



## CITY OF KIRKLAND

Planning and Community Development Department  
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### MEMORANDUM

**To:** David Ramsay, City Manager

**From:** Teresa Swan, Senior Planner  
Paul Stewart, AICP, Deputy Planning Director  
Eric Shields, AICP, Planning Director

**Date:** July 5, 2007

**Subject:** PLANNING COMMISSION RECOMMENDATION ON THE THRESHOLD DETERMINATION FOR THE 2007 PRIVATE AMENDMENT REQUESTS AND ON THE LIST OF AMENDMENTS FOR THE CITY INITIATED COMPREHENSIVE PLAN AMENDMENT PROJECT, FILES ZON07-00001, ZON07-00008 THROUGH 00012 AND ZON07-00017 THROUGH 00020

### I. RECOMMENDATION

- Review the 10 private amendment requests for compliance with the Threshold Determination criteria set forth in KZC 140.20.3, and determine which requests are to proceed to the Study Stage (see Enclosures 1-4). As noted in Enclosure 1, the Planning Commission recommends the following:
  - A. Proceed to the Study Stage in 2007:
    - Douglas Howe
    - Katherine Orni
    - Rhoda Altom
    - Mehdi Nakhjiri
  - B. Defer to the future neighborhood plan update process:
    - Plaza at Yarrow Bay (consider as part of the Lakeview Neighborhood Plan update that should be started this fall as scheduled)
    - Strahm Properties
    - Mark Applegate
    - William Andrews
  - C. Do not consider further:
    - Costco Wholesale
  - D. Recommendation to be presented at the City Council meeting on July 17, 2007 because of a lack of quorum for a recommendation vote:
    - Kirkland Professional Center

- Authorize expenditure of up to \$200,000 to be spent on a Planned Action EIS should the City Council decide to study the Howe request for the Park Place Center (see Enclosure 5 - Fiscal Note).
- Review the list of proposed amendments for the 2007 City initiated Comprehensive Plan Amendment project as recommended by the Planning Commission and described in Enclosure 6.

## **II. BACKGROUND ON PRIVATE AMENDMENT REQUESTS**

The City has established a process where by private parties have the opportunity to submit requests for amending the Comprehensive Plan. Any individual, neighborhood organization, or other group may submit requests. The request may also include amendments to the Zoning Code or Zoning Map. Private amendment request applications are accepted every other year.

For 2007, the City received 10 private amendment requests. Chapter 140 KZC establishes a two-stage process for the review of these requests. Stage One consists of a "Threshold Determination" process that determines eligibility of each request for further consideration. Requests that do not meet the Threshold Determination, as set forth in KZC 140.20.3, do not proceed to Stage Two (see Enclosure 3).

Depending on available staff resources and the current work program, some requests may be deferred for study to the following year.

Stage Two entails a full analysis and public review of each request that was determined through Stage One as eligible for consideration. Stage Two includes public notice, preparation of staff analysis, optional draft amendments, review of additional criteria, a public hearing before the Planning Commission leading to a recommendation to the City Council, and final action by the City Council. The City Council approves or denies each request as part of adoption of the annual City-initiated amendments to the Plan at the end of the year (see Enclosure 6).

We are currently in Stage One. Stage One does not require a full weighing of the merits of the request or a decision or recommendation on whether the request should be ultimately approved. The purpose of this stage is solely to determine whether a request is eligible to proceed to Stage Two.

The location map for each private amendment request can be found in Enclosure 2. The Threshold Determination criteria are found in Enclosure 3. The private amendment request applications and more background information can be found in Enclosure 4 – staff memo for the Planning Commission packet dated June 19, 2007.

The Planning Commission held a public meeting on June 28, 2007 to review the requests. Comments were received from the applicants as well as from the general audience. The Commission reviewed each request against the Threshold Determination criteria, and concluded that four of the requests satisfy those criteria. The Commission was unable to make a recommendation on one request because of a lack of quorum for a vote since one Commissioner had a conflict of interest with the request. The Commission will consider the request at its next meeting on July 12, 2007, and then a recommendation will be presented to the City Council at the July 17, 2007 meeting.

### III. BACKGROUND ON THE FISCAL NOTE FOR THE POTENTIAL PLANNED ACTION EIS

The proposed private amendment request for the Park Place Center will require additional environmental review beyond the original Environmental Impact Statement done for the Comprehensive Plan in 2004. The review will probably be done through a Planned Action EIS that will allow analysis of the proposed changes to the Downtown Plan, including the other two private amendment requests – Onri and Altom - to the east of the Park Place Center, and include traffic impacts throughout the Downtown. This type of analysis will also be useful in analyzing other future development in the Downtown and so it is appropriate for the necessary environmental review costs be paid for by the City. The attached Fiscal Note for \$200,000 is a rough estimate of the costs of the environmental review (see Enclosure 5).

### IV. 2007 PRIVATE AMENDMENT REQUESTS

The following 10 private amendment requests were received for possible consideration in 2007. More complete information on each request, their relation to the Threshold Determination criteria, and the Planning Commission recommendation, is available in Enclosures 1 and 4. Location maps are found in Enclosure 2.

In addition to the four private amendment requests recommended above, the Gordon Hart request in the Totem Lake Neighborhood must be studied this year. In 2005, the City Council decided to study Gordon Harts' private amendment request after completion of the Totem Lake zoning in early 2006. In 2006, Mr. Hart requested a delay in studying his request to 2007 for personal reasons.

#### **Four requests recommended for study in 2007:**

1. **Howe Request:** Allow a master plan at the Kirkland Park Place Center with increased height, reduced yard setbacks and flexibility with other site standard regulations. The 11.7-acre site makes up more than half of CBD 5, is the largest single ownership in Downtown Kirkland and is located in the Moss Bay Neighborhood. The existing Plan and Zoning Code allow 3-5 stories and 20 feet setbacks next to the streets that can be reduced by the Design Review Board with superior design. The applicant would like to be able to construct buildings up to 8 stories in height and next to the street with no setbacks.
2. **Orni Request:** Change from Planned Area (PLA) 5D (office not an allowed use) to PLA5C (office is an allowed use) located at 825, 903 and 911 5<sup>th</sup> Ave in the Moss Bay Neighborhood. The change would also allow additional building height since the allowable height in PLA 5C (6 stories or 60 feet) is greater than that allowed in PLA 5D (4 stories or 40 feet). The site is located east of the post office and contains 3 existing legal non-conforming office buildings. The applicant would like to rebuild and expand, but cannot do so because office is not an allowed use in the zone.

The zoning for the site was changed with the 1977 Comprehensive Plan and the property owner responded with a lawsuit. A settlement followed and the property owner was able to build the office complex under Resolution R-2639.

3. **Altom Request:** Allow additional height similar to the height allowed in PLA 5C at 6 stories or 60 feet, but not require the 1-acre minimum for the additional height. The site is located at 220 6<sup>th</sup> Street in the

PLA 5B zone of the Moss Bay Neighborhood that allows a maximum of 30 feet above average building elevation. The site is across the street from the Park Place Center with buildings up to 5 stories and south of the 4-story FileNet building. The applicant would like to rebuild and expand.

The site was previously proposed in 2005 for a private amendment request to increase the allowable height, but the City Council decided not to study the request at that time.

4. **Nakhjiri Request:** Change one parcel from RS 5.0 at 9 units per acre to PLA 7A (RM 2.4) at 18 units per acre so that the zoning boundary line between the RS 5.0 zone and the PLA 7A zone is located at the access road to the west of the site and not east of the site. The property is located at 138 5<sup>th</sup> Ave in the Norkirk Neighborhood. The Planning Commission concluded that the map amendment should have been considered during the 2006 Norkirk Neighborhood Plan update. The applicant would like to remove the structure to construct a duplex on the site. The site contains the American Legion Hall site. The City cannot prevent demolition of the building, even though it has historic significance.

***For the following request, the Planning Commission will make a recommendation on July 12, 2007 and present the recommendation to the City Council on July 17, 2007:***

1. **Kirkland Professional Center Request:** Change the residential density allowed in the PLA 6B zone from RM 3.6 to RM 1.8 for the property at 433 State Street South. Hal Gibson, property owner at 318-2<sup>nd</sup> Street South to the southwest of the Kirkland Professional Center, is also interested in being included in the study area.

The site was included in the study area for the 2005 Lakeshore Clinic private amendment request to increase the allowable density. The City Council did not approve the private amendment request due to neighborhood concerns about traffic on State Street South.

The Planning Commission had four members in attendance for the meeting of June 28, 2007. One member did not participate in the discussion for the Kirkland Professional Center request due to a conflict of interest so the Commission did not have a quorum for a vote on the recommendation. The Commission has carried over the request to its July 12, 2007 meeting and will provide the City Council with a recommendation at its meeting on July 17, 2007.

***Four requests to be deferred to the associated neighborhood plan update:***

1. **Plaza at Yarrow Bay Request:** Allow a wider range of commercial uses, reduce the required minimum lot size of 15 acres and required setbacks, and permit additional buildings through a reduced process. The site is located at 10210, 10220 and 10230 NE Points Drive and 3927 and 3933 Lake Washington Blvd in the Planned Area 3A zone of the Lakeview Neighborhood. The applicant is interested in adding an additional building to provide convenient retail services, such as a restaurant and a bank, for the tenants and visitors in an existing large office complex on site as well as for the nearby freeway oriented traffic. The Lakeview Neighborhood Plan update is scheduled to begin this year.

2. **Strahm Properties Request:** Allow high density residential uses at RM 1.8 or RM 2.4 in the northern portion of PLA 6G. The property is zoned for only light industrial or office uses. The site is located at 508-6<sup>th</sup> Ave, 506-7<sup>th</sup> Ave S and 333-5<sup>th</sup> Place S. The southern portion of PLA6G already allows residential uses in addition to light industrial or office uses. The site contains several industrial uses, including Moss Bay Storage and Thyssenkrupp Elevator.

Several years ago, the City approved a similar request for Max Gurvich's Pace Corporation property to the south also in PLA 6G by allowing medium residential at RM 3.6. The City did not include the subject property in the study because at that time the City wanted to retain the light industrial area to the north.

3. **Applegate Request:** Change from RS 8.5 at 5 units per acre to PR 3.6 at 10-12 units per acre or to a zone that allows a retail storage facility. The properties include 8 parcels that are located at 6413, 6421, 6515, 6601, 6607 and 6611-116<sup>th</sup> Ave NE immediately south of the existing office building at NE 70<sup>th</sup> Street and 116<sup>th</sup> Ave NE in the Bridle Trails Neighborhood. The applicant owns four of the lots and has notified the other property owners of his request.
4. **Andrews Request:** Change from RSX 7.2 at 6 units per acre to RSX 5.0 at 9 units per acre. The site address is 8529 132nd Ave NE, four lots north of NE 85<sup>th</sup> Street, and is located in North Rose Hill Neighborhood and in the NE 85th Street Sub-area

**The following request not be considered further:**

1. **Costco Wholesale Request:** Allow retail sales of gas on Costco's existing northern parking lot in the Rose Hill (RH) 1B zone as an accessory use to the main store. Retail sales of gas is not a permitted use in the RH 1B zone, but is a permitted use in the RH 1A zone located to the south where the main Costco Wholesale store is located. The business is located at 8629 -120<sup>th</sup> Ave NE in the Rose Hill Business District.

## **V. CONCLUSION**

The Planning Commission concluded that three of the ten requests – Howe, Orni and Altom – should move to Stage Two because they have the potential of increasing office capacity in Downtown Kirkland. Increasing office capacity in the Downtown, a key goal of the Downtown Plan, has lagged behind new residential capacity. It is also timely to study the three requests this year because of the review currently being done on the Downtown Strategic Plan. Also, all three requests raise the issue of increasing building height in the same general area of the Downtown and should be studied at the same time. The Planning Commission also concluded that a fourth request –Nakhjiri – should move to Stage Two because the zoning boundary line change should have been considered with the 2006 Norkirk Neighborhood Plan update.

The Planning Commission recommendation on one of the requests – Kirkland Professional Center – will be presented at the City Council meeting on July 17, 2007, because of a lack of quorum for the recommendation vote at the Planning Commission meeting of June 28, 2007.

The Planning Commission concluded that one of the ten requests – Plaza at Yarrow Bay – should be considered with the upcoming Lakeview Neighborhood Plan update. However, if the Neighborhood Plan Update schedule is changed and the start of the Lakeview Neighborhood Plan update is delayed, the request should be studied in 2008. The Planning Commission further concluded that three of the ten requests - Strahm Properties, Applegate and Andrews – raised issues that were best addressed as part of the neighborhood plan update. The issues extended well beyond the boundaries of the parcels on behalf of which they were filed or raised questions about whether to retain light industrial zoning that would be more appropriately considered as part of the overall associated neighborhood plan vision.

Finally, the Planning Commission concluded that one of the ten requests – Costco Wholesale – should not be considered further because of potential impacts to the neighborhood. The Planning Commission did recognize that a Costco gas station could be built now on the south side of NE 90<sup>th</sup> Street with the same potential traffic and pedestrian impacts on the neighborhood.

## VI. PUBLIC COMMENT

An email from Angelique Reiss was received after the Planning Commission meeting commenting on the Park Place Center private amendment request (see Enclosure 7).

### Enclosures:

- 1 – Planning Commission Recommendation, June 28, 2007 (minutes are not yet available)
- 2 – Location map for each private amendment request
- 3 – KZC 140.20.3, Threshold Determination Criteria
- 4 – Staff memo to the Planning Commission, June 19, 2007
- 5 – Fiscal Note for the Planned Action EIS
- 6 – Staff memo on the list of amendments for the 2007 City initiated Comprehensive Plan Amendment project, July 3, 2007
- 7 – Comment email from Angelique Reiss, dated June 29, 2007 and after the PC meeting

cc: PAR Applicants (see Advantage. File ZON07-00001)

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**CITY OF KIRKLAND**

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**DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT  
MEMORANDUM**

**To:** City Council

**From:** Planning Commission  
Janet Pruitt

**Date:** June 28, 2007

**Subject:** PLANNING COMMISSION RECOMMENDATION ON THE THRESHOLD DETERMINATION FOR THE 2007 PRIVATE AMENDMENT REQUESTS, FILES ZON07-00008 THROUGH 00012 AND ZON07-00017 THROUGH 00020

**I. RECOMMENDATION**

The Planning Commission recommends:

A. Proceed to the Study Stage in 2007:

- Douglas Howe
- Katherine Orni
- Rhoda Altom
- Mehdi Nakhjiri

B. Defer to the future neighborhood plan update process:

- Plaza at Yarrow Bay (consider as part of the Lakeview Neighborhood Plan update that should be started this fall as scheduled)
- Strahm Properties
- Mark Applegate
- William Andrews

C. Do not consider further:

- Costco Wholesale

D. Recommendation to be presented at the City Council meeting on July 17, 2007 because of a lack of quorum for a recommendation vote:

- Kirkland Professional Center

In addition to the four private amendment requests recommended above, the Gordon Hart request in the Totem Lake Neighborhood must be studied this year. In 2005, the City Council decided to study Gordon Harts' private amendment request after completion of the Totem Lake zoning in early 2006. In 2006, Mr. Hart requested a delay in studying his request to 2007 for personal reasons.

Furthermore, the Planning Commission recommends that if the Park Place Center request is to be

studied, that the Design Review Board provides guidance to the Planning Commission and City Council when looking at the proposed request for additional height and reduced building setbacks. Lastly, the Planning Commission recommends that the Lakeview Neighborhood Plan update project begin soon in 2007 and not be delayed to begin in 2008.

## II. INTRODUCTION

The Planning Commission held a public meeting on June 28, 2007 to consider 10 private amendment requests. The purpose of the meeting was to evaluate each request against the Threshold Determination criteria and to make a recommendation to the City Council on which requests should proceed to full consideration. Our recommendation is based on the criteria set forth in KZC 140.20.3 that includes consideration of the Neighborhood Plan update schedule, the general City work program and City resources.

Four of the requests – Howe, Orni, Altom and Nakhjiri - have merit and should proceed to the next stage for full consideration in 2007. The Commission concluded that the Plaza at Yarrow Bay request should be considered as part of the upcoming Lakeview Neighborhood Plan update project currently scheduled to begin this year. However, if the Lakeview Neighborhood Plan update is delayed, the request should be studied in 2007 or 2008, depending on available staffing. The Commission also concluded that three of the requests – Strahm, Applegate and Andrews - raised area-wide issues that are best reviewed as part of the neighborhood plan update, and therefore should be deferred to the associated neighborhood plan updates projects.

Only four Planning Commissioners were in attendance at the meeting of June 28, 2007 and one Commissioner had a conflict of interest with the Kirkland Professional Center request so the Commission did not have a quorum to hold a vote on a recommendation. The Kirkland Professional Center request will be carried over to the July 12, 2007 Planning Commission meeting to make a recommendation on the request. The recommendation that request will be presented during the City Council meeting of July 17, 2007.

The Costco request raised concerns about additional traffic to the site and cut through traffic in the neighborhood, potential impacts on the nearby sensitive areas, water quality and the residential areas to the east and north, and the lack of sidewalks in the area. By a 3 to 1 vote, the Planning Commission concluded that the Costco request should not be considered further.

## III. THRESHOLD DETERMINATION CRITERIA

The criteria for making a Threshold Determination are contained in KZC 140.20.3. To be eligible for full consideration, a request must satisfy criterion “a” and either criterion “b” or “c”:

- a. The City has the resources, including staff and budget, necessary to review the proposal; and
- b. The proposal would correct an inconsistency within or make a clarification to a provision of the Comprehensive Plan; or
- c. All of the following:
  - (1) The proposal demonstrates a strong potential to serve the public interest by implementing specifically identified goals and policies of the Comprehensive Plan; and
  - (2) The public interest would best be served by considering the proposal in the current year, rather than delaying consideration to a later neighborhood plan review or plan amendment process; and

- (a) The proposal is located in a neighborhood for which a neighborhood plan has not been recently adopted (generally not within two years); and
- (b) The proposal is located in a neighborhood for which a neighborhood plan will not be reviewed in the near future (generally not in the next two years).

Criterion “a” raises issues common to all 10 requests. This year’s work program has not been finalized yet and contains several important on-going projects along with the next neighborhood plan update scheduled to begin in 2007. The Planning Department has stated that it has staffing to allocate to the four requests recommended for further study along with the Hart request carried over from 2005. If the City Council would like to add other requests for consideration in 2007, the start of the Lakeview Neighborhood Plan would need to begin in early 2008 rather than in the fall of 2007. The other option is the carried over additional requests for further consideration in 2008.

#### IV. DISCUSSION OF THE REQUESTS

##### A. SUMMARY

Below is a chart summarizing the requests, and the recommendation for each from the Planning Commission and staff.

| <b>Amendment Request</b>   | <b>PC Recommendation</b>   | <b>Staff Recommendation</b>  |
|--|--|--|
| <b>Douglas Howe:</b><br><b>Park Place Center</b><br>Allow a master plan with increased height, reduced yard setbacks & flexibility with other site standard regulations.                               | <b>Proceed to full consideration in 2007</b> along with the Orni and Altom requests.                                     | <b>Same</b>  |
| <b>Katherine Orni:</b><br><b>825, 903 and 911 5<sup>th</sup> Ave</b> east of post office. Change from PLA 5D (office not allowed) to PLA 5C (office allowed) to make existing office conforming uses.  | <b>Proceed to full consideration in 2007</b> along with the Howe and Altom requests.                                     | <b>Same</b>  |
| <b>Rhoda Altom:</b><br><b>220-6<sup>th</sup> Street</b> in PLA 5B Allow increase in height similar to PLA 5C zone (6 stories or 60 feet).  | <b>Proceed to full consideration in 2007</b> along with the Howe and Orni requests.                                      | <b>Same</b>  |
| <b>Mehdi Nakhjiri:</b><br><b>138 -5<sup>th</sup> Ave</b> (American Legion Hall site) Change from RS 5.0 at 9 units per acre to PLA 7A (RM 2.4) at 18 units per acre.                                   | <b>Proceed to full consideration in 2007.</b> Should have been considered with the 2006 Norkirk Neighborhood Plan update | <b>Same</b>  |
| <b>Costco Wholesale:</b><br><b>8629 -120<sup>th</sup> Ave NE</b><br>Change to allow retail sales of gas on their northern parking lot in the RH-1B zone (already allowed on the southern parking lot). | <b>Do not consider further.</b> Several potential impacts and neighborhood concerns.                                     | <b>Proceed to full consideration in 2007 or 2008,</b> depending on when the neighborhood plan update project starts. |
| <b>Amendment Request</b>   | <b>PC Recommendation</b>   | <b>Staff</b>   |

|  |   | Recommendation                                  |
|--|---|---|
| <b>Plaza at Yarrow Bay:</b><br><b>10210, 10220 and 10230 NE Points Drive and 3927 and 3933 Lake Wash Blvd</b> in the Lakeview Neighborhood.<br>Allow a wider range of commercial uses, reduce the required lot size and setbacks, and allow additional buildings through a reduced review process. | <b>Consider with the Lakeview Neighborhood Plan update.</b> If plan update delayed, consider request in 2008.                 | Same  |
| <b>Kirkland Professional Center:</b><br><b>433 State Street South.</b><br>Change to allow increase in density from RM 3.6 to RM 1.8 (was part of prior 2004 Lakeshore Clinic study area that was not approved).  | <b>Recommendation to be presented at the City Council meeting on July 17<sup>th</sup>. No quorum for recommendation vote.</b> | Defer to the Moss Bay Neighborhood Plan update. |
| <b>Strahm Properties:</b><br><b>508-6<sup>th</sup> Ave, 506-7<sup>th</sup> Ave S and 333-5<sup>th</sup> Place South.</b> Change to allow high-density residential use at RM 1.8 or 2.4 in the north portion of PLA 6G. The south portion of PLA6G allows medium density at RM 3.6.                 | <b>Defer to the Moss Bay Neighborhood Plan update.</b>  | Same  |
| <b>Mark Applegate:</b><br><b>6413, 6421, 6515, 6601, 6607 &amp; 6611 116<sup>th</sup> Ave NE.</b> Change from RS 8.5 at 5 units per acre to PR 3.6 at 10-12 units per acre or allows a retail storage facility.  | <b>Defer to the Bridle Trails Neighborhood Plan update.</b>   | Same  |
| <b>William Andrews:</b><br><b>8529 132<sup>nd</sup> Ave NE.</b><br>Change from RSX 7.2 at 6 units per acre to RSX 5.0 at 9 units per acre.   | <b>Defer to the North Rose Hill Neighborhood Plan update.</b>   | Same  |

**B. RELATION TO CRITERIA**

Following is a summary of our review and conclusions of each request against the Threshold Determination criteria.

**Four requests recommended for study in 2007:**

1. **Howe Request:** Allow a master plan at the Kirkland Park Place Center with increased height, reduced yard setbacks and flexibility with other site standard regulations. The existing Plan and Zoning Code allow 3-5 stories and 20 feet setbacks next to the streets that can be reduced by the Design Review Board with superior design. The applicant would like to be able to construct buildings up to 8 stories in height and next to the street with no setbacks.

Criterion a. The City has the resources, including staff and budget, necessary to review the proposal. As stated in Section III, the Planning Department has indicated that it has available staff to process the request in 2007.

Criterion b. The proposal would correct an inconsistency within or make a clarification to provision of the Comprehensive Plan. The Commission identified no inconsistency or need for clarification.

Criterion c. All of the following:

- (1) The proposal demonstrates a strong potential to serve the public interest by implementing specifically identified goals and policies of the Comprehensive Plan. The Commission concluded that the request is in the public interest. New office space construction has lagged in Downtown Kirkland in recent years, and thus the City is not meeting its vision for significant office employment in the Downtown. In addition, the Commission concluded that it would be timely to study the three requests now since the Downtown Strategic Plan is currently being reviewed.
  - (2) The public interest would best be served by considering the proposal in the current year, rather than delaying consideration to a later neighborhood plan review or plan amendment process. The Commission concluded that it would be timely, given the current office demand and the other two requests in the same location, to study the request in 2007.
    - (a) The proposal is located in a neighborhood for which a neighborhood plan has not been recently adopted (generally not within two years). The Moss Bay Neighborhood was last updated in March 1989.
    - (b) The proposal is located in a neighborhood for which a neighborhood plan will not be reviewed in the near future (generally not in the next two years). The Moss Bay Neighborhood is tentatively scheduled for an update in 2011-2012.
2. **Orni Request:** Change from Planned Area (PLA) 5D (office not an allowed use) to PLA5C (office is an allowed use) located at 825, 903 and 911 5<sup>th</sup> Ave. The change would also allow the applicant to potentially have additional building height since the allowable height in PLA 5C is greater than in PLA 5D. The site is located east of the post office and contains 3 existing legal non-conforming office buildings. The applicant would like to rebuild and expand, but cannot do so because office is not an allowed use in the zone.

In 1977, the City adopted its Comprehensive Plan and related Zoning Code amendments to implement a new Plan. Subsequently, several lawsuits were filed due to the change in zoning and then legal settlements between each party and the City resolved the lawsuits. On July 16, 1979, the City Council adopted Resolution R-2639 relating to the legal settlements. The settlement allowed construction of the office buildings on the site. The resolution does not bind the City from subsequently rezoning the properties covered by the settlement.

Criterion a. The City has the resources, including staff and budget, necessary to review the proposal. As stated in Section III, the Planning Department has indicated that it has available staff to process the request in 2007.

Criterion b. The proposal would correct an inconsistency within or make a clarification to provision of the Comprehensive Plan. The Commission concluded that the request would correct an inconsistency in the Comprehensive Plan by making the existing office complex an allowable use.

Criterion c. All of the following:

- (1) The proposal demonstrates a strong potential to serve the public interest by implementing specifically identified goals and policies of the Comprehensive Plan. The Commission concluded that the request is in the public interest. New office space construction has lagged in Downtown Kirkland in recent years and thus the City is not meeting its vision for significant office employment in the Downtown. It is also in the public interest to correct the inconsistency as discussed above.
- (2) The public interest would best be served by considering the proposal in the current year, rather than delaying consideration to a later neighborhood plan review or plan amendment process. The Commission concluded that it would be timely, given the current office demand and the other two requests in the same location, to study the request in 2007.
  - (a) The proposal is located in a neighborhood for which a neighborhood plan has not been recently adopted (generally not within two years). The Moss Bay Neighborhood was last updated in March 1989.
  - (b) The proposal is located in a neighborhood for which a neighborhood plan will not be reviewed in the near future (generally not in the next two years). The Moss Bay Neighborhood is tentatively scheduled for an updated in 2011-2012.
3. **Altom Request:** Allow additional height similar to the height allowed in PLA 5C at 6 stories or 60 feet, but not require the 1 acre minimum for the additional height. The site is located at 220 6<sup>th</sup> Street in the PLA 5B zone that allows a maximum of 30 feet above average building elevation. The site is across the street from the Park Place Center. The applicant would like to rebuild and expand. In 2005, Jim Hart submitted the same request to increase the allowable height for the same site, but the City Council decided not to study the request. There were no other private amendment requests in the Downtown area that year.

Criterion a. The City has the resources, including staff and budget, necessary to review the proposal. As stated in Section III, the Planning Department has indicated that it has available staff to process the request in 2007.

Criterion b. The proposal would correct an inconsistency within or make a clarification to provision of the Comprehensive Plan. The Commission identified no inconsistency or need for clarification.

Criterion c. All of the following:

- (1) The proposal demonstrates a strong potential to serve the public interest by implementing specifically identified goals and policies of the Comprehensive Plan. The Commission concluded that the request is in the public interest. New office space construction has lagged in Downtown Kirkland in recent years and thus the City is not meeting its vision for significant office employment in the Downtown.
- (2) The public interest would best be served by considering the proposal in the current year,

rather than delaying consideration to a later neighborhood plan review or plan amendment process. The Commission concluded that it would be timely, given the current office demand and the other two requests in the same location, to study the request in 2007.

(a) The proposal is located in a neighborhood for which a neighborhood plan has not been recently adopted (generally not within two years). The Moss Bay Neighborhood was last updated in March 1989.

(b) The proposal is located in a neighborhood for which a neighborhood plan will not be reviewed in the near future (generally not in the next two years). The Moss Bay Neighborhood is tentatively scheduled for an update in 2011-2012.

4. **Nakhjiri Request:** Change one parcel from RS 5.0 at 9 units per acre to PLA 7A (RM 2.4) at 18 units per acre. The site is located at 138 5<sup>th</sup> Ave. The applicant would like to remove the structure to construct a duplex on the site. The site contains the American Legion Hall site. The City cannot prevent demolition of the building, even though it has historic significance.

The prior property owner approached the City in 2005 to see if the City would consider purchasing the property. A study, done in January of 2006, determined that expensive structural, mechanical, safety, and accessibility improvements were needed. The estimate costs range from \$777,000 to \$1,200,000 to repair the structure. Other constraints include the lack of on-site parking. In 2006, the City Council voted to decline further consideration to purchase the American Legion Hall property.

Criterion a. The City has the resources, including staff and budget, necessary to review the proposal. As stated in Section III, the Planning Department has indicated that it has available staff to process the request in 2007.

Criterion b. The proposal would correct an inconsistency within or make a clarification to provision of the Comprehensive Plan. The Commission concluded that the request would result in a more appropriate zoning boundary line that should have been considered with the 2006 Norkirk Neighborhood Plan.

Criterion c. All of the following:

(1) The proposal demonstrates a strong potential to serve the public interest by implementing specifically identified goals and policies of the Comprehensive Plan. The Commission concluded it would be in the public interest to change the zoning boundary line now as a follow-up to the 2006 Norkirk Neighborhood Plan.

(2) The public interest would best be served by considering the proposal in the current year, rather than delaying consideration to a later neighborhood plan review or plan amendment process. The Commission concluded it would be in the public interest to change the zoning boundary line now as a follow-up to the 2006 Norkirk Neighborhood Plan and not wait until the next update of the Norkirk Neighborhood Plan.

(a) The proposal is located in a neighborhood for which a neighborhood plan has not been

recently adopted (generally not within two years). The Norkirk Neighborhood Plan was recently updated in 2006. The map amendment should have considered this during the recent updated neighborhood plan.

- (b) The proposal is located in a neighborhood for which a neighborhood plan will not be reviewed in the near future (generally not in the next two years). The Norkirk Plan is not on the update schedule at this time.

***For the following request, the Planning Commission will make a recommendation on July 12, 2007 and present the recommendation to the City Council on July 17, 2007:***

1. **Kirkland Professional Center Request:** Change the residential density allowed in the PLA 6B zone from RM 3.6 to RM 1.8 for the property at 433 State Street South. Hal Gibson, property owner at 318-2<sup>nd</sup> Street South to the southwest of the Kirkland Professional Center, is also interested in being included in the study area.

In 2004, the City studied a private amendment request from the Lake Shore Clinic at 515 State Street South located just south of the Kirkland Professional Center in PLA 6B to increase the density on the site from RM 3.6 to RM 1.8. The City expanded the study area to include the entire PLA6B zone, including the Kirkland Professional Center site. Due to the concerns from neighbors about traffic, the City Council did not increase the density.

The Planning Commission had four members in attendance for the meeting on June 28, 2007. One member did not participate in the discussion for the Kirkland Professional Center request so the Commission did not have a quorum for a vote on a recommendation. The Commission has carried over the request to its July 12, 2007 meeting and will provide the City Council with a recommendation at its meeting on July 17, 2007.

***Four requests to be deferred to the associated neighborhood plan update:***

1. **Plaza at Yarrow Bay Request:** Allow a wider range of commercial uses, reduce the required minimum lot size and setbacks, and permit additional buildings through a reduced process. The site is located at 10210, 10220 and 10230 NE Points Drive and 3927 and 3933 Lake Washington Blvd in the Planned Area 3A zone of the Lakeview Neighborhood. The applicant is interested in adding an additional building to provide convenient retail services, such as a restaurant and a bank, for the tenants and visitors in the existing large office complex on site as well as for the nearby freeway oriented traffic.

In the 1980's a Planned Unit Development (PUD) was approved for the site that resulted in construction of 5 office buildings in PLA 3A and 52 multifamily units in PLA 2. Public benefits included dedication of Yarrow Creek and its buffer, a public trail system completed in PLA 2, creation of a public viewing interpretive area and the daylighting of a piped section of Yarrow Creek. Prior to development, the overall PUD did contain over 15 acres. Following dedication of much of the now Yarrow Bay Wetland Park as a public benefit, the office complex property now contains only 8.42 acres. The minimum lot size in the Zoning Code for any development or changes to the site is 15 acres.

Criterion a. The City has the resources, including staff and budget, necessary to review the proposal. As stated in Section III, the Planning Department has indicated that it has available staff to begin the Lakeview Neighborhood Plan update this year. If the City Council would like to study more private amendment requests than as recommended by the Commission, the neighborhood plan would need to be started in early 2008.

Criterion b. The proposal would correct an inconsistency within or make a clarification to provision of the Comprehensive Plan. The Commission concluded that there is a zoning inconsistency for the minimum lot size requirement that should have been corrected with dedication of the Yarrow Bay Wetland as part of the public benefits of the PUD development.

Criterion c. All of the following:

- (1) The proposal demonstrates a strong potential to serve the public interest by implementing specifically identified goals and policies of the Comprehensive Plan. The Commission concluded it would be in the public interest to consider the request with the Lakeview Neighborhood Plan update project because the Plan contains several policies that support compact mixed use developments to reduce vehicle trips and other benefits and to promote a compact land use pattern to minimize energy and service costs and conserve natural resource. Also the inconsistency in the Zoning Code described above should be corrected.
  - (2) The public interest would best be served by considering the proposal in the current year, rather than delaying consideration to a later neighborhood plan review or plan amendment process. The Commission concluded that the request should be considered with the upcoming Lakeview Neighborhood Plan update project. However, if the neighborhood plan is delayed, the request should be considered in 2007 or 2008, depending on staff availability.
    - (a) The proposal is located in a neighborhood for which a neighborhood plan has not been recently adopted (generally not within two years). The Lakeview Neighborhood Plan was last updated in September 1985.
    - (b) The proposal is located in a neighborhood for which a neighborhood plan will not be reviewed in the near future (generally not in the next two years). The Lakeview Neighborhood Plan update project is scheduled to start this fall.
2. **Strahm Properties Request:** Allow high density residential uses at RM 1.8 or RM 2.4 in the north portion of PLA 6G. The site is located at 508-6<sup>th</sup> Ave, 506-7<sup>th</sup> Ave S and 333-5<sup>th</sup> Place S. The south portion of PLA6G already allows residential uses. The site contains several industrial uses, including Moss Bay Storage and Thyssenkrupp Elevator.

Several years ago, the City approved the similar request for Max Gurvich's Pace Corporation property to the south also in PLA 6G by allowing medium residential at RM 3.6. The City did not include the subject property in the study because at that time the City wanted to retain the light industrial area to the north.

Criterion a. The City has the resources, including staff and budget, necessary to review the proposal. As stated in Section III, the Planning Department does not have available staff to

process all of the requests in 2007. If the City Council would like to study this request, one or more of the four requests recommended by the Commission would need to be delayed to 2008 or other projects on the work program would need to be delayed.

Criterion b. The proposal would correct an inconsistency within or make a clarification to provision of the Comprehensive Plan. The Commission identified no inconsistency or need for clarification.

Criterion c. All of the following:

- (1) The proposal demonstrates a strong potential to serve the public interest by implementing specifically identified goals and policies of the Comprehensive Plan. The Commission concluded that the request raises a larger issue of whether to keep the remaining industrial area for primarily employment based uses or allow residential uses. Further discussion about the need for industrial zoning should be deferred to the neighborhood plan update.
  - (2) The public interest would best be served by considering the proposal in the current year, rather than delaying consideration to a later neighborhood plan review or plan amendment process. The Commission concluded that the request should be deferred to the Moss Bay Neighborhood Plan update. The Planning Department is recommending that the Moss Bay Neighborhood Plan be moved up to 2009-2010 and before the North and South Juanita Neighborhood Plan because of several issues that should be addressed sooner than later.
    - (a) The proposal is located in a neighborhood for which a neighborhood plan has not been recently adopted (generally not within two years). The Moss Bay Neighborhood was last updated in March 1989.
    - (b) The proposal is located in a neighborhood for which a neighborhood plan will not be reviewed in the near future (generally not in the next two years). The Moss Bay Neighborhood is tentatively scheduled for an updated in 2011-2012.
3. **Applegate Request:** Change from RS 8.5 at 5 units per acre to PR 3.6 at 10-12 units per acre or to a zone that allows a retail storage facility. The properties include 8 parcels that are located at 6413, 6421, 6515, 6601, 6607 and 6611-116<sup>th</sup> Ave NE immediately south of the office building on 116<sup>th</sup> Ave NE in the Bridle Trails Neighborhood. The applicant owns four of the lots and has notified the other property owners of his request.

Criterion a. The City has the resources, including staff and budget, necessary to review the proposal. As stated in Section III, the Planning Department does not have available staff to process all of the requests in 2007. If the City Council would like to study this request, one or more of the four requests recommended by the Commission would need to be delayed to 2008 or other projects on the work program would need to be delayed.

This request is within the jurisdiction of the Houghton Community Council and thus would take additional time to process. In addition, the request involves several other property owners who did not make the request so this will add to the staff time in contacting the property owners and coordinating the study with them. Lastly, the issue of whether to allow multi-family, office

and/or retail storage facility uses south of the existing office building on 116<sup>th</sup> Ave NE will most likely be a concern of the adjacent neighbors and thus demand additional review time.

Criterion b. The proposal would correct an inconsistency within or make a clarification to provision of the Comprehensive Plan. The Commission identified no inconsistency or need for clarification.

Criterion c. All of the following:

- (1) The proposal demonstrates a strong potential to serve the public interest by implementing specifically identified goals and policies of the Comprehensive Plan. The Commission concluded that the request does not demonstrate a strong potential to serve the public interest.
  - (2) The public interest would best be served by considering the proposal in the current year, rather than delaying consideration to a later neighborhood plan review or plan amendment process. The Commission concluded that the request raises a larger issue of whether to allow multi-family, office and/or retail storage facility uses south of the existing office building on 116<sup>th</sup> Ave NE that should be deferred to the Bridle Trails Neighborhood Plan update.
    - (a) The proposal is located in a neighborhood for which a neighborhood plan has not been recently adopted (generally not within two years). The Bridle Trails Neighborhood Plan was last updated in January 1989.
    - (b) The proposal is located in a neighborhood for which a neighborhood plan will not be reviewed in the near future (generally not in the next two years). The Bridle Trails Neighborhood Plan is tentatively scheduled for a next major update in 2013-2014.
4. **Andrews Request:** Change from RSX 7.2 at 6 units per acre to RSX 5.0 at 9 units per acre. The site address is 8529 132nd Ave NE and is located in North Rose Hill Neighborhood and in the NE 85th Street Sub-area

Criterion a. The City has the resources, including staff and budget, necessary to review the proposal. As stated in Section III, the Planning Department does not have available staff to process all of the requests in 2007. If the City Council would like to study this request, one or more of the four requests recommended by the Commission would need to be delayed to 2008 or other projects on the work program would need to be delayed.

If this request is selected, the study area should be expanded to include the two single-family lots south of the subject property. A case could be made that the three single-family lots just south of the RH-8 zone located south of NE 85th Street should also be studied for the same reason.

Criterion b. The proposal would correct an inconsistency within or make a clarification to provision of the Comprehensive Plan. The Commission identified no inconsistency or need for clarification.

Criterion c. All of the following:

- (1) The proposal demonstrates a strong potential to serve the public interest by implementing specifically identified goals and policies of the Comprehensive Plan. The Commission concluded that the request does not demonstrate a strong potential to serve the public interest.
- (2) The public interest would best be served by considering the proposal in the current year, rather than delaying consideration to a later neighborhood plan review or plan amendment process. The Commission concluded that the request raises a larger issue of whether to increase the density north and south of NE 85<sup>th</sup> Street along 132<sup>nd</sup> Ave NE that should be deferred to the North Rose Hill Neighborhood Plan update.
  - (a) The proposal is located in a neighborhood for which a neighborhood plan has not been recently adopted (generally not within two years). The North Rose Hill Neighborhood Plan was last updated in October 2003 and the NE 85<sup>th</sup> Street Sub-area Plan was last updated in April 2001.
  - (b) The proposal is located in a neighborhood for which a neighborhood plan will not be reviewed in the near future (generally not in the next two years). The North Rose Hill Neighborhood Plan is tentatively scheduled for a next update in 2015-2016. The City has not scheduled the NE 85<sup>th</sup> Street Sub-area Plan to be updated.

**The following request not to be considered further:**

1. **Costco Request:** Allow retail sales of gas on Costco's existing northern parking lot in the Rose Hill (RH) 1B zone as an accessory use to the main store. Retail sales of gas are not a permitted use in RH 1B, but are a permitted use in the RH 1A zone located to the south where the main Costco store is located. The business is located at 8629 -120<sup>th</sup> Ave NE in the Rose Hill Business District.

Criterion a. The City has the resources, including staff and budget, necessary to review the proposal. As stated in Section III, the Planning Department does not have available staff to process all of the requests in 2007. If the City Council would like to study this request, one or more of the four requests recommended by the Commission would need to be delayed to 2008 or the start of the Lakeview Neighborhood Plan would need to be delayed to early 2008.

Criterion b. The proposal would correct an inconsistency within or make a clarification to provision of the Comprehensive Plan. The Commission identified no inconsistency or need for clarification.

Criterion c. All of the following:

- (1) The proposal demonstrates a strong potential to serve the public interest by implementing specifically identified goals and policies of the Comprehensive Plan. The Commission concluded that the request does not demonstrate a strong potential to serve the public interest and should not be considered further. Based on letters and comments at the public meeting, the Commission discussed several potential impacts resulting from the request, including additional traffic to the site and more cut through traffic in the neighborhood, potential water quality impacts on the nearby sensitive area, potential impacts from noise, fumes and glare on the adjacent neighbor and lack of sidewalks.

- (2) The public interest would best be served by considering the proposal in the current year, rather than delaying consideration to a later neighborhood plan review or plan amendment process. The Commission concluded that the request should not be further considered as discussed above.
- (a) The proposal is located in a neighborhood for which a neighborhood plan has not been recently adopted (generally not within two years). The Rose Hill Sub-area Plan was updated in April 2001.
- (b) The proposal is located in a neighborhood for which a neighborhood plan will not be reviewed in the near future (generally not in the next two years). The Rose Hill Sub-area Plan is not scheduled to be updated at this time.

## V. PUBLIC COMMENT

Three comment letters were received from the public before the Planning Commission meeting on June 28, 2007 (see Attachments 14, 15 and 17 of Enclosure 4 – staff memo to the Planning Commission). Two letters opposed consideration of the Costco request because of potential traffic and environmental impacts, impacts on adjacent residential uses and no need for more gas stations in the area. One letter opposed consideration of the Costco requests for the same reasons noted above and opposed consideration of the Andrews and Applegate requests commenting that the requests should be considered with the associated neighborhood plan update and.

Several members of the public spoke at the Planning Commission meeting on June 28, 2007 concerning the private amendment requests. Four people spoke against the Costco request. They raised issues about additional traffic to the site and more cut through traffic in the neighborhood, potential water quality impacts to the nearby sensitive area, potential impacts from noise, fumes and glare on the adjacent neighbor and lack of sidewalks. One person suggested another exit and entrance to I-405 that would serve Costco. One person spoke against the Andrews request because the neighborhood plan vision should not be changed for the residential area and about concerned for the redevelopment Park and the potential loss of the movie theater and impacts from the additional height and massing.

Robert Strahm, one of the private amendment applicants, submitted a response letter to the staff memo prior to the Planning Commission meeting on June 28, 2007 (see Attachment 16 of Enclosure 4 – staff memo to the Planning Commission).

William Andrews, one of the private amendment applicants, submitted additional information in writing at the Planning Commission meeting of June 28, 2007 (see Attachment 18 attached to Enclosure 4 – staff memo to the Planning Commission).

