the following land uses, together with the customary accessory uses and amenities described in the Planned Action EIS, are Planned Actions pursuant to RCW 43.21C.031.

(a) The following uses are the primary uses analyzed in the Planned Action EIS for Area A:

- (i) Office;
- (ii) Retail and Other Commercial, including a hotel, restaurants, supermarket, mixed retail, athletic/health club and theater.

(b) The following uses are the primary uses analyzed in the Planned Action EIS for Areas B and C:

- (i) Office; and
- (ii) Residential.

(2) *Land Use Review Threshold.*

(a) The Planned Action designation applies to future development proposals that are comparable or within the ranges established by Planned Action FEIS Review Alternative, as shown below:

Land Use	Area A (Parkplace)	Area B (Orni)	Area C (Altom)
Office	1,200,000 sq. ft.	124,825 sq.ft.	101,234 sq.ft. ³
Residential	<i>Not Analyzed</i>	49 dwelling units ²	20 units
Retail/Commercial ₁	592,700 sq.ft. ⁴	<i>Not Analyzed</i>	<i>Not Analyzed</i>
Total	1,792,700 sq.ft.	124,825 sq.ft 49 dwelling units	101,234 sq.ft. 20 dwelling units

1. All uses listed in the “Retail and Other Commercial” category in Subsection D(1)(a) are included in the 592,700 s.f. total.

2. The residential square footage must be more than 50% of the total square footage as a precondition for constructing 124,825 s.f. of office use.

3. If residential uses are included, the amount of permitted office use square footage would be reduced proportionately to meet zoning standards.

4. The Retail/Commercial must include a minimum of 300,000 square feet of retail development or at least 25% of the office square footage must be retail.

(b) If future development proposals in the Planned Action Area exceed the maximum development parameters reviewed in the Planned Action EIS, further environmental review may be required under SEPA, as provided in WAC 197-11-172. If proposed plans significantly change the location of development or uses in a manner that would alter the environmental determinations in the Planned Action EIS, additional SEPA review would also be required. Shifting development proposals between categories of land uses may be permitted so long as the resulting development does not exceed the trip generation thresholds (see sub-section 6(a) below) reviewed in the Planned Action EIS and does not exceed the proportions or minimums noted in sub-section 2(a) above.

(3) *Building Heights, Bulk, and Scale.* Building heights, bulk, and scale shall not exceed the maximums reviewed in the Planned Action EIS.

(6) *Transportation.*

(a) *Trip Ranges:* The range of trips reviewed in the Planned Action EIS are as follows:

Trip Generation – Net New Trips Reviewed in Planned Action EIS

Time	Area A (Parkplace) Range- Net New Trips	Area B (Orni) Range – Net New Trips	Area C (Altom) Range – Net New Trips
PM Peak Hour	3,531	210	174

(b) *Trip Threshold.* Development proposals that would exceed the maximum trips levels shown above will require additional SEPA review.

(c) *Public Works Discretion.* The City Public Works Director shall have discretion to determine incremental and total trip generation, consistent with the Institute of Traffic Engineers (ITE) Trip Generation Manual (latest edition) or an alternative manual accepted at the City Public Works Director’s sole discretion, for each Planned Action Project permit application proposed under this Planned Action. It is understood that development of the Planned Action may occur in parts and over a period of years. The City shall require that off-site mitigation and transportation improvements identified in the Planned Action EIS be implemented in conjunction with development to maintain adopted levels of service standards.

(d) *Transportation improvements.*

(i) Intersection Improvements. The Planned Action will require off-site transportation improvements identified in Exhibit B to mitigate significant impacts. These transportation improvements have been analyzed in the Planned Action EIS. Significant changes to the City’s transportation improvement plan proposed as part of any Planned Action Project that have the potential to significantly increase impacts to air quality, water quality, fisheries resources, noise levels or other factors beyond the levels analyzed in the Planned Action EIS may require additional SEPA review.

