



**CITY OF KIRKLAND**  
Planning and Community Development Department  
123 Fifth Avenue, Kirkland, WA 98033 425.587.3225  
www.ci.kirkland.wa.us

---

## **MEMORANDUM**

**To:** Design Review Board  
**From:** Jon Regala, Senior Planner  
**Date:** June 15, 2009  
**Subject:** **CONCEPTUAL DESIGN CONFERENCE**  
**118 LAKE STREET SOUTH – HECTOR’S ADDITION/REMODEL**  
**File No. CDC09-00002**

### **I. GOALS OF THE MEETING**

At the June 15, 2009 Design Review Board (DRB) meeting, the DRB should review the project concept for the Hector’s addition/remodel. At the meeting, the DRB should determine:

- A. How the design guidelines affect or pertain to the proposed development.
- B. Determine which guidelines apply to the proposed development.
- C. Determine what other application materials are needed for the Design Response Conference.

### **II. BACKGROUND INFORMATION**

The subject property is located at 118 Lake Street South and is zoned CBD 1B (see Attachment 1). Rick Chesmore, with Chesmore/Buck Architecture and representing the property owner, Stuart McLeod, has applied for a Conceptual Design Conference for a new mixed-use building to consist of restaurant, retail, and office uses (see Attachment 2).

The applicant is proposing to retain the main dining area of the existing Hector’s building and construct additional space for a larger kitchen, additional seating area, mechanical equipment, and storage along the east and south sides of the building. The demolition plan can be found in Attachment 3. An approximately 2,500 square foot third story addition will be setback 30 feet from Lake Street South. Additional storage area is proposed in this space. The total area proposed with the Hector’s expansion is 9,362 square feet.

The existing World Wrapps building is proposed to be demolished and replaced with a new two-story building. The new building is proposed to extend south into the existing parking lot. As a result, the existing lot line is proposed to be moved to coincide with the new building footprint. The loss of parking will need to be resolved as this project moves forward to the Design Response Conference.

General retail is proposed at the ground floor with office uses at the second floor. The roof is proposed to serve as outdoor seating area for the adjoining Hector's restaurant. The total area proposed for the two new buildings is 11,671 square feet.

### ***RECENT CBD AMENDMENTS***

In the previous CBD 1 zone, the Zoning Code established allowed heights in a range of 2-4 or 2-5 stories (depending on location) and required the Design Review Board (DRB) to determine the allowed heights through the Design Review process utilizing the Downtown Plan policies of the Comprehensive Plan. In 2008, the City Council received two appeals of DRB approvals and subsequently determined that the current regulations lacked clarity and predictability and placed an inappropriate level of discretion with the DRB. To remove the discretion and uncertainty of the Downtown Plan policies, the Council directed the creation of clear zoning regulations and supporting design guidelines that implement the policies in question.

The Council's fundamental goal for these amendments was to clearly specify, in the Zoning Code, the maximum allowed heights, minimum upper story step backs, and minimum retail standards to avoid highly discretionary decisions. As a result, a new ordinance and resolution were adopted on March 3, 2009 addressing these issues. Ordinance 4177, new CBD 1A and 1B regulations, and Resolution R-4739, amended design guidelines, will be the basis for review of the applicant's proposal.

### **III. SITE**

The subject property is currently developed with a variety of retail, restaurant, and office uses. Tenants on the subject property include Hector's and the former World Wrapps restaurant. The Waterfront Market building which housed Calabria, Mixtura, and the existing Ben & Jerry's is located on a separate parcel and is not included as part of this proposal except for a portion of the existing north parking lot.

The site is relatively flat and sits approximately 24' to 27' below the Portsmouth Condominiums to the east and southeast. The following are the zoning, uses, and allowed heights of properties adjacent to the subject property (see Attachment 4):

North: CBD 1B zone. Bank of America. A 5-story mixed-use project has been approved for this site (see Attachment 5). Maximum height is 55'.

East: CBD 4 zone. Portsmouth Condominiums. Maximum height is 55.4'.

South: CBD 1B zone. Parking lot for Chaffey Building. Maximum height is 55'.

West: CBD 2 zone. Various retail/restaurant uses. Maximum height is 28'.

Additional descriptions of the site and vicinity and photographs as prepared by the applicant are contained in Attachment 6.

### **IV. KEY ZONING REGULATIONS**

Zoning standards for uses in CBD 1B are found in the CBD 1B use-zone chart (see Attachment 7). The following regulations are important to point out as they form the basis of any new development on the site.