## VI. CONCLUSION

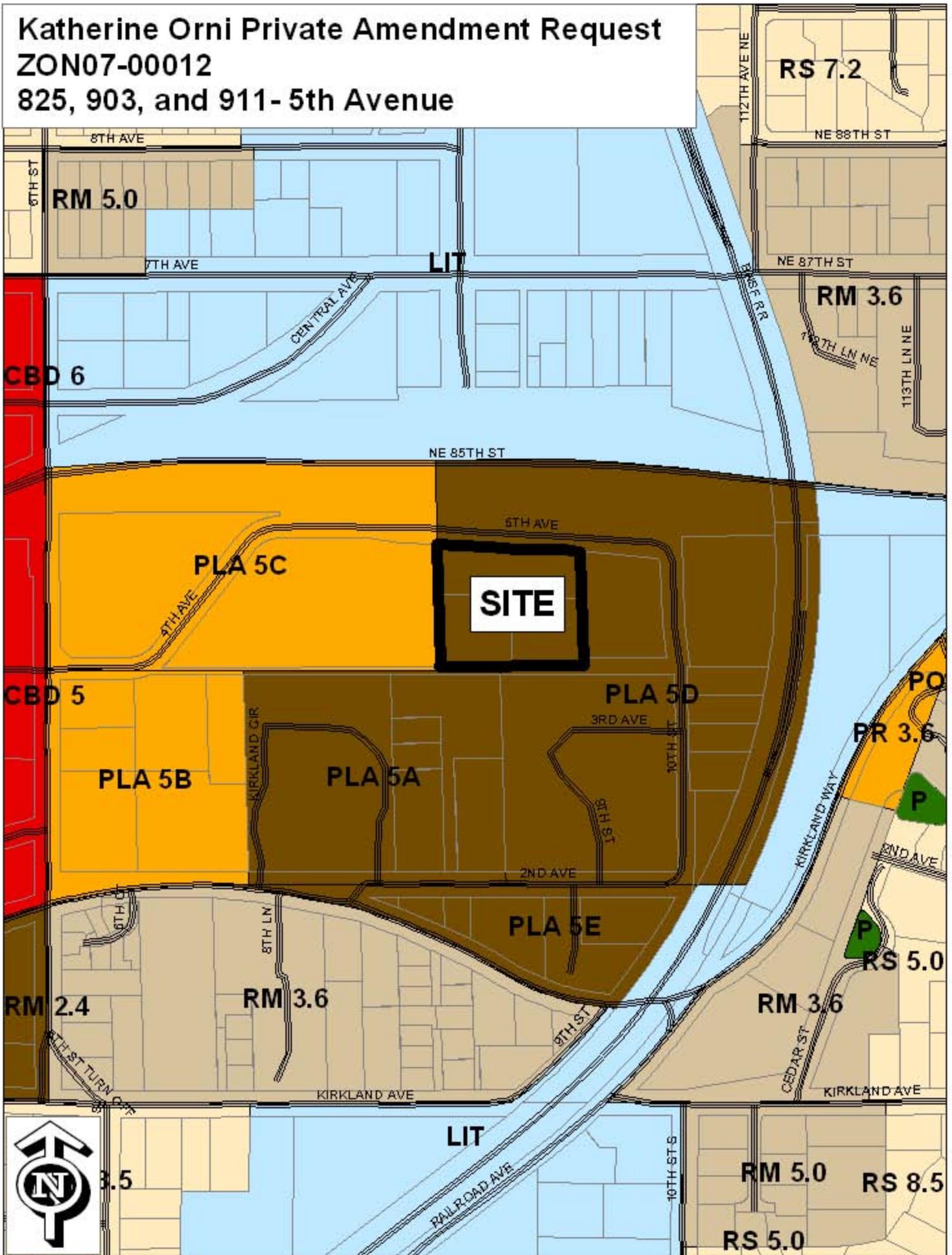
The Planning Commission concludes that four of the requests – Howe, Orni, Altom and Nakhjiri - satisfy the Threshold Determination criteria and should proceed to a full review in 2007. The recommendation on the Kirkland Professional Center request will be presented during the City

Council meeting of July 17, 2007 after a follow-up Commission meeting on July 12, 2007. Four of the requests should be deferred to the associate neighborhood plan – Plaza at Yarrow Bay, Strahm, Applegate and Andrews. The remaining request – Costco – should not be considered further.

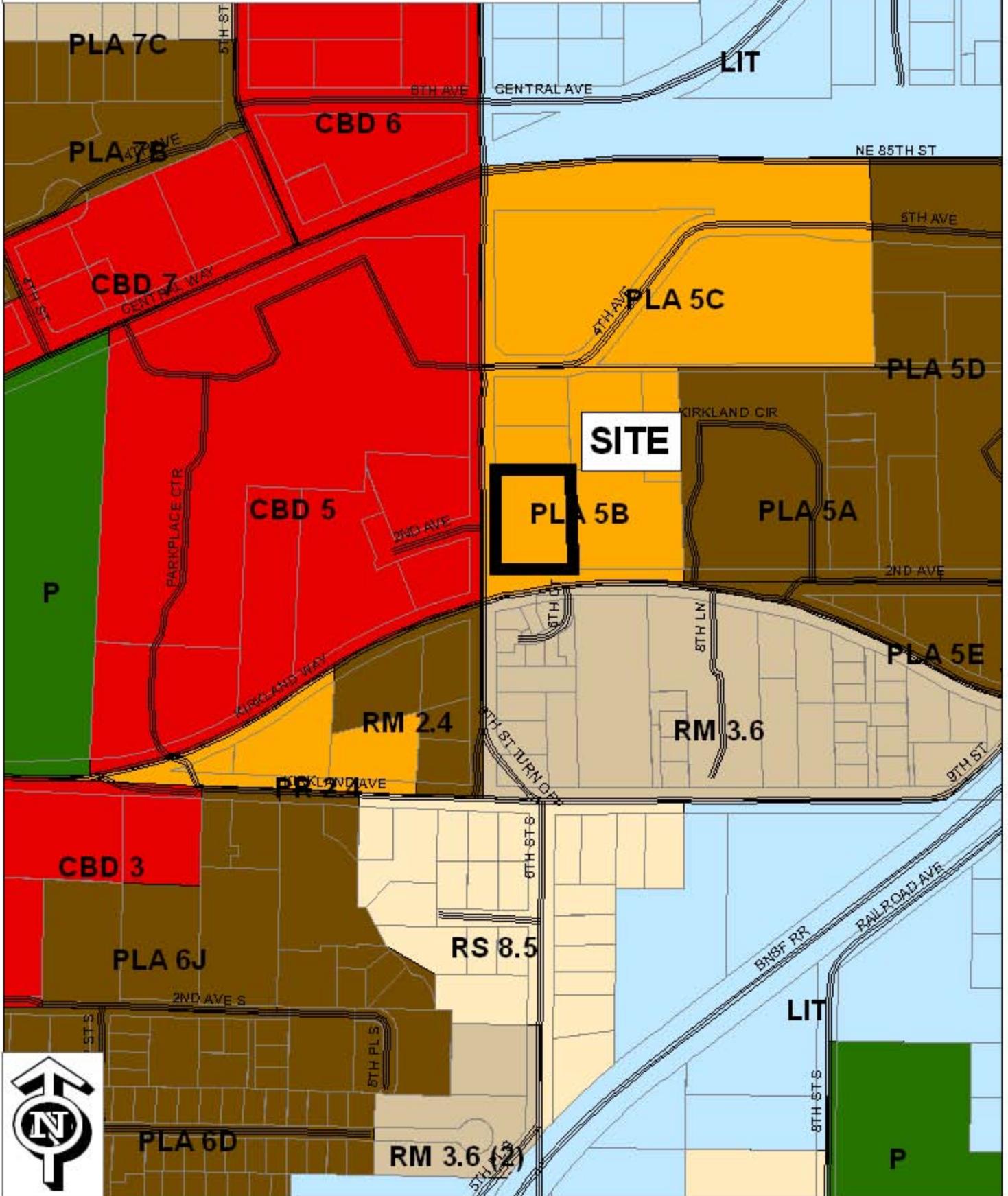
Furthermore, the Planning Commission concluded that if the Park Place Center request is to be studied, that the Design Review Board should provide guidance to the Planning Commission and City Council when looking at the proposed request for additional height and reduced building setbacks. Lastly, the Planning Commission agreed that they would like to see the Lakeview Neighborhood Plan update project begin soon in 2007 and not be delayed to start in 2008.



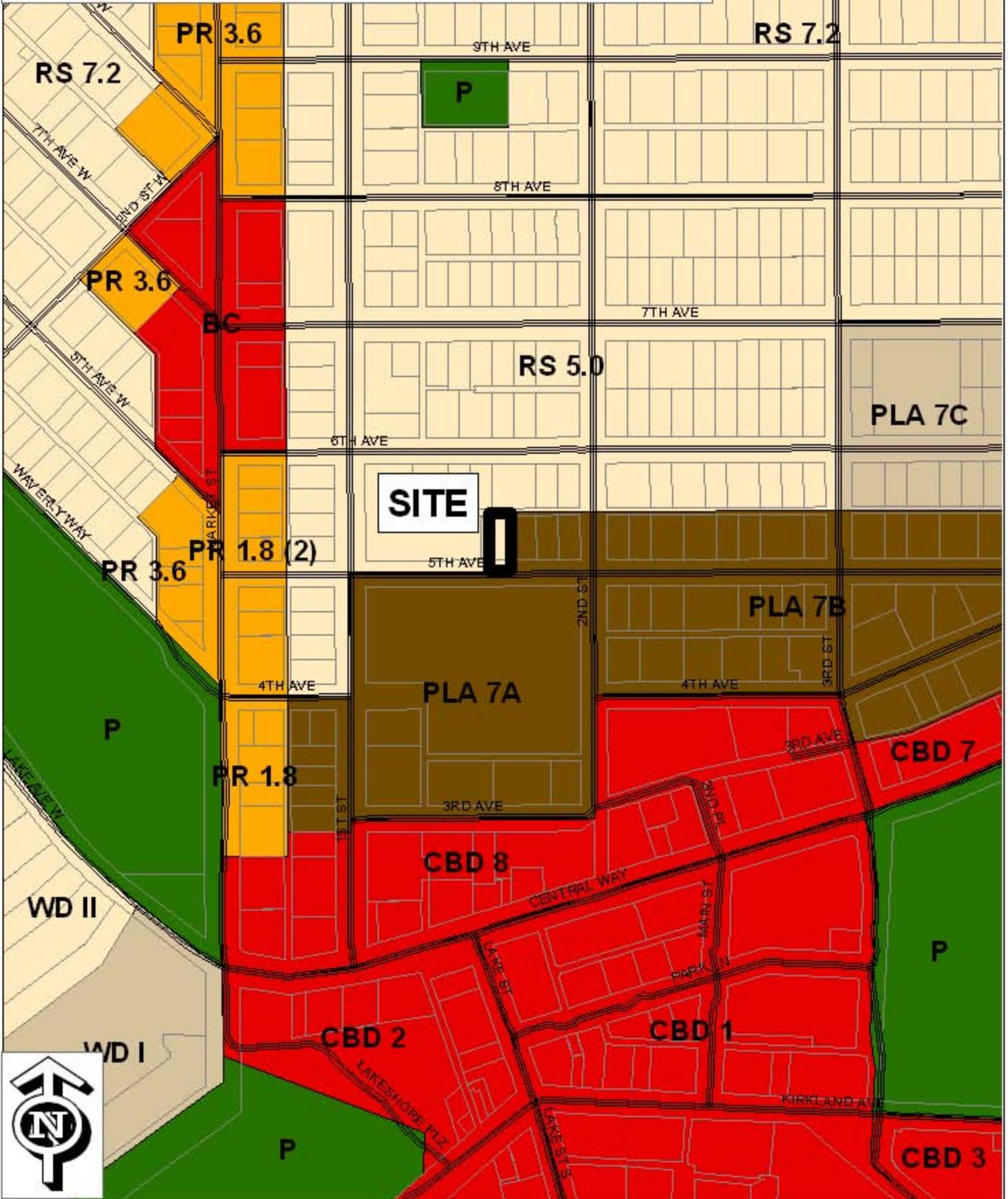
**Katherine Orni Private Amendment Request**  
**ZON07-00012**  
**825, 903, and 911- 5th Avenue**



**Rhoda Hart Private Amendment Request**  
**ZON07-00019**  
**220 6th Street**



**Mehdi Nakhjiri Private Amendment Request**  
**ZON07-00010**  
**138 5th Avenue**

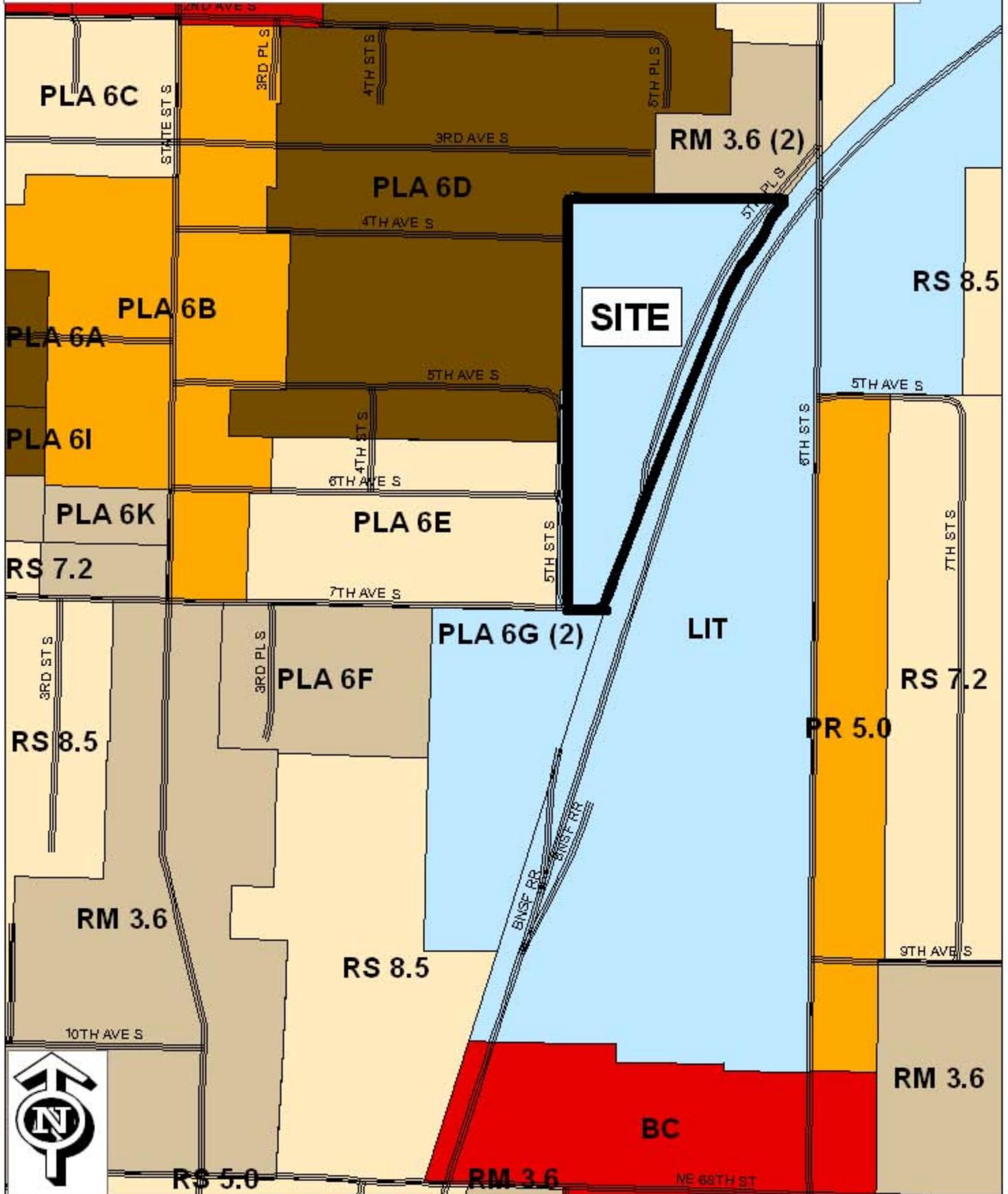




# Strahm Properties Private Amendment Request

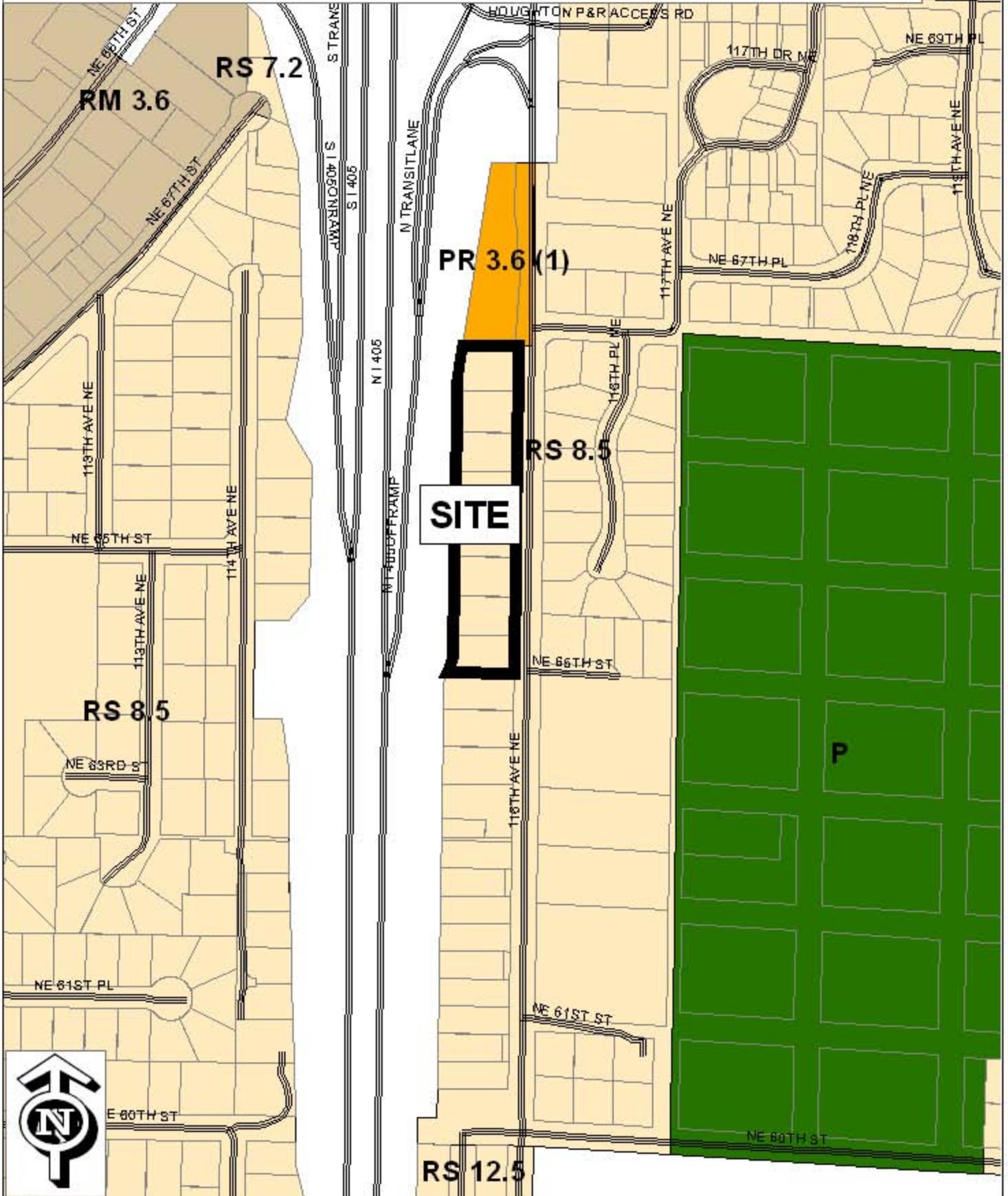
ZON07-00011

508 6th Avenue S, 506 7th Avenue S, and 333 5th Place S

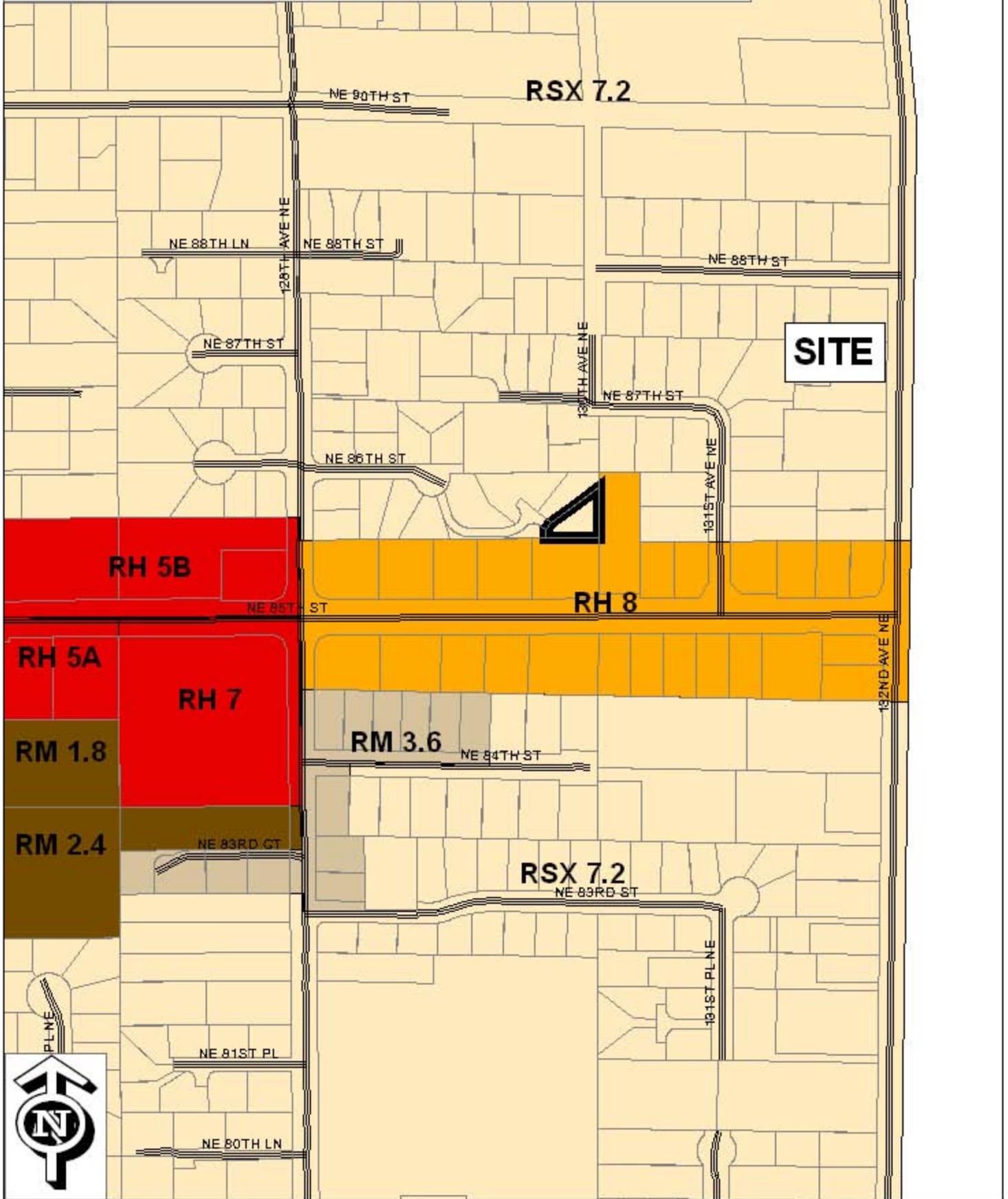


# Applegate Private Amendment Request ZON07-00009

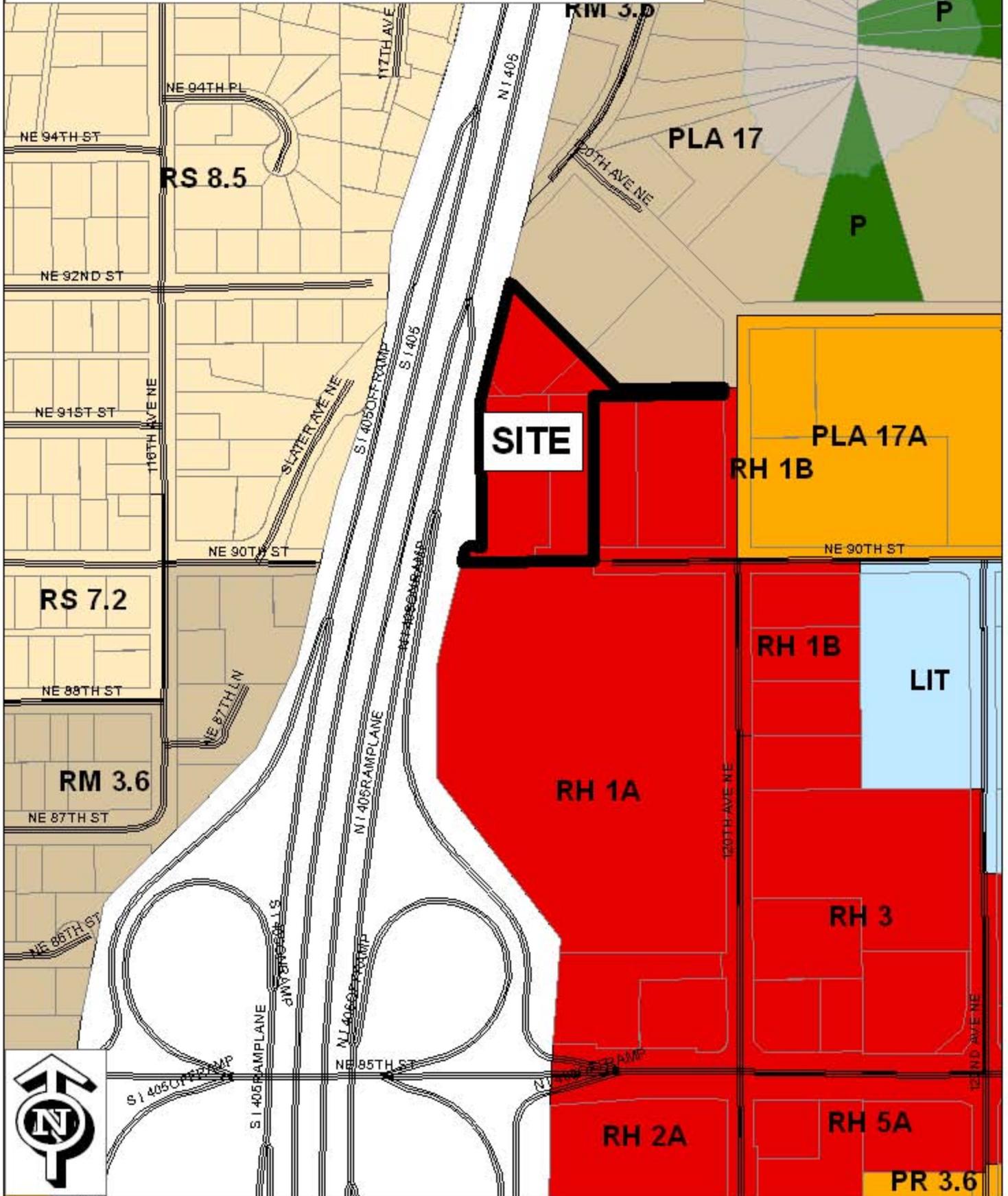
6413, 6421, 6515, 6601, 6607, and 6611 -- 116th Avenue NE



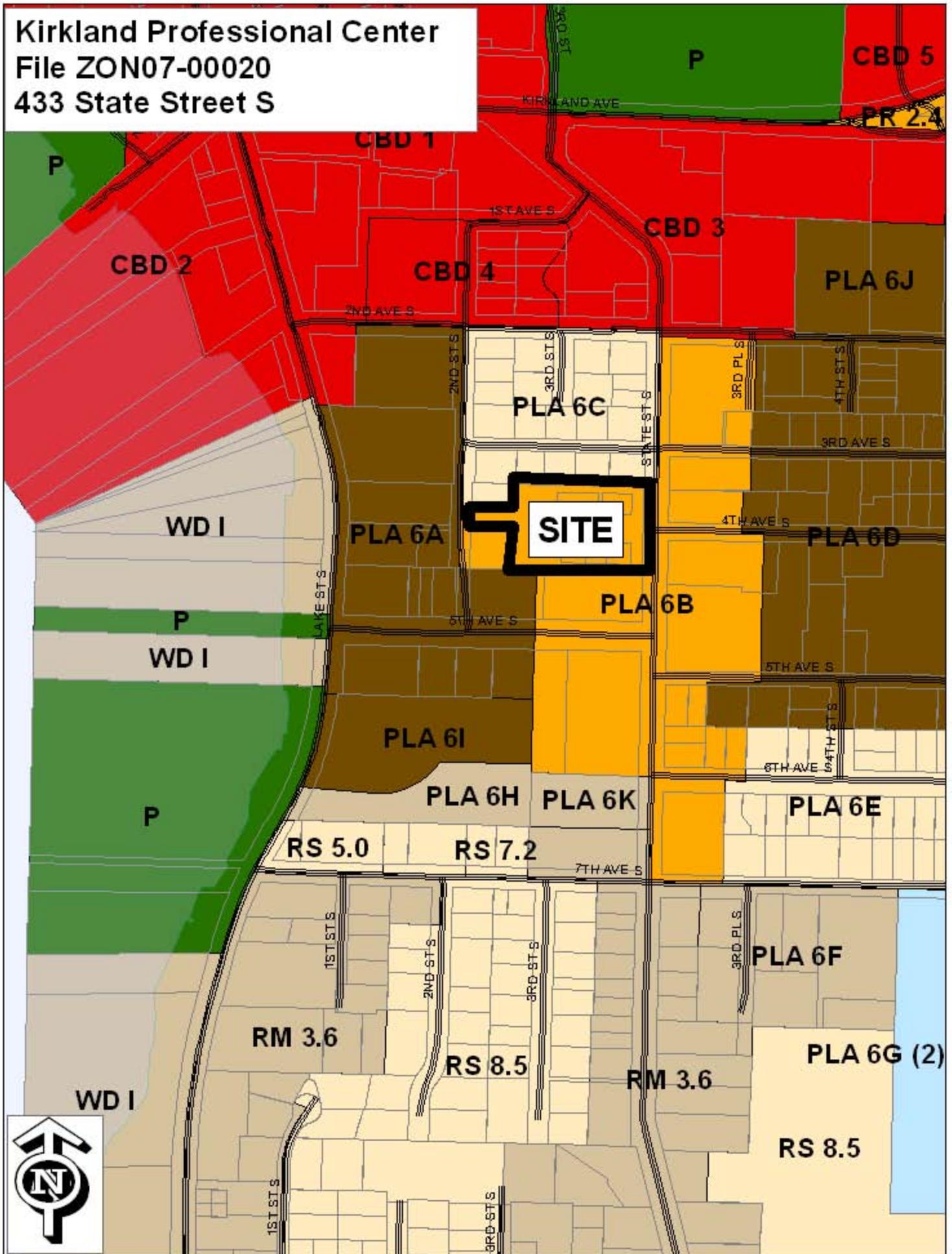
**William Andrews Private Amendment Request**  
**ZON07-00008**  
**8529 132nd Avenue NE**



**Costco Private Amendment Request  
ZON07-00017  
Parking Lot North of 8629 120th Avenue NE**



Kirkland Professional Center  
File ZON07-00020  
433 State Street S



**Criteria Used to Make Threshold Determination**  
**KZC 140**

Proposals must meet criterion (a), and either criterion (b) or (c):

- a. The City has the resources, including staff and budget, necessary to review the proposal; and
- b. The proposal would correct an inconsistency within or make a clarification to a provision of the Comprehensive Plan; or
- c. All of the following:
  - 1. The proposal demonstrates a strong potential to serve the public interest by implementing specifically identified goals and policies of the Comprehensive Plan, and
  - 2. The public interest would best be served by considering the proposal in the current year, rather than delaying consideration to a later neighborhood plan review or plan amendment process; and
    - (a) The proposal is located in a neighborhood for which a neighborhood plan has not been recently adopted (generally not within two years); and
    - (b) The proposal is located in a neighborhood for which a neighborhood plan will not be reviewed in the near future (generally not in the next two years).



## CITY OF KIRKLAND

Planning and Community Development Department  
123 Fifth Avenue, Kirkland, WA 98033 425.587.3225

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### MEMORANDUM

**To:** Planning Commission

**From:** Teresa Swan, Senior Planner  
Eric Shields, AICP, Planning Director

**Date:** June 19, 2007

**Subject:** 2007 THRESHOLD DETERMINATION OF PRIVATE AMENDMENT REQUESTS FOR AMENDING THE COMPREHENSIVE PLAN, FILES ZON07-00008 THROUGH 00012 AND ZON07-00017 THROUGH 00020

#### **I. RECOMMENDATION:**

- Review the 10 private amendment requests and make a Threshold Determination recommendation to the City Council by the end of the meeting so that the City Council can consider the requests at their July 17, 2007 meeting (see Attachment 1 – summary chart). Requests that satisfy the Threshold Determination criteria will be eligible for the Study Stage (see Attachment 2 – Threshold Determination Criteria Sheets).
- For those requests that the Planning Commission recommends for the Study Stage, provide any additional information that the Planning Commission would like staff to include at the future study sessions and public hearing. Additional information could include traffic information, existing conditions, and general sensitive area information.
- Staff recommends the following:

Requests that should proceed to the Study Stage in 2007 (in order of priority):

1. Douglas Howe
2. Katherine Orni
3. Rhoda Altom

Requests that should proceed to the Study Stage in either 2007 or 2008 (at the July 28<sup>th</sup> meeting, staff will have determined available long range staff for the remainder of the year and will make a final recommendation):

4. Mehdi Nakhjir
5. Costco Wholesale

**Enclosure 4**

Requests that should be deferred to the neighborhood plan update process:

6. Plaza at Yarrow Bay: Consider as part of the Lakeview Neighborhood Plan update that is scheduled to start this year. Staff recommends that the work on the Lakeview Neighborhood Plan be started this fall as scheduled.
7. Strahm Properties: Defer to the Moss Bay Neighborhood Plan update. Staff recommends that the Moss Bay Neighborhood Plan update be moved up to begin tentatively in 2009 or 2010 and the North and South Juanita Neighborhood Plan update be moved back because staff has identified several issues that should be addressed in the Moss Bay Neighborhood Plan sooner than later.
8. Kirkland Professional Center: Defer to the Moss Bay Neighborhood Plan update.
9. Applegate, Mark: Defer to the Bridle Trails Neighborhood Plan update.
10. Andrews, William: Defer to the North Rose Hill Neighborhood Plan update.

In addition to the 5 private amendment requests recommended above, the Gordon Hart request in the Totem Lake Neighborhood must be studied this year. In 2005, the City Council decided to study Gordon Harts' private amendment request after completion of the Totem Lake zoning in early 2006. In 2006, Mr. Hart requested a delay in studying his request to 2007 for personal reasons.

## **II. INTRODUCTION:**

### **A. Private Amendment Request versus Neighborhood Plan**

Individual property owners have two ways to request amendments to the Comprehensive Plan, Zoning Code and Zoning Map:

1. As part of the applicable neighborhood plan update (see Attachment 3 for the most current update schedule – this schedule is subject to change with the annual adoption of the Planning Work Program to be discussed this July).
2. As part of the broader Comprehensive Plan update process initiated by the City using the private amendment process.

Concerning the second option to amend the Plan, every other year the City accepts applications from private parties as part of the City's annual review of the Plan. Any individual, neighborhood organization or other group may submit requests. The request may include related amendments to the Zoning Code or Zoning Map.

In the past, only a few private requests have been selected for further study each year because the study process is time-intensive and, in some cases, warrant more public involvement than is typical of City-initiate amendments. Private amendment requests usually involve changes to land use and zoning or regulations, making them more complex and sometimes controversial to adjacent neighbors. Private requests also generally warrant more public notice and neighborhood involvement as is typically done with a neighborhood plan update. The public notice requirement for the private request process is limited to a public notice sign placed on the property and a notice in the newspaper. The City does provide courtesy

notices to the neighborhood associations and the Chamber of Commerce along with information on the City's web site and as handouts at City Hall.

Neighborhood plan updates, by contrast, provide extensive public notice and involve the neighborhood associations, the Chamber of Commerce and residences. The update process includes citizen advisory committees, open houses, numerous study sessions, and mailings to affected properties. This heightened level of community involvement makes the neighborhood plan update process an effective forum for the review of more complex and controversial land use changes. However, the disadvantage for those wishing to make changes to their properties through the neighborhood plan process is that the process takes 1½ to 2 years to complete and the neighborhood plans are only getting updated about every 20 years.

## **B. Private Amendment Request Process**

Chapter 140 KZC establishes a two-stage process for the review of these requests. Stage 1 consists of a "Threshold Determination" process that determines eligibility of each request for further consideration. Stage 1 does not require a full weighing of the merits of the request, a decision or recommendation on whether the request should be ultimately approved. The purpose of this stage is solely to determine whether a request is eligible to continue to Stage 2. Requests that do not meet the Threshold Determination criteria do not proceed to Stage 2.

The 6 criteria found in Chapter 140 provide guidance for selecting those requests that should be considered now and not deferred to the associated neighborhood plan update process. The criteria are listed and discussed with each request below in Section IV and provided in Attachment 2.

Stage 2 entails a full analysis and public review of each request that was determined through stage one as eligible for consideration. Stage 2 consists of a "Study" process that includes public notice, preparation of staff analysis and optional draft amendments to the Plan, Zoning Code and/or Zoning Map, review of additional criteria, a public hearing before the Planning Commission leading to a recommendation to the City Council, and final action by the City Council. The City Council approves or denies each request as part of adoption of the annual City-initiated amendments to the Plan. Depending on available staff resources and the current work program, some requests may be deferred for study to the following year.

When a request is made to change the land use or increase density on one property and the circumstances are the same for other neighboring properties, it may be appropriate for the City to expand the study area because broader changes should be made. In some circumstances, an expanded study area is more time consuming and has more complex issues, and thus is often better handled as part of a neighborhood plan update.

In the past years, the Planning Commission has conducted its Threshold Determination meeting by generally following these steps:

1. Individuals with private requests who wish to speak sign up on the sign-in sheet at the beginning of the meeting.
2. Staff makes a brief presentation.

3. The Chair calls each person with a private request in the order found on the sign up sheet.
4. Members of the public are then allowed to comment on the request.
5. The Planning Commission asks questions of each applicant, reviews the request by going through the criteria sheet provided (see Attachment 2) and has a discussion on each request.

### **III. 2007 COMPREHENSIVE PLAN AMENDMENT PROCESS & OTHER WORK PROGRAM ITEMS:**

Under state law, the Comprehensive Plan may only be amended once a year. The City adopts the citywide amendments, the private amendment requests and any neighborhood plan update at the same City Council meeting, generally in December.

Typically by June, the City has already completed the threshold determination stage for the private amendment request and is into Stage 2 of studying the selected requests. Also by now, staff has begun preparing the City-initiated amendments. Due to other project commitments, the City has been delayed in getting started on the 2007 Comprehensive Plan Amendments and private amendment request process.

Given the limited time between now and the end of the year to prepare the City-initiated general amendments, staff will recommend a short list of “must do” general amendments (see staff memo on the City-initiated general amendments). The same time constraints will need to be factored in when considering which private requests to study this year or possibly carried to study in 2008 when no new private requests will be accepted.

One of the key criteria in deciding whether to study any of the private amendment requests is whether the City has the resources, including staff and budget, necessary to review the proposal. At this point in the process, the City only has about 5 months to complete the 2007 Comprehensive Plan Process, including the 2005 Hart request and any of the 2007 private requests.

Which requests to study is a decision the City needs to make based on the competing interest for the current year work program and looking ahead to the 2008 work program. As is typical with the budget, there are always more interests vying for City resources than those resources can accommodate. Review of the requests through the Study Stage will add to the already existing competition for funding, staff resources, and Commission and Council agenda space. If a study area is expanded, the staff time on the study becomes much greater. The more complex the issues raised by the request are, the more impact it will have on City resources.

The 2007 work program includes several other projects underway and the City has already committed to studying the 2005 Hart private amendment request. In addition, the update to the Lakeview Neighborhood Plan is tentatively scheduled to begin later this year. Concerning the Lakeview Neighborhood Plan update, the project should begin this fall so that it can be completed in time for the adoption of the 2008 Comprehensive Plan amendments. In addition, the City is aware that the South Kirkland Park & Ride lot is being considered for a mixed-use development component at the transit facility. The Lakeview Neighborhood Plan and Zoning Code would need to be amended in the near future to allow for these new uses.

Given the work program items noted above and the time that it takes to study the private amendment requests, probably only 3 or maybe 4 requests can be done this year. Any other requests would need to be carried over to 2008. At the June 28<sup>th</sup> Planning Commission meeting, staff will make a final recommendation on how many private amendment request the Planning Department staff can process in the second half of 2007 and in 2008.

#### **IV. 2007 PRIVATE AMENDMENT REQUESTS:**

Staff has grouped the discussion below on the requests into 3 categories:

- A. Requests recommended for study in 2007
- B. Requests recommended for study in either 2007 or 2008, depending on available staffing
- C. Requests deferred to the associated neighborhood plan

Below is a brief description and staff's analysis of each request, taking into consideration the Threshold Determination criteria. Keep in mind that the Planning Commission is not being asked to recommend approval or denial of each request, but only whether the request merits further consideration, based on the criteria. In either case, in order to be selected for further consideration, the proposal must satisfy criteria "a" and either criteria "b" or "c" (see Attachment 3 – threshold criteria sheet).

#### **A. Requests to be studied in 2007** (requests listed in order of priority)

The City has a long term goal of establishing a strong office core in the eastern area of the Downtown to provide substantial employment close to home, to support the retail services in the CBD core area and to create a strong overall economy. Office capacity has lagged behind residential capacity in the Downtown, and thus additional office development is needed.

The City has received three private amendment requests to increase Downtown office capacity in the vicinity of each other. Douglas Howe's proposal is the largest of the three, but all should be considered together.

The office market is currently strong on the eastside and continues to grow. It would be in the community's interest to take advantage of this strong office demand by considering the three requests now rather than deferring the requests to the next Moss Bay Neighborhood Plan update. At some point in the future, the demand for new office space will weaken and the opportunity for increasing office capacity in the Downtown will be gone.

All three applications involve additional building height. It would also make good planning sense and result in a more efficient use of City resources to study the issue of building heights for all three proposals in a comprehensive approach.

#### **1. Howe, Douglas of Touchstone** File ZON07-00016, Attachment 4:

- 1. Request: Change the Comprehensive Plan and Zoning Code text to allow a master plan in Central Business District 5 (CBD 5) with increased height, reduced yard setbacks and

flexibility with other site standard regulations for the Kirkland Park Place Center. The site is located at 6<sup>th</sup> and Central Way in the Moss Bay Neighborhood (see Attachments 4a and 4b).

The site is an 11.7-acre mixed-use center constructed in 1982. The center is the largest single land ownership in the Downtown and covers more than half of the CBD 5 zone. The applicant is considering complete redevelopment of the center to provide a strong employment core, expanded retail, entertainment and recreation floor area and new hotel services.

The existing Plan and Zoning Code allow 3-5 stories and 20 feet setbacks next to the streets that can be reduced by the Design Review Board with superior design. The applicant would like to be able to construct buildings up to 8 stories in height and next to the street with no setbacks.

CBD 5 continues to the south and contains two 4-5 story office buildings, a 4-5 story apartment complex and the one story old hardware building now occupied by Microsoft. CBD 6 is located to the north and contains retail uses and the 4 to 5 story Terra Apartment complex. PLA 5C is to the east and contains office uses, including the 4 story File Net building. To the west is Peter Kirk Park.

2. Relation to Criteria: The following summarizes staff's analysis of this request with the applicable criteria. The applicant's response to the criteria is contained in Attachment 4b.

a. The City has the resources, including staff and budget, necessary to review the proposal.

As discussed above with the previous requests, this is a decision the City needs to make, based on the competing interest for the current year work program and looking ahead to the 2008 work program.

If this request is selected, the study area should not be expanded to the remaining area within CBD 5 because the concept of a master plan works best on a large site under single ownership, such as Carillon Point and Totem Lake Mall.

As part of the study process, staff would recommend that the Design Review Board, in its authorized capacity to provide input on legislative matters to the City Council, provide input on various options for additional height and reduced setbacks to the Planning Commission and City Council.

b. The proposal would correct an inconsistency within or make a clarification to a provision of the Comprehensive Plan.

There appears to be no inconsistency.

c. All of the following:

- (1) The proposal demonstrates a strong potential to serve the public interest by implementing specifically identified goals and policies of the Comprehensive Plan; and

The proposal demonstrates a strong potential to serve the public interest. The proposal would implement the Economic Development Element's Goals ED-1, ED-2 and ED-3 and their related policies. The proposal would implement Land Use Element's Goal LU-2, LU-3 and LU-6. For the East Core Frame where Park Place is located, the Plan states that the area "provides the best opportunities in the Downtown for a vital employment base" and "development in this area should continue to represent a wide range of uses, in several large, mixed-use projects."

- (2) The public interest would best be served by considering the proposal in the current year, rather than delaying consideration to a later neighborhood plan review or plan amendment process; and

As discussed above, the request should be studied this year to increase the employment base by taking advantage of the current strong office market.

- (a) The proposal is located in a neighborhood for which a neighborhood plan has not been recently adopted (generally not within two years); and

The Moss Bay Neighborhood was last updated in March 1989.

- (b) The proposal is located in a neighborhood for which a neighborhood plan will not be reviewed in the near future (generally not in the next two years).

The Moss Bay Neighborhood is tentatively scheduled for a major updated in 2011-2012.

3. Staff Recommendation: This request should proceed to the Study Stage in 2007.

2. **Orni, Katherine,** File ZON07-00012, Attachment 5:

1. Request: Change the Comprehensive Plan land use designation, the Zoning Map and potentially the Zoning Code text for 3 parcels from Planned Area (PLA) 5D (office not an allowed use) to PLA5C (office is an allowed use) located at 825, 903 and 911 5<sup>th</sup> Ave. The site is located east of the post office in the Moss Bay Neighborhood (see Attachments 5a and 5b).

The site contains 3 existing office buildings that are not allowed in PLA 5D. The 3 parcels contain approximately 89,161 square feet, ranging in lot size from 37,150 to 25,265 square feet. The applicant would like to make changes to the office buildings and cannot do so because office is not an allowed use in the zone.

If the zoning designation is changed from PLA 5D to PLA 5C, the applicant would be able to achieve additional height because the site contains more than 1 acre. For sites with 1 acre or more, the height limit in PLA 5D is 4 stories or 40 feet, whereas the height limit in PLA 5C is 6 stories or 60 feet. If the request is selected for further consideration, a decision would be made at that time whether to allow the additional height at 6 stories retain the existing height regulations at 4 stories or adopt a different height limit for the site.

PLA 5D extends to the east and south and contains high-density multifamily developments. To the southwest is PLA 5A zoned for high-density residential use and contains multifamily developments and a few older single-family homes. To the west is PLA 5C zoned for office and high-density multifamily uses containing the Post Office and the File Net building. To the north is 5<sup>th</sup> Ave and further north is NE 85th Street.

South of the site is 4<sup>th</sup> Ave, an 18 foot wide strip of right-of-way improved as a major pedestrian walkway with lighting. Immediately south of 4<sup>th</sup> Ave and west of the site is the Moss Bay Creek and tributaries. Based on the City's July 1998 study, no fish presence was detected in the stream.