(ii) Transportation Management Program. The owners or operators of development projects within Areas A, B and C shall prepare and implement Transportation Management Programs (TMP) as a means to encourage alternatives to single-occupant vehicles including transit and to thereby reduce traffic generation and parking demand. The TMP for Area A shall include the TMP elements identified in the transportation

mitigation measures in the Planned Action EIS, attached as Exhibit B to this ordinance. The City Public Works Director shall have the discretion to modify the individual elements of a TMP as a means to accomplish its objectives and to enhance its effectiveness.

(iii) *Parking Management.* Parking to support development within Areas A, B and C shall be provided as required by Kirkland Zoning Code Chapter 105., Consistent with the incentive provision of 105.103.3c of the aforementioned zoning code, a developer may choose to reduce the number of parking spaces based on a demand and utilization study prepared by a licensed transportation engineer. The City's transportation engineer must approve the scope and methodology of the study as well as the effectiveness of the TMP and parking management measures.

(e) All Planned Action Projects shall pay, as a condition of approval, the applicable transportation impacts fees according to the methodology contained in the ordinance adopting such impact fees. The City may adjust such fees from time to time.

(7) *Changed Conditions.* Should environmental conditions or assumptions change significantly from those analyzed in the Planned Action EIS, the City's SEPA Responsible Official may determine that the Planned Action designation is no longer applicable until supplemental environmental review is conducted.

(9) *Additional Mitigation Fees.* The City may adopt and apply such other fees as may be deemed necessary and appropriate to mitigate impacts to other capital facilities in the City and to accommodate planned growth. Such fees, if adopted, shall be in addition to the fee required in item (6)(e) of this subsection, and shall apply only to required improvements that are not addressed in this subsection.

E. Planned Action Review Criteria.

(1) The City's Planning and Community Development Director or designee is authorized to designate a project application as a Planned Action pursuant to RCW 43.21C.031(2)(a), applications that meet all of the following conditions:

(a) The project is located within the Planned Action Area identified in Exhibit A, pursuant to Section 3(A) of this ordinance or is an off-site improvement directly related to a proposed development within the Planned Action Area;

(b) The project is consistent with the City of Kirkland Comprehensive Plan and the Comprehensive Plan policies for the Downtown Plan;

(c) The project's significant adverse environmental impacts have been adequately addressed in the Planned Action EIS;

(d) The proposed uses are consistent with those described in the Planned Action EIS and Section 3(D) of this ordinance;

(e) The project is within the Planned Action thresholds of Section 3(D) and other criteria of this section of this Ordinance;

(f) The project's significant impacts have been mitigated by application of the measures identified in Exhibit B, as well as other City, county, state and federal requirements and conditions, including compliance with any conditions agreed to pursuant to a development agreement between the City and applicant if executed, which together constitute sufficient mitigation for the significant environmental impacts associated with the proposed project;

(g) The proposed project complies with all applicable local, state and/or federal laws and regulations, and where appropriate, the proposed project complies with needed variances or modifications or other special permits which have been identified; and

(h) The proposed project is not an essential public facility.

F. Effect of Planned Action.

(1) Upon designation by the City's Planning and Community Development Director that the project qualifies as a Planned Action pursuant to this Ordinance and WAC 197-11-172, the project shall not require a SEPA threshold determination, preparation of an EIS, or be subject to further review under SEPA.

(2) Being designated as a Planned Action means that a proposed project has been reviewed in accordance with this Ordinance and found to be consistent with the development parameters and environmental analysis contained in the Planned Action EIS.

(3) Planned Actions that meet all criteria established in this ordinance will not be subject to further procedural review under SEPA. However, projects will be subject to conditions as outlined in this document and the attached Exhibit B which are designed to mitigate any environmental impacts which may result from the project proposal. Additionally, projects will be subject to applicable City, state, and federal regulatory requirements. The Planned Action designation shall not excuse a project from meeting the City's code and ordinance requirements apart from the SEPA process.

G. Planned Action Permit Process. The City's Planning and Community Development Director or designee shall review projects and determine whether they meet the criteria as Planned Actions under applicable state, federal, local laws, regulations, codes and ordinances. The procedures shall consist, at a minimum of the following:

(1) Development applications shall meet the applicable requirements of the Kirkland Municipal Code (KMC). Applications shall be made on forms provided by the City and shall include a SEPA checklist, revised SEPA checklist or such other environmental review forms provided by the City.