- A. Permitted Uses: Permitted uses in this zone include, but are not limited to retail, restaurants, office, and stacked dwelling units. Office and stacked dwelling units may not be located on the ground floor of a structure unless there is an intervening retail use

*Staff Comment: The applicant is proposing ground floor retail and restaurant uses and upper story office uses. This is consistent with the permitted uses for CBD 1B.*

- B. Setbacks: There are no setbacks required in this zone.

*Staff Comment: The subject property currently contains the Hector's and World Wrapps buildings. The applicant is contemplating a lot line adjustment which would reduce the property width but increase the property's length along Lake Street South. While this is not an issue with zoning in terms of setbacks, the applicant should confirm with the Building Department setback requirements related to the building code.*

- C. Height: Maximum height for the proposed project is 55', measured above the midpoint of the frontage of the subject property along Lake Street South. No portion of a building within 30' of Lake Street South may exceed a height of 28 feet. The minimum ground floor height requirement is 13'. Additional height is allowed for peaked roofs and/or parapets. Decorative parapets may exceed the height limit by a maximum of four feet, provided that the average height of the parapet around the perimeter of the structure shall not exceed two feet.

The applicant is proposing a third story addition at the rear of the existing Hector's building to be setback 30' from Lake Street South and approximately 16' from the north property line. The Hector's building is 25'-6" tall measured to the top of the parapet. The new two-story building south of Hector's is proposed to be 25'-6" tall with a 4' tall parapet.

*Staff Comment: Since the applicant may pursue a lot line adjustment which would increase the property's length along Lake Street South, the midpoint elevation for purposes of determining height should be consistent with the new lot line configuration. The City cannot approve a lot line adjustment that creates a non-conforming situation. Additional information is needed from the applicant with their Design Response Conference application in regards to this matter.*

- D. Lot Coverage: Lot coverage allowed is 100%.

- E. Parking: Restaurants and taverns must provide one parking space for each 125 square feet of gross floor area. All other uses must provide one parking space for each 350 square feet of gross floor area. The City also has grandfathered parking provisions: *regardless of use, the owner need not increase the number of parking spaces for any floor area that existed prior to May 12, 2002; provided that the owner may not decrease the number of parking stalls on the subject property below the number of stalls that was required by any previous development permit.* The following code sections also need to be considered:

KZC 115.105.2.c. 6 - For the purposes of this code, an outdoor use, activity or storage area will be used in calculating the gross floor area of a use or development if this area will be used as an outdoor use, activity or storage area for at least two months in every year; except, that

outdoor cafes may be operated for six months before being used in calculating the gross floor area of the use or development.

KZC 5.10.340 Gross Floor Area – The total square footage of all floors in a structure as measured from either the interior surface of each exterior wall of the structure or, if the structure does not have walls, from each outer edge of the roof. Exterior areas may constitute gross floor area. See Chapter [115](#) KZC.

*Staff Comment: Staff has not yet confirmed whether or not the proposed project meets the City's parking regulations. Additional parking information needs to be included with the applicant's Design Response Conference application and should include a complete breakdown of the existing and proposed uses and their associated square footage. The Kirkland Zoning Code exempts specified existing floor area from parking requirements but detailed information is also needed as to the timing of the proposed construction and demolition of existing buildings as it relates to the City's grandfathered parking provisions.*

- F. Sidewalks: Sidewalks shall be a minimum width of 12 feet. The average width of the sidewalk along the entire frontage of the subject property abutting each pedestrian-oriented street shall be 13 feet. The sidewalk configuration shall be approved through D.R.

## V. PEDESTRIAN ORIENTED DESIGN GUIDELINES

In addition to the standard guidelines contained in the *Design Guidelines for Pedestrian-Oriented Business Districts*, the following information summarizes some of the key guidelines or regulations which apply specifically to the project or project area. The subject property is located in Design District 1 for reference when reading the guidelines listed below.

### ***Special Considerations for Downtown Kirkland***

- *Most of the business core of Kirkland is already developed with fairly narrow sidewalks. New development should provide sidewalks at the recommended width. Providing wider sidewalks throughout downtown is a long-term endeavor.*
- *A strong street tree planting scheme is especially important in downtown because of the variety of scale and architecture encouraged in private development. Major entries into Kirkland, especially along Central Way, Kirkland Avenue, Lake Street, and Market Street, should be unified by a strong street tree program. Lake Street and other pedestrian-oriented streets with narrow sidewalks: Flowering pear trees might be a good option since they have tight narrow shapes, attractive flowers, and dark green foliage. Photinia standards might be another option since they are small and have bright red evergreen foliage.*
- *Parking lot location and design is critical on busy entry streets such as Market Street, Central Way, Lake Street, Kirkland Avenue, and in the congested core area where pedestrian activities are emphasized. The Downtown Plan calls for limiting the number of vehicle curb cuts.*
- *Breaking larger window areas into smaller units to achieve a more intimate scale is most important in Design Districts 1, 2, 4, 8, and the southwest portion of 3*