In 1977, the City adopted its Comprehensive Plan and related Zoning Code amendments to implement the new Plan. Subsequently, several lawsuits were filed due to the change in zoning and then legal settlements between each party and the City resolved the lawsuits. On July 16, 1979, the City Council adopted Resolution R-2639 relating to the legal settlements. The settlement allowed construction of the office buildings on the site. The resolution does not bind the City from subsequently rezoning the properties covered by the settlement (see Attachment 5c).

Staff does not have any background information as to why the City wanted only residential uses east of the Post Office

2. Relation to Criteria: The following summarizes staff's analysis of this request with the applicable criteria. The applicant's response to the criteria is contained in Attachment 5b.
  - a. The City has the resources, including staff and budget, necessary to review the proposal.

As discussed above for the previous requests, this is a decision the City needs to make, based on the competing interest for the current year work program and looking ahead to the 2008 work program.

If this request is selected, the study area need not be expanded since the site contains the only office uses in PLA 5D.

- b. The proposal would correct an inconsistency within or make a clarification to a provision of the Comprehensive Plan.

The proposal would correct an inconsistency in the Comprehensive Plan by changing the land use designation and zoning to make the existing office an allowable use.

- c. All of the following:

- (1) The proposal demonstrates a strong potential to serve the public interest by implementing specifically identified goals and policies of the Comprehensive Plan; and

It would be in the public interest to correct the inconsistency. Correcting the inconsistency would implement the Economic Development Policy ED-1 to “work to retain existing businesses and attract new businesses” and Goal ED-2 to “promote a positive business climate.”

- (2) The public interest would best be served by considering the proposal in the current year, rather than delaying consideration to a later neighborhood plan review or plan amendment process; and

As discussed above, it would be in the public interest to correct the inconsistency now rather than wait until the Moss Bay Neighborhood Plan update.

- (a) The proposal is located in a neighborhood for which a neighborhood plan has not been recently adopted (generally not within two years); and  
The Moss Bay Neighborhood Plan was last updated in 1989.

- (b) The proposal is located in a neighborhood for which a neighborhood plan will not be reviewed in the near future (generally not in the next two years).

The Moss Bay Neighborhood Plan is tentatively scheduled for a major update in 2011-2012.

3. Staff Recommendation: This request should proceed to the Study Stage in 2007.

3. **Altom, Rhoda** File ZON07-00019, Attachment 6:

1. Request: Change the Comprehensive Plan land use designation, the Zoning Map and/or the Zoning Code text to allow additional height similar to the height allowed in PLA 5C, but

with no required minimum lot size. The site is located at 220 6<sup>th</sup> Street in the PLA 5B zone of the Moss Bay Neighborhood (see Attachments 6a and 6b).

The site is 17,692 square feet in area and contains a one-story office building. The allowable height in PLA 5B is 30 feet above average building elevation. In PLA 5C, the allowable height is 30 feet above average building elevation, but 60 feet or 6 stories with 1 acre or more.

To the east and south are office buildings also located in the PLA 5B zone. To the north is a two-story office building also in PLA 5B and further to the north is the 4-story File Net building in PLA 5C. To the west is the Park Place Center in CBD 5 with the office tower reaching 5 stories in height.

In 2005, Jim Hart submitted the same request to increase the allowable height for the same site. The applicant has provided a copy of the staff memo for the 2005 Threshold Determination process in Attachment 6b. The Planning Commission did not recommend studying the request and the City Council decided not to study the Hart. There were no other private amendment requests in the Downtown area that year.

2. Relation to Criteria: The following summarizes staff's analysis of this request with the applicable criteria. The applicant's response to the criteria is contained in Attachment 6b.

a. The City has the resources, including staff and budget, necessary to review the proposal.

As discussed with the previous requests, this is a decision the City needs to make, based on the competing interest for the current year work program and looking ahead to the 2008 work program.

As discussed above with the previous requests, it would be an efficient use of City resources and would make good planning sense to study all three commercial requests in the eastern area of the Downtown at the same time.

If this request is selected, the study area probably should be expanded to at least include the office site to the north also in PLA 5B since that property abuts the File Net building and the Park Place Center

b. The proposal would correct an inconsistency within or make a clarification to a provision of the Comprehensive Plan.

The proposal would correct an inconsistency in that the allowable heights to the west and north are much higher than the heights allowed on the site.

As stated in Attachment 6b, the applicant believes that there is an inconsistency between the allowable building heights in PLA 5B and the surrounding zones, and that the PLA 5B maximum building height of 30 feet does not allow economical buildings.

c. All of the following:

- (1) The proposal demonstrates a strong potential to serve the public interest by implementing specifically identified goals and policies of the Comprehensive Plan; and

The proposal does demonstrate a potential to serve the public interest by implementing the Economic Development Element Policy ED-3.3 to “encourage infill and redevelopment of existing commercial areas consistent with the role of each commercial area.”

The applicant’s response is that the request will allow a height more consistent with the neighborhood development and help increase demand for mass transit (see Attachment 6b).

- (2) The public interest would best be served by considering the proposal in the current year, rather than delaying consideration to a later neighborhood plan review or plan amendment process; and

As discussed above, the public interest would best be served because there is a need for additional office capacity in the Downtown.

- (a) The proposal is located in a neighborhood for which a neighborhood plan has not been recently adopted (generally not within two years); and  
The Moss Bay Neighborhood Plan was last updated in March 1989.

- (b) The proposal is located in a neighborhood for which a neighborhood plan will not be reviewed in the near future (generally not in the next two years).

The Moss Bay Neighborhood Plan is tentatively scheduled for a major update in 2011-2012.

3. Staff Recommendation: This request should proceed to the Study Stage in 2007.

## **B. Requests to Study in either 2007 or 2008**

The following two requests have merit and should be studied in 2007 or 2008, depending on what the Planning Department determines to be its total staff resources available for long range projects through the

end of the year. As explained above, the Planning Department will make a final recommendation at the June 28<sup>th</sup> meeting on how many private amendment requests can be studied this fall.

The Mehdi request would establish a more reasonable location for the zoning boundary between the RS 5.0 single family zoning and PLA 7A that should have been considered in the 2006 Norkirk Neighborhood Plan update. The Costco request would be in the public interest to allow retail sales of gas at the Kirkland site as typically found at other local Costco sites.

4. **Nakhjir, Mehdi** File ZON07-00010, Attachment 7:

1. Request: Change the Comprehensive Plan land use designation and Zoning Map for one parcel from RS 5.0 at 9 units per acre to PLA 7A (RM 2.4) at 18 units per acre. The site is located at 138 5<sup>th</sup> Ave (the American Legion Hall site) in the Norkirk Neighborhood. The applicant and his business partner purchased the property in 2006 and now would like to remove the structure to construct a duplex on the site (see Attachments 7a and 7b).

The lot is 5,100 square feet so under the current zoning one single family home could be constructed on the site. Other allowed uses are churches, government facilities, schools and daycares. A church currently leases the building on the property.

PLA 7A is located to the east and south of the site containing 3 multifamily units and City Hall. The PLA 7A zone permits multifamily uses at the RM 2.4 density. To the north are single-family homes in the RS 5.0 zone with an east-west alley separating the single-family neighborhood from the multifamily and institutional uses along the north side of 5<sup>th</sup> Ave. A church and its associated parking lot, also used by City Hall employees and customers, are located to the west in the RS 5.0 zone. The church property is on an L-shaped corner lot that extends north to 6<sup>th</sup> Ave. A north-south access road, owned by the City, separates the church and church parking lot from the subject request site and the multifamily lots to the east.

The site contains the American Legion Hall, designated as a Community Landmark in the City's Comprehensive Plan. According to the Kirkland Heritage Society, it is a gabled vernacular building that was constructed in the 1920's. The American Legion Post occupied the building in 1931 after it was acquired from the Baptist Church. In 1936 the Works Progress Administration (WPA) remodeled the building. Although it is not as architecturally significant compared to some of the other Kirkland historic structures, it does reflect the early history of Kirkland.

Nonetheless, the City cannot prevent demolition of the building, even though it has historic significant. Under the environmental review process, a delay of up to three months to demolish the structure could occur, but eventually the building could be removed.

The prior property owner approached the City in 2005 to see if the City would consider purchasing the property. A study, done in January of 2006, determined that expensive

structural, mechanical, safety, and accessibility improvements were needed. The estimate costs range from \$777,000 to \$1,200,000 to repair the structure. Other constraints include the lack of on-site parking. In 2006, the City Council voted to decline further consideration to purchase the American Legion Hall property (see Attachment 7c).

The property owner did not bring forth his request during the Norkirk Neighborhood Plan update project because he did not purchase the property until 2006 and thus did not know about the neighborhood update project until late in the process. Also, the applicant does not live on the subject property so he did not see the public notice signs installed around the neighborhood and was out of the country for an extended period of time in 2006 during much of the public process.

2. Relation to Criteria: The following summarizes staff's analysis of this request with the applicable criteria. The applicant's response to the criteria is contained in Attachment 7b.

a. The City has the resources, including staff and budget, necessary to review the proposal.

As discussed above for the previous requests, this is a decision the City needs to make, based on the competing interest for the current year work program and looking ahead to the 2008 work program.

If this request is selected, the study area should not be expanded to include the church property because the access road to the west of the site would be a more logical zoning boundary line between the RS 5.0 zone and the PLA 7A zone and the church property is an "L" shape parcel that extends to 6<sup>th</sup> Street into the single-family neighborhood to the north.

b. The proposal would correct an inconsistency within or make a clarification to a provision of the Comprehensive Plan.

The proposal would provide a more logical and reasonable boundary line between the RS 5.0 zoning to the west and the PLA 7A zoning to the east. Using a physical feature, such as an access road, as a break between zones is consistent with the land use patterns and zoning boundaries that the City tries to achieve where possible.

c. All of the following:

(1) The proposal demonstrates a strong potential to serve the public interest by implementing specifically identified goals and policies of the Comprehensive Plan; and

The interest of the public would be served by implementing the Land Use Element's goals and policies of promoting a compact land use pattern of infill

development (Goal LU-2) and locating denser development close to shops and services (Policy LU-4.2).

The Comprehensive Plan does contain goals and policies concerning the preservation of historic structures in Kirkland. However, the City cannot require that the structure be preserved.

- (2) The public interest would best be served by considering the proposal in the current year, rather than delaying consideration to a later neighborhood plan review or plan amendment process; and

The public interest would best be served by providing a more logical zoning boundary line between the RS 5.0 zone and the PLA 7A zone along the north side of 5<sup>th</sup> Ave. Any follow-up change to a neighborhood plan is better done shortly after adoption rather than waiting to a later plan amendment process.

- (a) The proposal is located in a neighborhood for which a neighborhood plan has not been recently adopted (generally not within two years); and

The Norkirk Neighborhood Plan was recently updated in 2006. The map amendment should have considered during the recent updated neighborhood plan.

- (b) The proposal is located in a neighborhood for which a neighborhood plan will not be reviewed in the near future (generally not in the next two years).

The Norkirk Plan is not on the update schedule at this time.

3. Staff Recommendation: This request should proceed to the Study Stage in 2007 or 2008, depending on staffing resources this fall as discussed above.

5. **Costco**, File ZON07-00017, Attachment 8:

1. Request: Change the Comprehensive Plan and Zoning Code text to allow retail sales of gas on Costco's existing northern parking lot in the Rose Hill (RH) 1B zone as an accessory use to the main store. Retail sales of gas are not a permitted use in RH 1B, but are a permitted use in the RH 1A zone located to the south where the main Costco store is located. The business is located at 8629 -120<sup>th</sup> Ave NE in the Rose Hill Business District (see Attachments 8a and 8b).

The parking lot site is 5 acres and includes two long rectangular parcels near NE 90<sup>th</sup> Street and three oddly shaped parcels north of the two rectangular parcels. To the east are single-family homes also zoned RH 1B. To the north is PLA 17 containing an apartment complex. To the south is the Costco Wholesale building in the RH 1A zone. To the west is I-405. The site is near part of the Forbes Creek Wetland system located to the east and north.

With their submittal materials in Attachment 8b, Costco has submitted a conceptual site plan showing the possible location of the fuel pumps on the existing parking lot site. At both the Threshold Determination stage and the Study stage, the Planning Commission should only focus on general policy issues about the appropriate location of uses and not on site specific development plans.

2. Relation to Criteria: The following summarizes staff's analysis of this request with the applicable criteria. The applicant's response to the criteria is contained in Attachment 8b.

a. The City has the resources, including staff and budget, necessary to review the proposal.

As discussed above with the previous requests, this is a decision the City needs to make, based on the competing interest for the current year work program and looking ahead to the 2008 work program.

If this request is selected, the study area should not be expanded to the east to include the other properties in the RH1B zone.

b. The proposal would correct an inconsistency within or make a clarification to a provision of the Comprehensive Plan.

There appears to be no inconsistency.

c. All of the following:

(1) The proposal demonstrates a strong potential to serve the public interest by implementing specifically identified goals and policies of the Comprehensive Plan; and

The proposal does demonstrate a strong potential to serve the public interest by implementing Economic Development Element Policy ED-1.3 to "encourage a broad range of businesses that provide goods and services to the community," Policy ED-3.3 to "encourage infill and redevelopment of existing commercial areas consistent with the role of each commercial area" and Policy ED-4.1 to "enhance the competitive advantage of Kirkland businesses." The proposal would implement the vision for the Rose Hill Business District to support auto-oriented businesses in the area west of 124<sup>th</sup> Ave NE.

(2) The public interest would best be served by considering the proposal in the current year, rather than delaying consideration to a later neighborhood plan review or plan amendment process; and

The proposal has sufficient public interest to consider the proposal in either 2007 or 2008.

- (a) The proposal is located in a neighborhood for which a neighborhood plan has not been recently adopted (generally not within two years); and

The Rose Hill Sub-area Plan was updated in April 2001.

- (b) The proposal is located in a neighborhood for which a neighborhood plan will not be reviewed in the near future (generally not in the next two years).

The Rose Hill Sub-area Plan is not scheduled to be updated at this time.

3. Staff Recommendation: This request should proceed to the Study Stage in 2007 or 2008, depending on available staff resources this fall as discussed above.

### **C. Requests to Defer to the Associated Neighborhood Plan**

The following requests should be deferred to the associated neighborhood plan update project. Staff recommends that the Lakeview Neighborhood Plan update begin this fall or early next year as planned. Furthermore, staff recommends that the Moss Bay Neighborhood Plan update be moved up to begin tentatively in 2009 or 2010 and the North and South Juanita Neighborhood Plan be moved back because staff has identified several issues that should be addressed in the Moss Bay Neighborhood Plan sooner than later.

6. **Plaza at Yarrow Bay**, File ZON07-00018, Attachment 9:

1. Request: Change the Comprehensive Plan and Zoning Code text to allow a wider range of commercial uses, reduce the required minimum lot size and setbacks, and permit additional buildings through a reduced process. The site is located at 10210, 10220 and 10230 NE Points Drive and 3927 and 3933 Lake Washington Blvd in the Planned Area 3A zone of the Lakeview Neighborhood (see Attachments 9a and 9b).

The applicant is interested in adding an additional building to provide convenient retail services, such as a restaurant and a bank, for the tenants and visitors in existing large office complex on site as well as for the nearby freeway oriented traffic.

In the 1980's a Planned Unit Development (PUD) was approved for the site that resulted in construction of 5 office buildings totaling 278,000 square feet in PLA 3A and 52 multifamily units in PLA 2. Public benefits included dedication of Yarrow Creek and its buffer, a public trail system completed in PLA 2, creation of a public viewing interpretive area and the daylighting of a piped section of Yarrow Creek.

Prior to development, the overall PUD did contain over 15 acres. Following dedication of much of the now Yarrow Bay Wetland Park as a public benefit, the office complex property

now contains only 8.42 acres. The minimum lot size in the Zoning Code for any development or changes to the site is 15 acres.

To the east is Lake Washington Blvd. To the north is an office building also in the PLA 3B zone. To the south is Points Drive and I-520. To the west is the multi-family complex that was part of the original PUD.

2. Relation to Criteria: The following summarizes staff's analysis of this request with the applicable criteria. The applicant's response to the criteria is contained in Attachment 9b.

a. The City has the resources, including staff and budget, necessary to review the proposal.

The Lakeview Neighborhood Plan update project is scheduled to start this fall.

There is no need to expand the study area. Under the Zoning Code, the minimum lot size in PLA 3A next to Lake Washington Blvd is 7200 square feet. The existing office building to the north of the Plaza at Yarrow Bay is next to Lake Washington Blvd. Also, there is no area to expand on the property to the north.

b. The proposal would correct an inconsistency within or make a clarification to a provision of the Comprehensive Plan.

There does not appear to be an inconsistency with the Comprehensive Plan, but there is a problem with the Zoning Code regulations. The regulations, created before the PUD site developed and a substantial area was dedicated to the City for the Yarrow Bay Wetlands Park, require a 15 acre minimum lot size for property next to NE Points Drive. The properties no longer contain 15 acres and thus cannot be further developed because of the minimum lot area requirement. The lot size requirement next to NE Points Drive should be reduced to the same as required along Lake Washington Blvd which is 7200 square feet.

c. All of the following:

(1) The proposal demonstrates a strong potential to serve the public interest by implementing specifically identified goals and policies of the Comprehensive Plan; and

The proposal demonstrates a strong potential to serve the public interest by implementing the Economic Development Element Policy ED-3.3 to "encourage infill and redevelopment of existing commercial areas consistent with the role of each commercial area." In addition, the Plan contains several policies that support compact mixed use developments to reduce vehicle trips and other benefits, including the Land Use Element Goal LU-2 to "promote a compact land

use pattern to minimize energy and service costs and conserve natural resources.”

- (2) The public interest would best be served by considering the proposal in the current year, rather than delaying consideration to a later neighborhood plan review or plan amendment process; and

The Lakeview Neighborhood Plan update is scheduled to start in 2007 or 2008. The request should be considered as part of the upcoming neighborhood plan.

- (a) The proposal is located in a neighborhood for which a neighborhood plan has not been recently adopted (generally not within two years); and

The Lakeview Neighborhood Plan was last updated in September 1985.

- (b) The proposal is located in a neighborhood for which a neighborhood plan will not be reviewed in the near future (generally not in the next two years).

The update to the Lakeview Neighborhood Plan is scheduled to start this year.

3. Staff Recommendation: Defer to the Lakeview Neighborhood Plan update project which staff recommends beginning this fall or early next year.

7. **Strahm Properties** File ZON07-00011, Attachment 10:

1. Request: Change the Comprehensive Plan and Zoning Code text for 3 parcels to allow residential uses at 12 units per acre (RM 3.6) in the north portion of PLA 6G. The site is located at 508-6<sup>th</sup> Ave, 506-7<sup>th</sup> Ave S and 333-5<sup>th</sup> Place S west of the railroad tracks in the Moss Bay Neighborhood. The southern portion of PLA6G already allows residential uses (see Attachments 10a and 10b).

The 3 parcels total 4.93 acres and contain several industrial uses, including Moss Bay Storage and Thyssenkrupp Elevator.

Several years ago, the City approved the same request for Max Gurvich’s Pace Corporation property to the south also in PLA 6G. The request was to add residential as an allowable use in the southern half of PLA 6G, besides the industrial and office uses already allowed. The northern half and south half of PLA 6G are separated by 7<sup>th</sup> Ave South. The City did not include the subject property in the study since the property owner did not show an interest in the change and the City was interested in retaining more light industrial areas.

High and low density residential uses are located to the west (PLA 6D and 6E). Medium density residential uses are located to the north (RM 3.6). Industrial buildings on the old Pace Corporation site to the south (also PLA 6G) have been demolished and the site is

currently undergoing an environmental cleanup. A building permit has not been submitted for the site. The railroad tracks and the backside of an existing mix use light industrial complex are located to the east.

On page 2 of the applicant's submittal (see Attachment 10b), the applicant states that the "Kirkland Industrial Zoning report (Jan 2005) identifies many regulatory problems and resolutions and should be considered concurrently with this proposal and the buildable lands review required by RCW 36.70A.215." The Kirkland Industrial Zoning report (see Attachment 10c) does not identify many regulatory problems, but states that industrially zoned land should eventually be converted to other types of businesses that can afford the high cost of land in Kirkland and can provide high paying jobs needed to finance the high cost of housing in Kirkland. The light industrial zones already allow high technology and a range of other uses. .

Concerning the buildable lands review under RCW.70A.215, used to determine if counties and cities are achieving urban densities within the growth areas, both housing as well as employment targets must be met. Based on the most current land capacity analysis, Kirkland's available capacity for future employment and housing growth are currently sufficient to meet the city's assigned target numbers.

2. Relation to Criteria: The following summarizes staff's analysis of this request with the applicable criteria. The applicant's response to the criteria is contained in Attachment 10b.

a. The City has the resources, including staff and budget, necessary to review the proposal.

As discussed above for the other requests, this is a decision the City needs to make, based on the competing interest for the current year work program and looking ahead to the 2008 work program.

If this request is selected, there is no need to expand the study area.

b. The proposal would correct an inconsistency within or make a clarification to a provision of the Comprehensive Plan.

There does not appear to be an inconsistency with the Comprehensive Plan. The City did approve a similar request for the property to the south, but chose not extend the study area to include this property.

c. All of the following:

- (1) The proposal demonstrates a strong potential to serve the public interest by implementing specifically identified goals and policies of the Comprehensive Plan; and

Goals and policies can be found in the Comprehensive Plan that support both retaining purely industrial areas and that support opportunities for a variety of housing options close to the downtown. For example, Goal LU-6 in the Land Use Element states that we should “provide opportunities for a variety of employment.” Policy LU-6.1 says that we should “provide opportunities for light industrial and high technology uses.” Goal H-3 in the Housing Element states that we should “provide for greater housing capacity and home ownership opportunities.”

- (2) The public interest would best be served by considering the proposal in the current year, rather than delaying consideration to a later neighborhood plan review or plan amendment process; and

There is no strong public interest to consider the request this year. The request raises a larger issue of whether to keep the remaining industrial area for primarily employment based uses or allow residential uses.

- (a) The proposal is located in a neighborhood for which a neighborhood plan has not been recently adopted (generally not within two years); and

The Moss Bay Neighborhood Plan was last updated in March 1989.

- (b) The proposal is located in a neighborhood for which a neighborhood plan will not be reviewed in the near future (generally not in the next two years).

The Moss Bay Neighborhood Plan is tentatively scheduled for a major update in 2011-2012.

3. Staff Recommendation: This request should be deferred to the future neighborhood plan update process. As discussed above, staff recommends that the Moss Bay Neighborhood Plan be reviewed after the Lakeview/Central Houghton Neighborhood Plans, thus moving it up before the North and South Juanita Neighborhood Plans.

8. **Kirkland Professional Center, ZON07-00020 (Attachment 11):**

1. Request: Change the Comprehensive Plan land use designation, the Zoning Map and/or the Zoning Code text to allow an increase in the allowable multi-family density at 433 State

Street South located in the PLA 6B zone of the Moss Bay Neighborhood (see Attachments 11a and 11b).

The site is made up of 6 parcels totaling approximately 1.58 acres. Several one story office buildings are located on the site for medical office use.

The PLA 6B zone extends to the east, west, northeast and south, and contains a mix of office, churches and medium-density (RM 3.6) multifamily developments. Further to east and west are the PLA 6A and 6D zones that permit high-density (RM 1.8) residential uses and contain multifamily developments. To the northwest is PLA 6C, a low density single family zone (RS 5.0).

In 2004, the City studied a private amendment request from the Lake Shore Clinic at 515 State Street South located just south of the Kirkland Professional Center in PLA 6B to increase the density on the site from RM 3.6 to RM 1.8. The City expanded the study area to include the entire PLA6B zone, including the Kirkland Professional Center site. Neighbors raised the issue of traffic concerns on State Street South, much of which is pass-through traffic during the evening commute for those who wish to bypass I-405. Due to the concerns about traffic, the Planning Commission did not recommend approval and the City Council did not increase the density.

In a letter dated June 14, 2007 (see Attachment 11b), the applicant has provided support for the request. The letter mentions Harold Gibson's property at 318 2<sup>nd</sup> Street South being part of the request. This property is to the southwest of the Kirkland Professional Center and also in PLA 6B. The Gibson property was not included in the original application. However, Mr. Gibson would like his property to be included in the study area should the City decided to study the request.

2. Relation to Criteria: The following summarizes staff's analysis of this request with the applicable criteria. The applicant's response to the criteria is contained in Attachment 11b.

- a. The City has the resources, including staff and budget, necessary to review the proposal.

As discussed above with the previous requests, this is a decision the City needs to make, based on the competing interest for the current year work program and looking ahead to the 2008 work program.

If this request is selected, the study area should be expanded to include all of Planned 6B. The other properties on both sides of State Street South in PLA 6B have the same circumstances as the Kirkland Professional Center and the Harold Gibson sites and should also be included in the study area. Expanding the study

area to include most or all of PLA 6B will require additional staff time to contact all of the property owners.

- b. The proposal would correct an inconsistency within or make a clarification to a provision of the Comprehensive Plan.

There appears to be an inconsistency between the allowable density in the PLA 6B zone and the higher densities allowed in the PLA 6A and PLA 6D zones to the east and west of the PLA 6B zone. Looking at the Comprehensive Plan text for PLA 6A and PLA 6D (page XV.D-25), the justification for the existing high density designation (RM 1.8) could also apply to PLA 6B. The Plan states the high density residential use in PLA 6A is appropriate “because of the zone’s proximity to the Downtown and Lake Street.” The Plan states that high density residential is appropriate for PLA 6A “because of its close proximity to existing high-density residential development.”

- c. All of the following:

- (1) The proposal demonstrates a strong potential to serve the public interest by implementing specifically identified goals and policies of the Comprehensive Plan; and

The City has goals and policies in the Land Use and Housing Elements to provide a variety of housing opportunities, affordable housing and development densities, and to place the most dense residential areas close to shops, services and transportation hubs.

- (2) The public interest would best be served by considering the proposal in the current year, rather than delaying consideration to a later neighborhood plan review or plan amendment process; and

There is no particularly strong public interest to consider the request this year. Due to the size of the area that should be studied and the number of individual properties within the study area, it would be more appropriate to study the request as part of the neighborhood plan update rather than as part of the annual amendment process.

- (a) The proposal is located in a neighborhood for which a neighborhood plan has not been recently adopted (generally not within two years); and

The Moss Bay Neighborhood Plan was last updated in March 1989.

- (b) The proposal is located in a neighborhood for which a neighborhood plan will not be reviewed in the near future (generally not in the next two years).

The Moss Bay Neighborhood Plan is tentatively scheduled for a major update in 2011-2012.

3. Staff Recommendation: This request should be deferred to the Moss Bay Neighborhood Plan update process.
9. **Applegate, Mark** File ZON07-00009, Attachment 12:

1. Request: Change the Comprehensive Plan land use designation, the Zoning Map and potentially the Zoning Code text from RS 8.5 at 5 units per acre to PR 3.6 at 10-12 units per acre or to a zone that allows a retail storage facility. The properties include 8 parcels that are located at 6413, 6421, 6515, 6601, 6607 and 6611-116<sup>th</sup> Ave NE immediately south of the office building on 116<sup>th</sup> Ave NE in the Bridle Trails Neighborhood. The applicant owns 4 of the lots and has notified the other property owners of his request (see Attachment 12a and 12b).

The 8 parcels total approximately 107,184 square feet with the lots ranging in size from approximately 9,380 square feet to approximately 19,600 square feet. Most of the lots contain homes. Several of the homes are of older housing stock and are likely to be rebuilt in the future.

To the east and south are single-family neighborhoods zoned RS 8.5. To the north is an office building. Several years ago, the City approved a private amendment request to change the land use on this property from single family RS 8.5 to professional office/multifamily PR 3.6 due to the location of the property next to freeway interchange and across the street from the NE 70<sup>th</sup> Street Park & Ride lot. To the west is I-405.

2. Relation to Criteria: The following summarizes staff's analysis of this request with the applicable criteria. The applicant's response to the criteria is contained in Attachment 12b.
  - a. The City has the resources, including staff and budget, necessary to review the proposal.

As discussed above with the previous requests, this is a decision the City needs to make, based on the competing interest for the current year work program and looking ahead to the 2008 work program.

This request is within the jurisdiction of the Houghton Community Council, and thus would require additional City resources and time to process. In addition, the request involves several other property owners who did not make the request so this will add to the staff time in contacting the property owners and coordinating the study with them. The issue of whether to allow multi-family, office and/or retail storage facility uses south of the existing office building on 116<sup>th</sup> Ave NE will

most likely be a concern of the adjacent neighbors and thus demand additional staff time.

- b. The proposal would correct an inconsistency within or make a clarification to a provision of the Comprehensive Plan.

There does not appear to be an inconsistency or need for Plan clarification related to this request.

- c. All of the following:

- (1) The proposal demonstrates a strong potential to serve the public interest by implementing specifically identified goals and policies of the Comprehensive Plan; and

At the neighborhood plan level, the Plan has specific goals and policies to preserve the low-density residential area in the Bridle Trails area. At the citywide level, the City has goals and policies to provide a variety of housing opportunities, affordable housing and development densities, and to place the most dense residential areas close to shops, services and transportation hubs, such as the NE 70<sup>th</sup> Park & Ride lot to the northeast. Policies can be found in the Plan that support either retaining the existing density or increasing the density.

- (2) The public interest would best be served by considering the proposal in the current year, rather than delaying consideration to a later neighborhood plan review or plan amendment process; and

There is no strong public interest to consider the request this year. The request raises larger issues about appropriate land use patterns between I-405 and 116<sup>th</sup> Ave NE south of NE 70<sup>th</sup> Street, and the transition between the existing office use and freeway interchange to the north and the low-density residential areas to the south that should be addressed at the future neighborhood plan update process.

The applicant indicates in his application (see Attachment 12b, page 2) that the density should be increased or the land use changed because the lots are not as deep in the east-west direction as the lots further to the south, and thus do not provide an adequate area for a buffer from the freeway noise. Also, the applicant notes that 116<sup>th</sup> Ave NE is a busy street with traffic going to and from the transfer station and by-passing I-405.

However, many low-density single-family homes adjacent to the freeway have similar lot depths. Also, many single-family homes are located next to busy streets, such as 116<sup>th</sup> Ave NE.

- (a) The proposal is located in a neighborhood for which a neighborhood plan has not been recently adopted (generally not within two years); and

The Bridle Trails Neighborhood Plan was last updated in January 1989.

- (b) The proposal is located in a neighborhood for which a neighborhood plan will not be reviewed in the near future (generally not in the next two years).

The Bridle Trails Neighborhood Plan is tentatively scheduled for a next major update in 2013-2014.

3. Staff Recommendation: This request should be deferred to the Bridle Trails Neighborhood Plan update process. The applicant may be able to utilize the upcoming affordable housing provision in the Zoning Code.

10. **Andrews, William**, File ZON07-00008, Attachment 13:

1. Request: Change the Comprehensive Plan land use designation and Zoning Map for one single family parcel from RSX 7.2 at 6 units per acre to RSX 5.0 at 9 units per acre. The site address is 8529 132nd Ave NE and is located in North Rose Hill Neighborhood and in the NE 85th Street Sub-area (see Attachments 13a or 13b).

The total site area is approximately 124,190 square feet. The property contains a single family home. The site is 4 lots north of NE 85th Street and 3 lots north of the Rose Hill Business District 8 (RH-8) zone, and abuts 132<sup>nd</sup> Ave NE. Single-family homes surround the property. On the east side of 132<sup>nd</sup> AVE NE is the city of Redmond that contains a single-family neighborhood.

2. Relation to Criteria: The following summarizes staff's analysis of this request with the applicable criteria. The applicant's response to the criteria is contained in Attachment 13b.

- a. The City has the resources, including staff and budget, necessary to review the proposal.

As discussed above, this is a decision the City needs to make based on the competing interest for the current year work program and looking ahead to the 2008 work program.

If this request is selected, the study area should be expanded to include the two single-family lots south of the subject property. A case could be made that the three single-family lots just south of the RH-8 zone located south of NE 85th Street should also be studied for the same reason.

- b. The proposal would correct an inconsistency within or make a clarification to a provision of the Comprehensive Plan.

There does not appear to be an inconsistency or need for Plan clarification related to this request.

The applicant states in his application (see Attachment 13b, application materials, pages 1 and 2) that the property is located in the “NE 85<sup>th</sup> Street Business which would indicate that the property is suited for higher density rather than lower density” and “several maps show the property as being within the boundary of the RHBD which would indicate the property is intended for commercial usage.” Actually, the maps and text indicate that the property is located in the NE 85<sup>th</sup> Sub-area which includes extensive low-density single-family areas to the north and south of NE 85<sup>th</sup> Street. The vision and goals of the sub-area plan support preserving these low-density residential uses (pages XV.F/G-3 and G-4). The North Rose Hill Neighborhood land use map and text (pages XV.F-11 and F-13) explicitly state that the area in which the property is located should develop at 6 units per acre and not for commercial usage.

d. All of the following:

- (1) The proposal demonstrates a strong potential to serve the public interest by implementing specifically identified goals and policies of the Comprehensive Plan; and

At the neighborhood plan level, the Plan has specific goals and policies to preserve the low-density residential area north of NE 85<sup>th</sup> Street. At the citywide level, the City has goals and policies to provide a variety of housing opportunities, affordable housing and development densities, and to place the most dense residential areas close to shops, services and transportation hubs. Policies can be found in the Plan that support either retaining the existing density or increasing the density.

- (2) The public interest would best be served by considering the proposal in the current year, rather than delaying consideration to a later neighborhood plan review or plan amendment process; and

There is no strong public interest to consider the request this year. The request raises larger issues about appropriate land use patterns along 132<sup>nd</sup> Ave NE near NE 85<sup>th</sup> Street, and the transition between the commercial areas on NE 85<sup>th</sup> Street and the low-density residential areas to the north and south that should be addressed at the neighborhood plan update process.

- (a) The proposal is located in a neighborhood for which a neighborhood plan has not been recently adopted (generally not within two years); and

The North Rose Hill Neighborhood Plan was last updated in October 2003. The NE 85<sup>th</sup> Street Sub-area Plan was last updated in April 2001.

- (b) The proposal is located in a neighborhood for which a neighborhood plan will not be reviewed in the near future (generally not in the next two years).

The North Rose Hill Neighborhood Plan is tentatively scheduled for a next major update in 2015-2016. The City has not scheduled the NE 85th Street Sub-area Plan to be updated.

3. Staff Recommendation: This request should be deferred to the North Rose Hill Neighborhood Plan update process. The applicant may be able to utilize the upcoming affordable housing provision in the Zoning Code.

Attachments:

- 1 – Summary Chart of Requests
- 2 – Threshold Determination Criteria Sheet
- 3 – Current Neighborhood Plan Update Schedule (to be updated in July 2007)
- 4 – Materials relating to the Douglas Howe/Touchstone Request
- 5 - Materials relating to the Katherine Orni Request
- 6 – Materials relating to the Rhoda Altom Request
- 7 – Materials relating to the Mehdi Nakhjir Request
- 8 – Materials relating to the Costco Wholesale Request
- 9 – Materials relating to the Plaza at Yarrow Bay Request
- 10 – Materials relating to the Strahm Properties Request
- 11 – Materials relating to the David Montgomery/Kirkland Professional Center Request
- 12 – Materials relating to the Mark Applegate Request
- 13 – Materials relating to the William Andrews Request

*Submitted after staff memo was issued:*

- 14 – Comment letter from Ray Hansen, dated June 25, 2007
- 15 – Comment email sent from Steve Tindall, dated June 19, 2007
- 16 – Response letter from Robert Strahm, PAR applicant, concerning staff memo, dated June 27, 2007
- 17 – Comment email sent from James McElwee, dated June 27, 2007
- 18 – Additional information submitted from William Andrews, PAR applicant, at the PC meeting on June 28, 2007

## 2007 Private Amendment Requests

| <b>Applicant</b>   | <b>Request</b>   | <b>Location</b>  | <b>Staff Recom.</b>            |
|--|--|--|--------------------------------|
| <b>Douglas Howe</b><br>Touchstone<br>File ZON07-00016                                    | Change Comp Plan and Zoning Code text to allow a master plan with increased height, reduced yard setbacks & flexibility with other site standard regulations.  | Kirkland Park Place Center<br>(located in CBD 5 at 6 <sup>th</sup> and Central Way in the Moss Bay Neighborhood)     | Study in 2007                  |
| <b>Katherine Orni</b><br>UWS US Corp and Nine Eleven Associates, LLC<br>File ZON07-00012 | Change Comp Plan and Zoning Map from PLA5D (office not allowed) to PLA5C (office allowed). The site contains 3 existing office buildings not allowed in PLA 5D.  | 825, 903 and 911 5 <sup>th</sup> Ave (located in PLA 5D east of the post office in the Moss Bay Neighborhood)        | Study in 2007                  |
| <b>Rhoda Altom</b><br>File ZON07-00019   | Change Comp Plan and the Zoning Code and/or Zoning Map to allow additional height similar to PLA 5C, but with no minimum lot size (prior 2005 Hart Amendment, ZON05-00002).  | 220 6 <sup>th</sup> Street (located in PLA 5B in the Moss Bay Neighborhood)  | Study in 2007                  |
| <b>Mehdi Nakhjir</b><br>File ZON07-00010   | Change from RS 5.0 at 9 units per acre to PLA 7A (RM 2.4) at 18 units per acre.  | 138 -5 <sup>th</sup> Ave (American Legion Hall site in Norkirk Neighborhood)   | Study in 2007 or 2008          |
| <b>Costco Wholesale</b><br>File ZON07-00017  | Change Comp Plan and Zoning Code text to allow retail sales of gas on their northern parking lot in the RH-1B zone.  | 8629 -120 <sup>th</sup> Ave NE (located in the Rose Hill Business District)  | Study in 2007 or 2008          |
| <b>Plaza at Yarrow Bay, Inc</b><br>ZON07-00018   | Change Comp Plan and Zoning Code to allow a wider range of commercial uses, to reduce the required lot size and setbacks, to allow additional buildings through a reduced process and permit shared parking in PLA 3A. | 10210, 10220 and 10230 NE Points Drive and 3927 and 3933 Lake Washington Blvd (located in the Lakeview Neighborhood) | Defer to the neighborhood plan |

| <b>Applicant</b>                                   | <b>Request</b>  | <b>Location</b>   | <b>Staff Recom.</b>            |
|--|---|---|--------------------------------|
| <b>Strahm Properties LLC</b><br>File ZON07-00011   | Change Comp Plan and Zoning Code text to allow residential use at 12 units per acre (RM 3.6) in the north portion of PLA 6G. The southern portion of PLA6G already allows this use. | 508-6 <sup>th</sup> Ave, 506-7 <sup>th</sup> Ave S and 333-5 <sup>th</sup> Place S (located west of the railroad tracks in the Moss Bay Neighborhood)   | Defer to the neighborhood plan |
| <b>Kirkland Professional Center</b><br>ZON07-00020 | Change Comp Plan and possibly the Zoning Code and/or Zoning Map to allow an increase in density (within the prior 2004 Lakeshore Clinic study area, ZON04-00015).                   | 433 State Street South (located in PLA 6B in the Moss Bay Neighborhood)   | Defer to the neighborhood plan |
| <b>Mark Applegate</b><br>File ZON07-00009          | Change Comp Plan and Zoning Map from RS 8.5 at 5 units per acre to PR 3.6 at 10-12 units per acre or to a zone that allows a retail storage facility.                               | 6413, 6421 and 6515 owned by the applicant and include 6601, 6607 and 6611 116 <sup>th</sup> Ave NE not owned by the applicant (immediately south of the office blg. on 116 <sup>th</sup> Ave NE in Bridle Trails Neighborhood) | Defer to the neighborhood plan |
| <b>William Andrews</b><br>File ZON07-00008         | Change Comp Plan and Zoning Map from RSX 7.2 at 6 units per acre to RS 5.0 at 9 units per acre.   | 8529 132 <sup>nd</sup> Ave NE (4 lots north of NE 85 <sup>th</sup> Street in North Rose Hill Neighborhood and in the NE 85 <sup>th</sup> Street Subarea Plan)   | Defer to the neighborhood plan |

**2007 Comprehensive Plan – Private Amendment Request**

**Threshold Determination Criteria Sheet – ZON07-00001**

The City shall use the following criteria in selecting proposals for further consideration. Proposals must meet criterion (a), and either criterion (b) or (c) (KZC 140.20.3).

| Criteria   | Andrews | Applegate | Nakhjir | Strahm | Orni |
|--|---------|-----------|---------|--------|------|
| a. The City has the resources, including staff and budget, necessary to review the proposal; and   |         |           |         |        |      |
| b. The proposal would correct an inconsistency within or make a clarification to a provision of the Comprehensive Plan; or   |         |           |         |        |      |
| c. All of the following:   |         |           |         |        |      |
| 1. The proposal demonstrates a strong potential to serve the public interest by implementing specifically identified goals and policies of the Comprehensive Plan, and                             |         |           |         |        |      |
| 2. The public interest would best be served by considering the proposal in the current year, rather than delaying consideration to a later neighborhood plan review or plan amendment process; and |         |           |         |        |      |
| (a) The proposal is located in a neighborhood for which a neighborhood plan has not been recently adopted (generally not within two years); and  |         |           |         |        |      |
| (b) The proposal is located in a neighborhood for which a neighborhood plan will not be reviewed in the near future (generally not in the next two years).   |         |           |         |        |      |

ATTACHMENT 2 (a)  
 ZON07-00008-12 and  
 05017-20

**2007 Comprehensive Plan – Private Amendment Request**

**Threshold Determination Criteria Sheet – ZON07-00001**

The City shall use the following criteria in selecting proposals for further consideration. Proposals must meet criterion (a), and either criterion (b) or (c) (KZC 140.20.3).

| Criteria  | Howe | Costco | Plaza at Yarrow Bay | Altom | Kirkland Professional Center |
|---|------|--------|---------------------|-------|------------------------------|
| a. The City has the resources, including staff and budget, necessary to review the proposal; and  |      |        |                     |       |                              |
| b. The proposal would correct an inconsistency within or make a clarification to a provision of the Comprehensive Plan; or  |      |        |                     |       |                              |
| c. All of the following:<br>1. The proposal demonstrates a strong potential to serve the public interest by implementing specifically identified goals and policies of the Comprehensive Plan, and<br>2. The public interest would best be served by considering the proposal in the current year, rather than delaying consideration to a later neighborhood plan review or plan amendment process; and<br>(a) The proposal is located in a neighborhood for which a neighborhood plan has not been recently adopted (generally not within two years); and<br>(b) The proposal is located in a neighborhood for which a neighborhood plan will not be reviewed in the near future (generally not in the next two years). |      |        |                     |       |                              |
|   |      |        |                     |       |                              |
|   |      |        |                     |       |                              |
|   |      |        |                     |       |                              |
|   |      |        |                     |       |                              |

Attachment 2 (b)

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# NEIGHBORHOOD PLAN UPDATE SCHEDULE

January 2006

Note: Schedule Subject to Change

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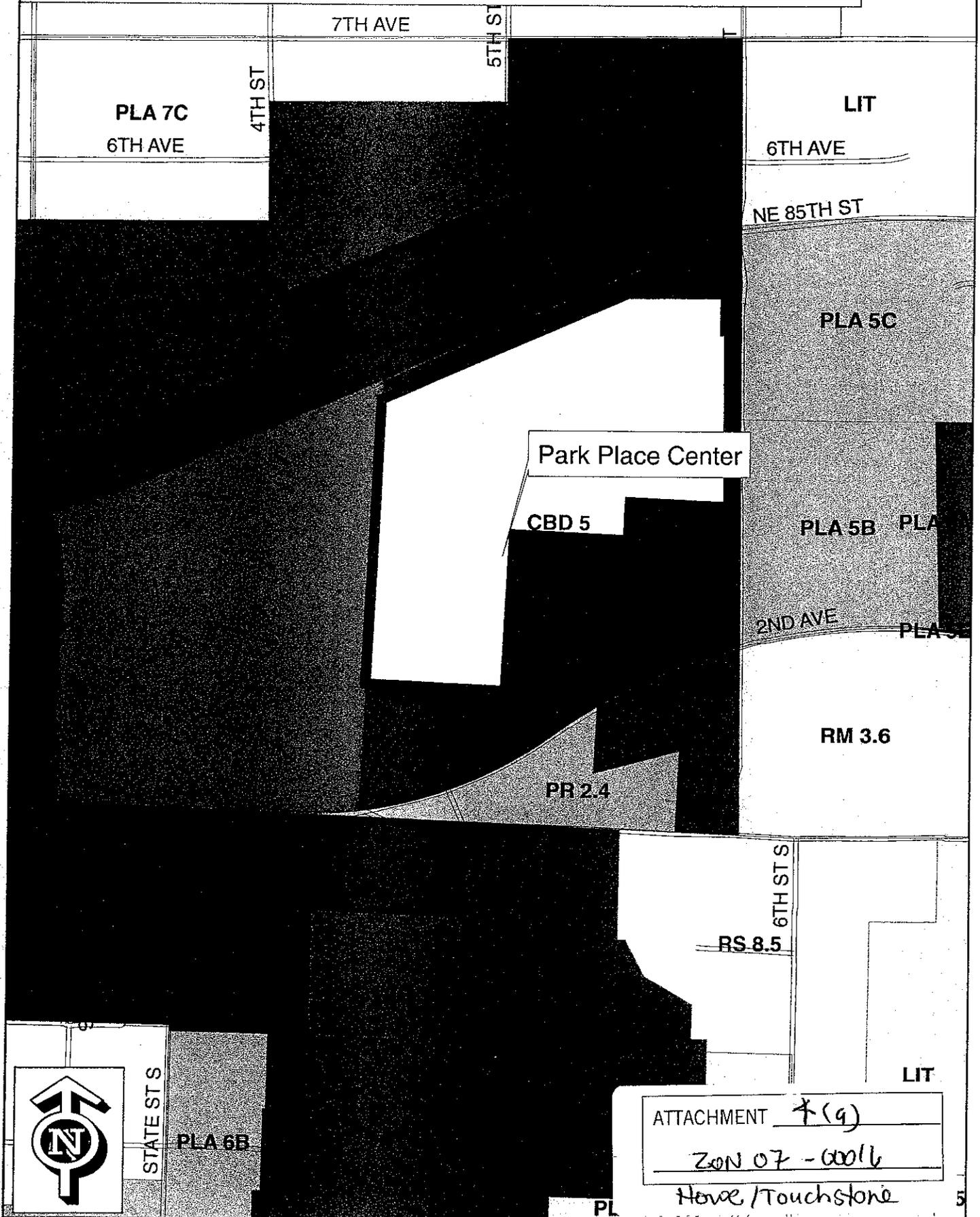
|  |
|--|
| <b>Neighborhood Plan Implementation:<br/>Zoning Regulations &amp; Design Standards</b> |
|--|

|                             |      |
|-----------------------------|------|
| Totem Lake                  | 2005 |
| Rose Hill Business District | 2005 |

|  |
|--|
| <b>Comprehensive Plan &amp; Neighborhood Plans</b> |
|--|

|                                 |                |
|---------------------------------|----------------|
| Comprehensive Plan              | 2004 (Adopted) |
| Highlands                       | 2005 (Adopted) |
| Market & Norkirk                | 2005-2006      |
| Lakeview & Houghton             | 2007-2008      |
| North & South Juanita           | 2009-2010      |
| Moss Bay & Everest              | 2011-2012      |
| Comprehensive Plan Chapters     | 2011-2012      |
| Bridle Trails & South Rose Hill | 2013-2014      |
| Totem Lake                      | 2014-2015      |
| North Rose Hill                 | 2015-2016      |

Touchstone Amendment Request for the Park Place Center  
File ZON07-00016



Park Place Center

ATTACHMENT 7(g)  
ZON 07-00016  
Howe/Touchstone



**CITY OF KIRKLAND**  
**PLANNING AND COMMUNITY DEVELOPMENT**  
 123 Fifth Avenue, Kirkland, WA 98033 425.587.3225  
 www.ci.kirkland.wa.us

**APPLICATION FOR COMPREHENSIVE PLAN AMENDMENT**  
*Directions: You may use this form or answer questions on separate pages.*

Applicant Name Touchstone Corporation c/o Douglas Howe  
 Address 2025 1st Avenue, Suite 790, Seattle, WA 98121  
 Telephone 206-727-2394

Property owner (if different than the applicant)  
 Property Owner Name Sylvan S. Shulman Company - Kirkland, L.L.C.  
 Address 401 Park Place, Suite 105, Kirkland, WA 98033  
 Telephone 425-827-7789, ext. 13 - Jeff Cole

*Note: If the applicant is the property owner, or is representing the property owner, then the property owner must sign the last page. If the applicant is neither the property owner nor representing the property owner, then the affected property owner must be notified. Send or hand deliver a copy of this completed application to all affected property owners. fill out the attached Affidavit of service that this has been done.*

**A. Description of Proposal:**

Touchstone Corporation requests to Amend the Comprehensive Plan and Zoning Code to allow for a master plan development of the 11 acre site with buildings up to 8 stories in height and no yard setbacks (continued

**B. Description, address, and map of property affected by the proposal:** on back)  
Kirkland ParkPlace - 457 Central Way, Kirkland

**C. Description of the specific reasons for making the proposal:**  
Redevelopment of ParkPlace to create a sizeable and successful employment shopping and entertainment center that is pedestrian friendly, is oriented towards Peter Kirk Park, ties the downtown and eastern cores of the City,

**D. Description of how the proposed amendment relates to the following criteria:** on back)  
 1. The City has the resources, including staff and budget, necessary to review the proposal.  
The City Council has not finalized its 2007 Work Program. The City has the opportunity now to allocate staffing to process the study and final decision of these amendments.

|                         |
|-------------------------|
| ATTACHMENT <u>4 (b)</u> |
| <u>ZON 07-00016</u>     |

Howe / Touchstone

A. Description of Proposal (continued)

and allows for modification of parking and other requirements in order to create a new urban mixed-use center in CBD-5. In addition, amend the Plan and the Zoning Code to allow parking for the master plan to occur within a possible underground parking structure in Peter Kirk Park as part of a joint venture with the City of Kirkland.