(2) The City's Planning and Community Development Director shall determine whether the application is complete.

(3) If the application is for a project within the Planned Action Area shown on Exhibit A, the application will be reviewed to determine if it is consistent with and meets all of the qualifications of Section 3 of this Ordinance.

(4) After the City receives and reviews a complete application, the City's Planning and Community Development Director shall determine whether the project qualifies as a Planned Action. If the project does qualify, the Director shall notify the applicant and the project shall proceed in accordance with the applicable permit review procedure, except that no SEPA threshold determination, EIS, or additional SEPA review shall be required. The decision of the Director regarding qualification as a Planned Action shall be final.

(5) Public notice and review for projects that qualify as Planned Actions shall be tied to the underlying development permit and not to SEPA notice requirements. If notice is otherwise required for the underlying permit, the notice shall state that the project has qualified as a Planned Action. If notice is not otherwise required for the underlying permit, no special notice is required by this ordinance.

(7) If a project is determined to not qualify as a Planned Action, the City's Planning and Community Development Director shall so notify the applicant and the SEPA Responsible Official shall prescribe a SEPA review procedure consistent with the City's SEPA regulations and the requirements of state law. The notice shall describe the elements of the application that result in failure to qualify as a Planned Action. If deemed ineligible, the application may be amended to qualify.

(8) Projects that fail to qualify as Planned Actions may incorporate or otherwise use relevant elements of the Planned Action EIS, as well as other relevant SEPA documents, to assist in meeting SEPA requirements. The SEPA

Responsible Official may limit the scope of SEPA review for the non-qualifying project to those issues and environmental impacts not previously addressed in the Planned Action EIS.

H. Development Agreements. The City or an applicant may request consideration and execution of a development agreement for a Planned Action project. The development agreement may address the following: review procedures applicable to a planned action project; permitted uses; mitigation measures; construction, financing and implementation of improvements, including methods of financing and proportionate shares, and latecomers agreements; payment of impact fees; phasing; and any other topic that may properly be considered in a development agreement consistent with RCW 36.70B.170 et seq.

I. Monitoring and Review.

A. The City shall monitor the progress of development in the designated Planned Action area to ensure that it is consistent with the assumptions of this Ordinance and the Planned Action EIS regarding the type and amount of development and associated impacts, and with the mitigation measures and improvements planned for the Planned Action area.

B. This Planned Action Ordinance shall be reviewed by the SEPA Responsible Official as part of the City's ongoing Comprehensive Plan update procedure to determine its continuing validity with respect to the environmental conditions of the Planned Action Area, the impacts of development, and the adequacy of required mitigation measures. Based upon this review, this Ordinance may be amended as needed, the City may supplement or revise the Planned Action EIS, and/or another review period may be specified. Subsequent reviews of the Planned Action Ordinance shall occur as part of the City's Comprehensive Plan amendment process.

Section 4. Conflict. In the event of a conflict between this Ordinance or any mitigation measures imposed pursuant thereto and any ordinance or regulation of the City, the provisions of this Ordinance shall control, except that the provisions of the state building code shall supersede this Ordinance. In the event of a conflict between this Ordinance (or any mitigation measures imposed pursuant thereto) and any development agreement between the City and a Planned Action applicant(s), the provisions of the development agreement shall control.

Section 5. Severability. Should any section, subsection, paragraph, sentence, clause or phrase of this Ordinance or its application be declared unconstitutional or invalid or unconstitutional for any reason, such decision shall not affect the validity of the remaining portions of this Ordinance or its application to any other person or situation.

Section 6. Expiration. This Ordinance shall expire ten (10) years from the date of passage unless it is extended by the City Council following a report from the SEPA Responsible Official and a public hearing.

Section 7. This ordinance shall be in force and effect five days from and after its passage by the Kirkland City Council and publication pursuant to Section 1.08.017, Kirkland Municipal Code in the summary form attached to the original of this ordinance and by this reference approved by the City Council.