*where new buildings should fit with older structures that have traditional-styled windows.*

- *Pedestrian features should be differentiated from vehicular features; thus fenestration detailing, cornices, friezes, and smaller art concepts should be concentrated in Design Districts 1 and 2, while landscaping and larger architectural features should be concentrated in Design Districts 3, 5, 7, and 8.*
- *Large-scale developments, particularly east of the core area, should stress continuity in streetscape on the lower two floors. Setback facades and varied forms should be used above the second stories.*

In addition, the following is a list of key design issues and/or design techniques that should be addressed with this project.

- Pedestrian-oriented space and plazas
- Blank wall treatment
- Vertical and horizontal definition
- Architectural scale
- Horizontal modulation
- Change in roofline
- Human scale
- Building material, color, and detail
- Signage

*See adopted Design Guidelines for Pedestrian-Oriented Business Districts for complete text and explanations. Attachment 8 contains the recently approved guidelines (R-4739) applicable to the project.*

## **VI. CONTEXT**

The context or setting in which the proposed development will be located is important in determining the appropriate design regulations that would apply. The following are several questions that are geared towards identifying the physical environment around and on the subject property. These questions will help supplement the discussion on the key design guidelines appropriate for the proposed project.

### **A. How does the site relate to its surroundings?**

The applicant and Design Review Board should discuss the physical and built environment on and around the subject property. Topics include height of neighboring structures, topography, and landscaping.

### **B. What are the Opportunities and Constraints of the Site and Vicinity given the following topics?**

- Streetscape
- Urban Form
- Activities and Uses in the area
- Pedestrian Patterns and Environment
- Character of Adjacent Buildings
- Landscaping/Open Space

A project for the Bank of America property, located north of the subject property, has been approved and can be found in Attachment 5.

## **VII. DISCUSSION ISSUES**

The role of the DRB at the Conceptual Design Conference is to help determine how the design guidelines found in the Pedestrian-Oriented Design Guidelines apply to the proposed development. The following sections and questions below are representative of the City's design guidelines. These questions are to be used as a tool to help identify how design guidelines would apply to the proposed project.

### **A. Scale**

1. What are the key vantages of the project?
2. Identify appropriate mitigation techniques for building massing of the proposed 2-3 story buildings. Possible techniques include vertical and horizontal modulation, corner treatment, and roof forms. The applicant has provided two massing schemes for the DRB's review and comment (see Attachment 9).

### **B. Pedestrian Access**

1. How does the proposed massing and location of structures relate or respond to the pedestrian environment?
2. What are opportunities for pedestrian oriented spaces at the street level (plazas, outdoor dining)?
3. What are the key pedestrian connections?
4. How would the project engage pedestrians?