C. Description of the specific reasons for making the proposal (continued)

and provides an opportunity for a public/private venture for the parking.

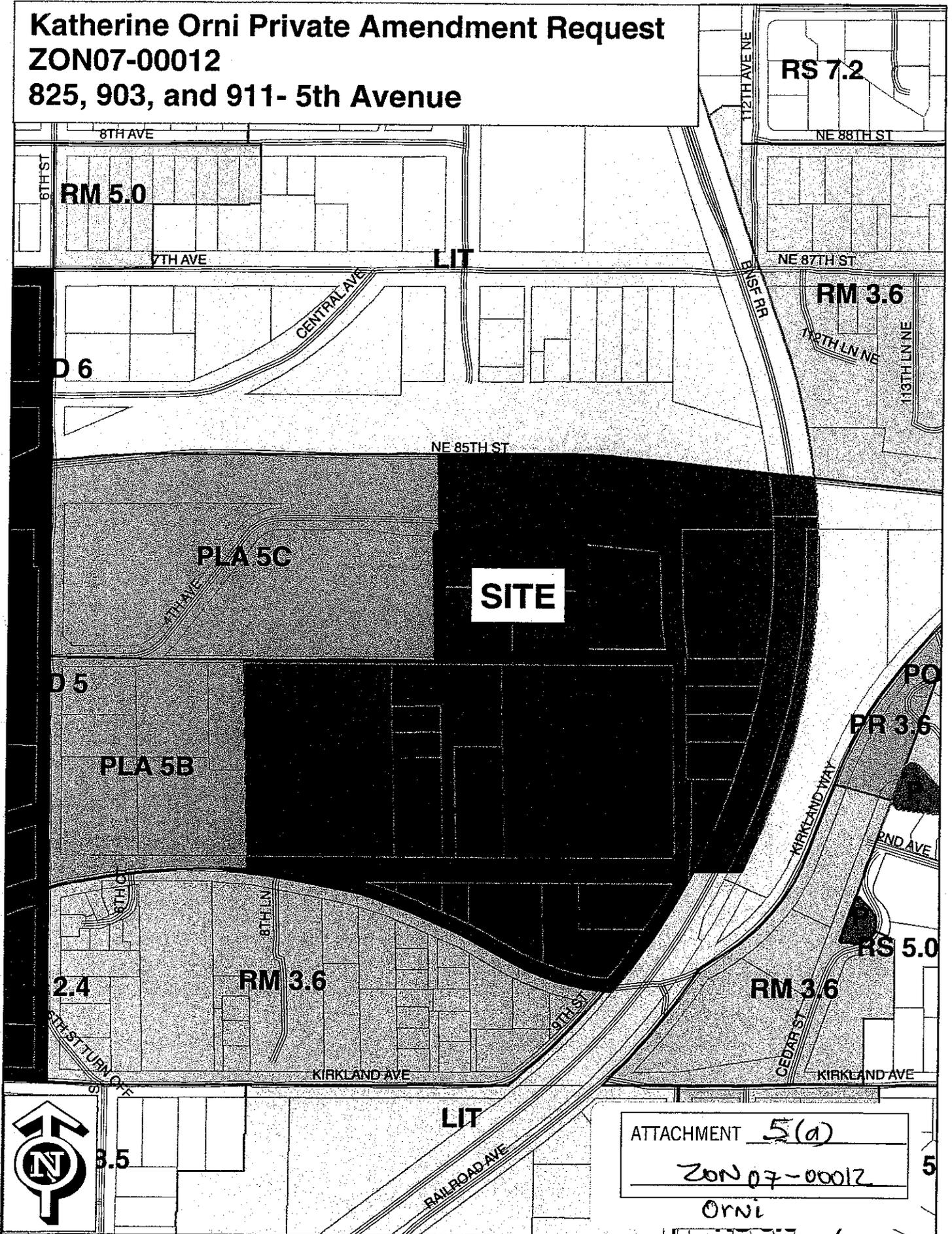
D.2. (continued)

of providing a compact land use development with an opportunity for a variety of employment that is adjacent to a planned transit center and ample housing developments.

D.3. (continued)

the current market demand for more office space. The existing center is 25 years old and ready to be redeveloped.

**Katherine Orni Private Amendment Request**  
**ZON07-00012**  
**825, 903, and 911- 5th Avenue**



ATTACHMENT 5(a)  
ZON07-00012  
Orni



RECEIVED

NOV 30 2006

PLANNING DEPARTMENT

BY

CITY OF KIRKLAND
PLANNING AND COMMUNITY DEVELOPMENT
123 Fifth Avenue, Kirkland, WA 98033 425.587.3225
www.ci.kirkland.wa.us

APPLICATION FOR COMPREHENSIVE PLAN AMENDMENT

Directions: You may use this form or answer questions on separate pages.

Applicant Name Katherine Orni
Address 825 Fifth Avenue, Suite 202, Kirkland, WA 98033
Telephone (425) 202-3606
Property owner (if different than the applicant)
Property Owner Name VWS US Corp / Nine Eleven Associates, LLC
Address 825 Fifth Avenue / 903 Fifth Avenue / 911 Fifth Avenue
Telephone (425) 202-3606 / (425) 827-7701

Note: If the applicant is the property owner, or is representing the property owner, then the property owner must sign the last page. If the applicant is neither the property owner nor representing the property owner, then the affected property owner must be notified. Send or hand deliver a copy of this completed application to all affected property owners. fill out the attached Affidavit of service that this has been done.

A. Description of Proposal:

We desire to change the Kirkland Comprehensive Plan for the addresses listed above from HDR24 (PLA5D) to O/MF (PLA5C) to conform to adjacent property zoning and to permit both condominium and office uses on the property.

B. Description, address, and map of property affected by the proposal:

There are three parcels involved in this proposal. Please see attached map and legal descriptions (Attachments 1 and 2).

C. Description of the specific reasons for making the proposal:

VWS US Corp and Nine Eleven Associates, LLC desire to bring the existing office use into conformance with the zone, add additional office space, and allow for potential mixed-use development.

D. Description of how the proposed amendment relates to the following criteria:

- 1. The City has the resources, including staff and budget, necessary to review the proposal.

The City, through the docketing process, will determine whether there is adequate staff and budget to review the proposal.

ATTACHMENT 5(b)
ZON 07-0002

Orni

2. The proposal demonstrates a strong potential to serve the public interest by implementing specifically identified goals and policies of the Comprehensive Plan.

This proposed amendment would provide residential units and higher wage jobs to the Kirkland market. This proposal aligns with Chapter VI of the Kirkland Comprehensive Plan, which states the City's desire to establish a  
(continues on backside of form)

3. The public interest would best be served by considering the proposal in the current year, rather than delaying consideration to a later neighborhood plan review or plan amendment process

Growth will only continue in the Northwest. The need for housing and higher paying jobs will only increase. Between 2003 and 2022, the city is expected to grow by 9,697 residents and 8,800 jobs. The need for more office space and hous

4. The proposal is located in a neighborhood for which a neighborhood plan has <sup>exists.</sup> not been recently adopted (generally not within two years).

It appears that the Moss Bay Neighborhood Plan has not been updated since January of 2002.

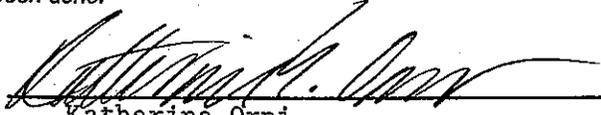
5. The proposal is located in a neighborhood for which a neighborhood plan will not be reviewed in the near future (generally not in the next two years).  
The Neighborhood Plan will be reviewed in 2011.

6. The proposal would correct an inconsistency within or make a clarification to a provision of the Comprehensive Plan.

Yes. We believe the Plan is currently inconsistent with City goals and objectives and that the O/MF zoning should be extended from adjacent property to the west to the VWS/Nine Eleven Associates, LLC properties.

E. Property owner signature.

*Note: If the applicant is the property owner, or is representing the property owner, then the property owner must sign the last page. If the applicant is neither the property owner nor representing the property owner, then the affected property owner must be notified. Send or hand deliver a copy of this completed application to all affected property owners. fill out the attached Affidavit of service that this has been done.*

Name - sign: 

Name - print: Katherine Orni

Address: 825 Fifth Avenue, Suite 202, Kirkland, WA 98033

Telephone: (425) 202-3606

Attachment 5(b)-1

2. The proposal demonstrates a strong potential to serve the public interest by implementing specifically identified goals and policies of the Comprehensive Plan.

Redevelopment of ParkPlace implements the Economic Development Goals ED-1, ED-2 and ED-3 by providing a strong mixed use center in downtown and strong tax base for the City. It would implement the Land Use Goals LU-2 and LU-6  
(continued on back)

3. The public interest would best be served by considering the proposal in the current year, rather than delaying consideration to a later neighborhood plan review or plan amendment process

The Moss Bay Neighborhood Plan project would not start until at least 2011-2012. The City has generally taken 2 years to complete a neighborhood plan. The opportunity for redevelopment of ParkPlace is now with (continued on back)

4. The proposal is located in a neighborhood for which a neighborhood plan has not been recently adopted (generally not within two years).

The Moss Bay Neighborhood Plan was last revised in March 1989, so it has been more than 2 years.

5. The proposal is located in a neighborhood for which a neighborhood plan will not be reviewed in the near future (generally not in the next two years).

The Moss Bay Neighborhood Plan would not start until at least 2011-2012 which is at least 4 years from now.

6. The proposal would correct an inconsistency within or make a clarification to a provision of the Comprehensive Plan.

N/A

E. Property owner signature.

*Note: If the applicant is the property owner, or is representing the property owner, then the property owner must sign the last page. If the applicant is neither the property owner nor representing the property owner, then the affected property owner must be notified. Send or hand deliver a copy of this completed application to all affected property owners. fill out the attached Affidavit of service that this has been done.*

Name - sign:

Jeffery H Cole

Name - print:

Jeffery H. Cole, Director of Corp. RE, Sylvan S. Shulu

Address:

401 Parkplace, Suite 105  
Kirkland WA 98033

Telephone:

425-827-7189

Attachment 5(b)-2





## CITY OF KIRKLAND

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

### MEMORANDUM

**To:** Interpretation No. 04-1

**From:** Eric R. Shields, AICP  
Planning Director 

**Date:** March 11, 2004

**Subject:** EFFECT OF RESOLUTION R-2639 ON VARIOUS PROPERTIES

#### ISSUE

Does R-2639 still affect the zoning regulations applicable to specific properties?

#### INTERPRETATION

*Short Answer:* R-2639 will have potential future effect only as to a property that has neither been rezoned nor developed since 1979.

*Details:* Resolution R-2639 ("R-2639") was adopted by the Kirkland City Council on July 16, 1979. R-2639 related to the zoning regulations which the City would apply to certain properties that were described in the Stipulation for Entry of Order, Judgment and Decree that was attached to R-2639. This Interpretation will identify the zoning regulations that apply to those certain properties at this time and will clarify the possible future effect of R-2639.

The following general rules will apply to processing applications concerning these properties:

- A. The City shall apply the Kirkland Zoning Code as it exists at the time of a complete application (including the zoning shown on the current zoning map); except that if R-2639 provides for a result that is specifically inconsistent with the then current KZC, then R-2639 will prevail, but only to the extent of the specific inconsistency. For example, if a property is currently zoned RM but R-2639 allows it to be developed as BC, the applicant may choose to develop either under the RM regulations or under the BC regulations, but not under a combination of those chapters. The application will be subject to SEPA review and current environmental provisions of the KZC.
- B. If one of these properties is or was rezoned subsequent to July 16, 1979, then R-2639 shall be moot (of no further effect) as to such property.

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Orni

- C. In the event that a PUD is or was approved for one of these properties subsequent to July 16, 1979, thereafter R-2639 shall be moot as to such property.
- D. Only the first development of each of these properties is controlled by R-2639. "First development" here means the first time construction began or begins at the subject property subsequent to July 16, 1979. After a subject property is first developed, R-2639 shall be moot as to such property.
- E. A development approved due to R-2639 but in conflict with current zoning shall be a "legal nonconformance" as that term is used in the KZC.

Below are my conclusions as to the current status of the properties that were affected by R-2639:

1. Park Place – southwest corner of Central Way & 6th Street. R-2639 is moot.
2. Houghton Townhomes – 9th Avenue South & 8th Street South. R-2639 is moot.
3. John and Betty Beheyt property (Parcel 082505-9081). First development of the subject property may be as if it is zoned "BC", so long as there is installation of a landscaped buffer 15 feet in width along the north line and 10 feet in width along the east line of the subject property.
4. 5910 and 5918 Lake Washington Boulevard NE. R-2639 is moot.
5. Houghton Park & Ride – NE 70th Place. & 116th Avenue NE. R-2639 is moot.
6. Sablewood – 4800 block of 116th Avenue NE. R-2639 is moot.
7. Jaclyn Wold property. To avoid confusion, a property owned by Jaclyn Wold was mentioned in documents attached to R-2639, but R-2639 never had any effect on that property.
8. Yarrow Village – NE Points Drive. R-2639 is moot.
9. PLA 5C – 4th & 5th Avenues. R-2639 is moot.
10. Kirkland Place – PLA 5D, 5th Avenue. R-2639 is moot.
11. Pointe Vista Townhomes and Water Touch Condominiums – Lake Washington Boulevard NE between NE 63rd and NE 64th Streets. R-2639 is moot.

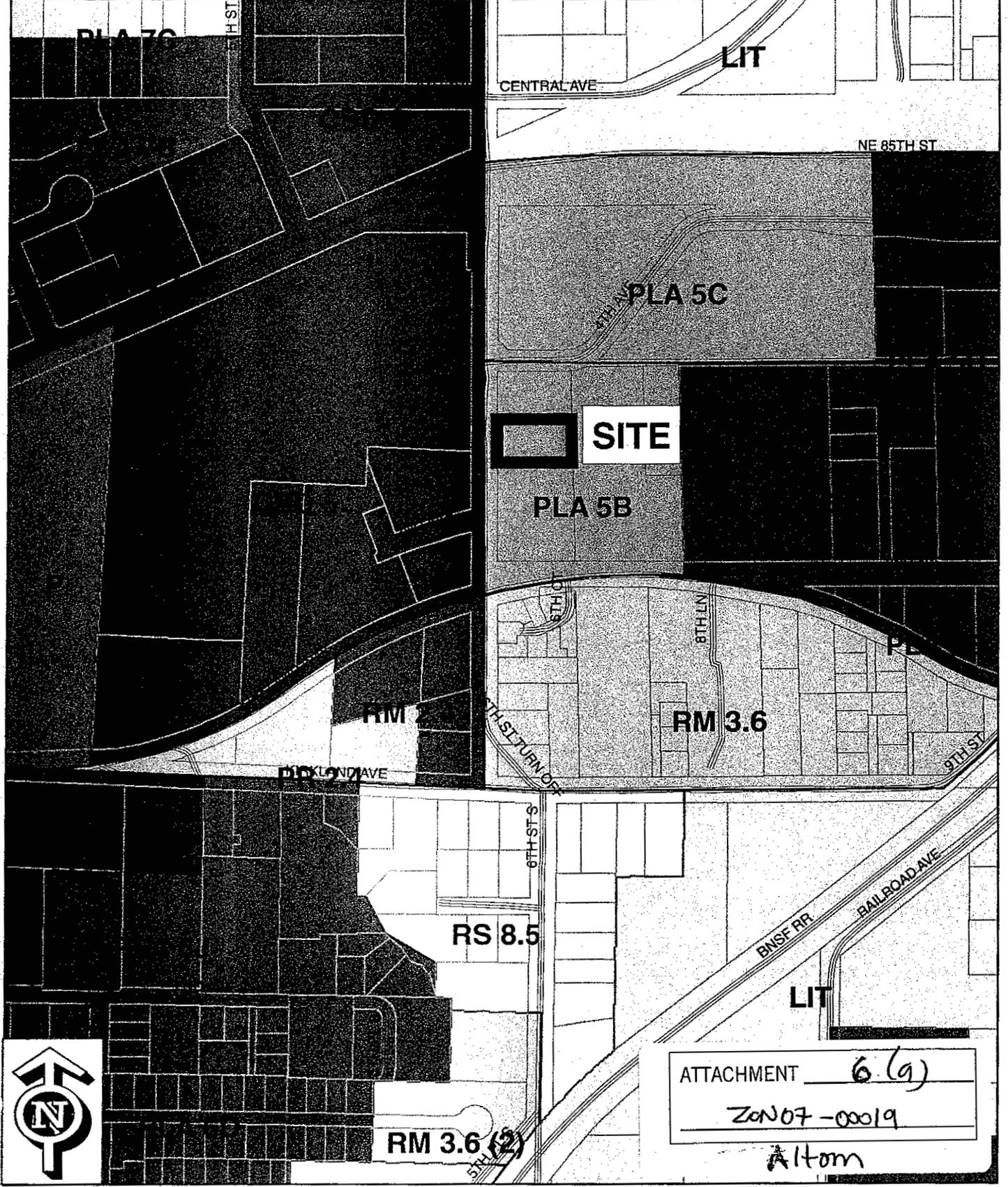
## **ANALYSIS**

R-2639 ratified the settlement of certain lawsuits relating to the 1977 adoption of comprehensive plan and zoning ordinance amendments. R-2639 permitted each owner to develop their property even if that development would conflict with the 1977 actions, so long as the application fit within the special terms of the settlement. The settlement did not reverse or vacate the 1977 rezones and other effects of the 1977 ordinances and except as specified in the settlement, the properties remained subject to the KZC and other land use and environmental regulations. The settlement did not permanently freeze the regulations that would apply to plaintiffs' properties. For example, the settlement specified that it did not limit the authority of the City to enact other or future regulations affecting the land use of the properties.

Consequently, R-2639 was intended to be a kind of one-time offer. The terms of the resolution apply only to the first development on the property. Since many of the properties have since been developed (some under the terms of the resolution, others not), the resolution is no longer applicable to those properties. It stands to reason, however, that projects developed under the resolution, and which as a result do not conform to a particular aspect of the current zoning, should be treated as though they are legally nonconforming.

Also, because the resolution did not bind the City from subsequently rezoning or changing the zoning regulations pertaining to any of the properties covered by the settlement, such subsequent actions are applicable to the properties. Rezones and approved PUDs have the effect of totally superceding the settlement terms. Likewise, changes to zoning regulations establishing new development standards also apply to the properties.

Rhoda Altom Private Amendment Request  
ZON07-00019  
220 6th Street



ATTACHMENT 6 (a)  
ZON07-00019  
Altom



**CITY OF KIRKLAND**  
**PLANNING AND COMMUNITY DEVELOPMENT**  
 123 Fifth Avenue, Kirkland, WA 98033 425.587.3225  
 www.ci.kirkland.wa.us

**APPLICATION FOR COMPREHENSIVE PLAN AMENDMENT**

*Directions: You may use this form or answer questions on separate pages.*

Applicant Name RHODA ALTON  
 Address P.O. Box 22926 SEATTLE, WA 98122  
 Telephone 206.325.1166  
 Property owner (if different than the applicant)  
 Property Owner Name \_\_\_\_\_  
 Address 220 6<sup>th</sup> ST, KIRKLAND, WA  
 Telephone \_\_\_\_\_

*Note: If the applicant is the property owner, or is representing the property owner, then the property owner must sign the last page. If the applicant is neither the property owner nor representing the property owner, then the affected property owner must be notified. Send or hand deliver a copy of this completed application to all affected property owners. fill out the attached Affidavit of service that this has been done.*

A. Description of Proposal:  
UPGRADE ZONING FROM AREA 5B TO 5C, TO HEIGHT  
OF 126.48 FT AS EXISTS IN NEIGHBORHOOD.  
PLEASE RE-REVIEW HART AMENDMENT 3/17/2005

B. Description, address, and map of property affected by the proposal:  
5100 FT OF LOT 32 AND 32A, BLOCK 53 BURKE & FARRAR'S  
KIRKLAND ADDITION (UN RECORDED) DIVISION IS. SEE ATTACHED.  
220 6<sup>th</sup> STREET

C. Description of the specific reasons for making the proposal:  
PRESENT BUILDING HEIGHT IS INCONSISTENT WITH NEIGHBORHOOD  
AND RESTRICTS AN ECONOMIC STRUCTURE.

D. Description of how the proposed amendment relates to the following criteria:

1. The City has the resources, including staff and budget, necessary to review the proposal.

RECONSIDERATION OF JAMES A. HART ~~AND OTHER~~ THRESHOLD DETERMINI  
OF PRIVATE AMENDMENT IS ON FILE WHICH REQUESTS FOR  
AMENDING THE COMP PLAN IN 2005; FILE NO ZON05-0002

|                         |
|-------------------------|
| ATTACHMENT <u>6-(b)</u> |
| <u>ZON07-0019</u>       |

ALTON

2. The proposal demonstrates a strong potential to serve the public interest by implementing specifically identified goals and policies of the Comprehensive Plan.

THIS WILL ALLOW HEIGHT MORE CONSISTANT WITH NEIGHBORHOOD DEVELOPMENTS AND HELP INCREASE DEMAND FOR MASS TRANSIT

3. The public interest would best be served by considering the proposal in the current year, rather than delaying consideration to a later neighborhood plan review or plan amendment process

CORRECT

4. The proposal is located in a neighborhood for which a neighborhood plan has not been recently adopted (generally not within two years).

CORRECT

5. The proposal is located in a neighborhood for which a neighborhood plan will not be reviewed in the near future (generally not in the next two years).

CORRECT

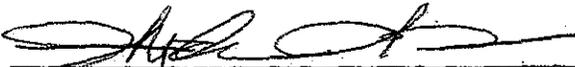
6. The proposal would correct an inconsistency within or make a clarification to a provision of the Comprehensive Plan.

CORRECT

E. Property owner signature.

Note: If the applicant is the property owner, or is representing the property owner, then the property owner must sign the last page. If the applicant is neither the property owner nor representing the property owner, then the affected property owner must be notified. Send or hand deliver a copy of this completed application to all affected property owners. fill out the attached Affidavit of service that this has been done.

Name - sign:



Name - print:

RHODA ALTOM

Address:

P.O. Box 22926

SEATTLE, WA 98122

Telephone:

206. 325-1166 / 206. 879-6719

Attachment 6(b)-7



## CITY OF KIRKLAND

Planning and Community Development Department  
123 Fifth Avenue, Kirkland, WA 98033 425.587.3225  
[www.ci.kirkland.wa.us](http://www.ci.kirkland.wa.us)

### MEMORANDUM

**To:** Planning Commission

**From:** Eric Shields, Director  
Michael Bergstrom, Planning Consultant *PS*

**Date:** March 17, 2005

**Subject:** RECONSIDERATION OF JAMES A. HART REQUEST - THRESHOLD DETERMINATION OF PRIVATE AMENDMENT REQUESTS FOR AMENDING THE COMPREHENSIVE PLAN IN 2005; FILE NO. ZON05-00002

**RECEIVED**

MAR 21 2005

Jim Hart and Associates

#### I. RECOMMENDATION

Reconsider the Private Amendment Request by James A. Hart and either re-confirm your earlier Threshold Determination recommendation or forward a new recommendation to the City Council. If the request satisfies the Threshold Determination criteria, it will be eligible for further consideration.

#### II. BACKGROUND

On February 10, 2005 the Planning Commission held a study session on five Private Amendment Requests for changes to the Comprehensive Plan and Zoning Map. At the conclusion of that study session, the Commission recommended that the City Council find that two of the requests – Gordon & Phyllis Hart/Fiorito and Sharon Daniels – satisfy the Threshold Determination criteria and proceed to further review to be considered in 2006. The Commission recommended that the other three requests – Children's Center Schoolhouse, James A. Hart, and Market Neighborhood Association – be found to not satisfy the criteria, which would end consideration of those requests.

On March 15, 2005 the City Council reviewed the five requests and the recommendations of the Planning Commission. The Council voted as follows:

Children's Center Schoolhouse and Market Neighborhood Association: Adopt Planning Commission recommendations. Requests do not satisfy Threshold Determination criteria. Do not consider further.

Gordon & Phyllis Hart/Fiorito and Sharon Daniels: Adopt Planning Commission recommendations. Requests satisfy Threshold Determination criteria. Proceed to full review, but exclude Fiorito property from review of the Hart proposal (except as may be needed for access to Hart property).

*Attachment 6(b)-2*

James A. Hart: Remand to the Planning Commission for reconsideration.

The Council expressed some support for examining the allowable building heights in the PLA 5B zone, due to allowable heights in surrounding zones and the general topography patterns of the area. Some Councilmembers felt that, while Mr. Hart's original request to allow heights of up to 60' might not be appropriate, some increase to the current 30' height allowance might be warranted for further consideration. They further felt that if the request is ultimately determined to meet the Threshold Determination criteria, review should encompass the entire PLA 5B zone and not just the Hart property. The Council voted to remand the Hart request to the Planning Commission so that you could either re-confirm your earlier recommendation or forward a new recommendation.

The original Staff evaluation of the James Hart request was included in the February 3, 2005 Staff memorandum to the Planning Commission. An excerpt from that memo containing the evaluation is presented in Attachment 1. The original support materials for this request are included as Attachment 2.

### **III. CONCLUSION**

The Planning Commission should re-review the James Hart Private Amendment Request to determine whether it satisfies the Threshold Determination criteria. If the Commission determines that the criteria are met, you should forward a new recommendation to the City Council to consider this along with the other PAR requests for 2006. If the Commission determines that the criteria are not met, you should re-confirm your earlier recommendation.

#### **Attachments:**

1. Excerpt from February 3, 2005 Staff Memorandum
2. Original Support Materials for James A. Hart Request

cc: James Hart, 5240 111<sup>th</sup> Avenue NE, Kirkland, WA 98033

ATTACHMENT 1

2005 PRIVATE AMENDMENT REQUESTS – FILE NO. ZON05-00002

JAMES A. HART REQUEST

EXCERPT FROM FEBRUARY 3, 2005 STAFF MEMORANDUM

Following is the discussion of the James Hart request as presented in the February 3, 2005 Staff memorandum to the Planning Commission:

1. Request: Increase the allowable building height in the PLA 5B zone from 30 feet to 60 feet, for property located at and around 220 6<sup>th</sup> Avenue. The site is located in the Moss Bay (Perimeter Area) Neighborhood (see Attachment 5\*).
2. Relation to Criteria. The following summarizes Staff's analysis of this request against the applicable criteria. The applicant's response to the criteria is contained in Attachment 5.

a. The City has the resources, including staff and budget, necessary to review the proposal.

This is a decision the City needs to make, based on competing interests for the current year work program. As is typical with the budget, there are always more interests vying for City resources than those resources can accommodate. Review of this request through stage two will add to the already-existing competition for funding, staff resources, and Commission and Council agenda space. The work program has several major projects underway that are scheduled before the Commission for the next six to nine months.

If the Commission and Council believe that this request satisfies the other threshold determination criteria and selects it for further consideration, it will likely result in some other need being removed from the work program or delayed to a future year. The more complex the issues raised by the request are, the more impact it will have on City resources. The Commission and Council will need to decide whether the degree of impact is manageable and/or worth sacrificing resources elsewhere. This is true not only of the Children's Center Schoolhouse request, but of all five requests.

b. The proposal would correct an inconsistency within or make a clarification to a provision of the Comprehensive Plan.

The applicant believes that there is an inconsistency between allowable building heights between the PLA 5B zone and surrounding zones, and that the PLA 5B maximum building height of 30' does not allow economical buildings.

A review of surrounding zones shows that there are two neighboring zones that allow a greater height than 30'. The PLA 5C zone (north of PLA 5B) allows a 60' height if the subject property contains at least one acre. The CBD-5 zone allows buildings 3 to 5 stories in height. Other surrounding zones, including PLA 5A (east of PLA 5B), RM 3.6' (south of PLA 5B) and RM 2.4 (southwest of PLA 5B) all establish a building height of 30'. The applicant would like the PLA 5B zone to have the 60' height allowance that the PLA 5C zone has, but without the one acre minimum lot area.

Staff does not view the different height allowances as an inconsistency. It is not uncommon for different zones to have different building height allowances. The 30'

Attachment 6(B) - 3

ATTACHMENT 1

height allowance in the PLA 5B zone is the same as that allowed the adjacent zones to the south and east.

While there may be reason to review allowable building heights in portions of the Moss Bay Neighborhood, such review is best done in a more comprehensive manner, and through the more inclusive process that a neighborhood plan update provides.

c. All of the following:

- (1) The proposal demonstrates a strong potential to serve the public interest by implementing specifically identified goals and policies of the Comprehensive Plan; and

No specific goals or policies have been identified that the proposal would implement.

- (2) The public interest would best be served by considering the proposal in the current year, rather than delaying consideration to a later neighborhood plan review or plan amendment process; and

No reason is apparent that compels consideration this year. The request raises larger issues concerning allowable building heights in the perimeter areas of the Moss Bay Neighborhood, and the public interest is best served by resolving those issues in the context of a neighborhood plan update.

- (a) The proposal is located in a neighborhood for which a neighborhood plan has not been recently adopted (generally not within two years); and

The Moss Bay Neighborhood Plan was last updated in 1989.

- (b) The proposal is located in a neighborhood for which a neighborhood plan will not be reviewed in the near future (generally not in the next two years).

The Moss Bay Neighborhood Plan is scheduled for its next major update in 2010.

3. Staff recommendation: This request should not proceed to stage two. It is most appropriately considered as part of the neighborhood plan update process.

\* *Note – The original support materials for the James Hart request were identified as Attachment 5 in the February 3, 2005 Staff memorandum.*

Attachment 6(b)-4

**ATTACHMENT 2**

**2005 PRIVATE AMENDMENT REQUESTS – FILE NO. ZON05-00002**

**JAMES A. HART REQUEST**

**ORIGINAL SUPPORT MATERIALS**

*Note: The enclosed materials are stamped "Attachment 5". This is due to the fact that these materials were Attachment 5 to the February 3, 2005 Staff memorandum to the Planning Commission.*

*Attachment 6(b)-5*

RECEIVED

DEC 1 2004

AM PM  
PLANNING DEPARTMENT

BY \_\_\_\_\_

CITY OF KIRKLAND

123 FIFTH AVENUE • KIRKLAND, WASHINGTON 98033-6189 • (425) 828-1257

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

APPLICATION FOR COMPREHENSIVE PLAN AMENDMENT

Directions: You may use this form or answer questions on separate pages.

Applicant Name JAMES A (JIM) HART  
Address 5240-11TH AVE NE  
Telephone 425.822.6859  
Property owner (if different than the applicant)  
Property Owner Name \_\_\_\_\_  
Address \_\_\_\_\_  
Telephone \_\_\_\_\_

Note: If the applicant is the property owner, or is representing the property owner, then the property owner must sign the last page. If the applicant is neither the property owner nor representing the property owner, then the affected property owner must be notified. Send or hand deliver a copy of this completed application to all affected property owners. Fill out the attached Affidavit of service that this has been done.

A. Description of Proposal:

TO BE MORE CONSISTENT WITH EXISTING BUILDING HEIGHTS IN PLANNED AREA 5B.

B. Description, address, and map of property affected by the proposal:

5100 FT. OF LOT 32 AND 32A, BLOCK 53, BURKE & FARROW'S KIRKLAND ADD. (UNREG) DIVISION 15. SEE ATTACHED  
220-6TH STREET

C. Description of the specific reasons for making the proposal:

PRESENT BUILDING HEIGHT RESTRICT A ECONOMICAL STRUCTURE ON SITE

D. Description of how the proposed amendment relates to the following criteria:

1. The City has the resources, including staff and budget, necessary to review the proposal.

N/A

2. The proposal demonstrates a strong potential to serve the public interest by implementing specifically identified goals and policies of the Comprehensive Plan.

Attachment 6(b)-5

3. The public interest would best be served by considering the proposal in the current year, rather than delaying consideration to a later neighborhood plan review or plan amendment process

PLANNED AREA 5 B HAS NOT BEEN LOOKED AT INTO  
FOR APPROXIMATELY 10 YRS.

4. The proposal is located in a neighborhood for which a neighborhood plan has not been recently adopted (generally not within two years).

CORRECT

5. The proposal is located in a neighborhood for which a neighborhood plan will not be reviewed in the near future (generally not in the next two years).

CORRECT

6. The proposal would correct an inconsistency within or make a clarification to a provision of the Comprehensive Plan.

MAKE BUILDING CONSISTENT WITH EXISTING BUILDING  
HEIGHTS.

E. Property owner signature.

*Note: If the applicant is the property owner, or is representing the property owner, then the property owner must sign the last page. If the applicant is neither the property owner nor representing the property owner, then the affected property owner must be notified. Send or hand deliver a copy of this completed application to all affected property owners. fill out the attached Affidavit of service that this has been done.*

name - sign

James A. (Jim) Hart

name - print

JAMES A. (JIM) HART

address

5240 111TH AVENUE  
KIRKLAND 98033

telephone

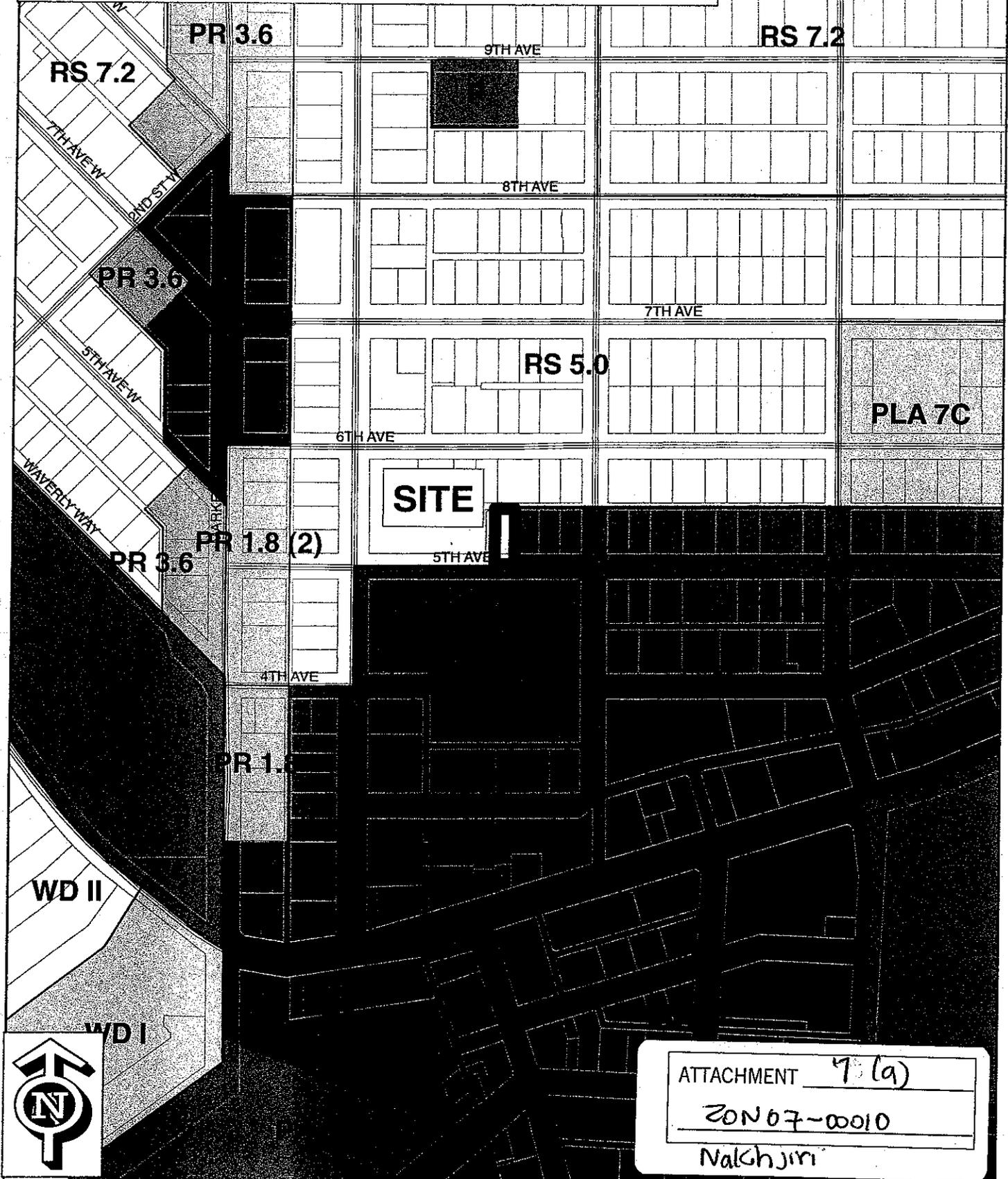
425.822.6859 / 425.822.4711

**ONLY CONTINUE TO FOLLOWING PAGES IF**

1. The applicant is neither the property owner nor representing the affected property owner must be notified.

Attachment 6(b)-6

Mehdi Nakhjiri Private Amendment Request  
ZON07-00010  
138 5th Avenue



ATTACHMENT 7 (a)  
ZON07-00010  
Nakhjiri

20N07-00010



**CITY OF KIRKLAND  
PLANNING AND COMMUNITY DEVELOPMENT**  
123 Fifth Avenue, Kirkland, WA 98033 425.587.3225  
www.ci.kirkland.wa.us

**APPLICATION FOR COMPREHENSIVE PLAN AMENDMENT**

*Directions: You may use this form or answer questions on separate pages.*

Applicant Name MEHDI NAKHJIRI  
Address PROPERTY ADDRESS: 138 5<sup>th</sup> AVE (REQUEST FOR ZONE REVISION)  
Telephone KIRKLAND, WA 98033  
Property owner (if different than the applicant)  
Property Owner Name SAME  
Address OWNER ADDRESS: 10420 NE 55<sup>th</sup> ST KIRKLAND WA 98033  
Telephone 425-985-4129 (CELL)

Note: If the applicant is the property owner, or is representing the property owner, then the property owner must sign the last page. If the applicant is neither the property owner nor representing the property owner, then the affected property owner must be notified. Send or hand deliver a copy of this completed application to all affected property owners. fill out the attached Affidavit of service that this has been done.

**A. Description of Proposal:**

WE PROPOSE TO REVISE THE EXISTING ZONING OF THE ABOVE PROPERTY LOCATED AT 138 5<sup>th</sup> AVE KIRKLAND 98033 TO MULTIFAMILY (DUPLEX)

**B. Description, address, and map of property affected by the proposal:**

138 5<sup>th</sup> AVE KIRKLAND WA 98033, A 5100 SQ FT PROPERTY, CURRENTLY A 2 STORY STRUCTURE IS LOCATED AT THIS PROPERTY.

**C. Description of the specific reasons for making the proposal:**

ALL OTHER PROPERTIES IN THE VICINITY / ADJACENT TO THIS PROPERTY ARE MULT-FAMILY. PRESENT STRUCTURE IS NOT RESIDENTIAL.

**D. Description of how the proposed amendment relates to the following criteria:**

- 1. The City has the resources, including staff and budget, necessary to review the proposal.

THIS PROPERTY WAS EXTENSIVELY REVIEWED AND STUDIED BY CITY STAFF PRIOR TO MY OWNERSHIP. FURTHER REVIEW WILL NOT REQUIRE A LARGE AMOUNT OF TIME DUE TO PREVIOUS PRECEDENT.

ATTACHMENT 7(b)  
20N07-00010  
NAKHJIRI

2. The proposal demonstrates a strong potential to serve the public interest by implementing specifically identified goals and policies of the Comprehensive Plan.

THE ADJACENT PROPERTIES ZONING HAS BEEN MODIFIED AND IMPLEMENTED

3. The public interest would best be served by considering the proposal in the current year, rather than delaying consideration to a later neighborhood plan review or plan amendment process

PRESENT OWNER IS PLANNING TO USE SEGMENT OF THE BUILDING FOR RESIDENTIAL USE.

4. The proposal is located in a neighborhood for which a neighborhood plan has not been recently adopted (generally not within two years).

EXISTING ZONING AND USE HAS BEEN ADOPTED MANY YEARS AGO.

5. The proposal is located in a neighborhood for which a neighborhood plan will not be reviewed in the near future (generally not in the next two years).

6. The proposal would correct an inconsistency within or make a clarification to a provision of the Comprehensive Plan.

FURTHER RESEARCH WILL BE SUBMITTED

E. Property owner signature.

Note: If the applicant is the property owner, or is representing the property owner, then the property owner must sign the last page. If the applicant is neither the property owner nor representing the property owner, then the affected property owner must be notified. Send or hand deliver a copy of this completed application to all affected property owners. fill out the attached Affidavit of service that this has been done.

Name - sign: M. H. & J. J. J. J.

Name - print: MENDI NAKIJI

Address: 10420 NE 55th ST

KIRILLAND WA 98033

Telephone: 425-985-4129

Attachment 7(b)-1

**ONLY CONTINUE TO FOLLOWING PAGES IF**

1. The applicant is neither the property owner nor representing the property owner, then the affected property owner must be notified.
2. Send or hand deliver a copy of this completed application to all affected property owners.
3. Fill out the attached Affidavit of Service that this has been done.

*Attachment 7(b)-2*

Mary-Alyce Burleigh.

Vote: Motion carried 6-0.

Yes: Councilmember Dave Asher; Councilmember Mary-Alyce Burleigh; Councilmember Jessica Greenway; Councilmember Tom Hodgson; Councilmember Bob Sternoff; Mayor Jim Lauinger

Absent: Deputy Mayor Joan McBride

d. American Legion Hall

Assistant City Manager Lynn Stokesbary provided Council with a review of the building condition and issues for consideration.

Motion to decline further consideration of the purchase of the American Legion Hall property.