Passed by majority vote of the Kirkland City Council in open meeting this _____ day of _____, 2008.

Signed in authentication thereof this _____ day of _____, 2008.

MAYOR

Attest:

City Clerk

Planned Action Ordinance Mitigation Measures

Table 3.4-18. Potential Capacity Improvements to Address Impacts

ID	Location	Improvement	No Action ¹			Proposed Action ¹			FEIS Review ¹		
			2014 TIA	2014 Conc	2022 Conc	2014 TIA	2014 Conc	2022 Conc	2014 TIA	2014 Conc	2022 Conc
4	Central Way/Parkplace Driveway	Install signal	X			X			X		
101	Lake Washington Boulevard/NE 38th Place	Add 720-ft right lane on northbound receiving lanes (north of the Intersection), modified to extend up to NE 43rd St w/ bike lanes)			X			X			X
105	Central Way/6th Street	Construct dual westbound left turn lane and a southbound right turn lane between Central and 4 th Avenue. Modify signal to provide westbound left/northbound right overlap phase.				X		X	X		X
109	NE 85th Street/114th Avenue NE	Restripe southbound dual left and eastbound right to through conversion.	X		X	X	X	X	X	X	X
110	6th Street/4th Avenue	Dual eastbound left turn, with widening on 6th Street				X			X		
112	Kirkland Way/6th Street	Install signal. (CIP Project #TR20-3)				X			X		
128	Central Way/5th Street	Install signal.				X			X		
129	Central Way/4th Street	Extend two-way-left-turn by moving crosswalk to Parkplace Signal	X			X			X		
169	6th Street/7th Avenue	Add left turn lanes on northbound				X					

ID	Location	Improvement	No Action ¹			Proposed Action ¹			FEIS Review ¹		
			2014 TIA	2014 Conc	2022 Conc	2014 TIA	2014 Conc	2022 Conc	2014 TIA	2014 Conc	2022 Conc
		and southbound approaches									
169	6th Street/7th Avenue	Add northbound approach left turn lane						X			
202	100th Avenue NE/NE 124th Street	Modify the signal phase to be the same as during AM peak period, with northbound and southbound to be split phase, and southbound configuration to be left, left/through shared, and through/right shared. ²							X		X
204	116th Way NE/NE 132nd Street	Reconfigure the intersection based on the 132nd Street Study and new I-405 northbound on-ramp			X				X		X
211	Market Street/15th Avenue	Install signal.				X					
211	Market Street/15th Avenue	Install signal at this location or at 7 th Avenue.						X			
304	NE 132nd Street/124th Street NE	Construct eastbound dual left turn lane, based on the 132nd Street Study			X				X		X
316	Totem Lake Boulevard/NE 132nd Street	Reconfigure the intersection based on the 132nd Street Study and new I-405 northbound on-ramp			X				X		X
402	NE 85th Street/124th Avenue NE	Add northbound right-turn-only pocket				X					
402	NE 85th Street/124th Avenue NE	Provide corridor improvements such as traffic signal interconnect						X			

¹TIA = Traffic Impact Analysis; Conc = Concurrency

² No concurrency impact was identified at this intersection. This mitigation measure is recommended in order to improve conditions in the subarea, to address the concurrency impact that was identified in the northwest subarea under the 2022 Proposed Action scenario.

Police

Provision of on-site security services including video surveillance systems, to Area A in particular, may reduce the increased need for police response to that area. This reduction is largely dependent on the nature of the incident.

Security-sensitive design of buildings and the landscaping environment, such as installing only moderate height and density border shrubs, could reduce certain types of crimes, such as auto and store-front break-ins.