### **C. Open Space and Landscaping**

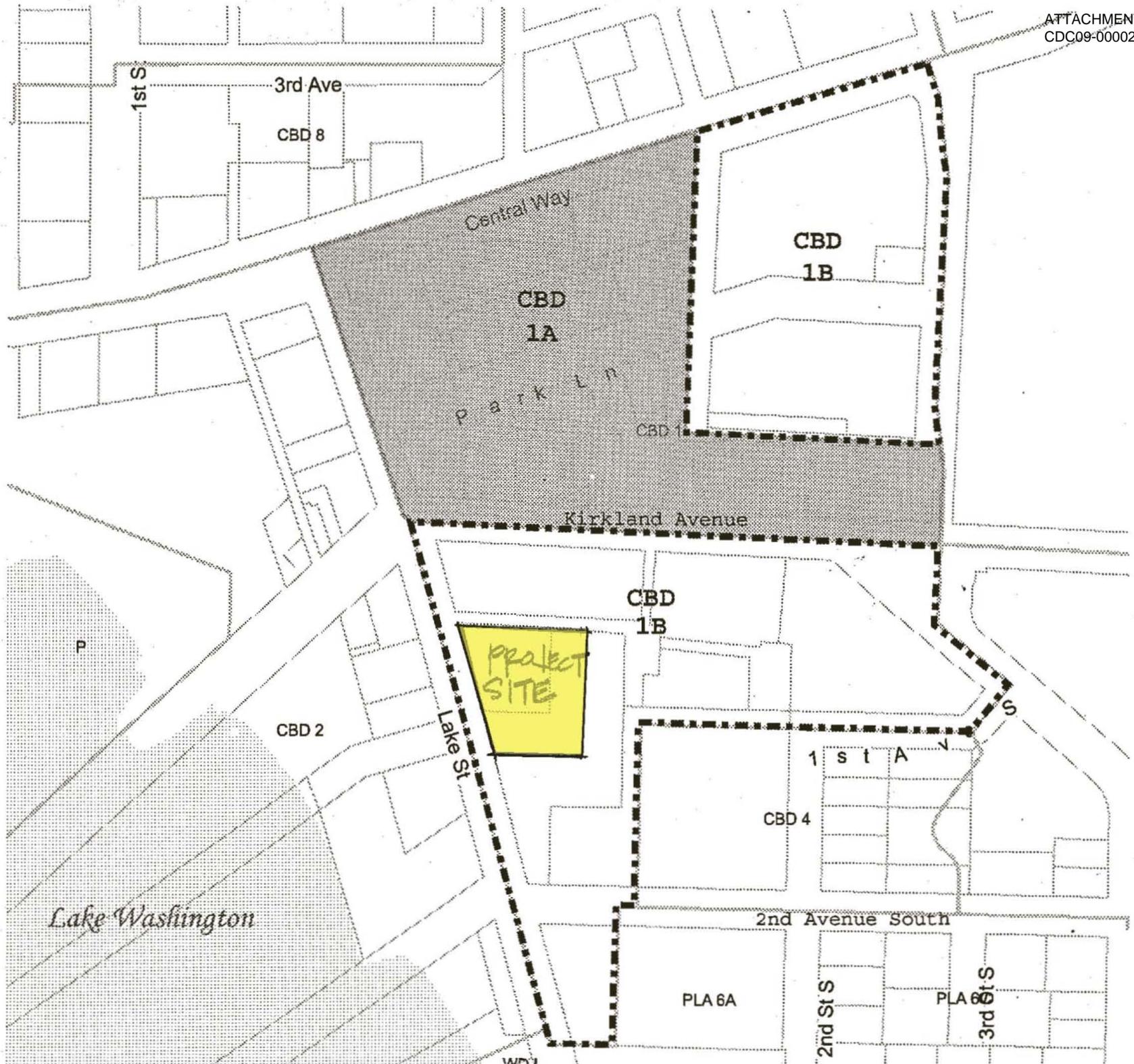
What are opportunities for landscaping and/or open space on the subject property?

## **VIII. ITEMS REQUIRED FOR DESIGN RESPONSE CONFERENCE**

The Design Review Board shall determine what models, drawings, perspectives, 3-D CAD/Sketchup model, or other application materials the applicant will need to submit with the design review application.

## **IX. ATTACHMENTS:**

1. Vicinity Map
2. Proposed Development Plans
3. Demolition Plan
4. Aerial Map
5. Bank of America - Approved Project
6. Site Photographs
7. CBD 1B Use Zone Chart
8. Pages from R-4739 (Design Guidelines)
9. Massing Diagrams



**Narrative and Design Objectives**

The site is located in the downtown Kirkland Central Business District (CBD-1B Land Use Zone) and includes Hectors Restaurant and south of the Kirkland Waterfront Market Building along the east side of Lake Street South. A majority of the adjacent development is car oriented single use commercial development such as office and convenience retail with nearby street parking. To the immediate north of the site is the 101 Kirkland Avenue, 5 story, 66 unit mixed use building with 12,000 square feet of retail area on the main floor level and 4 stories of residential space on the next 4 floors. The two story Kirkland Waterfront Market Building and is located south of the site and consists of retail use on the street level and office use on the upper floor level. To the immediate west across Lake Street is a series of two story mixed use buildings with retail, office, and residential uses surrounded by surface parking. The site is generally flat along Lake Street and currently consists of one story retail and office building that will be demolished.

**Program**

The Program is divided into different projects. They consist of:

**Addition to Hectors Restaurant:**

The program identifies needs for additional seating, an enlarged kitchen area, and new restroom facilities for the restaurant area. The program also notes the need for a large outdoor seating roof top deck.

**(2) Two-Story Buildings:**

The program calls for retail space at the street level and office space on the second level. One of the main goals for these buildings is to address the strong pedestrian presence along Lake Street South.