Moved by Councilmember Dave Asher, seconded by Councilmember Mary-Alyce Burleigh.

Vote: Motion carried 6-0.

Yes: Councilmember Dave Asher; Councilmember Mary-Alyce Burleigh; Councilmember Jessica Greenway; Councilmember Tom Hodgson; Councilmember Bob Sternoff; Mayor Jim Lauinger

Absent: Deputy Mayor Joan McBride

e. Floor Area Ratio

This item was added to the agenda as a carryover from issues discussed during the earlier joint meeting with the Planning Commission and refers to information in the Commission's memorandum under item 3.a.

Council agreed that the Planning Commission should proceed with work on proposed zoning code amendments relating to Floor Area Ratio focused on the key issues of the deletion or reduction of the 20' separation exemption, while keeping some exemption for ADU's; reduction of the FAR for the RS 5000 zone; consider counting vaulted ceiling areas in FAR calculations; review of options for reducing the FAR on smaller lots; and the issue of improvements allowed to extend into required side yards.

11. NEW BUSINESS

a. Ordinance No. 4036, Adopting Storm Water Capital Facilities Charges

Motion to Approve Ordinance No. 4036, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO THE ADOPTION OF STORM WATER CAPITAL FACILITIES CHARGES."

Moved by Councilmember Mary-Alyce Burleigh, seconded by Councilmember Bob Sternoff.

Vote: Motion carried 6-0.

Yes: Councilmember Dave Asher; Councilmember Mary-Alyce Burleigh; Councilmember Jessica Greenway; Councilmember Tom Hodgson; Councilmember Bob Sternoff; Mayor Jim Lauinger

Absent: Deputy Mayor Joan McBride

b. King County Water District #1 Water Right

ATTACHMENT 7(c)

2007-

Nakhjiri



**CITY OF KIRKLAND**

**City Manager's Office**

123 Fifth Avenue, Kirkland, WA 98033 425.587.3001

www.ci.kirkland.wa.us

**MEMORANDUM**

**To:** Dave Ramsay, City Manager  
**From:** Lynn Stokesbary, Assistant City Manager  
**Date:** January 25, 2006  
**Subject:** American Legion Hall

**RECOMMENDATION:**

The staff recommends City Council review of follow-up information requested at the December 13, 2005 Council meeting regarding the American Legion Hall and provide direction to staff on options presented for Council consideration.

**BACKGROUND DISCUSSION:**

At the December 13, 2005 City Council meeting, the Council received a report from staff about the American Legion Hall including its historic significance, allowable uses, and building condition. The Council directed staff to provide further analysis of the building and discussions with the Kirkland Heritage Society. By way of some background, the City was notified last October that the Legion Hall will likely be for sale in 2006. It is currently leased by St. Katherine the Great-Martyr Orthodox Church. In our continuing discussions with the owner's Realtor, the property will be marketed beginning sometime in February.

I have attached the report that was provided to the City Council at their December 13 meeting. Based on Council direction for further analysis the staff hired architect Clay Wallace to inspect the building and provide the City with a range of probable construction costs for improvements. We asked for a range of costs because a use has not been identified, but uses notwithstanding, estimates could be determined ranging from basic building improvements to other improvements that would contemplate public uses.

**Building Condition and Probable Costs**

I have attached for your information a report from architect Clay Wallace of Jensen/Fay Architecture and Planning regarding the condition of the building. You may recall that last December, several inspectors from our Building Division identified needed structural, mechanical, safety, and accessibility improvements for the American Legion Hall. This inspection work has been followed up with probable cost estimates for the building depending on use. Mr. Wallace's report identifies cost estimate ranges for *basic improvements, aesthetic improvements, and other improvements* (dependent on use). In a nutshell, depending on how the building is used and what work could be deferred, the estimated range in

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Memorandum to Dave Ramsay  
January 25, 2006  
Page 2

improvement costs are **\$252,000 to \$601,000**. These estimates include sales tax, but 20% to 30% should be added for design, contingencies, and fees which could add another \$75,000 to \$180,000 to these estimates. This would be on top of the asking sale price of **\$450,000**. With added building improvements, the City's total investment could range from **\$777,000 to \$1,200,000**. In discussing this with Mr. Wallace, there are several improvements that could be deferred to a later date if the City were to operate as a landlord instead of being an occupant. For instance, improvements such as insulation, mechanical system replacements, electrical upgrades, and ADA upgrades would not have to be immediately done. This could result in cost avoidance of \$121,000 to \$175,000.

Another cost consideration is on-going expenses for maintenance and operations of the building. Staff estimates that annual maintenance costs would be similar to Heritage Hall which is \$25,000 for utilities, repairs, janitorial, and supplies. Not included in this would be any start-up expenses (tables, chairs, and other furnishings) should the building be used for meetings or other activities.

It is important to note that this building is in usable condition, but will require a significant amount of investment to repair and improve the condition of this building. There are foundation problems (non-reinforced concrete and the building is not tied to the foundation). In addition there is significant foundation wall moisture and water in the basement that will require extensive waterproofing and drainage improvements. There are opportunities for grant funding if the building did become a designated landmark, but the funding is not in significant amounts.

Another factor to consider in evaluating this building is its relative importance to other City capital improvement needs such as a future Public Safety Building, Maintenance Center and City Hall needs, and emerging Park projects such as Juanita Beach, McAuliffe Park, and indoor recreation space. The City is also just beginning an architectural assessment and public involvement process for the historic Kirkland Cannery Building. The City would need to use Reserves if the Council decided to purchase the Legion Hall.

### **Possible Building Uses**

Since the December report to the City Council staff has been unable to find a partner agency that could use the building. City Departments have not expressed strong interest, except for possible value as additional meeting space for the City or community. Unfortunately, creating an adaptive reuse of this building for City or community use is going to be expensive, limited in size, and no available parking on site.

The City has been contacted by a representative of the St. Katherine Orthodox Church which has leased the building since 2001. They have expressed interest in leasing the building for two to three years at \$1,800 per month the first year and \$100 more per month for each additional year. This would help defray the costs of annual maintenance and defer some of the building improvements. On the other hand, and City or community use would not occur for several years because the church use occupies the main floor.

### **Historic Significance**

From an historic perspective the building is important because it reflects the role of the American Legion in Kirkland. In 1936 it was remodeled by the Works Progress Administration, one of only a couple buildings (including the Cannery) that represent the work of the WPA. Although it is not as architecturally significant as Heritage Hall it does reflect the early history of Kirkland. It is located in proximity to other historic buildings in Kirkland such as the Womans Club, the Congregational Church, and the old Central School site

Memorandum to Dave Ramsay  
January 25, 2006  
Page 3

(the current site of City Hall). For further information on American Legion Hall historic significance please refer to the December 13 report to the City Council that included information from the Kirkland Heritage Society and Planning Department.

### Options

The City has been informed that the American Legion will be put on the market sometime in February pending the City's decision. At this point the staff suggests two options for the City Council's consideration and direction to staff.

1. Inform the Realtor representing the property owner that the City is not interested in purchasing the property.
2. If the City Council is interested in possibly purchasing the American Legion Hall, the staff and architect would recommend testing for possible mold in the building (estimate of \$2,000 to \$4,000). This should provide us with a better understanding of the potential problem and mitigation. We would report those findings to the City Council at their February 21 meeting for final decision and direction.

Attachment 7(c)-3



## CITY OF KIRKLAND

City Manager's Office

123 Fifth Avenue, Kirkland, WA 98033 425.587.3001

www.ci.kirkland.wa.us

### MEMORANDUM

**To:** Dave Ramsay, City Manager  
**From:** Lynn Stokesbary, Assistant City Manager  
**Date:** December 1, 2005  
**Subject:** American Legion Hall

#### RECOMMENDATION:

The staff recommends City Council review follow-up information requested at the November 15 Council meeting regarding the American Legion Hall.

#### BACKGROUND DISCUSSION:

At the November 15, 2005 City Council meeting Deputy Mayor McBride requested a report on the American Legion Hall. In October, the City was notified that the Legion Hall will likely be for sale in 2006. For the purposes of this report, the staff has prepared information about the building including its historic significance, allowable uses, and building condition. The staff has also talked with representatives of the Kirkland Heritage Society and discussed possible interest of use by City Departments and human service agencies. Attached is a memo from Senior Planner Angela Ruggeri summarizing the historic significance and allowed uses for the Legion Hall. Also attached is a report from Building Services Division staff that inspected the facility on November 22.

From an historic perspective the building is important because it reflects the role of the American Legion in Kirkland. In 1936 it was remodeled by the Works Progress Administration, one of only a couple of buildings (including the Cannery) that represent the work of the WPA. Although it is not as architecturally significant as Heritage Hall it does reflect the early history of Kirkland. It is located in proximity to other historic buildings in Kirkland such as the Womans Club, the Congregational Church, and the old Central School site (the current site of City Hall). In discussing this with Bob Burke of the Kirkland Heritage Society, he pointed out that the location of the Legion Hall is "contextually important" because it was part of the "center of the community" where people gathered for social and organizational activity and as Angela Ruggeri says in her report, buildings such as the American Legion Hall have "association with significant people or activities in Kirkland's history."

From a use perspective, the building and site does present some challenges. The building is approximately 2,000 square feet and is located on a 5,100 square foot lot, limiting the use of the building and property. There is no parking available on the site. The Building Division has identified needed structural, mechanical, safety, and accessibility improvements that would be comparable to the work that was needed to make Heritage Hall work for public use and preserve and restore historic integrity. In addition, the on

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Memorandum to Dave Ramsay  
December 1, 2005  
Page 2

going costs of building maintenance and upkeep would need to be considered. The key to possible City ownership would be to identify a needed and successful use or find a partner agency that could use the building. The Parks and Community Services Department contacted a variety of human services agencies to determine interest in the building. To date, there has not been interest in the location for office or satellite use. City Departments have not expressed strong interest, except for its possible value as additional meeting space for the City or community.

In terms of possible next steps, the staff suggests three options for the City Council's consideration and direction to staff:

1. Continue to evaluate the merits of possible City purchase including preparing cost estimates of improvements needed to provide public use.
2. Continue to explore if there are other non-profits or organizations that may be interested in purchasing or using the building.
3. Inform the realtor representing the property owner that the City is not interested in purchasing the property.

Attachment 7(c)-5



Attachment 7(c)-6

| American Legion   |            |            |            |            |
|---|------------|------------|------------|------------|
| Asbestos abatement, 2nd floor tile = \$7,000 to \$10,000                          | \$ 7,000   | \$ 10,000  |            |            |
| Mold abatement = N/A - Extent Unknown, Inspection & Tests = \$2,000 to \$4,000    | \$ 2,000   | \$ 4,000   |            |            |
| Basement moisture control, drainage and slab = \$15,000 to \$20,000               | \$ 15,000  | \$ 20,000  |            |            |
| Foundation wall moisture control, waterproofing & drainage = \$50,000 to \$80,000 | \$ 50,000  | \$ 80,000  |            |            |
| Upgrade structural/seismic elements = \$25,000 to \$35,000                        | \$ 25,000  | \$ 35,000  |            |            |
| Mechanical system replacement, furnace only = \$8,000 to \$12,000                 | \$ 8,000   | \$ 12,000  |            |            |
| Mechanical system, add air conditioning = \$4,000 to \$6,000                      | \$ 4,000   | \$ 6,000   |            |            |
| Mechanical system replacement, ductwork = \$10,000 to \$15,000                    | \$ 10,000  | \$ 15,000  |            |            |
| Wood rot repair/replacement, sills etc. = \$10,000 to \$15,000                    | \$ 10,000  | \$ 15,000  |            |            |
| Pest control inspection & treatment = \$3,000 to \$4,000                          | \$ 3,000   | \$ 4,000   |            |            |
| Electrical upgrades, power/data/lighting = \$30,000 to \$50,000                   | \$ 30,000  | \$ 50,000  |            |            |
| Access ADA upgrade, rear entry & parking space = \$5,000 to \$10,000              | \$ 5,000   | \$ 10,000  |            |            |
| Restroom ADA upgrades, 2 restrooms = \$40,000 to \$50,000                         | \$ 40,000  | \$ 50,000  |            |            |
| Repair exterior brick = \$1,000 to \$3,000  | \$ 1,000   | \$ 3,000   |            |            |
| Deck structural upgrades = \$2,000 to \$4,000                                     | \$ 2,000   | \$ 4,000   |            |            |
| Insulate walls, blown in = \$12,000 to \$17,000                                   | \$ 12,000  | \$ 17,000  |            |            |
| Insulate ceiling/roof = \$12,000 to \$15,000                                      | \$ 12,000  | \$ 15,000  |            |            |
| Fire/Security alarm system = \$6,000 to \$10,000                                  | \$ 6,000   | \$ 10,000  |            |            |
| Replace basement door and access - \$10,000 to \$12,000                           | \$ 10,000  | \$ 12,000  |            |            |
|   | \$ 252,000 | \$ 372,000 | \$ 252,000 | \$ 372,000 |
| <b>Aesthetic Improvements:</b>  |            |            |            |            |
| Flooring upgrades/refinishing, 1st floor = \$7,000 to \$10,000                    | \$ 7,000   | \$ 10,000  |            |            |
| Flooring, 2nd floor = \$3,000 to \$5,000  | \$ 3,000   | \$ 5,000   |            |            |
| Interior Painting, 1st floor = \$20,000 to \$25,000                               | \$ 20,000  | \$ 25,000  |            |            |
| Roof Repair = \$5,000 to \$8,000  | \$ 5,000   | \$ 8,000   |            |            |
| Trim & Siding (Shingle) Repair = \$5,000 to 10,000                                | \$ 5,000   | \$ 10,000  |            |            |
| Replace ceiling, back rooms/area = \$4,000 to \$6,000                             | \$ 4,000   | \$ 6,000   |            |            |
| Demolish fireplace, patch wall = \$8,000 to \$12,000                              | \$ 8,000   | \$ 12,000  |            |            |
|   | \$ 52,000  | \$ 76,000  | \$ 52,000  | \$ 76,000  |
| <b>Other Improvements (dependant on use):</b>                                     |            |            |            |            |
| Demolish interior wall, patch & repair = \$2,000 to \$3,000                       | \$ 2,000   | \$ 3,000   |            |            |
| Add Lift to 2nd Floor = \$70,000 to \$90,000                                      | \$ 70,000  | \$ 90,000  |            |            |
| Reconfigure main floor = \$40,000 to \$60,000                                     | \$ 40,000  | \$ 60,000  |            |            |
|   | \$ 112,000 | \$ 153,000 | \$ 112,000 | \$ 153,000 |
|   |            |            | \$ 416,000 | \$ 601,000 |

Attachment 7 (c) - 7



## CITY OF KIRKLAND

Planning and Community Development Department  
123 Fifth Avenue, Kirkland, WA 98033 425.587-3225  
[www.ci.kirkland.wa.us](http://www.ci.kirkland.wa.us)

### MEMORANDUM

**To:** Lynn Stokesbary, Assistant City Manager  
**From:** Angela Ruggeri, Senior Planner  
**Date:** November 30, 2005  
**Subject:** American Legion Hall at 138 5<sup>th</sup> Avenue

#### HISTORIC SIGNIFICANCE

The American Legion Hall is designated as a Community Landmark in the City's Comprehensive Plan. It is a simple gabled vernacular building that was constructed in the 1920's according to the Kirkland Heritage Society. The Kirkland American Legion Post first occupied the building in 1931 after it was acquired from the Baptist Church.

The American Legion Hall is one of the 89 buildings on the Category A list of the Heritage Society's Historic Resources Survey and Inventory Report completed in October of 1999. The survey and report were done by consultant Mimi Sheridan, AICP for the Heritage Society. These 89 buildings are given high priority because of their high degree of architectural integrity and, in many cases, their association with significant people or activities in Kirkland's history. The American Legion Hall is one of four social halls that were identified and inventoried. The other three are the Kirkland Woman's Club (1925), the Juanita Community Club (1932) and the Rose Hill Grange Hall (1919) which is now used as a residence.

#### ALLOWED USES AND POTENTIAL REDEVELOPMENT

The City cannot prevent demolition of the American Legion Hall even though it has historic significance and is designated a Community Landmark in the Comprehensive Plan. We can only delay demolition by three to four months, if a demolition permit is applied for. This delay can be done through the environmental review process. The purpose would be to allow time to find another location for the hall.

The American Legion Hall property is zoned RS 5.0 (single family residential with a minimum lot size of 5000 square feet). The actual size of the lot is 5100 square feet. One single family home can be built on this site without a special review process (only a building permit would be required). A small park can also be placed on the site if certain criteria are met. The zone also allows for government and community facilities, public utilities, churches, and school or day care facilities. These uses require a public review process prior to building permit. The decision on an application for a mini-school or daycare is made by the Planning Director. The decision on the remaining uses is made by the Hearing Examiner. The parking requirements for most of these uses are determined on a case-by-case basis.

Attachment 7(c)-8

# HISTORIC PROPERTY INVENTORY FORM

## IDENTIFICATION SECTION

Field Site No. 17 OAHF No. \_\_\_\_\_ Date Recorded 12/13/91  
 Site Name Historic Baptist Church  
 Common American Legion Hall  
 Field Recorder David Harvey  
 Owner's Name Kirkland-Bellevue American  
 Address Legion Post 99  
 City/State/Zip Code Kirkland WA, 98033

- Status
- Survey/Inventory
  - National Register
  - State Register
  - Determined Eligible
  - Determined Not Eligible
  - Other (HABS, HAER, NHL)
  - Local Designation

PHOTOGRAPHY  
 Photography Neg. No. R.1,F.17  
 (Roll No. & Frame No.)  
 View of South Facade  
 Date 12/16/91

Classification  District  Site  Building  Structure  Object  
 District Status  NR  SR  LR  INV  
 Contributing  Non-Contributing   
 District/Thematic Nomination Name \_\_\_\_\_

## DESCRIPTION SECTION

### Materials & Features/Structural Types

Building Type Religion  
 Plan Rectangular  
 Structural System Wood  
 No. of Stories 1

### Cladding (Exterior Wall Surfaces)

- Log
- Horizontal Wood Siding
  - Rustic/Drop
  - Clapboard
- Wood Shingle
- Board and Batten
- Vertical Board
- Asbestos/Asphalt
- Brick
- Stone
- Stucco
- Terra Cotta
- Concrete/Concrete Block
- Vinyl/Aluminum Siding
- Metal (specify) \_\_\_\_\_
- Other (specify) \_\_\_\_\_

### Roof Type

- Gable  Hip
- Flat  Pyramidal
- Monitor  Other (specify) \_\_\_\_\_
- Gambrel
- Shed

### Roof Material

- Wood Shingle
- Wood Shake
- Composition
- Slate
- Tar/Built-Up
- Tile
- Metal (specify) \_\_\_\_\_
- Other (specify) \_\_\_\_\_
- Not visible

### Foundation

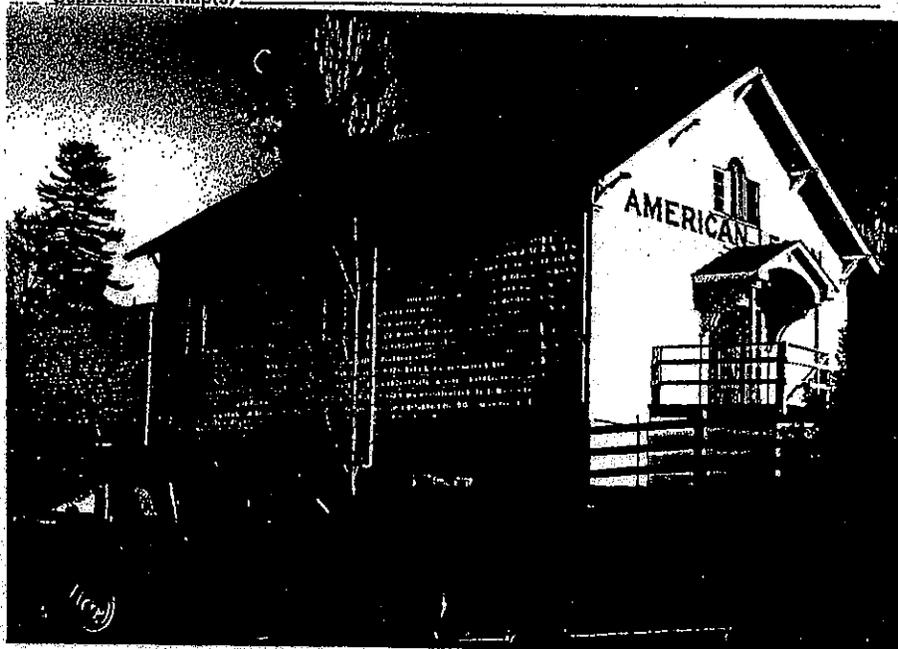
- Log
- Post & Pier
- Stone
- Brick
- Not visible
- Concrete
  - Block
  - Poured
  - Other (specify) \_\_\_\_\_

Integrity (include detailed description in Description of Physical Appearance)

|                              | Intact                              | Slight                              | Moderate                            | Extensive                |
|------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|--------------------------|
| Changes to plan              | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
| Changes to windows           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Changes to original cladding | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            | <input type="checkbox"/> |
| Changes to interior          | <input type="checkbox"/>            | <input type="checkbox"/>            | <input type="checkbox"/>            | <input type="checkbox"/> |
| Other (specify) _____        | <input type="checkbox"/>            | <input type="checkbox"/>            | <input type="checkbox"/>            | <input type="checkbox"/> |

## LOCATION SECTION

Address 1305th. Ave. N.E.  
 City/Town/County/Zip Code Kirkland, WA 98033  
 Twp. 25N Range 5E Section 6 1/4 Section \_\_\_\_\_ 1/4 Section \_\_\_\_\_  
 Tax No./Parcel No. 388580-8330-0 Acreage \_\_\_\_\_  
 Quadrangle or map name \_\_\_\_\_  
 UTM References Zone \_\_\_\_\_ Easting \_\_\_\_\_ Northing \_\_\_\_\_  
 Plat/Block/Lot Lot 11, Blk. 196  
 Supplemental Map(s) Kirkland Add.



### High Styles/Forms (check one or more of the following)

- |   |   |
|---|---|
| <input type="checkbox"/> Greek Revival            | <input type="checkbox"/> Spanish Colonial Revival/Mediterranean |
| <input type="checkbox"/> Gothic Revival           | <input type="checkbox"/> Tudor Revival                          |
| <input type="checkbox"/> Italianate               | <input type="checkbox"/> Craftsman/Arts & Crafts                |
| <input type="checkbox"/> Second Empire            | <input type="checkbox"/> Bungalow                               |
| <input type="checkbox"/> Romanesque Revival       | <input type="checkbox"/> Prairie Style                          |
| <input type="checkbox"/> Stick Style              | <input type="checkbox"/> Art Deco/Art Moderne                   |
| <input type="checkbox"/> Queen Anne               | <input type="checkbox"/> Rustic Style                           |
| <input type="checkbox"/> Shingle Style            | <input type="checkbox"/> International Style                    |
| <input type="checkbox"/> Colonial Revival         | <input type="checkbox"/> Northwest Style                        |
| <input type="checkbox"/> Beaux Arts/Neoclassical  | <input checked="" type="checkbox"/> Commercial Vernacular       |
| <input type="checkbox"/> Chicago/Commercial Style | <input type="checkbox"/> Residential Vernacular (see below)     |
| <input type="checkbox"/> American Foursquare      | <input type="checkbox"/> Other (specify) _____                  |
| <input type="checkbox"/> Mission Revival          |   |

### Vernacular House Types

- Cross gable
- Gable front and wing
- Side gable
- Pyramidal/Hipped
- Other (specify) \_\_\_\_\_

SPC

A

State of Washington, Department of Community Development  
 Office of Archaeology and Historic Preservation  
 111 West 21st Avenue, KL-11  
 Olympia, WA 98504 (206) 753-4011

Attachments 7(C)-9

NARRATIVE SECTION

SITE NO. 17

Study Unit Themes (check one or more of the following)

- Agriculture
- Architecture/Landscape Architecture
- Arts
- Commerce
- Communications
- Community Planning/Development

- Conservation
- Education
- Entertainment/Recreation
- Ethnic Heritage (specify) \_\_\_\_\_
- Health/Medicine
- Manufacturing/Industry
- Military

- Politics/Government/Law
- Religion
- Science & Engineering
- Social Movements/Organizations
- Transportation
- Other (specify) \_\_\_\_\_
- Study Unit Sub-Theme(s) (specify) \_\_\_\_\_

Statement of Significance

Date of Construction \_\_\_\_\_ Architect/Engineer/Builder \_\_\_\_\_

- In the opinion of the surveyor, this property appears to meet the criteria of the National Register of Historic Places
- In the opinion of the surveyor, this property is located in a potential historic district (National and/or local).

The Kirkland American Legion Post first occupied this intact building in 1931 after it was acquired from the Baptist Church. In 1936, it was renovated by the New Deal's Works Progress Administration (WPA), one of the few buildings renovated by the W.P.A. in Kirkland.

Description of Physical Appearance

Originally constructed as a church, this gable front commercial vernacular building has Classical Revival features: symmetrical form, flat exterior surface, a distinctive palladian window, and a decorative front entrance cover.

Attachment 7(c)-10

Major Bibliographic References

- King County Assessor's Records
- Journal American, 1/27/77, "American Legion Completes Remodeling"



## CITY OF KIRKLAND

### Fire & Building Department

123 Fifth Avenue, Kirkland, WA 98033 425.587.3000

www.ci.kirkland.wa.us

## MEMORANDUM

**To:** Lynn Stokesbary  
**From:** Jack Henderson, Deputy Fire Chief  
**Date:** November 30, 2005  
**Subject:** Preliminary Inspection of 138 5<sup>th</sup> Avenue-American Legion Hall

The following report was prepared for the purposes of evaluating the building condition of the American Legion Hall, 138 5<sup>th</sup> Avenue, Kirkland WA.

### Structural:

Given that the foundation walls are probably un-reinforced masonry and that there were some signs of rot at the sill plates (beams), the building seems generally sound for a structure built in 1920. Some minor seismic retrofitting may be needed to ensure that the building remains secured to its foundation during an earthquake. Also sway bracing and increased ledger connections (lags) should be added at the front entry deck. It appears the deck was constructed under BLD97-1003.

### Mechanical and Energy:

The current (and abandoned) systems should be removed and a new HVAC system installed. Probably a split system with the condenser on the low roof at the rear and an air handler in the attic would make the most sense. From what could be seen, there is probably little to no insulation in the building. Ideally the insulation should be upgraded throughout to keep from up-sizing the HVAC unit and wasting energy and long term dollars.

### Plumbing:

Although old, the supply and waste system should be adequate for an office use. One bathroom for women and one for men should be adequate.

### Electrical:

There is an existing 200 amp service panel which should be adequate for an office use. Wiring is concealed in walls or raceways and unavailable for inspection. Additional outlets and power may be needed for an office use.

### Fire:

There is currently no fire sprinkler or fire alarm system in the building. There are functioning exit signs.

Attachment 7(c)-11

**Exiting:**

If used as an office, one exit is all that would be required from both the 900sf upstairs and the 1920sf downstairs "spaces" and the combined "building" per Tables 1014.1 and 1018.2. If a more dense use (assembly) is planned, then access to additional exits may be required.

**Accessibility:**

As far as barrier free is concerned, the rear entrance could be made to work with some minor improvements but getting to it from the public way is the tricky part. Per GIS, there is approximately a 10' rise along the 100' long driveway from the front sidewalk to the rear alley. This happens to be a 1:12 slope but 3 intermediate landings would be required resulting in a 115' ramp plus top and bottom landings. We might be use a passenger load zone in the alley per 3409.3 #6 below.

**[EB] SECTION 3409****ACCESSIBILITY FOR EXISTING BUILDINGS**

**3409.1 Scope.** The provisions of Sections 3409.1 through 3409.8 apply to maintenance, change of occupancy, additions and alterations to existing buildings, including those identified as historic buildings.

**3409.2 Maintenance of facilities.** A building, facility or element that is constructed or altered to be accessible shall be maintained accessible during occupancy.

**3409.3 Change of occupancy.** Existing buildings, or portions thereof, that undergo a change of group or occupancy shall have all of the following accessible features:

1. At least one accessible building entrance.
2. At least one accessible route from an accessible building entrance to primary function areas.
3. Signage complying with Section 1110.
4. Accessible parking, where parking is being provided.
5. At least one accessible passenger loading zone, when loading zones are provided.
6. At least one accessible route connecting accessible parking and accessible passenger loading zones to an accessible entrance.

Where it is technically infeasible to comply with the new construction standards for any of these requirements for a change of group or occupancy, the above items shall conform to the requirements to the maximum extent technically feasible. Change of group or occupancy that incorporates any alterations or additions shall comply with this section and Sections 3409.4, 3409.5, 3409.6 and 3409.7.

Although government agencies can not use exception 1 of Section 1104.4, exception 4 would allow for no accessible route to the 900sf upstairs if it was used as an accessory storage area and/or mechanical equipment room with an occupant load factor of 1 per 300sf.

4. Where a two-story building or facility has one story with an occupant load of five or fewer persons that does not contain public use space, that story shall not be required to be connected by an accessible route to the story above or below.

If is used for office space, then a lift similar to the one that was installed at 505 Market would most likely be required. The restrooms are a good size and could readily be made more accessible. The accessible route to all areas of primary function would need to be considered when laying-out the TI.

**Miscellaneous:**

There appears to be asbestos tile on the upstairs floor which should either be removed or encapsulated. The dirt floor basement is very damp due to a lack of a vapor barrier. The west half of the basement is full height and could be made usable by adding a concrete slab. There is currently an inside stair and a side door to access this space.

**Inspection:**

Tom Jensen  
Tom Radford  
Clell Mason

Attachment 7(c) -13



**Jensen / Fey**  
*Architecture and Planning*

Kirkland  
**AMERICAN LEGION HALL**

**Opinion of Best Use  
and  
Estimated Costs of Improvements**

Prepared for  
**City of Kirkland**

January 24, 2006

*The Justice White House*  
7730 Leary Way NE • Redmond • Washington 98052  
Tel: 425-216-0318 • Fax: 425-216-0329

*Attachment 7(c)-14*

## AMERICAN LEGION HALL

The American Legion Hall is located at 138 5<sup>th</sup> Avenue in Kirkland, Washington. Constructed in the 1920's, the building has been undergone some changes over the years. It was remodeled in 1936 by the WPA. The building is a two-story, wood framed, clapboard & wood shingle sided structure with a partial dirt floor basement. The foundation and basement walls are concrete block masonry. The roof is composition shingles. The front entry porch, a raised wood deck, is a relatively new. The main floor is approximately 1,920 square feet in area. The basement is approximately 650 square feet and the 2nd floor is approximately 900 square feet. The lot size is 5,100 square feet.

The building was occupied by the Kirkland American Legion Post in 1931. The Kirkland Baptist Church subsequently acquired the building and is currently occupied by St. Katherine the Great - Martyr Orthodox Church.

The property is zoned RS 5.0 (single family residential). The lot is elevated above the street and is a south facing slope. The lot slopes upward from the street to an alley at the rear. There is presently no parking available on the site. Lake Washington and Downtown Seattle are visible from the lot and building. The building is in relatively good condition but does need some repairs and improvements. The shingle siding, although recently painted, is in need of repair and the abandoned brick fireplace is crumbling. Standing water was observed in the basement. The 2<sup>nd</sup> floor is likely covered with asbestos-containing floor tile. The building appears to be un-insulated. Ceiling areas in the rear of the building show signs of roof leaks but does not appear to be recent. Other structural, mechanical, life safety, and accessibility improvements will be needed. The concrete masonry block foundation is probably un-reinforced and up to one-quarter of the exterior wall sill plates appear to be rotted. Some seismic retrofitting is needed. The entry deck needs additional structural improvements. The building and the restroom facilities are not accessible by persons with disabilities. The 2<sup>nd</sup> floor is reachable only by stairs. The heating unit needs to be replaced. Due to the basement water problem, there is a noticeable musty odor in the building. Mold may be present but further investigation is required. An investigation for insect damage to the wood structure may also be needed.

The interior condition of the building ranges from good to fair. Some spaces and room need only aesthetic or cosmetic improvements, such as painting and floor refinishing, but other elements and areas require more extensive repairs including door and hardware replacement, and possible wall removal and ceiling replacement.

JENSEN / FEY *Architecture and Planning*  
*The Justice White House*  
7730 Leary Way NE • Redmond • Washington 98052  
Tel: 425-216-0318 • Fax: 425-216-0329

Attachment 7(c)-15

### Opinion of Best Use

Based on the historical use, present use, current zoning, lack of parking and limited yard space, the building's best use would be, in our professional opinion, an assembly type/meeting use facility. This could be a church (present use), government/community meeting or conferencing facility, City offices, or other low-parking space demand type usage. These uses are consistent with the buildings present use and room configuration. Many of the repairs and improvements identified would still be necessary but for meeting and conference uses could likely be less than if the building was used for City office space.

Use of the building as a daycare or pre-school (although potentially permitted by the current zoning) might be precluded due to the lack of parking and yard space, and the potential increased traffic resulting from these two uses could be a problem.

Other possible uses other than as a single family home or homes, such as townhouses or a condominium, would be as a City park or parking lot. These uses, however, would require the building to be demolished. For uses other than single family residences, changes to the current zoning and other public review processes would necessary.

### Estimated Costs of Improvements

Below are a "range" of probable construction costs of improvements generally described in the City of Kirkland Memoranda dated November 30, 2005 and December 1, 2005 and other improvements identified by Clay Wallace of Jensen/Fey during a site visit on January 6, 2006. These cost estimates include construction costs with contractor markups and sales tax. Design and engineering costs, permitting costs, design and construction contingencies, and inflation escalation are not included.

#### **Basic Improvements:**

- Asbestos abatement, 2<sup>nd</sup> floor tile = \$7,000 to \$10,000 ✓
- Mold abatement = N/A - Extent Unknown, Inspection & Tests = \$2,000 to \$4,000 ✓
- Basement moisture control, drainage and slab = \$15,000 to \$20,000 ✓
- Foundation wall moisture control, waterproofing & drainage = \$50,000 to \$80,000 ✓
- Upgrade structural/seismic elements = \$25,000 to \$35,000 ✓
- Mechanical system replacement, furnace only = \$8,000 to \$12,000 ✓
- Mechanical system, add air conditioning = \$4,000 to \$6,000 ✓
- Mechanical system replacement, ductwork = \$10,000 to \$15,000 ✓

**JENSEN / FEY Architecture and Planning**  
*The Justice White House*

7730 Leary Way NE • Redmond • Washington 98052  
Tel: 425-216-0318 • Fax: 425-216-0329

Attachment 7(c)-16

**Basic Improvements Continued:**

Wood rot repair/replacement, sills etc. = \$10,000 to \$15,000  
Pest control inspection & treatment = \$3,000 to \$4,000  
Electrical upgrades, power/data/lighting = \$30,000 to \$50,000  
Access ADA upgrade, rear entry & parking space = \$5,000 to \$10,000  
Restroom ADA upgrades, 2 restrooms = \$40,000 to \$50,000  
Repair exterior brick = \$1,000 to \$3,000  
Deck structural upgrades = \$2,000 to \$4,000  
Insulate walls, blown in = \$12,000 to \$17,000  
Insulate ceiling/roof = \$12,000 to \$15,000  
Fire/Security alarm system = \$6,000 to \$10,000  
Replace basement door and access - \$10,000 to \$12,000

Cost Estimate Range of Basic Improvements = \$252,000 to \$372,000

**Aesthetic Improvements:**

Flooring upgrades/refinishing, 1st floor = \$7,000 to \$10,000  
Flooring, 2nd floor = \$3,000 to \$5,000  
Interior Painting, 1st floor = \$20,000 to \$25,000  
Roof Repair = \$5,000 to \$8,000  
Trim & Siding (Shingle) Repair = \$5,000 to 10,000  
Replace ceiling, back rooms/area = \$4,000 to \$6,000  
Demolish fireplace, patch wall = \$8,000 to \$12,000

Cost Estimate Range of Aesthetic Improvements = \$52,000 to \$76,000

**Other Improvements (dependant on use):**

Demolish interior wall, patch & repair = \$2,000 to \$3,000  
Add Lift to 2<sup>nd</sup> Floor = \$70,000 to \$90,000  
Reconfigure main floor = \$40,000 to \$60,000

Cost Estimate Range of Other Improvements = \$112,000 to \$153,000

Report prepared by:

Clay Wallace, AIA, NCARB  
Principal

**JENSEN / FEY Architecture and Planning**  
*The Justice White House*  
7730 Leary Way NE • Redmond • Washington 98052  
Tel: 425-216-0318 • Fax: 425-216-0329

Attachment 7(c)17





**CITY OF KIRKLAND  
PLANNING AND COMMUNITY DEVELOPMENT**  
123 Fifth Avenue, Kirkland, WA 98033 425.587.3225  
www.ci.kirkland.wa.us

**APPLICATION FOR COMPREHENSIVE PLAN AMENDMENT**  
*Directions: You may use this form or answer questions on separate pages.*

Applicant Name COSTCO WHOLESALE  
Address 999 LAKE DRIVE ISSAQUAH WA 98027  
Telephone (425) 313-8100  
Property owner (if different than the applicant)  
Property Owner Name COSTCO WHOLESALE CORP.  
Address 999 LAKE DRIVE ISSAQUAH WA 98027  
Telephone 425-427-7540

*Note: If the applicant is the property owner, or is representing the property owner, then the property owner must sign the last page. If the applicant is neither the property owner nor representing the property owner, then the affected property owner must be notified. Send or hand deliver a copy of this completed application to all affected property owners. fill out the attached Affidavit of service that this has been done.*

123950-0035

**A. Description of Proposal:**

The request is to amend Comprehensive Plan Policy NE85-4.1b, Area RH-1b, to allow the construction of vehicle service stations as an accessory use to the primary retail use in the RH-1a zone.

**B. Description, address, and map of property affected by the proposal:**

The proposal would affect all RH-1b zoned properties in the City of Kirkland, specifically those in the Rose Hill Business District. A map of the affected properties is attached.

**C. Description of the specific reasons for making the proposal:**

Please see the enclosed letter.

**D. Description of how the proposed amendment relates to the following criteria:**

1. The City has the resources, including staff and budget, necessary to review the proposal.  
Please see the enclosed letter.

ATTACHMENT 8b  
20N07-00017  
Costco

2. The proposal demonstrates a strong potential to serve the public interest by implementing specifically identified goals and policies of the Comprehensive Plan.

Please see the enclosed letter.

3. The public interest would best be served by considering the proposal in the current year, rather than delaying consideration to a later neighborhood plan review or plan amendment process

Please see the enclosed letter.

4. The proposal is located in a neighborhood for which a neighborhood plan has not been recently adopted (generally not within two years).

Please see the enclosed letter.

5. The proposal is located in a neighborhood for which a neighborhood plan will not be reviewed in the near future (generally not in the next two years).

Please see the enclosed letter.

6. The proposal would correct an inconsistency within or make a clarification to a provision of the Comprehensive Plan.

Please see the enclosed letter.

E. Property owner signature.

*Note: If the applicant is the property owner, or is representing the property owner, then the property owner must sign the last page. If the applicant is neither the property owner nor representing the property owner, then the affected property owner must be notified. Send or hand deliver a copy of this completed application to all affected property owners. fill out the attached Affidavit of service that this has been done.*

Name -- sign: Kim Sanford  
Name -- print: KIM SANFORD  
Address: 999 LAKE DRIVE  
ISSAQUAH, WA 98027  
Telephone: 425-427-7540



April 24, 2007  
COURIER DELIVERY

The Honorable James L. Lauinger, Mayor  
And Members of the Kirkland City Council  
Kirkland City Hall  
123 5th Avenue  
Kirkland WA 98033

RE: Phase I Comprehensive Plan Amendment Request  
N.E. 85th Street Subarea Plan  
RH-1b Zone Policies  
Our Job No. 6222

Dear Mayor Lauinger and Members of the City Council:

On behalf of Costco Wholesale, Barghausen Consulting Engineers, Inc., is submitting a Phase I Comprehensive Plan Amendment Application that would support the construction of a new fueling facility in the north parking lot of the existing Costco Wholesale store on 120th Avenue N.E. Enclosed are the following application materials:

1. One completed and signed Application for Comprehensive Plan Amendment
2. One check for the \$300 application fee
3. One narrative request with findings (this letter)

The request is to add text to the Comprehensive Plan supporting the construction of vehicle service stations in the RH-1b zone as an accessory use to the primary retail use in the RH-1a zone. Specifically, the request is to amend Policy NE85-4.1b, Area RH-1b, of the N.E. 85th Street Subarea Plan as follows:

*Limit new development to accessory parking for the commercial development in Area RH-1a, or alternatively to light industrial uses that generate minimal traffic, or vehicle service stations that are accessory to the primary retail use. Do not allow non-accessory uses that have high traffic generation, such as most retail uses. Observe wetland constraints and observe all applicable wetlands and sensitive area regulations.*

Although located outside the warehouse, gasoline sales are part of the integrated goods and services that define Costco Wholesale, such as pharmacy, optical services, photo lab, bakery, and tire center. Costco Wholesale currently offers gasoline for sale at more than 250 of its warehouses across the nation. Its gasoline facilities nearest Kirkland are in Woodinville, Issaquah, Seattle, and Tukwila. Costco Gasoline facilities are always constructed using the latest state-of-the-art equipment and technology at the forefront of today's rapidly changing environmental regulations.

Vehicle service stations are listed as a permitted use on the main Costco Wholesale warehouse property zoned RH-1a. Today Costco Wholesale could construct a fueling facility in the parking area nearest the warehouse; however, Costco Wholesale has found that placing the facility in a location farther from the warehouse works better because it preserves primary parking spaces and keeps vehicles away from primary pedestrian areas. Thus, we believe it would be better to construct the facility in the north parking lot, zoned RH-1b. Currently, vehicle service stations are not allowed in the RH-1b zone, hence a Comprehensive Plan Amendment and Zoning Code Text Amendment are required for Costco Wholesale to locate the fuel station in the optimal location on the site.

Attachment 86-2

For reference, enclosed is a site plan that demonstrates Costco's vision for the site. If this amendment application is approved, the project would be subject to the City's Design Review process. Costco Wholesale understands that the City is committed to quality design in the Rose Hill Business District, and would provide a design to meet or exceed the City's expectation. As part of the design process, Costco Wholesale would include meetings with Rose Hill neighborhood organizations to seek input on our design.

Costco Wholesale's proposal is consistent with the Design Vision contained in the Rose Hill Business District Design Guidelines. Specifically, the Design Vision supports auto-oriented businesses in the area west of 124th Avenue N.E. called the "Regional Center." The Design Vision acknowledges that the district will continue to be automobile-oriented and supports larger regional-oriented uses. The Design Vision also acknowledges the need to buffer existing residential uses to the north and south of the district. Costco Wholesale would strive through the design process to provide a dense buffer between the fueling facility and the senior residences north of the site.

The following is an analysis of the City of Kirkland's threshold criteria for this request:

1. *The City has the resources, including staff and budget, necessary to review the proposal; and*

**Response:** By allowing the submittal of private Comprehensive Plan Amendment applications in the 2007 review cycle, the City of Kirkland acknowledges that the above resources are available to review this request.

2. *The proposal would correct an inconsistency within or make a clarification to a provision of the Comprehensive Plan; or*

**Response:** This proposal does not correct an inconsistency or make a clarification to a provision of the Comprehensive Plan. Therefore, the provisions of item 3 below apply.

3. *All of the following:*

- a. *The proposal demonstrates a strong potential to serve the public interest by implementing specifically identified goals and policies of the Comprehensive Plan; and*

**Response:** The Comprehensive Plan supports this amendment as outlined by the following Framework and Economic Development Goals:

- Framework Goal FG-4: Promote a strong and diverse economy
- Economic Development Goal ED-1: Foster a strong and diverse economy consistent with community values, goals, and policies.
- Policy ED-1.1: Work to retain existing businesses and attract new businesses.
- Policy ED-1.3: Encourage a broad range of businesses that provide goods and services to the community.
- Policy ED-1.4: Strengthen Kirkland's tax base.
- Policy ED-1.5: Encourage clusters of complementary businesses.
- Economic Development Goal ED-3: Strengthen the unique role and economic success of Kirkland's commercial areas.
- Policy ED-3.3: Encourage infill and redevelopment of existing commercial areas consistent with the role of each commercial area.

Attachment 86-3

April 24, 2007

- Economic Development Goal ED-4: Development and implement economic development strategies that reflect the role of Kirkland businesses in the regional economy.
  - Policy ED-4.1: Enhance the competitive advantage of Kirkland businesses.
- b. *The public interest would best be served by considering the proposal in the current year, rather than delaying consideration to a later neighborhood plan review or plan amendment process; and*

**Response:** Considering the proposal in the current year provides the City the soonest opportunity to approve a vehicle service station in a best location on the Costco property instead of in a less optimal location closer to the warehouse as currently permitted.

- c. *The proposal is located in a neighborhood for which a neighborhood plan has not been recently adopted (generally not within two years); and*

**Response:** The proposal is located in the Rose Hill Business District and the N.E. 85th Street Subarea Plan. The zoning regulations and design standards for the Rose Hill Business District became effective in 2005.

- d. *The proposal is located in a neighborhood for which a neighborhood plan will not be reviewed in the near future (generally not in the next two years).*

**Response:** Based on the City of Kirkland's Neighborhood Plan Update schedule, the North Rose Hill Plan will not be updated until 2015 to 2016.

In conclusion, we believe the addition of a members-only gasoline facility will be a welcomed addition to the community because it is consistent with Kirkland's community goals and policies, will be constructed in an environmentally friendly manner, and will provide a new alternative to purchase fuel at a fair and reasonable price.

Thank you for your consideration of our request. We are available at your convenience to answer any questions and/or provide additional information.