Water

No Action

The following water mitigation measures are required under the No Action:

- Segment A. This segment includes improvements identified as part of improvement number CIP 144. Replace an existing 8-inch diameter water main in Area A with a new 12-inch diameter water main. Replace the existing connections on the north side of Area A, crossing Central Way west of 5th Street and on the east side of the Area, crossing 6th Street south of 4th Avenue with 12-inch diameter water mains. Construct a new 12-inch diameter connection at the south side of Area A so that a looped connection is created to connect the proposed on-site 12-inch main to the existing 8-inch and 12-inch diameter water mains under Kirkland Avenue.
- Segment B. Replace the existing 8-inch water main along 6th Street with a new 12-inch water main between the east side of the Parkplace water main loop to approximately the intersection of 6th Street and Kirkland Circle.
- Segment C. Replace the existing 8-inch water main along Kirkland Circle from 6th Street to 4th Avenue with a new 12-inch main.
- Segment D. Replace the existing 8-inch water main along 4th Avenue, 5th Avenue, and 10th Street from Kirkland Circle to 3rd Avenue with a new 12 inch main.

In addition to the above segments, one of the following segments must also be constructed in order to accommodate development under either the No Action or Proposed Action alternatives.

- Segment E. Install a new 12-inch water main along the unimproved right-of-way between 2nd Avenue and 5th Avenue from approximately 4th Avenue to 10th Street. This improvement is not identified in the City of Kirkland Comprehensive Water System Plan.

- Segment F. Replace the existing 8-inch water main along 2nd Avenue and 10th Street from 6th Street to 3rd Avenue with a new 12-inch main.

Proposed Action and FEIS Review Alternative

In addition to the improvements required under No Action, the Proposed Action will require that the new 12-inch water main in Segment C (located at Kirkland Circle from 6th Street to 4th Avenue) be enlarged to a 16-inch main.

Draft Transportation and Parking Management Plan

Purpose

The applicant shall be required to implement a Transportation Management Plan (TMP). The purpose of the TMP is to reduce drive alone¹ (single-occupant) vehicle trips generated by the development and also to reduce the demand for parking. The provisions of the TMP will apply to the site as a whole unless individual provisions are clearly intended to apply to individual buildings or individual tenants within individual buildings.

Trip Reduction Measures

At a minimum, the TMP will include the following provisions unless alternate measures are approved by the Kirkland Public Works Director.

1. **Site Transportation Coordinator (STC)** - Prior to receiving the Certificate of Occupancy for the first building, the property manager shall appoint a Site Transportation Coordinator (STC). The STC will coordinate and administer the TMP responsibilities, and shall receive sufficient support and direction from management to carry out these responsibilities effectively for the life of the project. The name, phone number and fax number of the STC shall be forwarded to the City Public Works Department, and updated if and when the STC changes.
2. **Employee Transportation Coordinators (ETC)** - Each tenant shall assign a representative to act as Employee Transportation Coordinator (ETC) and liaison between the owner or property manager and the tenant employees. The ETC and STC will inform their employees regarding commuter-related information and assist with the annual employee survey.
3. **Commuter Information Center (CIC)** - The owner shall install at least one electronic kiosk in each building in a highly visible and accessible area of the lobby or other locations approved by the City. The kiosks will display real time transportation information including transit route maps and stop times, commuter congestion, parking rates, and information about alternative modes of travel. It will also display the STC name and phone number.
4. **Commuter Information** - The STC shall produce and distribute a commuter information packet to all site employees. In order to ensure that employees and tenants understand TMP requirements, the applicant shall:
 - a. Produce a commuter information packet (CIP), a commuter benefits brochure that contains complete information about the applicant's TMP, including transportation

¹ 1. "Drive alone" means a motor vehicle occupied by one (1) employee for commute purposes, including a motorcycle and the commute trip occur between 7:00 A.M. and 9:00 A.M. Monday through Friday.

benefits, transportation options, HOV programs and discounts, bicycling amenities, transportation subsidies, and other elements of the TMP.