**Objectives**

The two story street facades of the building are intended to be in character with the human scale that is existing along the Lake Street pedestrian corridor. The concept of creating pedestrian walkways through the new (2) two story buildings is to allow for people to mingle and approach different street level storefronts from different areas along the walkway. The walkways are intended to create a "village" feel as different retail vendors are noticed by patrons from various viewpoints.

The street level additions to Hectors do not alter the appearance on the Lake Street elevation. The roof top deck spans across the new roofs of the two new buildings and a glass guardrail will be along the roof edge. The three story addition was placed along the east and north side of the existing Hectors building and will be space to support the roof top deck use with storage for chairs and tables when the deck is not in use.

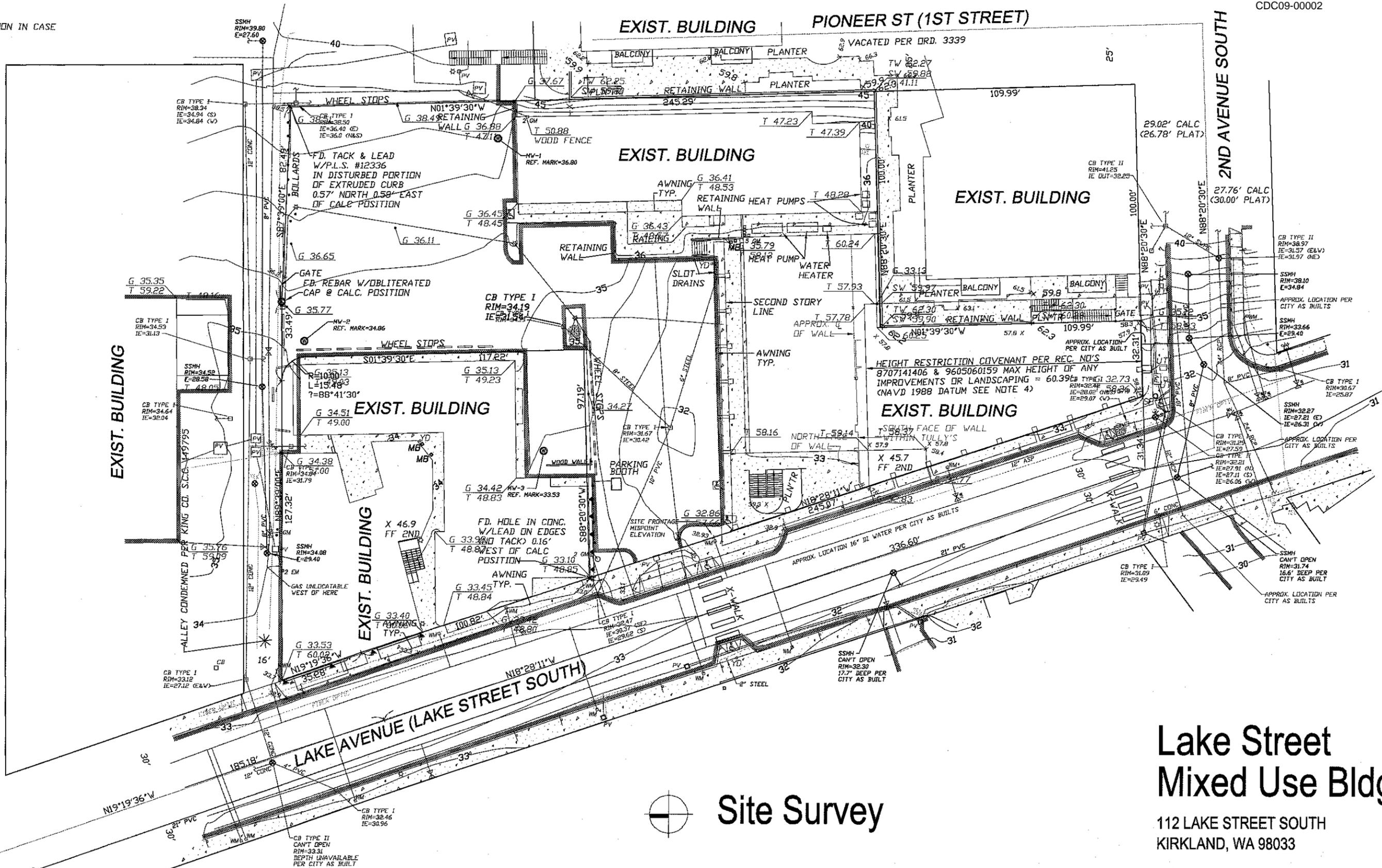
The project will be compatible with the mixed-use retail and office goals of the Kirkland Central Business District and the appearance will be consistent with the nature of the downtown area and will encourage more pedestrian use.