Respectfully,



Chris S. Ferko, AICP  
Senior Planner

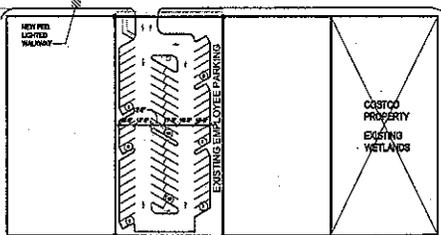
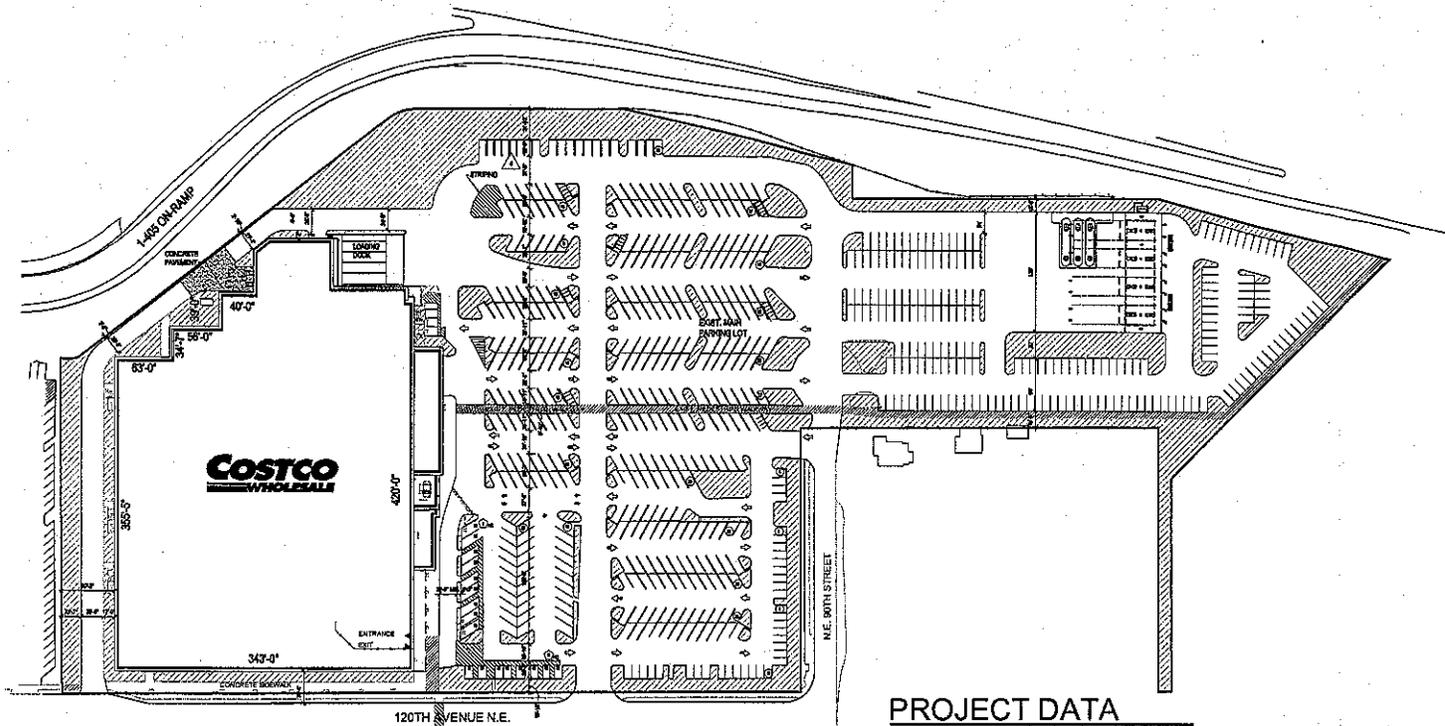
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enc: As Noted

cc: Kim Sanford, Costco Wholesale  
Patrick Mullaney, Foster Pepper PLLC  
John Ellingsen, Barghausen Consulting Engineers, Inc.

Attachment 8b-4



**PROJECT DATA**

CLIENT: COSTCO WHOLESALE  
 599 LAKE DRIVE  
 ISSAQUAH, WA 98027

PROJECT ADDRESS: 8829 120TH AVE. N.E.  
 KIRKLAND, WA 98033

ZONING REQUIREMENTS:  
 ZONE/USE: FCI  
 MINIMUM LOT SIZE: 5 ACRES  
 ACTUAL LOT SIZE: 15.009 ACRES (853,831 S.F.)  
 EMPLOYEE PARKING: .71 ACRES (31,010 S.F.)  
 EXISTING WETLANDS: .71 ACRES (31,010 S.F.)  
 TOTAL AREA: 16.429 ACRES (715,851 S.F.)

REQUIRED YARDS:  
 FRONT: 20'  
 SIDE: 10' EACH SIDE  
 REAR: 10'  
 ACTUAL YARD MINIMUM: 48'

CALCULATIONS W/O EMPLOYEE PARKING & WETLAND:  
 MAXIMUM LOT COVERAGE: 80% (523,085 S.F.)  
 ACTUAL LOT COVERAGE: 80% (523,051 S.F.)

PERVIOUS SURFACE AREA:  
 LANDSCAPING: (120,048.89 S.F.)  
 PEDESTRIAN WALKWAYS: (10,731.11 S.F.)  
 TOTAL AREA: (130,780 S.F.)

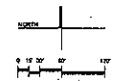
LANDSCAPING  
 PED. WALKWAYS CONSIDERED PERVIOUS

PARKING DATA:  
 PARKING PROVIDED:  
 10' WIDE STALLS 750 STALLS  
 10' HANDICAP STALLS 17 STALLS  
 TOTAL EXISTING PARKING 767 STALLS

PROPOSED PARKING:  
 TOTAL PARKING DELETED 229 STALLS  
 TOTAL PARKING ADDED 200 STALLS  
 NET LOSS 21 STALLS  
 TOTAL PROPOSED PARKING 736 STALLS

NO. OF STALLS PER 1000 S.F. OF BUILDING AREA: 4.8 STALLS

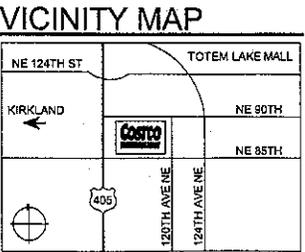
NOTES: PARKING TOTAL INCLUDES THOSE STALLS ACROSS 120TH AVE



**COSTCO WHOLESALE**  
 KIRKLAND #8  
 8829 120TH AVE. NE  
 KIRKLAND, WA 98033

**MULVANNY G2**  
 1110 127TH AVE. NE SUITE 200  
 BELLEVUE, WA 98005  
 1425 AVE DUM | 724-4422-0000

MapInfo/GeoMedia



**COSTCO WHOLESALE**  
 KIRKLAND, WASHINGTON

**PRELIMINARY SITE PLAN**  
 NOVEMBER 27, 2004

92-1300-19  
 NOVEMBER 27, 2006  
 PRELIMINARY  
 SITE  
 PLAN  
 P3.1-2

Attachment 860-5

**Plaza at Yarrow Bay Private Amendment Request  
ZON07-00018**

**10210, 10220, and 10230 NE Points Drive and  
3927 and 3933 Lake Washington Blvd**

**RS 8.5**

**RS 12.5**

**PLA 3B**

**PR 8.5**

**PLA 3A**

**PLA 3A**

**PO**

**SITE**

**PLA 2**

**FC III**

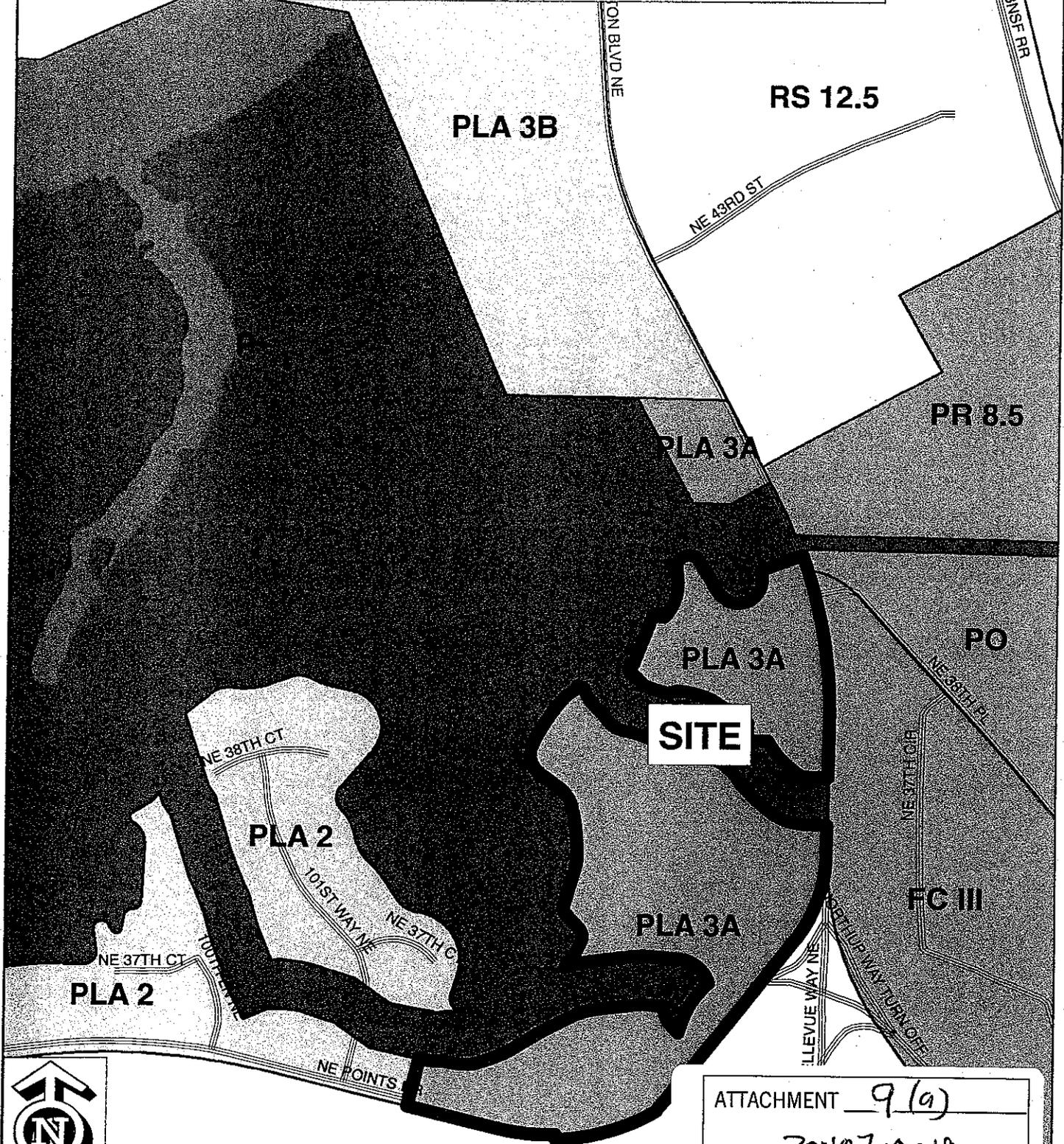
**PLA 3A**

**PLA 2**

ATTACHMENT 9(a)

ZON07-00018

*Plaza at Yarrow Bay*



20N07-00018



CITY OF KIRKLAND  
PLANNING AND COMMUNITY DEVELOPMENT  
123 Fifth Avenue, Kirkland, WA 98033 425.587.3225  
www.ci.kirkland.wa.us

APPLICATION FOR COMPREHENSIVE PLAN AMENDMENT

Directions: You may use this form or answer questions on separate pages.

Applicant Name HAL Real Estate Investments Inc.  
Address 2025 First Avenue, Suite 700 Seattle, WA 98121  
Telephone 206-448-5080 contact: Koith Macellum 206-839-9867  
Property owner (if different than the applicant)  
Property Owner Name The Plaza at Yarrow Bay, Inc.  
Address (same as above)  
Telephone \_\_\_\_\_

Note: If the applicant is the property owner, or is representing the property owner, then the property owner must sign the last page. If the applicant is neither the property owner nor representing the property owner, then the affected property owner must be notified. Send or hand deliver a copy of this completed application to all affected property owners. fill out the attached Affidavit of service that this has been done.

A. Description of Proposal:

Add permitted uses, revise some land use regulations such as minimum lot size, setbacks and the like, allow minor increases in building area per code (as opposed to per original approval), allow shared-use parking

B. Description, address, and map of property affected by the proposal:

(see attached)  
10210, 10220 and 10230 NE Points Drive  
3927 and 3933 Lake Washington Blvd

C. Description of the specific reasons for making the proposal:

Existing conditions have changed since last Comprehensive Plan update including Linbrook Office Park becoming an office construction instead of redeveloping as a large office building previously approved.

D. Description of how the proposed amendment relates to the following criteria:

1. The City has the resources, including staff and budget, necessary to review the proposal.  
The City is the best judge of whether it has the necessary resources

ATTACHMENT 9(b)  
20N07-00018

Plaza at Yarrow Bay

2. The proposal demonstrates a strong potential to serve the public interest by implementing specifically identified goals and policies of the Comprehensive Plan.

*The proposal is generally consistent with the Comprehensive Plan except for allowing limited commercial activities in the northwest quadrant of the Lake Wash Blvd/SR 520 interchange beyond those allowed*

3. The public interest would best be served by considering the proposal in the current year, rather than delaying consideration to a later neighborhood plan review or plan amendment process

*The proposal would allow more environmentally/pedestrian oriented development to activate a community neighborhood center*

4. The proposal is located in a neighborhood for which a neighborhood plan has not been recently adopted (generally not within two years).

*The last review of the Lakeview Comprehensive Plan was 1985.*

5. The proposal is located in a neighborhood for which a neighborhood plan will not be reviewed in the near future (generally not in the next two years).

*The Lakeview area was originally scheduled for 2007 but may be delayed for many years because of construction work load.*

6. The proposal would correct an inconsistency within or make a clarification to a provision of the Comprehensive Plan.

*The proposal would generally be consistent with the Comprehensive Plan but should be clarified to include the requested changes.*

E. Property owner signature.

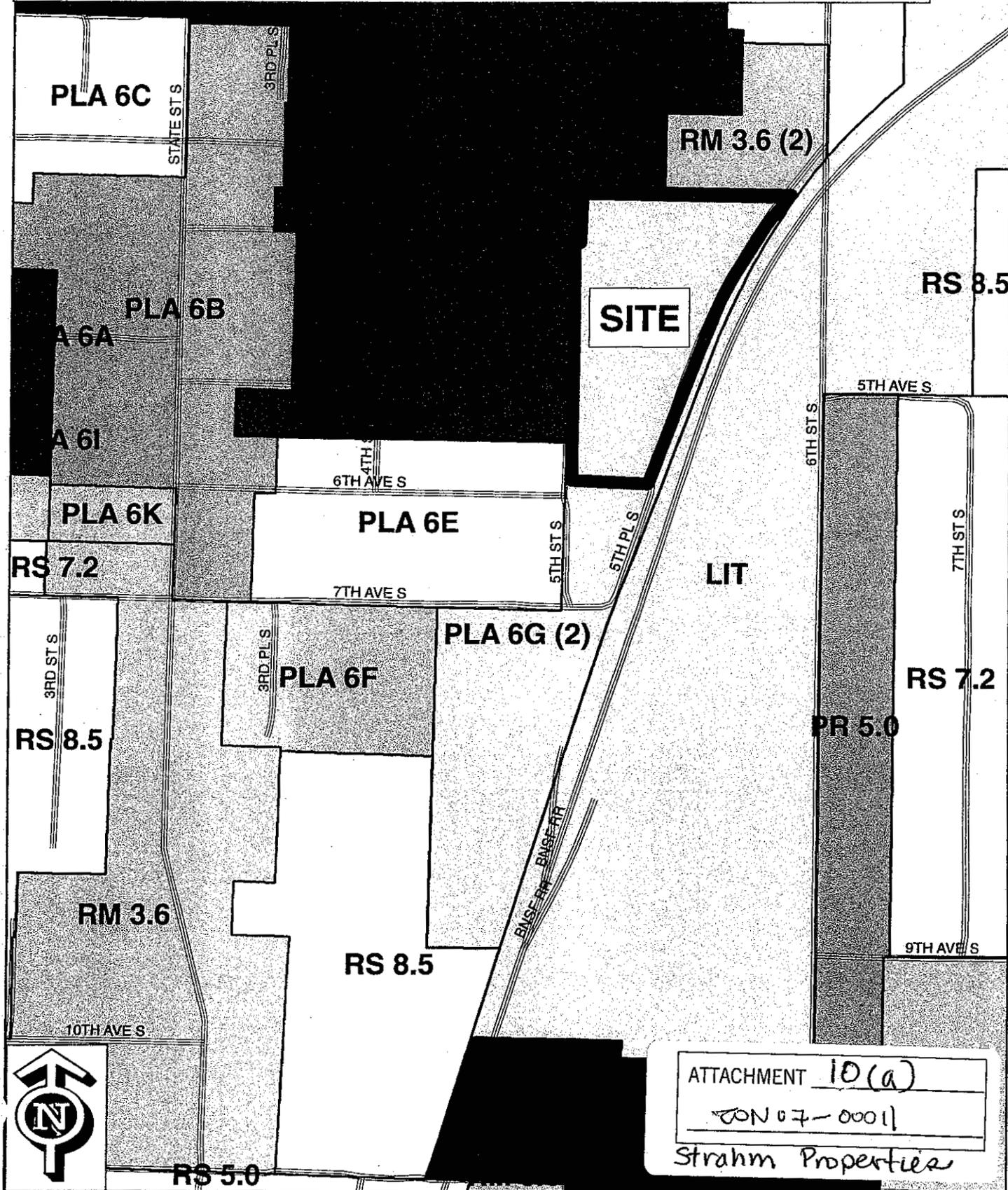
Note: If the applicant is the property owner, or is representing the property owner, then the property owner must sign the last page. If the applicant is neither the property owner nor representing the property owner, then the affected property owner must be notified. Send or hand deliver a copy of this completed application to all affected property owners. fill out the attached Affidavit of service that this has been done.

Name - sign: Dana Belant President, The Plaza at Yarrow Bay, Inc.  
Name - print: [Signature]  
Address: HAI Real Estate Investments Inc.  
2025 First Avenue, Suite 700 Seattle, WA 98161  
Telephone: 206-448-5080

# Strahm Properties Private Amendment Request

ZON07-00011

508 6th Avenue S, 506 7th Avenue S, and 333 5th Place S



ATTACHMENT 10(a)

ZON07-00011

Strahm Properties

**CITY OF KIRKLAND PLANNING AND COMMUNITY  
DEVELOPMENT 123 Fifth Avenue, Kirkland, WA 98033  
425.587.3225 www.ci.kirkland.wa.us**

**APPLICATION FOR COMPREHENSIVE PLAN AMENDMENT**

Applicant Name: Strahm Properties, LLC  
Address: 1712 Pacific Ave. Suite 104, Everett, WA 98201  
Telephone: 425-259-1457  
Property owner (if different than the applicant): Bushnell Family Trust (attachment 2-A), Moss Bay LLC (attachment 2-C)  
Property Owner: Frank & Barbara Strahm (attachment 2-B)  
Address: P.O. Box 880 Snohomish, WA 98291  
Telephone: 425-334-0169

A. Description of Proposal: Amend Moss Bay Area Land Use Map PLA 6g (1), also known as Subarea G1, to light industrial/office and high density residential: designation HDR/IND. Amendments should also be made to the Moss Bay Neighborhood Plan, that are consistent with the amended land use map (see ATTACHMENT 1A).

B. Description, address, and map of property affected by the proposal: See ATTACHMENT 1B

C. Description of the specific reasons for making the proposal: 1) Amend the City's comprehensive plan to be consistent with the residential neighborhood and PLA 6g(2). 2) Increase the City's population capacity by increasing residential density (see ATTACHMENT 1C).

D. Description of how the proposed amendment relates to the following criteria:  
See ATTACHMENT 1D

- 1. The City has the resources, including staff and budget, necessary to review the proposal. The City can combine the proposed amendment with the review required by RCW 36.70A.215 buildable lands evaluation. There is also a \$300.00 fee paid to cover the costs associated with reviewing a phase I proposal, and an additional \$300.00 fee for a phase II review.

ATTACHMENT 10(b)  
ZON07-00011

Parcel 788260-0115 for 508-6th Ave S  
# 788260-0110 for 506 7th Ave S  
# 788260-0100 for 332 5th Pl S

Strahm Properties

2. The proposal demonstrates a strong potential to serve the public interest by implementing specifically identified goals and policies of the Comprehensive Plan. The proposal supports all the Framework Goals cited in the Comprehensive Plan with emphasis on FG-1, FG-3, FG-7, FG-9, FG-11, FG-14. The proposal supports the Land Use Goals and Policies stated in the Comprehensive Plan, with Emphasis on Goals LU-1, LU-2, LU-3, LU-4, and LU-7 and the policies associated with these goals. The proposal supports the Housing Goals H-1 to H-3 and the associated policies. FG-14 ensures that Kirkland accommodates its' share of projected growth, the new PSRC vision 2020 Update allocates an increased growth projection to the City, requiring increased capacity. The Kirkland Industrial Zoning report (Jan. 2005) identifies many regulatory problems and resolutions and should be considered concurrently with this proposal and the buildable lands review required by RCW 36.70A.215.
3. The public interest would best be served by considering the proposal in the current year, rather than delaying consideration to a later neighborhood plan review or plan amendment process. The proposal should be considered during the buildable lands review required by RCW 36.70A.215 in 2007. The proposed amendments will increase needed population capacity in Kirkland.
4. The proposal is located in a neighborhood for which a neighborhood plan has not been recently adopted (generally not within two years). The property proposed for amendment lies in the Moss Bay neighborhood. The Moss Bay neighborhood plan was completed in 1989.
5. The proposal is located in a neighborhood for which a neighborhood plan will not be reviewed in the near future (generally not in the next two years). The Moss Bay neighborhood plan is not scheduled to be updated until 2011.
6. The proposal would correct an inconsistency within or make a clarification to a provision of the Comprehensive Plan. PLA 6g (1) should be amended to be consistent with PLA 6g (2) and adjacent residential uses. The proposal also expands new close in housing opportunities in the perimeter of the Downtown, with additional residential uses that would be more appropriate for this area.

E. Property owner signature.

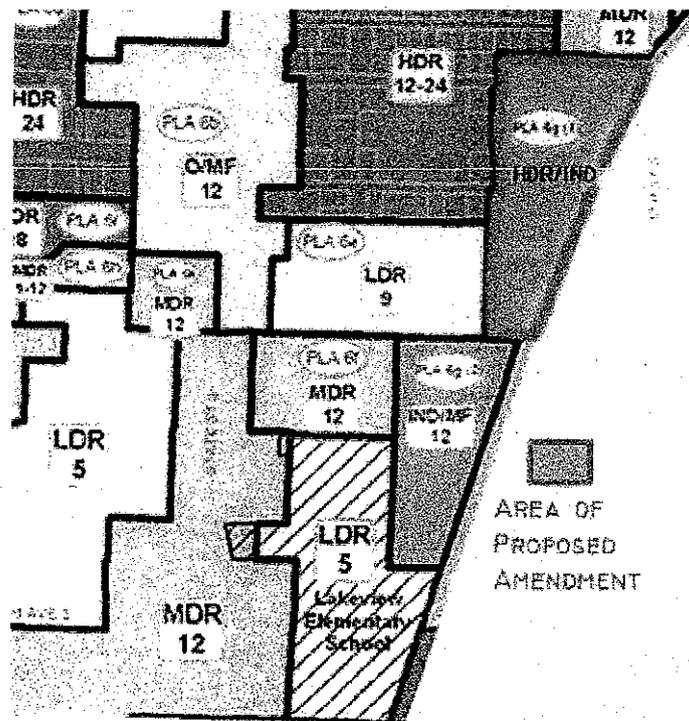
Name - sign: *Frank A. Strahm*  
 Name - print: FRANK A. STRAHM  
 Address: 13510 84<sup>th</sup> ST. S.E.  
 Snohomish, WA. 98290  
 Telephone: 360-568-3478

Owner *Barbara Strahm*  
 Applicant *Barbara Strahm*  
 F. Robert Strahm  
 1712 Pacific  
 Everett, WA 98201

Attachment 10(b)-1

ATTACHMENT 1

- A. Kirkland Comprehensive Plan and Moss Bay Neighborhood Plan amendments: Page XV.D-26 Subarea G1 heading should include "Subarea G1 is appropriate for high-density residential development." The text under the above heading starting on page XV.D-26, should be amended to include language such as: "Subarea G1 is appropriate for light industrial and stand-alone office development. High-density residential development is also appropriate for Subarea G1." These amendments would make the two "Subareas" G1 and G2 consistent.
- B. The proposal requests that the Moss Bay Area Land Use Map (figure C-2) be amended as depicted below. PLA 6g (1), also known as Subarea G1, changes to light industrial/office and high density residential - designation HDR/IND. The address is 508 6<sup>th</sup> Ave, 506 7<sup>th</sup> Ave S and 333 5<sup>th</sup> PL S, Kirkland, Wa 98033.



- C. This is a perimeter area of the Kirkland's Downtown. As stated in the introduction to the Moss Bay Neighborhood Plan (page XV.D-1), "A major policy emphasis for the Moss Bay Neighborhood is to encourage commercial activities in the Downtown, and to encourage medium to high-density residential uses in the perimeter of the Downtown."- the proposal would implement the Moss Bay Neighborhood policy by encouraging high-density residential uses in the perimeter area.

The proposal would amend the City's comprehensive plan to make Subarea G 1 consistent with Subarea G2 and with the surrounding residential neighborhood.

Attachment 10(b)-2

## ATTACHMENT 1

The adjacent railroad may be converted to a county maintained trail/park. This would eliminate the benefit of delivery via railroad and make the industrial use obsolete.

The proposal would increase the City's population capacity by increasing residential density. This is needed because of the increased growth projections included in the Puget Sound Regional Council Vision 2020 Update (see exhibit 1 attached).

D.

2. The proposal supports all the Framework Goals cited in the Comprehensive Plan with emphasis on FG-1, FG-3, FG-7, FG-9, FG-11, FG-14. The proposal supports the Land Use Goals and Policies stated in the Comprehensive Plan, with Emphasis on Goals LU-1, LU-2, LU-3, LU-4, and LU-7 and the policies associated with these goals. The proposal supports the Housing Goals H-1 to H-3 and the associated policies.

Attachment 10(b)-3

## What Does It Mean for Kirkland?

From a regional perspective, it is my opinion that the Metropolitan and Larger Cities alternatives are best, as they minimize the outward spread of urbanization and provide for a more compact urban form. However, I do have a significant question about the ability of Kirkland to accept the amount of growth that both of these alternatives have assigned. As can be seen from the population and employment summaries in attachment 4, Kirkland's population would increase by over 30,000 in the Metropolitan Cities alternative and nearly 40,000 in the Larger Cities alternative, compared with about 20,000 in the Growth Targets Extended alternative. At the same time, each of these three alternatives shows Kirkland's employment growing by nearly 30,000. These levels of growth are well beyond our current growth capacity and are likely greater than our build-out under current zoning, although data on build-out are not currently available. (The department is currently in the process of updating our capacity analysis; and we plan to have a build-out analysis prepared at the same time.)

Consequently, I recommend conditional support for a preferred growth alternative that maintains a compact growth pattern, but that growth assignments to individual cities take into account existing development patterns and acknowledge the extent to which cities, such as Kirkland, have already achieved a compact urban form and the degree to which such cities are realistically able to accommodate additional growth.

### Attachments:

1. Vision 2020 Update DEIS Executive Summary
2. Selected additional materials from Vision 2020 Update DEIS
3. Evaluation Criteria for Selective a Preferred Growth Alternative
4. Populations and Employment Summary of Growth Alternatives
5. Discussion questions for suburban cities Public Issues Committee
6. Summary of comments contributed by SCA Membership

CC:

ES: Vision 2020+20 7-18-06

Attachment 10(b)-4

# Kirkland Industrial Zoning

Prepared for:

City of Kirkland Planning

April 12, 2005

By:

**URBANADVISORS LTD**

|                         |
|-------------------------|
| ATTACHMENT <u>10(c)</u> |
| <u>ZON 67-0011</u>      |

Strahm Properties

## Executive Summary

The City of Kirkland retained Urban Advisors Ltd to assist in providing information for making decisions regarding the current industrial zoning policies. Three issues prompted this inquiry:

- First, given the industrial zoning specified, whether lands designated for industrial or manufacturing uses will likely retain and attract the businesses intended or whether the demands and needs of new users will find the overall characteristics of the area insufficient for their locational needs; and
- Second, based on the study findings, what types of City actions might be needed to attract or retain manufacturing/industrial uses in Kirkland?
- Third, if industrial is less likely, what are the alternatives and how is the transition between uses accomplished?

## The Study Areas

Urban Advisors was given six industrial areas, broken into six study sites, to evaluate: Upper Totem Lake (Area A), 405 Business Area (B1), Parmac (B2), Norkirk (Area C), Moss Bay (Area D) and Rose Hill (Area E). While the intent of current zoning is to provide land for industrial, light industrial and "tech" employment, much of the built space in the industrial areas is zoned for and used otherwise.

## Change in Employment and Demographic Profile

The primary purpose of industrial zoning in Kirkland was, historically, to provide sufficient space for local jobs at family-wage incomes. Over the years, however, the bulk of employment in Kirkland has shifted to other occupations (classified as Financial Insurance Real Estate and Services by the Puget Sound Regional Council) than either skilled or unskilled occupations involving manufacturing or the trades. Projections to year 2030 by PSRC indicate that this trend will continue. As employment has shifted, the demographic profile of Kirkland has changed.

When we examine household change by age and income we find that in general, households with annual incomes below \$75,000 are decreasing, while those with incomes above \$99,000 are increasing. This indicates that while some households are gaining in income there is also some amount of replacement taking place in which lower income households leave and higher income households move in.

In response to demographic change housing pricing in Kirkland has increased. According to the Kirkland Community Profile, average rents in Kirkland increased from \$624 in 1990 to \$1,241 in 2001, and average home sale prices increased from \$172,196 in 1996 to \$267,508 in the first quarter of 2000. According to the 2000 census, the average value of an owner occupied unit (all units, not just those for sale) in Kirkland was \$318,000, and estimates from ESRIBIS indicate that this value has increased to \$399,000 in 2004. Should this trend continue the average home value is expected to rise to approximately \$497,000 by 2009.

The implications of age shift and income shift are that given the limited land base, housing prices have been bid upward out of the price range of moderate income households, and that

more residents in Kirkland will be working at higher wage jobs as this change continues. To balance the demographic and housing changes with employment will require a shift from lower to higher wage employment within the city if provision of local employment for residents is a policy goal.

### **Interview Results**

As part of the process for this study, interviews were conducted with current tenants, owners and brokers of industrial land in Kirkland. Their comments reflect a history of the change in Kirkland, assessments of current conditions for industrial use, speculations on future use, and ideas for the retention of existing local businesses. The interview comments are summarized below.

Land Pricing for industrial has risen to \$12 per square foot, expensive for distribution but not unreasonable for offices. Interviewees expressed that the lack of available land and rising land pricing are an issue for continued industrial flex space development. All of those interviewed felt that use is shifting toward non-industrial and high-tech uses. The market rent for industrial for existing stock in Kirkland was seen as less competitive than other areas. It was felt by interviewees that the zoning no longer matches the needs of the market.

Those interviewed felt that much of the industrial labor force had to come from outside the city because wage rates would not support housing ownership in Kirkland. It was felt that the local labor force is shifting toward office-based employment including professional services, high-tech occupations and financial occupations (this is confirmed by the enumeration of employment by residence cited in the Kirkland Community Profile as well as long-range trending by PSRC).

### **Summary of Conclusions**

The first major conclusion regarding industrial zoning in the study areas is that the shift from manufacturing, warehouse and distribution uses to other uses is already a factor in the leasing of industrial/flex space. Finding industrial users is increasingly difficult, and warehouse and distribution uses are moving regionally to areas with newer, less costly stock and a local labor force that can live in reasonably close proximity at moderate wage rates. The trend in spec built industrial and warehouse space is occurring elsewhere on less valuable land with highway access.

The combination of demographic change, home pricing, rising land values, regional traffic congestion, and shifts in projected employment militate against the continued feasibility of low-cost space for industrial that can remain competitive in regional and international markets. The trends indicate, on the contrary, that an emphasis should be placed on the creation of higher density employment space for financial, insurance, real estate, services and "tech" uses that can employ higher wage local residents of Kirkland and can afford the land and development costs for higher density.

The most effective change possible is not in the hands of the city, but in the inclinations and actions of property owners of obsolete stock. Because of market changes, industrial zones have become targets for non-industrial use seeking lower rents. As old industrial stock becomes less

useful for its intended use it is leased for other uses to the point that true industrial use becomes isolated. As noted in the Comprehensive Plan, businesses cluster together. When an area becomes predominantly non-industrial, it is less attractive to industrial users.

In considering city actions for these areas it is suggested that the idea of clustering business, providing buffers or transition zones between uses and re-aligning ideas of what is required to attract new business be made the focus of changes. For instance, many retail uses allowed currently do not fit well with industrial use but would be excellent land uses as transitions between industrial and residential land uses. In some cases higher density residential could augment and act as a transition buffer between lower density residential and office/tech use. Office/tech can act as a transition between industrial and commercial areas. At the same time, the "new employment" desired does not need to be placed under industrial zone regulations, but may be an entirely different employment center with its own guidelines for streets, setbacks and mix of uses.

#### **Actions to Retain Business**

- Zone for industrial with a finer grain than is done currently
- Buffer needed industrial from neighborhoods and other high traffic use that could cause conflict with truck traffic, noise issues and working hours - create buffers as transition zones that allow the range of non-industrial businesses retail and service specified in the current ILC and LIT codes
- Make an Auto Row Designation separate from Tech land use -- group with wholesale trade and distribution use, strip centers or buffer from tech and business park areas

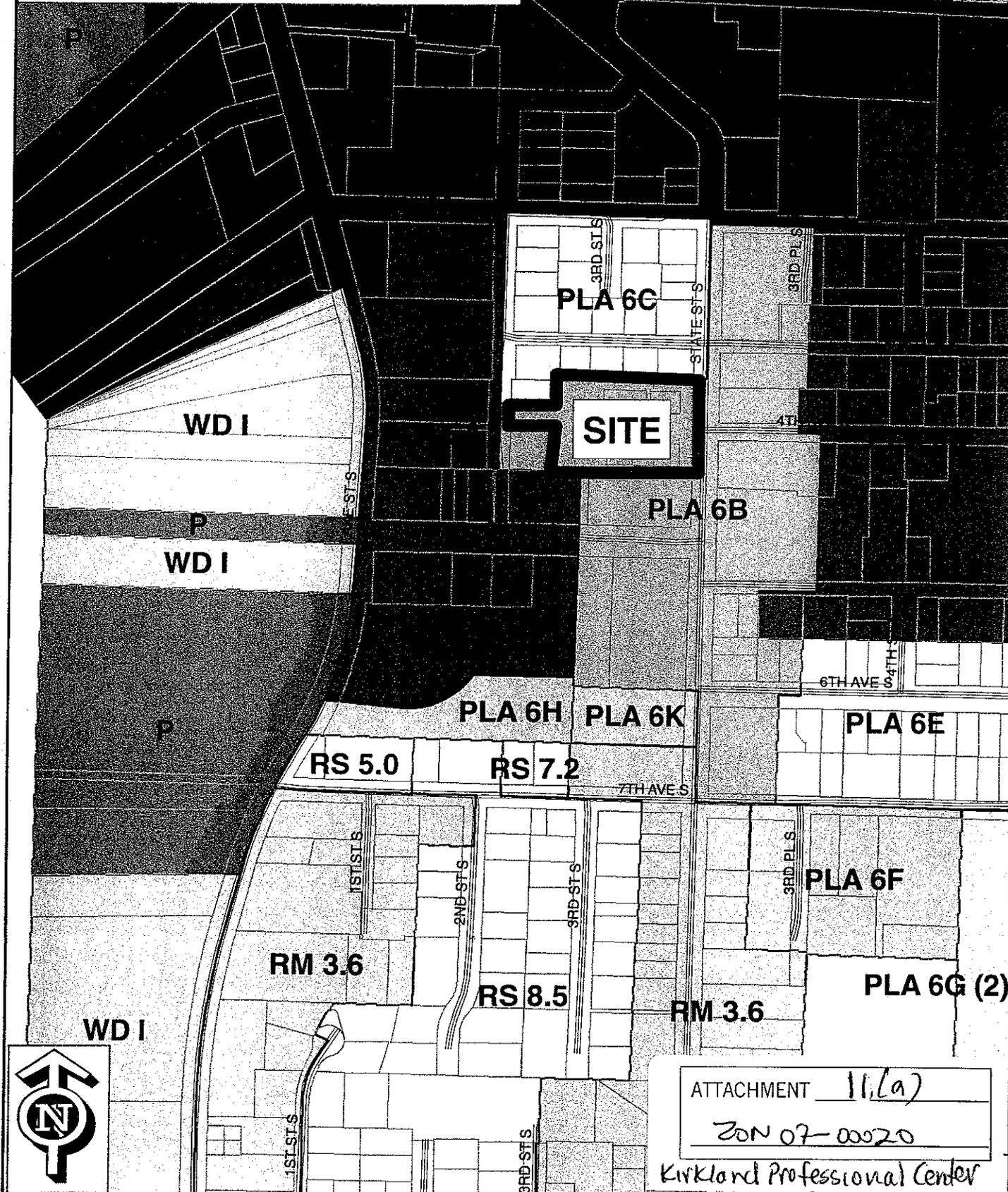
#### **Actions to Enhance Redevelopment**

- Adjust zoning for sites overtaken by non-industrial use to better match future employment and neighborhood trends
- Consider some conversion to residential buffers where adjoining residential areas and current use make industrial infeasible
- Resolve zoning to allow very clear certainty for redevelopment.

#### **Actions to Create Conditions for New Business**

- Alter code for tech/professional office/FIRE areas in LIT, ILC and PLA areas so that they can be designed for amenities with ancillary retail, services, etc., supportive of other uses
- Adjust height limits and floor area ratios in ILC and LIT to enable conversion to higher density employment
- Setbacks -- create differing standards for tech/office areas and industrial areas
- Create separate standards for Truck streets vs. Pedestrian Streets to match intended use, i.e. warehouse/distribution versus tech office areas

Kirkland Professional Center  
File ZON07-00020  
433 State Street S



ATTACHMENT 11.1a  
ZON 07-00020  
Kirkland Professional Center



**CITY OF KIRKLAND  
PLANNING AND COMMUNITY DEVELOPMENT**  
123 Fifth Avenue, Kirkland, WA 98033 425.587.3225  
www.ci.kirkland.wa.us

**APPLICATION FOR COMPREHENSIVE PLAN AMENDMENT**

*Directions: You may use this form or answer questions on separate pages.*

Applicant Name David W. Montgomery  
 Address 433 State St.  
 Telephone 425-827-5095  
 Property owner (if different than the applicant)  
 Property Owner Name Bob Stone, Cary Odegard, Diane Tattoni  
 Address - same -  
 Telephone \_\_\_\_\_

*Note: If the applicant is the property owner, or is representing the property owner, then the property owner must sign the last page. If the applicant is neither the property owner nor representing the property owner, then the affected property owner must be notified. Send or hand deliver a copy of this completed application to all affected property owners. fill out the attached Affidavit of service that this has been done.*

- A. Description of Proposal:  
Density increase of Kirkland Professional Center
- B. Description, address, and map of property affected by the proposal:  
433 State St., Kirkland Professional Center
- C. Description of the specific reasons for making the proposal:  
Increase density
- D. Description of how the proposed amendment relates to the following criteria:  
 1. The City has the resources, including staff and budget, necessary to review the proposal.

|                                     |
|-------------------------------------|
| ATTACHMENT <u>11 (b)</u>            |
| <u>ZON07-00020</u>                  |
| <u>Kirkland Professional Center</u> |

2. The proposal demonstrates a strong potential to serve the public interest by implementing specifically identified goals and policies of the Comprehensive Plan.

3. The public interest would best be served by considering the proposal in the current year, rather than delaying consideration to a later neighborhood plan review or plan amendment process

4. The proposal is located in a neighborhood for which a neighborhood plan has not been recently adopted (generally not within two years).

No

5. The proposal is located in a neighborhood for which a neighborhood plan will not be reviewed in the near future (generally not in the next two years).

No

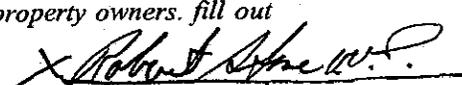
6. The proposal would correct an inconsistency within or make a clarification to a provision of the Comprehensive Plan.

E. Property owner signature.

*Note: If the applicant is the property owner, or is representing the property owner, then the property owner must sign the last page. If the applicant is neither the property owner nor representing the property owner, then the affected property owner must be notified. Send or hand deliver a copy of this completed application to all affected property owners. fill out the attached Affidavit of service that this has been done.*

Name - sign:



  
Bob Stone

Name - print:

David W. Montgomery

Address:

433 State St., Kirkland WA 98033

Telephone:

425-827-5095

Attachment 11(b)-1

RE: Kirkland Professional Center Rezoning Application  
422 State St.

Contact:

David W. Montgomery, Psy.D.  
425-827-5095

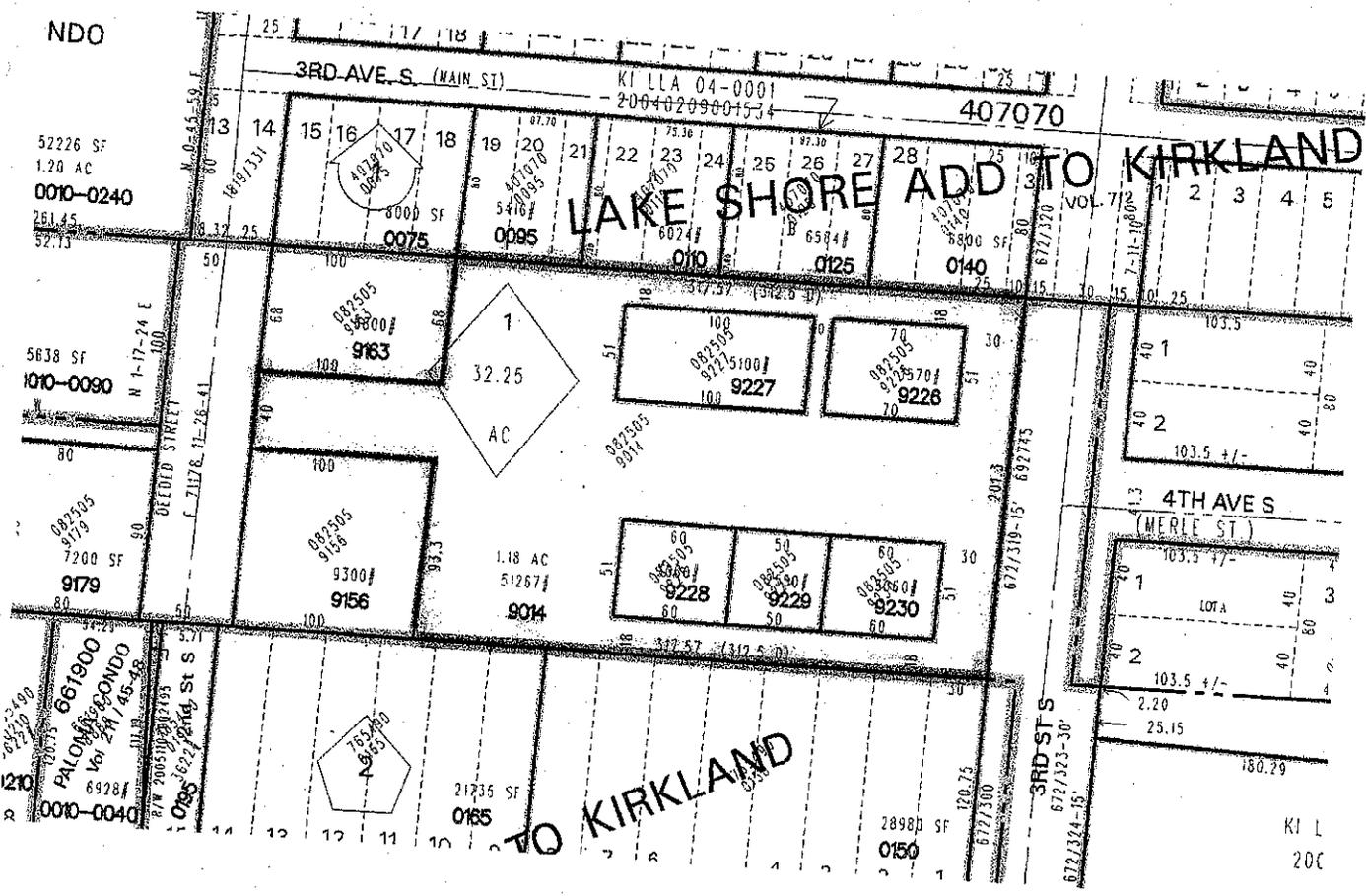
RECEIVED  
MAY 03 2007

PLANNING DEPARTMENT PM  
BY \_\_\_\_\_

Parcel numbers involved:

0825059226  
0825059227  
0825059228  
0825059229  
0825059230

Attachment u(b)-2



NDO

LAKE SHORE ADD TO KIRKLAND

TO KIRKLAND

52226 SF  
1.20 AC  
0010-0240  
251.45  
52.73

5638 SF  
1010-0090

7200 SF  
9179

661900  
PALOMAR CONDO  
Vol 24 / 45-48  
69284  
0010-0040

1  
32.25  
AC

21735 SF  
0165

28980 SF  
0150

KI L  
200

**Kirkland Professional Center & Harold Gibson Property  
Density Variance Request**

**RECEIVED**  
JUN 18 2007  
AM  
PLANNING DEPARTMENT  
BY \_\_\_\_\_ PM

June 14, 2007

Dear Kirkland City Council members and the City Planning Department,

We the owners of 433 State Street, otherwise known as the Kirkland Professional Center (KPC), and an adjacent property owned by Harold Gibson at 318 2<sup>nd</sup> Street South, request a private amendment for increased residential density.