- b. Distribute the first CIP to tenants prior to or upon occupancy.
 - c. Redistribute the CIP and any updates to the program to tenants, employees, students, other building workers and occupants at least once each year.
 - d. Update the CIP and its contents as conditions change.
 - e. Include a copy of the CIP in the annual report to the City.
5. **Promotions** - The STC shall promote alternatives to drive alone commuting by implementing semi-annual promotional campaigns. Information in the commuter information packet or other information made available by the City and/or King County Metro shall be distributed to employees.
 6. **Ride matching** - Ride-matching information for carpool and vanpool programs shall be regularly distributed by the STC. These programs can help match an employee with potential carpool mates who live in close proximity, if that person prefers carpool as a mode choice over other alternative modes.
 7. **Training/Network Group Meetings** - The STC will attend appropriate training sessions and local network group meetings as made available by the City or through its agent.
 8. **Vanpool parking** - Vanpools registered with a public transit agency will be provided free on-site parking. At least six of the riders in each of vanpool must be employed at the site to qualify for free parking. Reserved parking spaces for all registered vanpools will be provided in the below grade parking levels in preferential locations near the building elevators.
 9. **Carpool Parking** - Carpool parking will be signed and located near the building elevators and main entrances. Carpool parking will be provided for each office tower prior to occupancy at a ratio of one space per 7,250 sf. This ratio would accommodate the goal of 12% of the employees carpooling to the site. These spaces will be reserved for carpools until 9:30 A.M. on weekdays; unused spaces can be used for visitor parking after 9:30 A.M. Additional carpool spaces shall be provided if the employee commute survey determines that more than 12% of the employees carpool to the site.
 10. **Bicycle Parking** - Secured and covered employee bicycle parking shall be provided for 50 bikes in areas approved by the City. Bike rack design shall be approved by the City. Additional bicycle racks shall be provided as needed based on the employee commute trip survey.

11. **Showers and lockers** – Initially, a total of 50 lockers and 16 showers (25 lockers and eight showers each for men and women) shall be provided at no cost to user for commuters using non-motorized transportation. Additional lockers and showers may be provided as needed based on the employee commute trip survey.
12. **Transit passes** – Initially, office tenants shall offer a transit pass or a “transportation allowance” for all employees who do not drive to work. The allowance, which should be equal to the cost of an average transit pass, can be used for vanpool fees, to support carpooling, or as a bonus for employees who walk or ride their bikes to work.
13. **Guaranteed ride home** - A guaranteed ride home shall be provided to all employees who commute by alternative modes (this service could be provided through another program such as Metro’s Flexpass). This allows employees a quick ride home in the event of an emergency by taxi, company-owned vehicle or car-sharing vehicle. The number of free emergency rides per employee shall be limited to three per year.
14. **Part-time Parking Pass** - A part-time parking pass option shall be offered to employees who desire to use alternative modes of transportation (or telecommute) one or more days per week. This type of pass works like a debit card, and the pass holder is only charged for parking on the days that they park.
15. **Car-Sharing** - Parking for a car-sharing program (e.g., Zipcar) shall be provided. Car-sharing programs support employees who commute by alternative modes of travel by providing vehicles that can be used for daytime errands or meetings. Employer subsidies of car-sharing fees may be required to be provided by tenants.
16. **Transportation Management Association** - The developer/owner must agree to become a member of any applicable transportation management association that is formed in the future. If a TMA provides management services equivalent to the STC, the TMA could supplant the STC requirement.
17. **Modifications** - The TMP may be subject to modifications based on progress towards goal as measured by regular surveys.
18. **Recording** - The TMP shall be recorded with King County Metro as part of the covenants, conditions and restrictions of the project to assure its implementation. The recording shall be completed prior to receiving the Certificate of Occupancy for the first building. The TMP shall run for the duration of the current use of the building, and shall be binding on the heirs, successors and assignees of the parties.

Parking Management Measures

Parking management measures shall be implemented along with the TMP to ensure that parking is shared among the various land uses, to reduce drive alone commute trips and to prevent parking

from being used by commuters to other businesses or the transit center (also known as “hide and ride”). The following measures shall be implemented:

1. **Parking Manager** – A Parking Manager will be appointed to manage all site parking.
2. **Charge for all daytime parking** - All employees (except those in registered vanpools), visitors, and customers shall be charged for parking except when validated (see following paragraph). The garage shall use technology such as a “pay-on-foot” system through which parking could be paid for before exiting the garage gates. Payment kiosks will be located at garage elevators. The cost for a monthly parking permit shall exceed the cost of a monthly transit pass by at least 25%.
3. **Validate customer and visitor parking** - All tenants may validate parking for their customers or visitors. Employee parking shall not be validated. The Parking Manager may allow each business to establish its own validation requirements (e.g., minimum purchase). Validation could be done electronically through the pay-on-foot technology.
4. **Provide a segmented garage** - Using internal controls, the garage shall be divided into sections that are reserved for specific uses at different times of the day. For example, areas reserved for hotel users could be controlled so that they are not used by office workers during daytime hours.
5. **Reserve areas of the garage for short-term parking by customers and visitors** - Designate 600 to 700 parking spaces for short-term parking only. This parking shall be for customers and visitors. The initial limit will be set to three hours, which is sufficient time for most daytime dining and entertainment users. The short-term parking restrictions could apply only during midday weekday hours when office users are on site.
6. **Reserve parking for hotel** - Reserve 0.56 parking spaces per room for the hotel for customer parking. During peak daytime events, consider using valet parking to increase the number of vehicles that can be parked in this space.
7. **Share office parking on weeknights and weekends** - All parking in the garage, except those reserved for the hotel, shall be available to customers on weeknights and weekends.
8. **Do not reserve individual spaces for office parking** - No parking space in the garage may be reserved, except for car-sharing programs, a hotel, vanpools or carpools. This allows all office parking to be shared by employees.
9. **Monitor garage use** - Monitor the allocation of the parking supply to various users during weekday hours. Adjust allocation or implement additional management measures, if needed.
10. **Manage public parking outside of the parking garage** - The City shall require a parking management program to prevent spillover parking in surrounding neighborhoods. The applicant shall monitor off-site parking as described in the *Monitoring* section below. If

unacceptable off-site parking attributable to the project occurs, the site will be required to implement additional measures outlined in the *Remedy* section.

Monitoring

Reports - Prior to occupancy of the first building, the owner and City of Kirkland shall agree to the STC job description and an annual reporting form that will document the STC's activities and TMP results. At a minimum, the report shall attach materials provided to employees related to transportation programs in that year, document the site's AM peak hour trip generation, as well as the employee travel mode determined from an employee survey. The report should be compatible with the reporting requirements for Commute Trip Reduction (CTR) - affected firms to prevent duplication of effort. The first report shall be due within 12 months of initial occupancy and then repeated annually thereafter.

Parking Surveys - The applicant shall perform off-site parking studies for the potential impact area determined by the City, but no more than ½ mile from the site. Monitoring of off site impacts will be done at the following times:

- Before the project is built.
- One year after Phase One of the project is completed.
- At intervals after the first year required by the City.

Measurement of overflow parking in the neighborhoods will include the following steps:

1. Establish acceptable performance measures for the on street parking in the impact area.
2. Inventory the number and type of parking stalls on each block face within the impact area.
3. Survey the parking demand each hour between 10 AM and 7 PM on a weekday. The parking demand divided by the parking supply represents the parking occupancy rate.
4. If the acceptable occupancy rate is exceeded, the owner shall implement one or more measures, at the owner's cost, to reduce spillover parking. Potential measures are listed below.

Remedy

If the monitoring determines that a remedy is needed, the owner will modify its transportation and parking management plan to reduce trips and parking spillover. The modified plan shall be approved by the City of Kirkland. The following are potential measures that could be included in the plan; additional or alternative measures will also be considered.

- Modify on-site parking management programs to eliminate spillover.
- Increase distribution of transit passes. This may extend to all employees within the site.
- Increase incentives for employees who walk or bike to work.

- Increase incentives for carpools.
- Change the price of parking.
- Modify Phase Two construction to either limit the amount of building space constructed or increase parking for the site.
- Post parking time limits on affected streets.
- Provide off-site parking and shuttle services.

Failure to modify the plan to achieve desired goal could result in the owner being fined by the City of Kirkland. The fine shall be set to match the fine listed in Kirkland Municipal Code Section 7.06.120, Enforcement of the City of Kirkland CTR Ordinance, which is currently \$250 per day.