FD. CONC. MON IN CASE

429.31' MEAS.

KIRKLAND AVENUE

N89°39'00"E



27.73' MEAS. (28.41' PLAT)

FD. TACK & LEAD IN SIDEWALK MEANDER CORNER SEC'S 5 & 8 BM ELEV = 33.73 NAVD 1988 DATUM

# Site Survey

GRAPHIC SCALE



( IN FEET )  
1 inch = 40 ft.

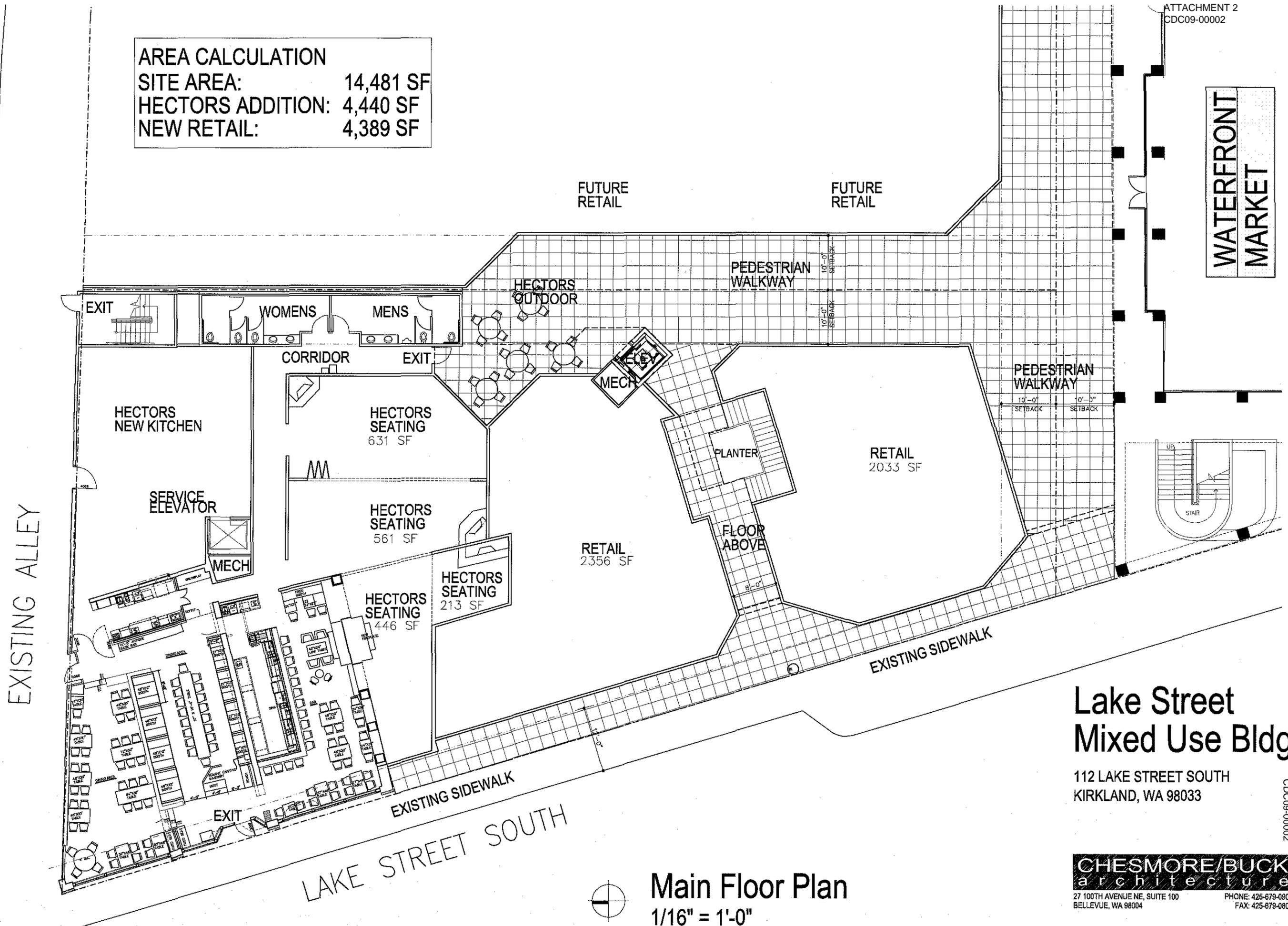
# Lake Street Mixed Use Bldg.