**Study Area and Staff Resources**

Together our property and Mr. Gibson's represent a two acre area which abuts and is related to PLA 6A and is separated by topography and an institutional use from the rest of PLA 6B. Together these properties are a logical study area for an increase in residential density. Both parties front on 2<sup>nd</sup> Street and face high density residential development across the street. Our property is on grade with 2<sup>nd</sup> Street and is approximately one story below State Street. Because of the dramatic drop in topography from State Street to the large flat area of our property, our property does not relate to State Street like the rest of PLA 6B. The church to the south of our property is an institutional use unlikely to change over the next few decades and which separates this study area from PLA 6B to the south. These two parcels represent a logical and discrete study area which should be very manageable to consider. The amendment request is only for a change in density and would not involve consideration of changing heights, setbacks, or other requirements affecting the building envelopes which could be built. The desired density increase from 3600 to 1800 sq. ft. per dwelling unit would add less than 25 units to the area. Thus, the scope of the study area and the issue presented should require limited time of the planning staff and Council to process the amendment request.

**Furtherance of Good Planning Goals and Community Benefit**

This private amendment request furthers the planning goals of the Growth Management Act and general principals of the Kirkland Comprehensive Plan to locate higher density residential development close to the urban core and to provide services, such as medical and dental, within the urban core. This property is a one block walk from the Central Business District. Across 2<sup>nd</sup> Street from the property and to the north along 2<sup>nd</sup> Street are some of the higher density residential developments in the City. It is logical to extend this higher density to our proposed study area.

Our goal is to develop a mixed use project which will provide the central Kirkland area with a high quality health center within walking distance or a short drive from one's work

Attachment 1(b)-3

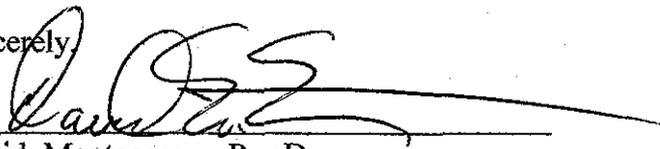
or home. The Kirkland Professional Center is the last complex of doctors and dentists near the downtown, but it is sadly outdated and an underutilization of urban land. We would like to build a new and somewhat larger facility to serve the area. However, our professional office project will be limited by the market to primary care professionals who want to serve this geographic area. We will not be able to compete with the complexes around Evergreen Hospital to attract specialists or a large number of doctors. Therefore, a mixed use project is needed which will allow the utilization of the property to its full potential. A mixed use will also work particularly well in this case because the parking available for patients of the health care professionals during the day can be used by guests of the residential component the rest of the time. A higher density will assure the most efficient use of this tract of land in the urban core and under our plans will help deliver a much needed facility for primary health care in the central Kirkland area.

**Community Concern**

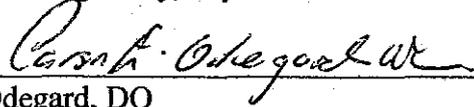
The largest community concern is the potential for increased traffic. Recent car counting during afternoon rush hour traffic suggests the majority of the traffic through the State Street corridor is en route to other destinations rather than residences in the Moss Bay area. Thus, present congestion is largely not a result of residential density. The requested rezoning would not create a significant increase in traffic. Furthermore, the traffic light to be installed at the corner of State Street and Kirkland Ave. in 2009 will significantly improve traffic flow. This light will allow traffic to stop, hold, and then surge thru the intersection. The amount of cars passing in the surge (time interval) is significantly greater than that of a four-way stop.

Thank you for your consideration.

Sincerely,



David Montgomery, Psy.D



Cary Odegard, DO

-see attached-

Robert Stone, DDS

-see attached-

Diane Tattoni, MD

-see attached-

Harold Gibson

Attachment 11(b)-4

To Whom It may Concern - 6-14-07  
City of Kirkland -

As the owner of property located at  
318 2nd Street So., I am supportive of  
the private amendment required to  
increase the density of the property  
from RM 3600 sq. ft. per dwelling  
unit to RM 1800 sq. ft. per dwelling  
unit.

Thank you.

Sincerely,

Hal Gibson

425-823-4838

Attachment 4(b)-5

ROBERT K. STONE, D.D.S.

6-10-07

As a Co-owner of the Rusland  
Professional Center, I am in favor  
of the density re-zoning of NPC  
from RM 3600 to RM 1800 sq ft  
Per dwelling unit.

Robert Stone D.D.S.

Attachment 11(b)-6



**DIANA S. TATTONI, M.D., P.S.**

*Pediatrics*

---

433 State Street, Suite 1  
Kirkland, WA 98033-6615  
Telephone: (425) 828-3626

June 12, 2007

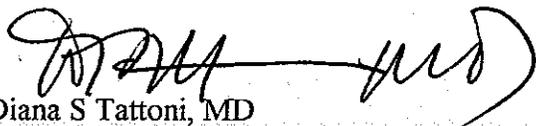
Kirkland City Council

To Whom It May Concern:

As a co-owner of the Kirkland Professional Center, I am in support of a density rezoning of our property from RM 3600 sq.ft per dwelling unit to RM 1800 sq.ft per dwelling unit.

Thank you for your consideration.

Sincerely,

  
Diana S Tattoni, MD

Attachment 11(b)-6



ZON 07-0009

BY \_\_\_\_\_  
PLANNING DEPARTMENT  
AM  
PM

NOV 21 2006

RECEIVED



**CITY OF KIRKLAND**  
**PLANNING AND COMMUNITY DEVELOPMENT**  
123 Fifth Avenue, Kirkland, WA 98033 425.587.3225  
www.ci.kirkland.wa.us

**APPLICATION FOR COMPREHENSIVE PLAN AMENDMENT**

*Directions: You may use this form or answer questions on separate pages.*

Applicant Name Mark Applegate  
Address P.O. Box 2578 Kirkland, WA 98083-2578  
Telephone 206-391-0657  
Property owner (if different than the applicant)  
Property Owner Name SAME  
Address PHASINC@HOTMAIL.COM  
Telephone \_\_\_\_\_

*Note: If the applicant is the property owner, or is representing the property owner, then the property owner must sign the last page. If the applicant is neither the property owner nor representing the property owner, then the affected property owner must be notified. Send or hand deliver a copy of this completed application to all affected property owners. fill out the attached Affidavit of service that this has been done.*

A. Description of Proposal:  
Expand Change zoning from office complex @ 6725-116<sup>th</sup> to for 8 lots.  
Change zoning to PR 316 or high density for apts, or allow  
Storage Facility for indoor storage only. Please see ~~last~~ page.  
additional

B. Description, address, and map of property affected by the proposal:  
6413, 6421, 6515 - 116<sup>th</sup> Ave NE Kirkland, WA 98033

C. Description of the specific reasons for making the proposal:  
Make better best and most logical use of properties.  
More appropriate zoning similar to office complex to north.  
Please review refer to attached letter

D. Description of how the proposed amendment relates to the following criteria:  
1. The City has the resources, including staff and budget, necessary to review the proposal.  
Not known

(6413) Parcel # 934890-0195  
(6421) 934890-0175

666600-0010 (6515)

ATTACHMENT 12 (6)  
ZON07-0009

Applegate

2. The proposal demonstrates a strong potential to serve the public interest by implementing specifically identified goals and policies of the Comprehensive Plan.

~~To provide more housing~~ Yes

3. The public interest would best be served by considering the proposal in the current year, rather than delaying consideration to a later neighborhood plan review or plan amendment process

Yes

4. The proposal is located in a neighborhood for which a neighborhood plan has not been recently adopted (generally not within two years).

Yes

5. The proposal is located in a neighborhood for which a neighborhood plan will not be reviewed in the near future (generally not in the next two years).

Yes

6. The proposal would correct an inconsistency within or make a clarification to a provision of the Comprehensive Plan.

No

E. Property owner signature.

*Note: If the applicant is the property owner, or is representing the property owner, then the property owner must sign the last page. If the applicant is neither the property owner nor representing the property owner, then the affected property owner must be notified. Send or hand deliver a copy of this completed application to all affected property owners. fill out the attached Affidavit of service that this has been done.*

Name - sign: Mark Applegate

Name - print: Mark Applegate

Address: P.O. Box 2578 Kirkland, WA 98083-2578

OWN: 6515, 6421, 6413-116<sup>th</sup> Ave. NE Kirkland Properties

Telephone: 206-391-0657

PHASINC@HOTMAIL.COM

Attachment 12(b)-1

I am requesting that the zoning just south of the office complex located at 6725 on 116<sup>th</sup> Ave NE be amended to PR 3.6 zoning. I am requesting that this zoning be extended from the current PR 3.6 office to approximately NE 63<sup>rd</sup> St. This would encompass 8 current lots of which I own 4. I own 2 lots at 6515, 1 at 6421, and 1 at 6413 – 116<sup>th</sup> Ave NE. These 8 lots are all shallower to the freeway than the lots south of this location. They are almost all very old houses. They are almost all rental houses. Houses east across the street from them have blocked their view west with fences, trees and dense shrubbery. 116<sup>th</sup> Ave NE at that location has considerable traffic from garbage trucks, dump trucks, commuting traffic, as well as minimal local traffic. These houses are not very suitable for families due to the considerable traffic and traffic noise from I-405 and 116<sup>th</sup> Ave NE. 116<sup>th</sup> Ave is dangerous for children, pets and pedestrians due to the traffic. It is especially dangerous for the squirrels as they can be seen dead along the road quite often.

I would like to build a storage facility for inside storage of household goods, etc. It would be entirely inside storage with minimal outside parking except for loading, employees, etc. The outside facade would be designed to blend in with the community and add to the community feel of the area. This storage facility would provide much needed storage spaces for the community with easy local access.

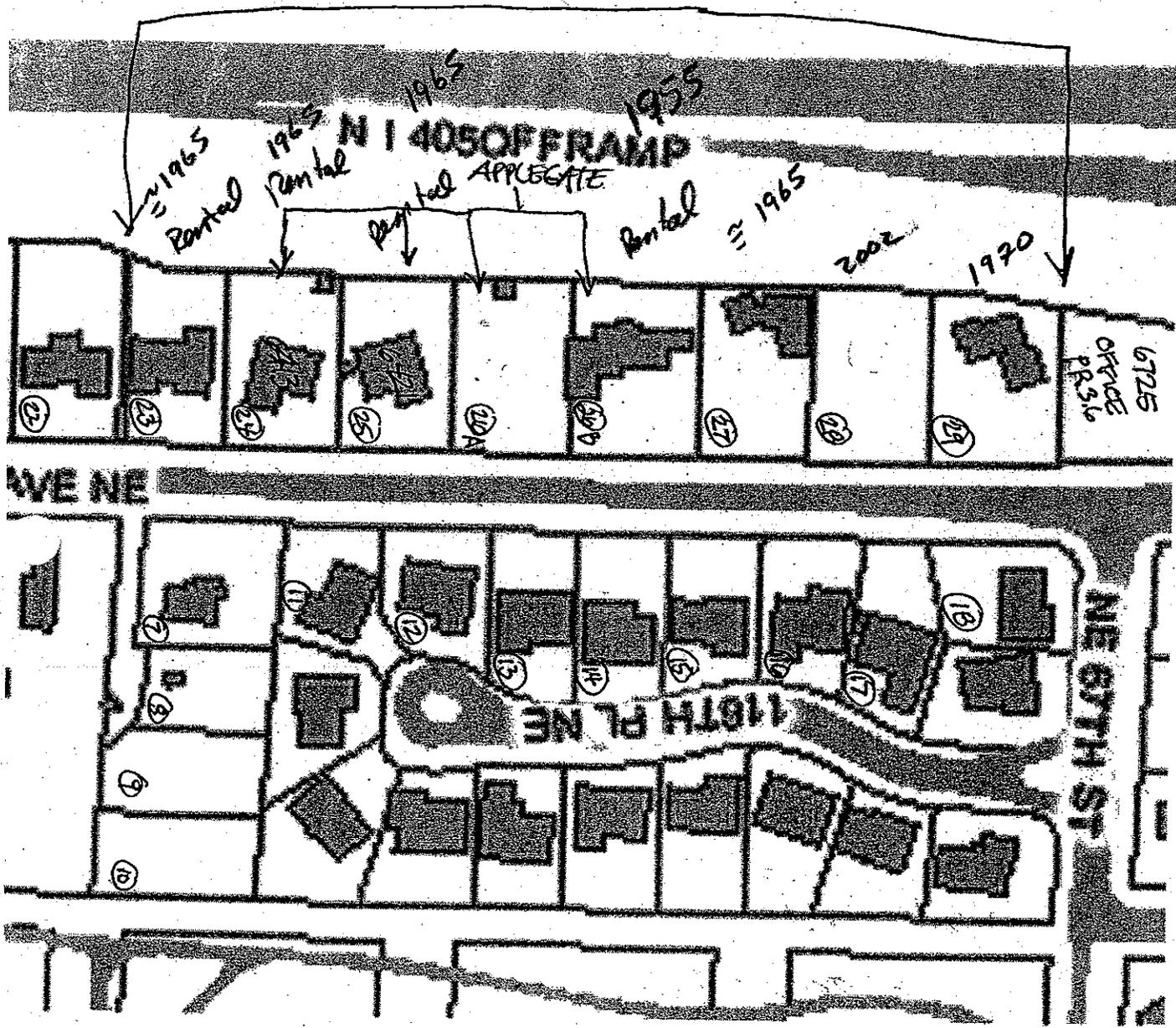
If a storage facility can not be feasible or accepted by the local community, I would like to extend the office zoning of PR 3.6 (or greater density) to allow for an office complex for service providers such as doctors, dentists, chiropractors, as well as some apartments.

As a minimum, I would like to increase the density for this area to allow for apartments as this would be an ideal location for high density considering it would maximize the use of public transportation with the metro transit center located within walking distance. I understand that this road is in the process of being upgraded to allow bike paths and better sidewalks. This would augment apartment living. An apartment complex located here would have easy access to bus service, local shopping, and interstate access with minimal impact on the local community's roads and infrastructure. It could also enhance the local community's quality and character by making good use of an area with distinctive disadvantages for down home family living.

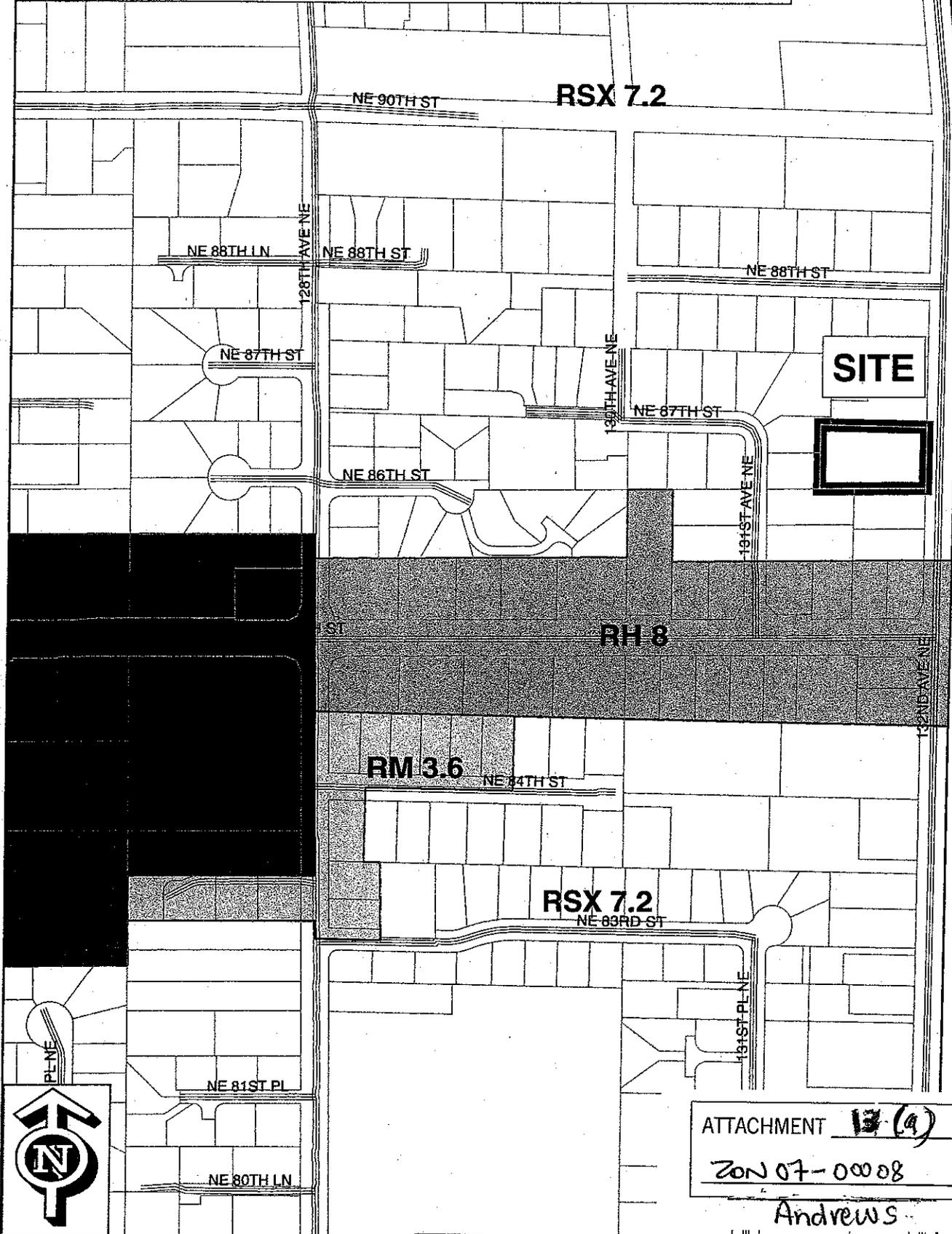
Current zoning allows short platting the lots that I own to make 6 large lots. If I can not obtain a zoning change, my only alternative would be to demolish these houses and construct large, > \$1.0 million houses with views. This would not serve the goals of the growth management goals of maximizing community transit and infrastructure. However, these lots are not as deep as those located further south and are not ideal for home construction due to the high level of noise located near to the freeway.

Please grant my request for a zoning change to improve the use of this area and maximize community integrity through diversification.

Attachment 13(b)-2



**William Andrews Private Amendment Request**  
**ZON07-00008**  
**8529 132nd Avenue NE**



ATTACHMENT 17(a)  
ZON 07-00008  
Andrews



RECEIVED

MAR - 9 2006

AM \_\_\_\_\_ PM  
PLANNING DEPARTMENT  
BY \_\_\_\_\_

**CITY OF KIRKLAND  
PLANNING AND COMMUNITY DEVELOPMENT**  
123 Fifth Avenue, Kirkland, WA 98033 425.587.3225  
www.ci.kirkland.wa.us

**APPLICATION FOR COMPREHENSIVE PLAN AMENDMENT**

Directions: You may use this form or answer questions on separate pages. **(4 ATTACHED)**

Applicant Name WILLIAM J. ANDREWS  
Address 8529 132<sup>nd</sup> AVE NE  
Telephone 425-739-0837  
Property owner (if different than the applicant)  
Property Owner Name \_\_\_\_\_  
Address \_\_\_\_\_  
Telephone \_\_\_\_\_

Note: If the applicant is the property owner, or is representing the property owner, then the property owner must sign the last page. If the applicant is neither the property owner nor representing the property owner, then the affected property owner must be notified. Send or hand deliver a copy of this completed application to all affected property owners. fill out the attached Affidavit of service that this has been done.

A. Description of Proposal: SEE ATTACHED

B. Description, address, and map of property affected by the proposal: SEE ATTACHED

C. Description of the specific reasons for making the proposal: SEE ATTACHED

D. Description of how the proposed amendment relates to the following criteria:  
1. The City has the resources, including staff and budget, necessary to review the proposal.  
SEE ATTACHED

ATTACHMENT 13(b)  
ZON07-00008  
Andrews

2. The proposal demonstrates a strong potential to serve the public interest by implementing specifically identified goals and policies of the Comprehensive Plan.

SEE ATTACHED

3. The public interest would best be served by considering the proposal in the current year, rather than delaying consideration to a later neighborhood plan review or plan amendment process

SEE ATTACHED

4. The proposal is located in a neighborhood for which a neighborhood plan has not been recently adopted (generally not within two years).

SEE ATTACHED

5. The proposal is located in a neighborhood for which a neighborhood plan will not be reviewed in the near future (generally not in the next two years).

SEE ATTACHED

6. The proposal would correct an inconsistency within or make a clarification to a provision of the Comprehensive Plan.

SEE ATTACHED

E. Property owner signature.

*Note: If the applicant is the property owner, or is representing the property owner, then the property owner must sign the last page. If the applicant is neither the property owner nor representing the property owner, then the affected property owner must be notified. Send or hand deliver a copy of this completed application to all affected property owners. fill out the attached Affidavit of service that this has been done.*

Name - sign:

Bill Andrews

Name - print:

BILL ANDREWS

Address:

8529 132<sup>nd</sup> Ave NE

Telephone:

425-739-0837

Attachment 13 (b)-1

- A. Amend the current zoning designation from Low Density RS 7,200 to Low Density RS 5,000.
- B. The Property is located on the West side of 132<sup>nd</sup> Ave NE just North of the Intersection of NE 85<sup>th</sup> ST and 132<sup>nd</sup> Ave NE. The site address is 8529 132<sup>nd</sup> Ave NE Kirkland, WA 98033. The Property is approx. ¾ of an Acre in size and rectangular in configuration. The Property is generally level with a gradual grade from West to East. The Property has approx. 135' of frontage along 132<sup>nd</sup> Ave NE. The property is within easy pedestrian and bicycle access to multiple bus stops and the NE 85<sup>th</sup> ST Commercial corridor which offers multiple opportunities for shopping, restaurants, services and employment centers. The Property is on the "edge" of the NE 85<sup>th</sup> ST "Business District" and as a matter of fact, several documents produced by the City of Kirkland show the Property as being located WITHIN the NE 85<sup>th</sup> ST "Business District" which would indicate that the Property is suited for higher density rather than lower density. The Property's proximity to commercial activity combined with easy access to means of alternative transportation would lend itself to fostering the use of these alternative means of transportation by the residents of any future housing built on the Property.
- C. The change to RS 5,000 would allow the "highest and best use" of the Property while retaining the Low Density Residential designation. When compared with current uses of other similarly positioned Properties within Kirkland (and Redmond), the RS 5,000 would be the least "intense" use of those Properties. When considering the location of the Property and the external factors which impact the Property, lower priced housing as opposed to higher priced "mega" housing is logical and the smaller lots made available by RS 5,000 may create opportunity to provide smaller, lower priced housing. The Property provides an opportunity for the City of Kirkland to promote the creation of lower priced housing in a location that is well suited for that purpose.
- D. (1. - 6.)
1. The City of Kirkland appears to have adequate Staff to review and implement the proposal.
  2. The proposal will create opportunities to achieve goals stated in the Comprehensive Plan as well as carry out policies set forth in the Comprehensive Plan;
- \* HOUSING, GOAL H-3: Provide for greater housing capacity and home ownership opportunities.  
POLICY H-3.1: Provide additional capacity for single family development through allowing reductions in lot sizes where surplus land exists on under-developed parcels.

Attachment 13 (b)-2

- \* **LAND USE, POLICY LU-4.2:** Locate the most dense residential areas close to shops and services and transportation hubs.
- \* **HUMAN SERVICES, POLICY HS-2.5:** Encourage affordable and appropriately designed Senior housing.  
 (“The City should support public and private efforts to create and preserve affordable housing in Kirkland, particularly housing for seniors such as mother in law apartments, shared housing, SMALL LOTS, cottages ...”)
- \* **VISION STATEMENT:** “We have worked to increase diversity and affordability, such as smaller homes on smaller lots”
- \* **ECONOMIC DEVELOPMENT, POLICY ED-1.6:** Strive to maintain a balance of jobs and housing.  
 (“Job growth should be accompanied by growth in housing opportunities for workers filling those new jobs. When a significant percentage of the population can both work and live in Kirkland, economic vitality , quality of life and civic involvement are enhanced and transportation problems are mitigated”)

These are just a few examples of goals and policies that will be addressed by the proposal. Additional goals and policies will be cited at the Hearing to be held regarding this proposal.

3. The sooner the proposal is implemented the sooner the associated benefits to the Public would be made available. As you are aware the “ramp up” time for any new development takes considerable time and effort and prompt implementation of the proposal would promote an associated likelihood that the planning for development would begin promptly as well.
4. It appears that the North Rose Hill plan was last addressed in October of 2003.
5. ?
6. Several inconsistencies and ambiguities exist in the Comprehensive Plan and in City provided documents pertaining to the Property;
  - \* The Planning Dept. provided a written communication in January of 2005 indicating that the RS 5,000 zone is a medium density not a low density zone. According to the Comprehensive Plan RS 5,000 is part of low density.
  - \* Several Maps show the Property as being within the boundary of the Rose Hill Business District which would indicate that the Property is intended for Commercial usage.

Attachment 13(b)-3

- \* Ambiguity exists at Policy NRH 10.1 whereby it could be interpreted that the Property is in area that could be utilized in a manner other than low density. Furthermore, the Property is certainly not in the "residential core" of the North Rose Hill neighborhood as described in NRH 10.1.
- \* Other similarly positioned properties (frontage on an arterial with a speed limit of 35 mph, close proximity to a major intersection, close proximity to a commercial area ...) are currently designated higher density residential (RM 3,600) or Commercial.

Other possible inconsistencies will be cited at the Hearing to be held regarding this proposal.

Attachment 13(b)-4



Ray Hansen

11034 130th Avenue NE  
Kirkland, Washington 98033  
827-7315

June 25, 2007

**FAX**

Kirkland Planning Commission  
Attention: Teresa Swan, 587-3232

This letter is in reference to one of the "private amendments" being considered by the Planning Commission at its meeting on Thursday June 28.. **I recommend you deny Costco's request, File ZON07-00017, which would allow retail gas sales on its northern parking lot.**

As a long-time resident of North Rose Hill, I have been honored to have participated and maybe even helped with the North Rose Hill portion of the Comprehensive Plan. Ever since the time of our annexation, two of this neighborhood's major goals, recognized by the City, have been to maintain the neighborhood's residential character and minimize traffic impacts. Both of these goals would suffer if the request is approved:

The gasoline station would certainly increase traffic on 90<sup>th</sup> Street, and probably on 124<sup>th</sup> Avenue and other nearby streets. Pedestrian safety is already a problem.

Street and air pollutants from the added traffic, and inevitable spills near the pumps, are bound to reach into Forbes Lake.

The hydrocarbon vapors, and noise and smells, that gas stations create would extend beyond the immediate property, and impact the adjacent residences. I lived next to one once, and wouldn't wish it upon you even if you happened to vote for this request.

Having another gas station in the area, and a cut-rate one at that, would undoubtedly appeal to some people. But lower gas prices--and increased consumption of a depleting resource--are certainly not in the long range interest of our region or our country as a whole. The fact of the matter is that increased hydrocarbon consumption accelerates global warming and exacerbates its negative impacts.

As you well know, a major criterion for allowing exceptions to the Comprehensive Plan that it must be "in the public interest." The requested change does not meet that test, at least to this portion of Kirkland. Nor does it seem to for Kirkland as a whole.

Ray Hansen

Public Comment

ATTACHMENT 14

ZON07-0017

Costco

**From:** Paul Stewart

**Sent:** Monday, June 25, 2007 3:22 PM

**To:** City Council; Andrew Held (public) (public@andyheld.com); Byron Katsuyama; Carolyn Hayek; Janet Pruitt; Karen Tennyson; Kiri Rennaker; Mathew Gregory

**Cc:** David Ramsay; Janet Jonson; Teresa Swan

**Subject:** FW: Costco Gas Station

Steve Tindall requested the following e-mail message be passed on to the City Council and Planning Commission. This is in regards to the Private Amendment Request by Costco to allow a fuel station on their property north of NE 90<sup>th</sup> Street (RH1B Zone).

I have responded to Steve that the Commission is making a recommendation to the City Council on a threshold determination on whether or not to study the request. The Commission meets on June 28<sup>th</sup> and the Council will consider their recommendation on July 17<sup>th</sup>. If this request moves forward, the Planning Commission will hold study sessions and a public hearing in the coming months with Council action later this year or early next year.

**Paul Stewart**  
**425-587-3227**

---

**From:** Steve Tindall [mailto:steve@stevetindall.com]

**Sent:** Tuesday, June 19, 2007 3:25 PM

**To:** Paul Stewart

**Subject:** FW: Costco Gas Station

Paul- Regarding the private amendment request for the Costco gas station:

I only had email addresses for a few of the city council members.

Could you forward this on my behalf to the entire council and also the planning commission.

Thanks,  
steve

---

**From:** Steve Tindall [mailto:steve@stevetindall.com]

**Sent:** Tuesday, June 19, 2007 9:59 AM

**Subject:** Costco Gas Station

Council members:

I am not able to participate in the coming discussion about a proposed Costco Gas Station. However, I would like to submit my comments as representative of the tenor and opinion of the South Rose Hill Neighborhood Association during the time period of establishing the current Comprehensive Plan for the NE 85<sup>th</sup> Street Corridor. If possible to distribute these comments to other council members I'd appreciate it, as I do not have current email addresses for them.

The idea of a gas station at Costco is a nightmare in terms of traffic effect. For those of you who have frequented other Costco gas stations, there is a near constant line of cars moving through these centers. In the case of our particular Costco, the proposed location forces traffic to drive past the main Costco site to the farthest, most low density area of the development.

This will impact the entire NE 85th Street corridor, especially both the South Rose Hill and North Rose Hill close proximity areas. The likelihood of increased cut-through traffic in South Rose Hill is very high, but the increased traffic on the North Rose Hill side is guaranteed.

We have five- count them- five gas stations between I-405 and 128th Ave NE. There is no local, or even regional need for additional services of this type. Whereas the Comprehensive Plan does not specifically prohibit this use in the close proximity of 405, it does definitely speak to this usage by de-emphasizing auto centric usage- with the exception of the two car dealers.

As much as I would like a competitively priced gas station in our area to drive down the ridiculous prices we now pay- I believe this addition will measurably and negatively impact our quality of life.  
steve

Steven J. Tindall  
(425) 822-4373 Home  
(425) 945-3632 Office  
[Steve@SteveTindall.Com](mailto:Steve@SteveTindall.Com)

---

See what's free at [AOL.com](http://AOL.com).

City of Kirkland  
Planning and Community Development  
123 Fifth Avenue  
Kirkland, WA 98033

RECEIVED

JUN 27 2007

AM \_\_\_\_\_ PM  
PLANNING DEPARTMENT  
BY \_\_\_\_\_

Subject: 2007 determination of private comprehensive plan amendment request - File  
ZON07-00011

Please include the attached 3 page response to the June 19, 2007 determination and recommendation regarding the Strahm Properties amendment proposal, for the record of the City of Kirkland Planning Commission meeting June 28, 2007.



F Robert Strahm  
1712 Pacific Ave Suite 104  
Everett, WA 98201

June 27, 2007

Applicant's Response

|             |    |
|-------------|----|
| ATTACHMENT  | 16 |
| ZON07-00011 |    |

Strahm Properties

City of Kirkland  
Planning and Community Development  
123 Fifth Avenue  
Kirkland, WA 98033

Subject: 2007 determination of private comprehensive plan amendment request - File ZON07-00011

This is a response to comments regarding the Strahm Properties, LLC ("Strahm") amendment proposal. The City of Kirkland has a history of anti-growth and anti-business policies. These misguided policies have curbed business growth and even created urban blight in some cases. The City should abandon these policies.

**City section 1: Request**

The Strahm proposal requested a high density residential designation and zoning not medium density RM 3.6. The request for a high density residential designation was based on the adjacent high density zoning and uses. As stated in the City staff review, the southern portion of this "planning area" (PLA6G) already allows residential uses. The applicant believes that denial of the proposed residential designation would be arbitrary and discriminatory.

The subject property includes 3 parcels totaling roughly 4.9 acres. The City states that a similar request was approved for an adjacent property to the south (Pace Corp. site, roughly five acres), and that "[t]he City did not include the subject property since the property owner did not show an interest in the change..." The Pace Corp. site was in an underutilized status for many years prior to the land use change

The property owner presumably referred to, Frank Strahm, never received notice of a proposal to change the land use of the property in the past as claimed by the City. Nonetheless, any prior land use change should have included all the property in the roughly ten (10) acre "planning area". A development application was made for the The Pace Corp. site subsequent to the addition of the residential zoning designation; the proposed development was promptly rejected by the City. The property is now in a blight condition.

As stated in the staff memorandum the subject property is adjacent to residential uses ranging from low to high density to the west and the BNSF railway to the east. The railway is in the process of being converted to open space trail uses.

Locating on a railway is one factor that makes industrial uses viable. The loss of the railway is one of many elements that make preservation of industrial uses in that location inconsistent with market trends, as well as the surrounding neighborhood.

The Actions to Enhance Redevelopment section, Page 24 of the Kirkland Industrial Zoning Study, support the proposed comprehensive plan amendment:

Where surrounding use is primarily residential and non-industrial uses predominate, it may be most useful to redevelop some sites into residential types that can act as a buffer between low-density neighborhoods and higher intensity office/tech. Medium-to-high density residential and office tech use are not in conflict and residential can act as an effective buffer that reinforces and preserves adjoining residential while providing residential opportunities for employees of the adjoining employment area.

The Sedorco property to the east of the railway (proposed trail) is being converted to office uses. This property was in a vacant/blight condition for a considerable period of time due to market difficulties and the City's reluctance to re-designate the property to a land use that was consistent with market conditions. Rezoning the subject property included in the proposed amendment area would potentially create a residential "buffer" that would benefit the adjacent residential neighborhood.

The Puget Sound area is experiencing significant population growth. The Puget Sound Regional Council is updating the *Vision 2020* document to extend to 2040. Preliminary growth targets indicate a future population and employment deficit for the City of Kirkland (See also CPSGMHB Case No. 05-3-0042 *Strahm vs. City of Everett*). The City should provide ample housing and employment opportunities.

**City section 2: Relation to Criteria**

- a. This is a limited area request.
- b. The City should have included this property in the prior study and re-designation of the south portion of this "planning area" – roughly a total of ten (10) acres. The City's spot zoning policy created an inconsistency.
- c. 1) The Moss Bay Neighborhood Plan (page XV.D-1) states:

A major policy emphasis for the Moss Bay Neighborhood is to encourage commercial activities in the Downtown, and to **encourage medium to high-density residential uses in the perimeter of the Downtown.**

The proposal would implement the Moss Bay Neighborhood policy by encouraging high-density residential uses in the perimeter area.

- 2) The proposal is for "planning area" PLA6G which is internally inconsistent. The proposal if adopted would resolve the inconsistency.

2a) The City staff response supports the request.

2b) The City staff response supports the request.

**City section 3: Staff Recommendation**

The continuation of industrial land use designations in this area is misguided. The potential lack of railroad service and conflicting land uses make industrial designations for the location impractical at best and create potential for increased urban blight.

The Moss Bay Neighborhood Plan was last updated in 1989 and is not scheduled for a major update until 2011-2012. Re-developing the site with industrial uses is not an option due to market conditions and conflicts with the existing adjacent residential neighborhood. Waiting until 2011 or 2012 for a plan update is not a viable option for the property, more importantly; the current proposal is consistent with the comprehensive plan.

For the reasons stated herein, the applicant requests that the City not defer the proposal, and to continue to study the Strahm amendment proposal in the current update process.



June 26, 2007

F. Robert Strahm  
Member - Strahm Properties, LLC  
Broker - Puget Sound RE Services, Inc.  
BABA – Finance

1712 Pacific Ave Suite 104  
Everett, WA 98201

From: James McElwee [jandlmcwee@msn.com]  
Sent: Wednesday, June 27, 2007 1:26 PM  
To: Teresa Swan  
Cc: Paul Stewart  
Subject: Planning Commission Comments for June 28, 2007

Teresa,

Would you please forward this message to the Planning Commission for their meeting on June 28, 2007 regarding Private Amendment Requests.

Thank you,  
Jim McElwee

Date: June 27, 2007

To: Kirkland Planning Commission

From: James McElwee

Subject: Private Amendment Requests - 2007

I respectfully request that the Commission consider the following points when discussing the Private Amendment Requests for 2007.

ZON07-00017 (Costco) - I request that you reject this application outright.

1. The particular site acts as a buffer between the main Costco site and the bordering residential areas and the wetlands to the east and north. I see no way for the fueling station to be preferred by the neighbors over the existing parking area. The structures, lighting and noises from the fueling station would be a significant challenge to the current neighbors.

2. NE 90th Street, one of the neighborhood streets serving the site, is not an appropriate street to handle the added traffic of a fueling station on the site. Currently NE 90th has no curbs and gutters, only open ditches, east of 120th Ave. NE.

Even if the roadway were improved with curbs, gutters and sidewalks, the improvements would only encourage additional cut-through traffic in a neighborhood area.

3. I recognize that the station could be located on Costco's current site, but I see no compelling public interest in encouraging additional use on the site. Currently South Rose Hill, as well as North Rose Hill, suffers from significant cut-through traffic destined for Costco. Some might argue that only customers who would otherwise be going to the Costco site would use the fueling station, but my own experiences tell me otherwise. I often use the Costco fuel stations without using the retail section at all. I ask that you not make our cut-through situation worse.

ZON07-00008 (Andrews) - Please defer this request until the next Neighborhood Plan (as recommended by staff) 1. Preserving the essential character of the neighborhood is paramount in the Neighborhood Plan, and I see no compelling reason to deviate from the plan by increasing the density per this request. Any argument that increased density was intended by the Neighborhood Plan is simply an uneducated reading of the history.

ZON07-00009 (Applegate) - Please defer this request until the next Neighborhood Plan (as recommended by staff) 1. This request is not simple. The implication of approving this request would go far beyond the individual properties involved. It deserves the considered attention of the Neighborhood as part of a comprehensive update of the Neighborhood Plan.

ZON07-00016, -00012, -00019 (Howe, Orni, Altom) - I agree that these applications should be considered together, and I suggest that, if these amendments are to be considered in 2007, the area for consideration should be expanded.

1. It makes sense to consider the three properties at one time because of their proximity and the good deal of similarity in the requests.
2. The subject properties cannot be evaluated in isolation from the rest of downtown. The increased height in this particular section of the downtown, would raise the edge of the "bowl" (my term) encouraged by the Downtown Strategic Plan and the current zoning. I am concerned that there will be increased pressure to allow additional height in the remainder of downtown, as well as the subject properties. We have established a goal of keeping downtown as a pedestrian friendly venue with a quaint village atmosphere. The residents of Kirkland have made it clear that they support this concept, and we should be insuring that the vision remains practical. I think that this is an opportunity refine the planning and zoning of the downtown area to keep megaliths from destroying what we value in the area.

Thank you for your consideration of my coments.

James McElwee  
12907 NE 78th Place  
Kirkland, WA 98933  
425-301-3885

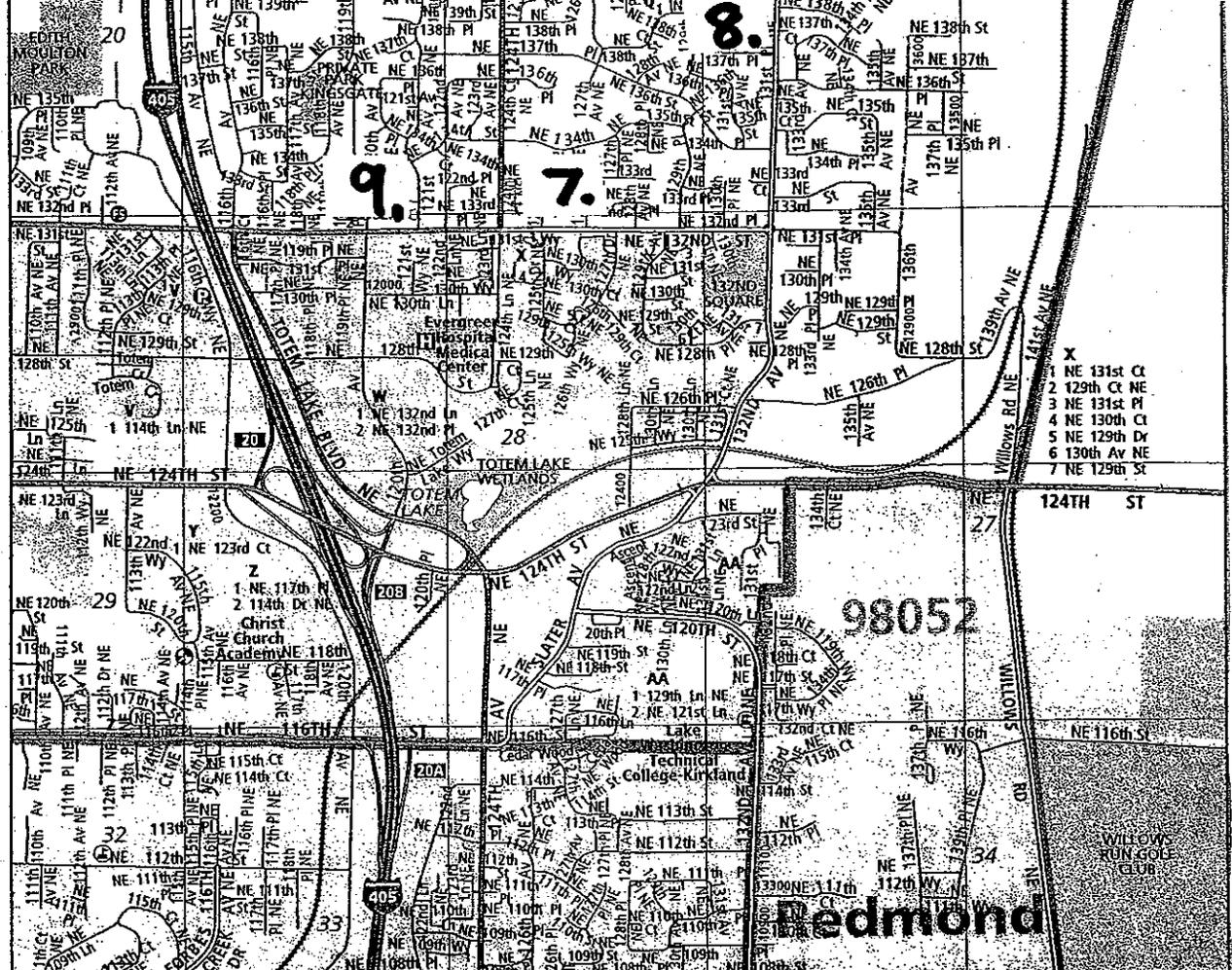
**PRIVATE AMENDMENT REQUEST  
FILE ZON07-00008  
8529 132<sup>ND</sup> AVE NE  
WILLIAM ANDREWS**

1. List of "Small Lot" Developments in close proximity to the Subject Property
2. Vicinity Map showing Subject Property (hi-lited) and the above noted Developments
3. Response to 2007 Threshold Determination of Private Amendment Requests  
Refer to pages 25-27 of the Threshold Determination Document dated 6/19/07
4. Referenced Maps illustrating that the Subject Property is within the boundaries of the Rose Hill Business District

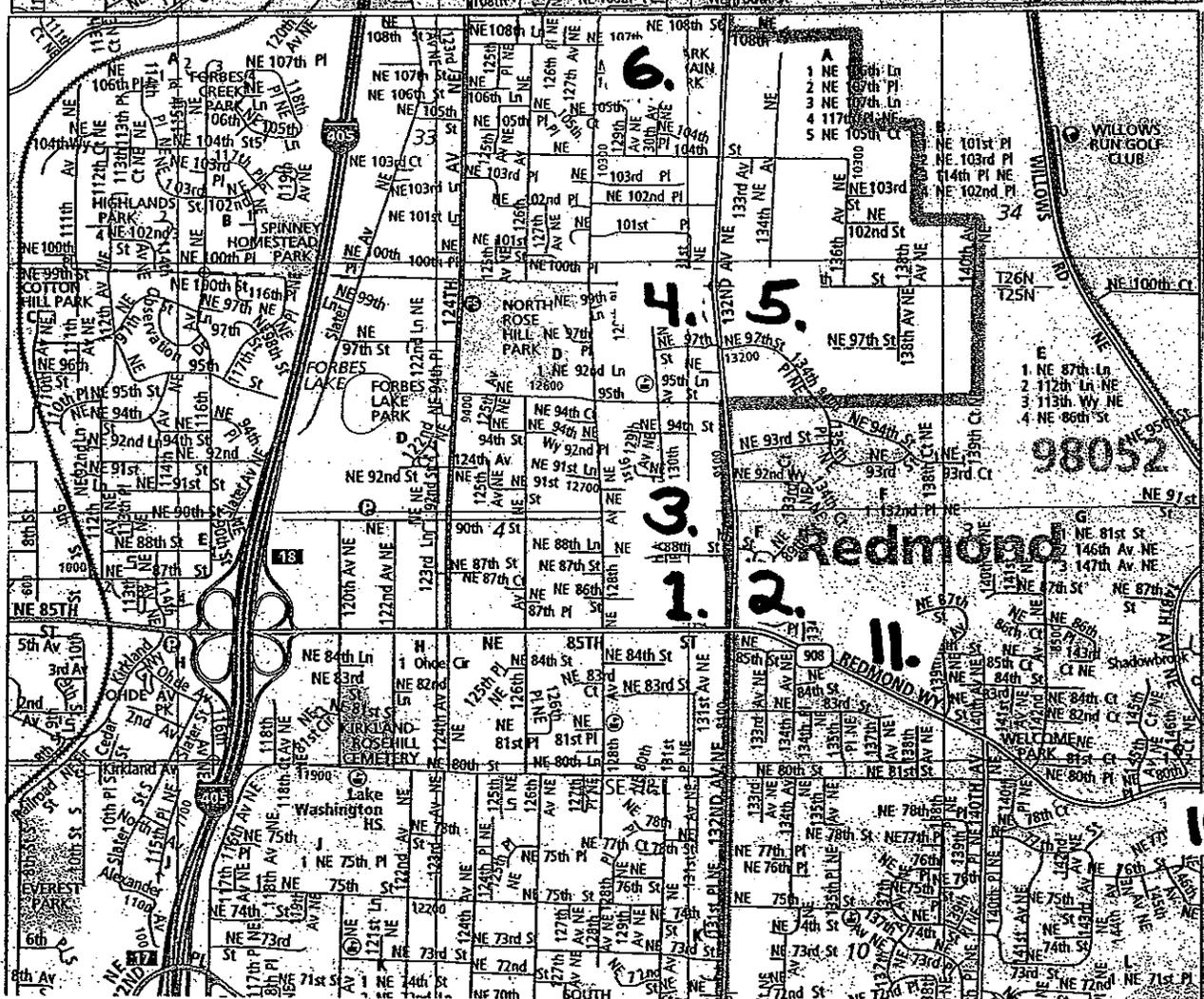
|             |    |
|-------------|----|
| ATTACHMENT  | 18 |
| ZON07-00008 |    |

**“Small Lot” Developments in Close Proximity to Subject Property  
(see attached map)**

1. Subject Property – 8529 132<sup>nd</sup> Ave NE, Kirkland
2. The Pointe – 8726 133<sup>rd</sup> Ave NE, Redmond  
Attached Townhomes LOT SIZE = 2,811 sq.ft.
3. City Ministries – 2 PUD Projects just North of Subject Property, Kirkland  
Approx. 8 units per acre density (same as RSX5.0)
4. Kirkland Bungalows – 13131 NE 97<sup>th</sup> St, Kirkland  
LOT SIZE = 2,550 sq.ft.
5. Willow’s Crest (?) – 13232 NE 97<sup>th</sup> St, Redmond  
LOT SIZE = 4,203 sq.ft.
6. Danielson’s Grove – 12822 NE 105<sup>th</sup> Pl, Kirkland  
LOT SIZE = 2,342 sq.ft.
7. Linden Lane – 13228 126<sup>th</sup> Ct. NE, Kirkland  
LOT SIZE = 4,204 sq.ft.
8. Sweetbriar – 13103 NE 139<sup>th</sup> St, Kirkland  
LOT SIZE = 3,713 sq.ft.
9. Braeburn – 13232 119<sup>th</sup> Pl NE, Kirkland  
LOT SIZE = 3,150 sq.ft.
10. Portico Place – 7886 148<sup>th</sup> Ct NE, Redmond  
LOT SIZE = 3,754 sq.ft.
11. Indigo – New DR HORTON Attached Townhomes just East of Subject Property on NE 85<sup>th</sup> St.  
**ZERO LOT LINE ATTACHED TOWNHOMES**



- X
- 1 NE 131st Ct
- 2 NE 129th Ct NE
- 3 NE 131st Pl
- 4 NE 130th Ct
- 5 NE 129th Dr
- 6 NE 130th Av NE
- 7 NE 129th St



- E
- 1 NE 87th Ln
- 2 NE 112th Ln NE
- 3 NE 113th Wy NE
- 4 NE 86th St

- A
- 1 NE 109th Ln
- 2 NE 109th Pl
- 3 NE 109th Ln
- 4 NE 117th Pl NE
- 5 NE 105th Ct

RESPONSE TO 2007 THRESHOLD DETERMINATION  
OF  
PRIVATE AMENDMENT REQUESTS TO AMEND THE COMPREHENSIVE PLAN

Refer to pages 25 – 27 of the “Threshold Determination” document dated 6/19/07 in particular Andrews, William File ZON07-00008, Attachment 13:

Please find below responses/comments to;

1. Request
2. Relation to Criteria
3. Staff Recommendation

1. Request: 2<sup>nd</sup> paragraph, “The total site area is approximately 124,190 square feet.”  
This is incorrect, the site is approx. 32,500 sq. ft.