112 LAKE STREET SOUTH  
KIRKLAND, WA 98033



27 100TH AVENUE NE, SUITE 100  
BELLEVUE, WA 98004  
PHONE: 425-679-0907  
FAX: 425-679-0804

AREA CALCULATION	
SITE AREA:	14,481 SF
HECTORS ADDITION:	4,440 SF
NEW RETAIL:	4,389 SF



EXISTING ALLEY

WATERFRONT  
MARKET

LAKE STREET SOUTH

EXISTING SIDEWALK

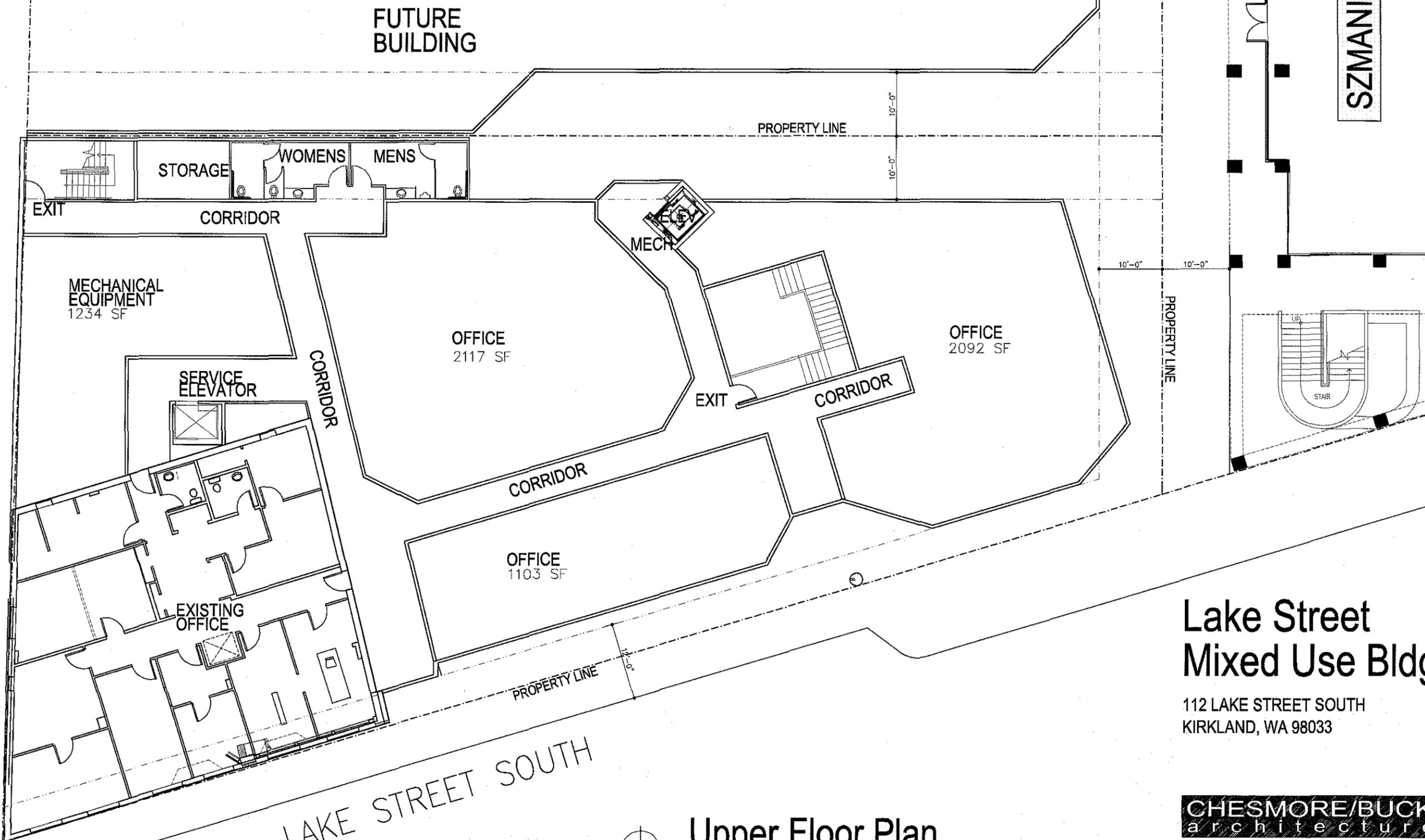
# Lake Street Mixed Use Bldg.