2<sup>nd</sup> paragraph, “On the east side of 132<sup>nd</sup> Ave NE is the City of Redmond that contains a single-family neighborhood.” The neighborhood to the east “The Pointe” is an “attached Townhome” development with lots as small as 2,800 sq. ft.

2. Relation to : Section a. 2<sup>nd</sup> paragraph, “the study area should be expanded to include the  
Criteria two single family lots south of the subject property. A case could be made that the three single family lots just south... for the same reason.” While I understand the preference to avoid “piece-meal” rezones, the subject property is large enough to support a “stand alone” evaluation as it would contribute 5 -6 new residences to the housing stock (most likely at a needed price point). Furthermore, Chapter III “General” of the Comp. Plan states, “Citizen amendment requests may either be for general amendments or for a change to the land use map and /or text change relating to a SPECIFIC property or a general area.”

Section b. 1<sup>st</sup> paragraph, “There does not appear to be an inconsistency or need for Plan clarification related to this request.” To the contrary, numerous inconsistencies can be cited in relation to the subject property’s treatment as found in various city produced documents.

A. MAPS, See the following attached maps from City of Kirkland documents that show the subject property located “within” the Rose Hill Business District.

1. “Design Guidelines for Rose Hill Business District” adopted on Jan. 3, 2006 contains a map on page 1 that shows the Rose Hill Business District shaded in gray and includes the subject property. (I have included an enlarged version)

2. Chapter XV.F. “North Rose Hill Neighborhood” of the Comp. Plan, page 37, figure NRH-10, shows the Rose Hill Business District outlined and noted in the map legend. By using the scale included on the map, the subject property is within the boundary of the Rose Hill Business District.

# Introduction

This document sets forth Design Guidelines, adopted by Section 3.30.040 of the Kirkland Municipal Code that will be used by the City in the design review process for commercial and multifamily development in the Rose Hill Business District.

Other documents that should be referred to during design review are the NE 85<sup>th</sup> Street Subarea Plan goals and policies contained in the Comprehensive Plan and the RH Use Zone Charts found in the Kirkland Zoning Code.

## Purpose of the Design Guidelines

For projects required to be reviewed by the Design Review Board, the Board will use these guidelines in association with the Design Regulations of the Kirkland Zoning Code. To the extent that the standards of the Design Guidelines or Design Regulations address the same issue but are not generally consistent or contain different levels of specificity, the Design Review Board will determine which standard results in superior design. For Administrative Design Review (ADR), the Planning Official will use these guidelines when necessary to interpret the Design Regulations. They are also intended to assist project applicants and their architects by providing graphic examples of the intent of the City's guidelines and regulations.

The Design Guidelines do not set a particular style of architecture or design theme. They are intended to establish a greater sense of quality, unity, and conformance with Kirkland's physical assets and civic identity. These guidelines are not intended to slow or restrict development, but rather to add consistency and predictability to the permit review process.

## Urban Design Goals and Objectives

Urban design goals for the desired future development of the area were adopted in 2001 as part of the NE 85<sup>th</sup> Street Subarea Plan:

*Subarea Plan Design Goal NE 85-17- Provide a coordinated streetscape improvements through the Subarea that enable pedestrians, drivers bicyclists, and other users to have safe and pleasant experience.*

*Subarea Plan Design Goals NE 85-18 and 18.19- Establish mandatory building and site design standards that apply to all new expanded, or remodeled commercial and multi-family buildings in the Subarea, with the objectives of creating a more attractive commercial area, enhancing pedestrian orientation, and creating effective buffers and transitions between the commercial land uses and the established residential neighborhoods to the north and south.*

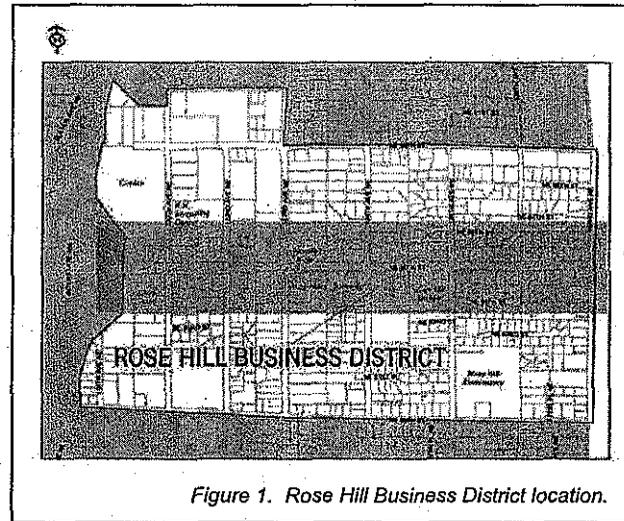
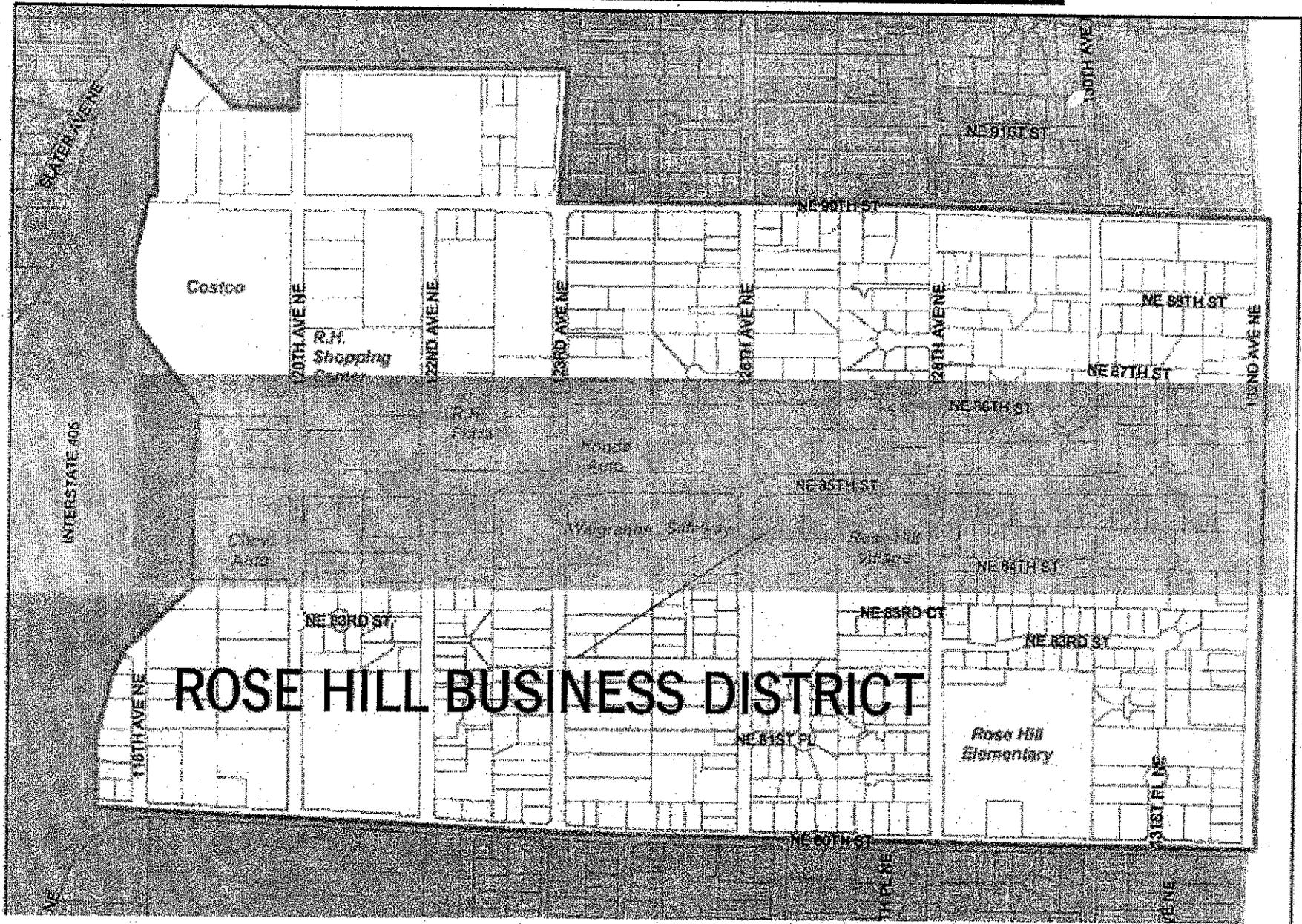


Figure 1. Rose Hill Business District location.



Costco

R.H. Shopping Center

NE 91ST ST

NE 90TH ST

NE 88TH ST

NE 87TH ST

NE 86TH ST

NE 85TH ST

NE 84TH ST

NE 83RD ST

NE 83RD CT

NE 83RD ST

# ROSE HILL BUSINESS DISTRICT

NE 81ST PL

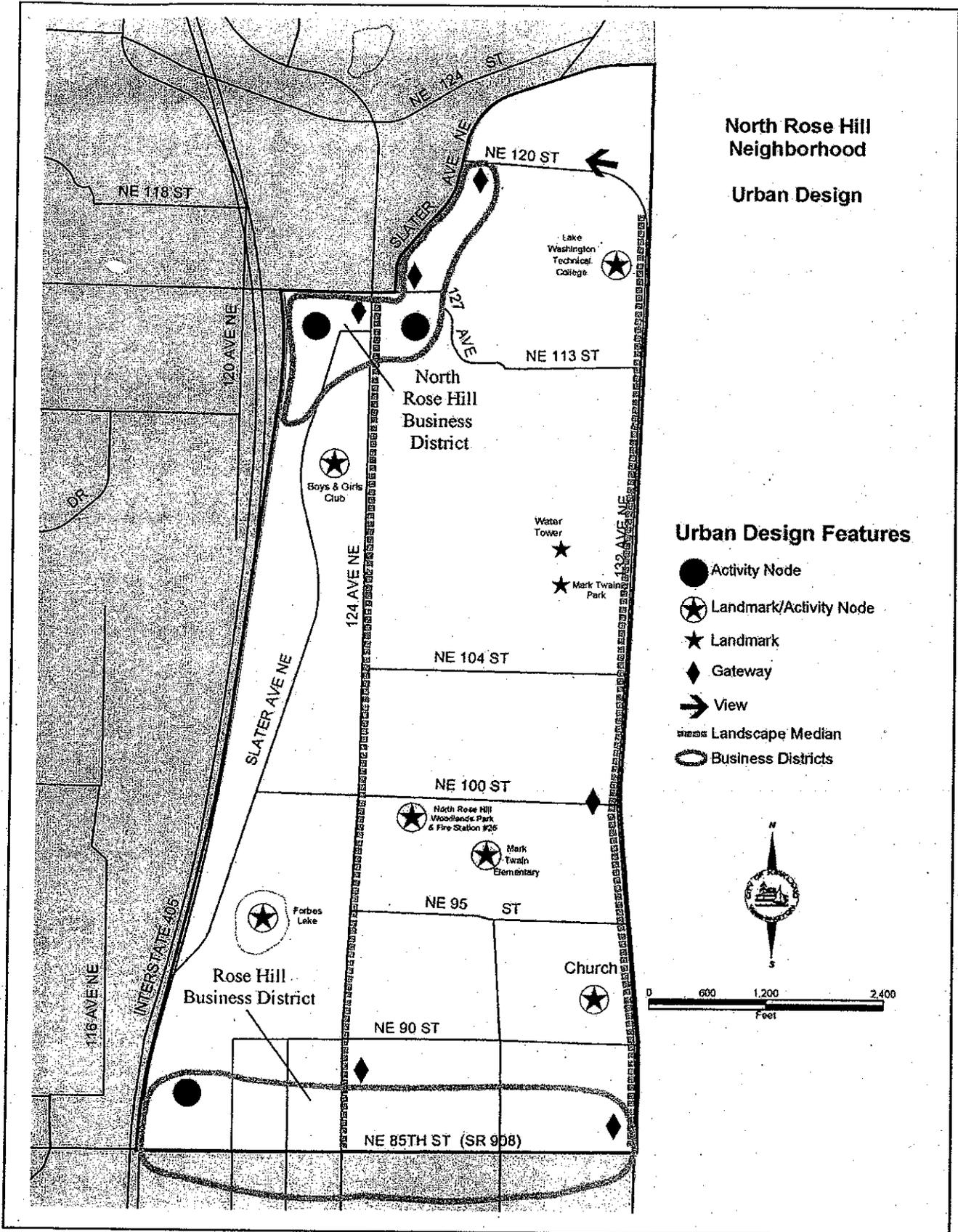
Rose Hill Elementary

NE 81ST PL

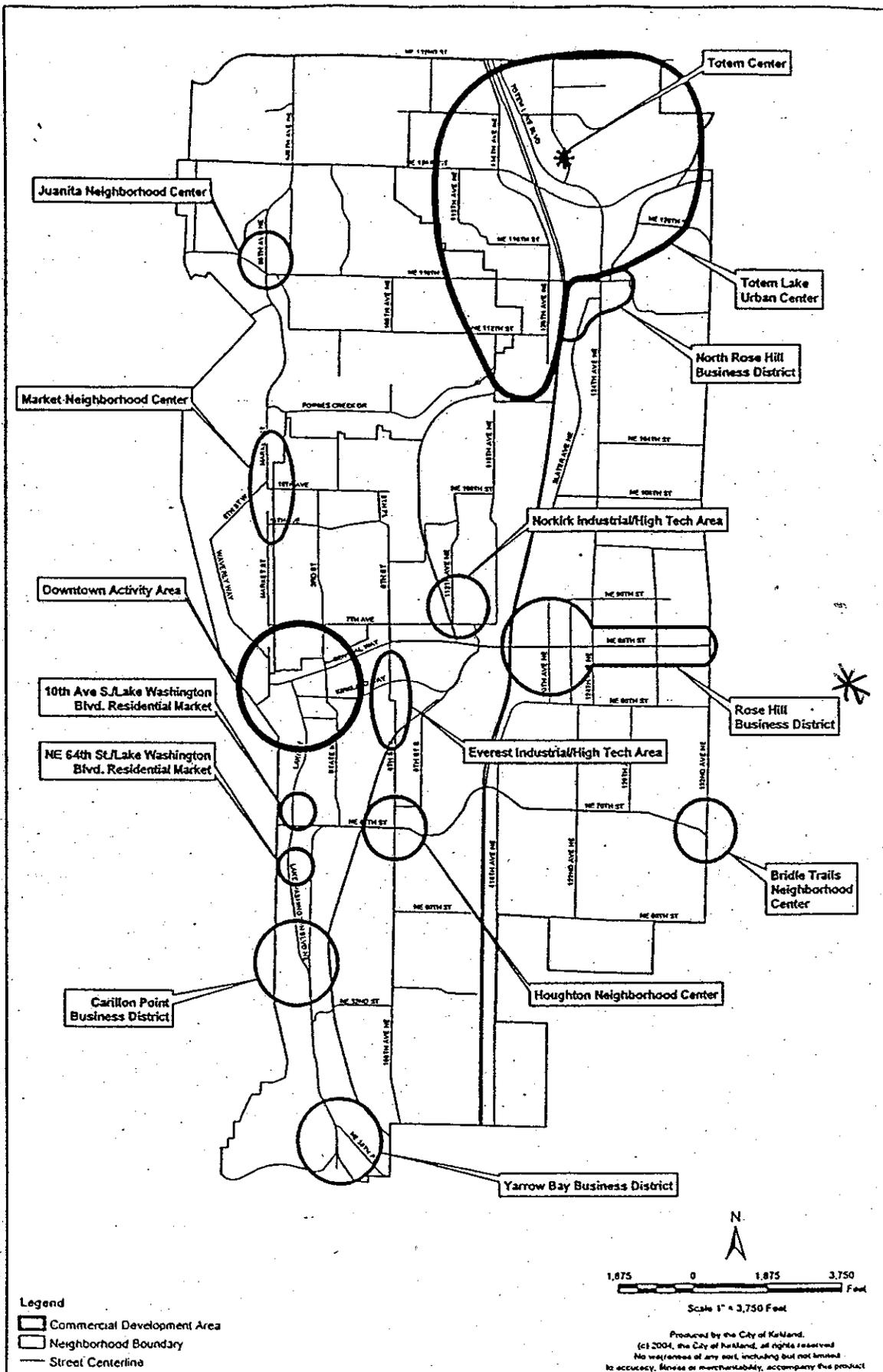
NE 80TH ST

TH PL NE

VE NE



**Figure NRH-10: North Rose Hill Urban Design**



City of Kirkland Comprehensive Plan  
7/2004 Draft

Figure LU-2: Commercial Areas

3. Figure LU-2: Commercial Areas shows the subject property within the illustrated boundary of a Commercial Development Area "Rose Hill Business District"

B. DOCUMENTS, See the following citations from various City produced documents that can be seen as inconsistent and unclear as they relate to the subject property.

1. The Planning Dept. provided a written statement in January of 2005 indicating that "a RS5000 zone is considered a medium not a low density residential zone." This appears to be inconsistent as the Comp.Plan shows RSX5.0 as low density.

2. Chapter XV.F. "North Rose Hill Neighborhood" of the Comp.Plan at Policy NRH 10.1 states, "Preserve low density areas south of NE 117<sup>th</sup> St. to approximately NE 86<sup>th</sup> St. and between the freeway and 132<sup>nd</sup> Ave NE." The subject property could be considered "approximately" outside of this parameter as a portion of the subject property may be south of NE 86<sup>th</sup> St. which would then indicate that the subject property, or a portion of it, could be used for something other than low density. Furthermore, the subject property is certainly not within the "residential core" of the North Rose Hill Neighborhood (as noted in NRH10.1) and is in fact, closer in proximity to a Business Dist. "core" rather than the "core" of a residential neighborhood.

3. The NE 85<sup>th</sup> Subarea Plan Land Use Map Figure NE85-2 shows property fronting 124<sup>th</sup> Ave NE in a similar northerly relationship to NE 85<sup>th</sup> St. as the subject property, zoned as Office/Multi Family, Commercial and Medium Density Residential. 124<sup>th</sup> Ave NE and 132<sup>nd</sup> Ave NE (north of NE 85<sup>th</sup> St.) are very similar in their characteristics; 35 mph speed limits, City "arterial" classification, multiple Metro bus stop locations, "non-residential" commercial traffic, 2 of the most heavily traveled streets in Kirkland. As a matter of fact, since 132<sup>nd</sup> Ave NE does not have any traffic lights or stops, it has become the chosen option for commuters and commercial traffic both a.m./ p.m. Why would property with very similar characteristics positioned on very similar types of streets and located the same distance north of State Hwy. 908 (NE 85<sup>th</sup> St.) have such vastly different zoning/density? For that matter, the subject property is not even zoned at the highest use of the low density residential classification. This seems not only inconsistent but lagging in relation to the rapidly changing nature of the area, population growth and increased demand for housing at more affordable price points. It would NOT be inconsistent or "far-reaching" to conclude that the highest density allowed within the low density classification (RSX5.0) is appropriate for the subject property. As stated in the Threshold Determination, "the maps and text indicate that the property is located in the NE 85<sup>th</sup> Sub-area which includes extensive low-density single family areas to the north and south of NE 85<sup>th</sup> Street. The vision and goals of the sub-area plan support preserving these low density residential uses." This amendment request is consistent with that vision, RSX5.0 IS LOW DENSITY! and the implementation of the request would do nothing but ENHANCE the achievement of that vision. The request would have minimal impact if any, above

and beyond the current RSX7.2 zoning and in fact might create MORE similarity with existing neighborhood characteristics.

4. The reliance by City Staff on 2 or 3 separate sources to implement planning and policy decisions may create inconsistency especially when the affected area is not given the same opportunity to be represented as other areas are represented. It appears that the City utilizes Comp. Plan Chapters; "North Rose Hill Neighborhood", "South Rose Hill Neighborhood" and "NE 85th Street Subarea Plan" when addressing matters concerning the NE 85<sup>th</sup> Street Subarea. The North Rose Hill Neighborhood has a "Neighborhood Association" as does the South Rose Hill Neighborhood. The NE 85<sup>th</sup> Street Subarea does not have a "Neighborhood Association". Furthermore, Section B. "Planning Context" found in the Introduction of the NE 85<sup>th</sup> Street Subarea Plan (Chapter XV.F/G. of Comp. Plan) contains wording regarding policy precedence and priority that could be open to "flexible interpretation". In addition Section B. also gives "equal voice" regarding decisions affecting the Subarea to "Both neighborhood associations" but does not offer a voice to the Subarea itself? If the Subarea is worthy of an entire Chapter in the Comprehensive Plan why is not worthy (and the residents and property owners of that Subarea "deserving" of) a separate, "independent" voice of their own to address issues that affect "where they live and work"? I pose this question not only as it relates to my Private Amendment Request but as it relates to the entire Subarea and the apparent lack of a mechanism for full representation of the residents and property owners of the Subarea

Relation to

Criteria(contd.)

Section d.(1.) It does appear that the proposal demonstrates strong potential to serve the public interest by implementing specifically identified goals and policies of the Comp. Plan. See the following citations;

Policy NE85-1.2: "Encourage the EFFICIENT use of larger lots within the Subarea at the maximum densities allowed by the underlying zoning."

Policy NE85-6.1 thru NE85-6.4: The proposal would facilitate these policies by facilitating use of non-motorized modes of transportation as well as placing more housing within easy access to transit facilities.

Policy NE85-16.1: The proposal would facilitate the highest and best use of the subject property and the subsequent installation of Public Sanitary Sewer upon development in an area that currently has no access to Sewer thus reducing the impacts of septic systems on the natural environment.

Citations from Chapter II. Vision/Framework Goals in support of the proposal:

- a. "we have worked to increase diversity and affordability, such as smaller homes on smaller lots,"
- b. "to meet the needs of Kirkland's changing population, we must encourage creative approaches to providing suitable housing by establishing varied and flexible development standards"

- c. FG-14: "Plan for a fair share of regional growth, consistent with State and regional goals to minimize low density sprawl and direct growth to urban areas."  
"Kirkland must accommodate a fair share of such growth. To do so, development in Kirkland must use land efficiently."

Policy ED-1.6: "Strive to maintain a balance of jobs and housing."

"Job growth should be accompanied by growth in housing opportunities for workers filling those new jobs. When a significant percentage of the population can both work and live in Kirkland, economic vitality, quality of life and civic involvement are enhanced and transportation problems are mitigated."

Citations from Chapter VII. Housing:

- a. Goal H-2: "Promote the creation of affordable housing and provide for a range of housing types and opportunities to the needs of ALL segments of the population."
- b. Goal H-3: "Provide for greater housing capacity and home ownership opportunities."
- c. The Housing Concept: "Supports the creative use of land where greater residential capacity can be achieved."
- d. The Housing Diversity Section "Housing Affordability" found on pages 3-4 provides a description of how by meeting the housing needs of higher economic segments of the population with housing they can afford serves those at the lower levels as well.
- e. page 7: "greater opportunities for home ownership may be created through smaller lots and more varied housing types. In addition, cost savings are generally associated with smaller lots and revised development standards. The savings obtained through reducing the amount of street, sidewalk, water, sewer, and other utilities needed for each home may be reflected in the initial purchase price as well as ongoing maintenance and service costs to both the home owner and the public."
- f. Policy H-3.1: "Provide additional capacity for single family development through allowing reductions in lot sizes where surplus land exists on underdeveloped parcels." Also see the text following the above Policy.

Citations from Chapter VI. Land Use:

- a. Policy LU-2.2: "Use land efficiently, facilitate infill development or redevelopment, and where appropriate, preserve options for future development."
- b. Policy LU-2.3: "Ensure an adequate supply of housing units and commercial floorspace to meet the required growth targets through efficient use of land."
- c. page 16, "promote an intensity and density of land uses sufficient to support effective transit and pedestrian activity."
- d. The proposal supports and enhances Policy LU-5.5 by creating more housing "close" to the Business District that can utilize non-motorized modes of transportation or transit thus reducing traffic impacts in the Business District.

Relation to

Criteria(contd.) Section d.(2.) Would the Public Interest be best served by creating more opportunity (most likely) for housing attainable by a majority of the Public SOONER rather than

in 2015-2016 (as cited in the Threshold Determination)? Of course, what would be the logical rationale to wait until 2015-2016 to provide a needed and desired Public Benefit? I would think that the City of Kirkland would be interested in providing opportunity not preventing opportunity.

I would appreciate the opportunity to discuss this matter further and Thank You in advance for your time and efforts on behalf of the Citizens of Kirkland.

Respectfully, Bill Andrews  
8529 132<sup>nd</sup> Ave NE  
Kirkland , WA 98033

**FISCAL NOTE**

| <b>Source of Request</b>   |   |                         |                             |                                  |                        |                             |                |
|--|---|-------------------------|-----------------------------|----------------------------------|------------------------|-----------------------------|----------------|
| Eric Shields, Planning & Community Development Director  |   |                         |                             |                                  |                        |                             |                |
| <b>Description of Request</b>  |   |                         |                             |                                  |                        |                             |                |
| Request for funding of \$200,000 for a Planned Action Environmental Impact Statement related to the private amendment request for Park Place.  |   |                         |                             |                                  |                        |                             |                |
| <p>The proposed private amendment request for the Park Place Center will require additional environmental review beyond the original Environmental Impact Statement done for the Comprehensive Plan in 2004. The review will probably be done through a Planned Action EIS that will allow analysis of the proposed changes to the Downtown Plan, including two other private amendment requests – Onri and Altom - to the east of the Park Place Center, and include traffic impacts throughout the Downtown. This type of analysis will also be useful in analyzing other future development in the Downtown and so it is appropriate for the necessary environmental review costs be paid for by the City.</p> <p>Funding is recommended to come from the Contingency Fund.</p> |   |                         |                             |                                  |                        |                             |                |
| <b>Legality/City Policy Basis</b>  |   |                         |                             |                                  |                        |                             |                |
|  |   |                         |                             |                                  |                        |                             |                |
| <b>Fiscal Impact</b>   |   |                         |                             |                                  |                        |                             |                |
| <b>One-time use of \$200,000 from the Contingency Fund.</b> The contingency is able to fully fund this request.  |   |                         |                             |                                  |                        |                             |                |
| <b>Recommended Funding Source(s)</b>   |   |                         |                             |                                  |                        |                             |                |
| <b>Reserve</b>   | Description                             | 2008 Est<br>End Balance | Prior Auth.<br>2007-08 Uses | Prior Auth.<br>2007-08 Additions | Amount This<br>Request | Revised 2008<br>End Balance | 2008<br>Target |
|  | Contingency                             | 3,193,826               | 85,936                      | 0                                | 200,000                | 2,907,890                   | 3,285,172      |
| 2007-08 Prior Authorized Uses include: \$31,500 for a Permit Process Review project and \$54,436 for continued Annexation Outreach. Also on the same Council agenda of 7/17/07 is a request for \$25,000 for a fiscal review of the Park Place developer's analysis of a potential redevelopment. Authorization of both this request and the additional \$25,000 brings the Revised 2008 Ending Balance to \$2,882,890.  |   |                         |                             |                                  |                        |                             |                |
| <b>Revenue/<br/>Exp<br/>Savings</b>  |   |                         |                             |                                  |                        |                             |                |
| <b>Other<br/>Source</b>  |   |                         |                             |                                  |                        |                             |                |
| <b>Other Information</b>   |   |                         |                             |                                  |                        |                             |                |
|  |   |                         |                             |                                  |                        |                             |                |
| Prepared By  | Sandi Hines, Financial Planning Manager |                         |                             |                                  | Date                   | July 3, 2007                |                |



## **MEMORANDUM**

**Date:** July 3, 2007

**To:** David Ramsay, City Manager

**From:** Joan Lieberman-Brill, AICP, Senior Planner  
Paul Stewart, AICP, Deputy Director  
Eric Shields, AICP, Director

**Subject:** BRIEFING ON 2007 CITY INITIATED COMPREHENSIVE PLAN AMENDMENTS  
(FILE ZON07-00001)

## **RECOMMENDATION**

This briefing is for your information.

## **COUNCIL REVIEW**

Staff is providing the Council with the attached memorandum (**Exhibit A**), reviewed by the Planning Commission at their June 28, 2007 meeting, to keep Council informed regarding those Comprehensive Plan Amendments initiated by the City being considered for 2007. With the exception of their desire to beef up “green” goals and policies and an additional map change, the Planning Commission concurred with the staff recommendation for those items that should be considered for amendment during the annual amendment of the Kirkland Comprehensive Plan.

## **BACKGROUND DISCUSSION**

The annual city initiated update of the city-wide element chapters of the Comprehensive Plan is required to bring the Capital Facilities Plan, contained in the Capital Facilities Element, and various tables and figures in the Transportation Element into consistency with the annual changes to the Capital Improvement Plan. In addition, new state legislation or other new information may necessitate changes in the Plan. With the exception of possible changes to concurrency and level of service methodology, these changes are generally considered minor or housekeeping related amendments.

The Commission added the following amendments to be considered during this cycle:

- Green goals/policies: update and/or add policies to reflect potential new zoning regulations for low impact development, built green, sustainability and recycling of building materials
- North Rose Hill Urban Design Map NRH -10: Revise graphic that is labeled “Rose Hill Business District” to not include area residential outside of the commercial corridor.

**EXHIBITS:**

Exhibit A Planning Commission Transmittal Memorandum, dated June 20, 2007 with a revised list of all 2007 recommended amendments from the Planning Commission

Cc: File MIS07-00001

## CITY OF KIRKLAND

123 FIFTH AVENUE KIRKLAND, WASHINGTON 98033-6189 (425) 587-3225

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### DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT MEMORANDUM

**To:** Planning Commission

**From:** Joan Lieberman-Brill, Senior Planner  
Paul Stewart, Deputy Director

**Date:** June 20, 2007

**Subject:** 2007 City initiated Comprehensive Plan Amendments and related Zoning Map changes, Files ZON07-00001

#### I. RECOMMENDATION

Review the list of proposed amendments and provide comments to staff at the study session.

#### II. BACKGROUND

The City annually updates the city-wide element chapters of the Comprehensive Plan to revise the Capital Facilities Plan (CFP) in the Capital Facilities Element chapter and various tables and figures in the Transportation Element chapter to be consistent with annual changes to the Capital Improvement Plan (CIP). In addition, new state legislation or other new information may necessitate changes to the Plan.

The 2006 Comprehensive Plan Amendments, adopted on December 12, 2006, consisted of “must do,” non-policy related, housekeeping amendments. This year’s amendments may be much the same with only one policy related amendment dealing with connectivity being considered.

#### III. PROPOSED CITY INITIATED AMENDMENTS

The scope of the proposed city initiated 2007 Comprehensive Plan Amendments and related Zoning Map changes includes housekeeping amendments relating to this year’s changes to the CIP, revisions to the North Rose Hill street connection map to account for completed connections, additions to Historic Landmark list to account for the archway at Heritage Park, and new park acquisitions. Changes may need to be made to support new zoning regulations on low impact development by strengthening policies in the various chapters including the Vision/Framework Goals, Natural Environment, Utilities and Implementation Elements in the Plan. In addition, staff proposes to add a goal and policies to the Natural Environment chapter in response to climate change. New Commute Trip Reduction goals and policies will need to be made in the Transportation and Capital Facilities Element in response to new legislation. Integrating art into building and site design, both in the public and private sectors, will be

addressed in the both the Community Character and Parks, Recreation, Open Space Element chapters. Finally, corrections will include reconciling the lettering system for Totem Lake in the Economic Development Element, and correcting the land use and zoning designation for JBD-6.

A summary of the amendments is as follows:

1. This year is a Major Capital Improvement Program (CIP) update year. The City may make major updates to the CIP this fall. Major changes to the CIP are done on a biennial basis. Then on the non-update year, only minor adjustments are made to funding and timing of projects. Although this is a major-update year we are not yet sure how extensive the changes might be to the CIP. We do know that the Transportation and Capital Facilities Elements still need to be amended to be consistent with any minor changes to the CIP. These are “must do,” non-policy related, housekeeping amendments.
  - Changes may be made to the Capital Facilities Plan tables and several transportation maps.
2. The City Council has tasked the Transportation Commission with reviewing concurrency. If concurrency methodology is changed, this could be considered a substantive change and may affect Level of Service (LOS). The potential change would be policy related and may need some discussion and consideration.
  - Changes may need to be made to the LOS chart, and/or to text in the Transportation Element.
3. Low Impact Development regulations may be adopted this year, which may require revisions to goals and policies in the Plan to support these new zoning regulations. Also, policies to support low impact development should be integrated into the neighborhood plan updates, so that they are a more conscious part of each neighborhood update.
  - Changes may need to be made to the Natural Environment and Utilities Elements and/or Vision/Framework Goals.
4. The topic of Climate Change may need to be integrated into the Plan. Framework Goal FG-5 and the Natural Environment Element currently address many other aspects of the environment, but are silent on this issue.
  - Changes may need to be made to the goals, policies, and/or narrative in the Natural Environment Element chapter and to the Vision/Framework Goals.
5. The City acquired several new city park properties, including in the Everest and Lakeview Neighborhoods. Other park acquisitions may occur this summer which would be included in the amendments. Various maps need to be updated. These are “must do,” non-policy related, housekeeping amendments.

- Changes would be made to the park system map, the city-wide land use map and associated neighborhood land use maps.
6. The State passed new Commute Trip Reduction (CTR) legislation with Senate Bill 6566 that amends several RCW sections to require the reduction of the Single Occupancy Vehicle rate by 10% and a 13% reduction of Vehicle Miles Traveled for CTR affected employers (any employers with 100 or more employees) within the next 4 years. Implementation starts in 2008. We may need to make amendments to goals, policies and/or text in the Comprehensive Plan to meet the intent of Senate Bill 6566. The potential changes are a “must do” State requirement and most likely will be minor amendments.
- Changes may need to be made to the Transportation Element and maybe the Land Use and /or Capital Facilities Elements.

7. One minor change should be made to the North Rose Hill Neighborhood Plan.

For Table NRH-1: North Rose Hill Street Connection Plan Description List (page XV. F-27), the word “completed” should be added where applicable to denote those three connections, out of the original 17, that have been completed. This list will then match Figure NRH-6: North Rose Hill Street Connection Plan map, which is updated annually to reflect the current status of street connections.

8. One minor change should be made to the Economic Development Element.

For Policy TL-3.2 (page XV.H-5): a correction should be made to the text. It should read:

“Expand opportunities for office development south of NE 116<sup>th</sup> Street (districts TL 10A E and TL 10D)”

This is essentially a “scrivener’s error” due to a different labeling system used when we followed up with the zoning for this area.

9. One minor change should be made to the Introduction text.

This change would clarify that although most neighborhood plans were adopted prior to the 1995 Plan update, not all were, and that not all were adopted prior to the 2004 Plan (e.g. the Market Street Subarea Plan was first adopted in 2006). A correction to text on page I-12 should be made as follows:

“However, because most of the neighborhood plans were adopted prior to the 1995 Plan update ~~and all were adopted prior to the 2004 Plan~~, portions of some of the neighborhood plans may contain inconsistencies.”

10. The Juanita Beach Master Plan was adopted in 2006. Minor changes are necessary in the Parklands Section of the Juanita Business District Plan, (page XV.I-24) to acknowledge the newly adopted Master Plan.

11. Integration of art into public and private site planning and buildings may need to be integrated into the Community Character and the Park, Recreation and Open Space Elements to further support this goal of the Kirkland Cultural Council.
12. The archway at Heritage Park should be added to List B: Properties Designated by the City as Community Landmarks (page IV-6) in the Comprehensive Plan. Some other minor text updates for the historic preservation section of this element are also needed
13. Map changes include the following corrections:
  - Land use redesignation of JBD-6 on the citywide land use map and neighborhood land use map from Commercial to Office/Multifamily to match the text in the Juanita Business District section of the North/South Juanita Neighborhood Plan (page XV.I-23).
  - Density redesignation on the citywide land use map and neighborhood land use map for property in South Juanita located north of unopened NE 108<sup>th</sup> Street, west of 104<sup>th</sup> Avenue NE, and south of NE 110<sup>th</sup> Street so that it matches the RS 12.5 zoning there. Here the density should be 1(1+2) or 3 rather than 5. A mapping error likely occurred when new neighborhood plan maps were created.
  - The zoning for the Springbrook development in the North Juanita Neighborhood is RS 5.0 and may need to be changed to RSX 5.0 if research on the 1988 annexation concludes that this is a mistake.
  - Finally, if it is a task that can be accomplished this year, revisions to various base map templates may need to be implemented to provide consistency.

Attachments:

**1 – List of 2007 Comprehensive Plan Amendments City Wide Amendments**

cc: Files ZON07-00001

# **2007 COMPREHENSIVE PLAN AMENDMENTS CITY WIDE AMENDMENTS**

## **1. TEXT CHANGES**

- CPF charts in the Capital Facilities Element: update based on new CIP
- Green goals/policies: update and/or add polices to reflect potential new zoning regulations for low impact development, built green, sustainability and recycling of building materials
- Climate change: add policy
- CTR: new goals/policies to respond to new CTR law
- Transportation Element: update maps and tables per the Transportation Commission and Public Works
- Transportation and Capital Facilities Element: maybe changes to road LOS and concurrency approach from the Transportation Commission
- Community Character Element: add Heritage Park archway, add policy about art integrated into building and site design and a few other minor edits on historic preservation
- Parks: add policies about art integrated into city parks

## **2. MINOR TEXT CORRECTIONS**

- Introduction - Page I-12: a minor text change
- Economic Development Element - Policy TL-3.2 (page XV.H-5): should be TL10E and not TL 10A
- North Rose Hill Neighborhood Plan - Connection Map List : Add the words “Completed” after several of the connections

## **3. MAP CHANGES (both land use and zoning maps)**

- New city parks: change land use map, neighborhood map and zoning map
- JBD-6: correct designation on Zoning Map and Comp Plan map (not commercial)
- South Juanita Land Use Map: RS 12.5 north of 108<sup>th</sup> Street should be 3 du/acre and not 5 du/acre (mapping error when new neighborhood plan maps were created)
- Check the RS area in the 1988 annexed area for North Juanita. Why not RSX?
- North Rose Hill Urban Design Map NRH-10: Reduce circle that is labeled Rose Hill Business District to not include area residential area north of the commercial corridor
- Consistent base map – Check with Matt Gregory about some inconsistency

**From:** angelique.reiss@comcast.net  
**Sent:** Friday, June 29, 2007 12:55 AM  
**To:** Teresa Swan; James McElwee; jandlmcwee@msn.com  
**Cc:** kkpage@ci.kirkland.wa.us  
**Subject:** Please OPPOSE Park Place Development PAR  
(Teresa, please forward this to the City Council, Planning Commission, and involved staff. Thank you.)

Dear City Council Members, Planning Commissioners, and City Staff,

I am deeply concerned upon reading the KAN update on PARs tonight, and reading the agenda for tonight's Planning Commission meeting, to see the degree to which the Park Place PAR is being expedited. I would have attended tonight's planning commission meeting if I had been aware that this was already being acted upon.

Kirkland residents are here in part because of the "village" atmosphere in which we can walk to the farmer's market, parks, summer concerts, etc. For our city leaders to bend the rules to allow expedited consideration of a request that increases building heights (we don't want to look like downtown Bellevue), reduces parking spaces, will increase traffic, and likely lose us our movie theater, without providing any of the useful stores we have to drive to other cities to shop at, is not good government. To move forward on this issue without providing the leaders and citizens of adjacent neighborhoods with traffic study results of any such proposed development, is not good government.

According to the developer who spoke at the KAN and Norkirk meetings, the shops at the re-developed Park Place would be of a small, boutique type that we don't need more of. We already have to drive elsewhere to shop for practical items for our families at JC Penney's, Macy's, Gymboree, Barnes and Noble, etc. When concerned citizens asked about whether there would still be a movie theater, the developer's "answers" were extremely evasive, suggesting the answer was no. When I was growing up in Woodinville, my family had to drive to Kirkland to see a movie. Now we may have to drive our son from Kirkland to Woodinville to see a movie, instead of walking down to Park Place. Now, in addition to having to get on 405 and drive to do a lot of our shopping, we would have to sit in more traffic to do so as the building volume quadruples, and the workers at these numerous offices drive up Central/85th to commute on 405.

Some of these affluent high tech employees (according to the developer there would be high tech offices) would try to buy homes in Kirkland, further escalating real estate prices and driving ordinary people like teachers, public safety staff and single parents out of the city as more property owners cash in, and developers continue to bombard the city with zoning requests for oversized homes and ever-smaller lots that erode and degrade the quality of our neighborhoods while yet again increasing traffic. (In Kirkland, most new homes have 3 car garages that are bigger than the "yards" around the homes that the kids have to play in. Do we value cars, and money, more than our kids?)

City leaders, please stop looking at dollar signs and remember that economic development is not as important as being good stewards of the quality of life and the environment that we will pass on to our children one day. In past generations, parents always worked to provide a better life for their children than they had. In this generation, leaders often seem to be more interested in selfish "solutions" that bring in money in the short term while leaving our children with huge burdens in the future.

Our tax dollars apparently pay for the city to have an economic development advocate, who attended presentations with the developer. Where is the environmental advocate, the anti-traffic-congestion advocate, the small-town-charm, anti-development advocate that my family's tax dollars should also pay for? If there isn't a staff person filling that role and attending Park Place development PAR presentations and meetings to oppose this request to undermine current zoning laws, then I will have to rely even more on the integrity of my elected officials.

This PAR should not be expedited, and when it comes before the City Council, it should receive your NO votes. As Norkirk residents, my family would gain little or nothing, and see our quality of life degraded by passage of this proposal.

Thank you for your consideration.

Sincerely,

Angelique Reiss

428 16th Lane  
Kirkland