112 LAKE STREET SOUTH  
KIRKLAND, WA 98033



Main Floor Plan  
1/16" = 1'-0"

AREA CALCULATION	
SITE AREA:	14,481 SF
EXISTING OFFICE:	2,338 SF
NEW OFFICE:	7,282 SF
HECTORS ADDITION:	2,390 SF



SZMANIA'S

# Lake Street Mixed Use Bldg.

112 LAKE STREET SOUTH  
KIRKLAND, WA 98033

**CHESMORE/BUCK**  
architecture

27 100TH AVENUE NE, SUITE 100  
BELLEVUE, WA 98004

PHONE: 425-679-0907  
FAX: 425-679-0804

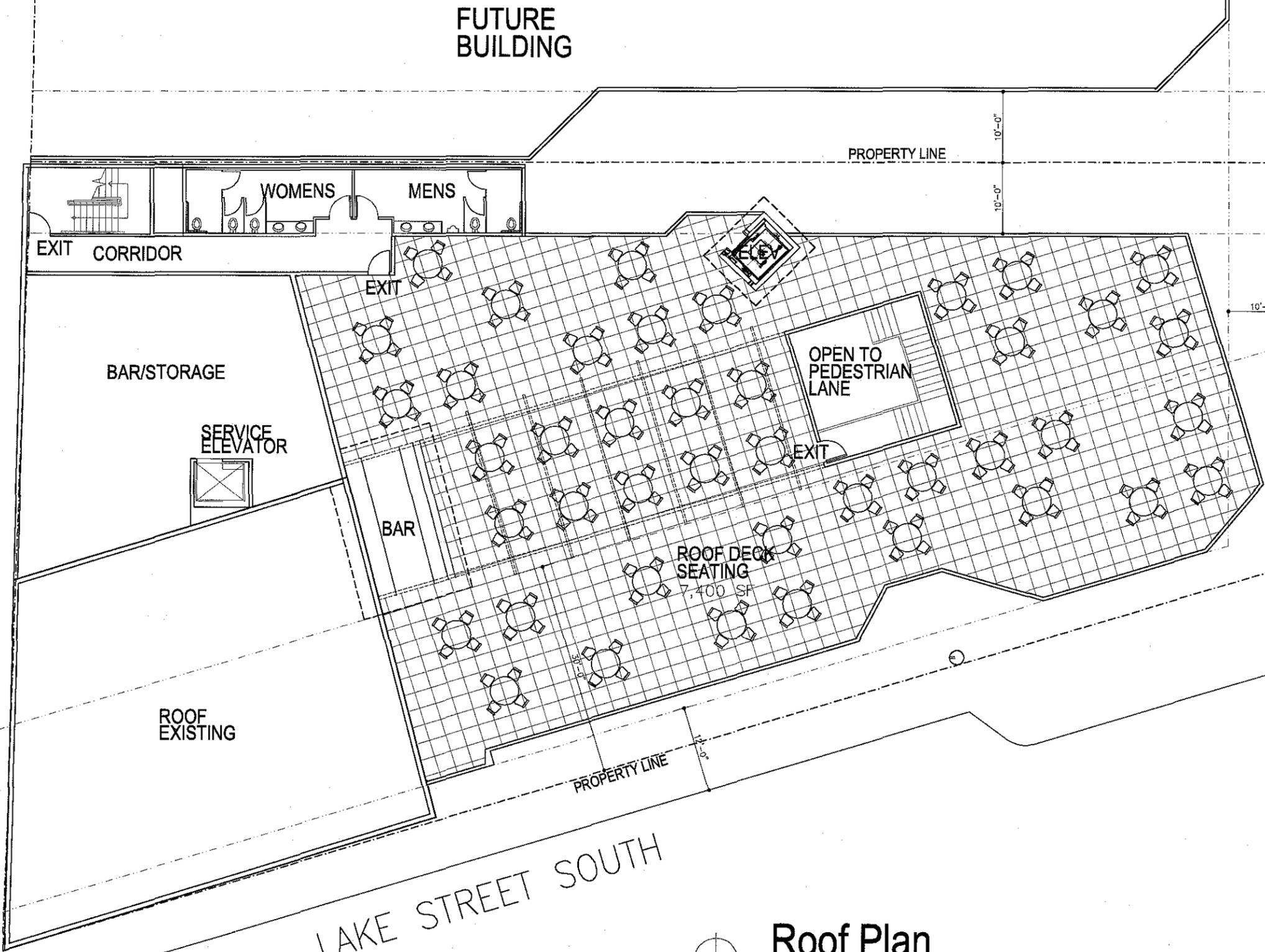
LAKE STREET SOUTH

## Upper Floor Plan

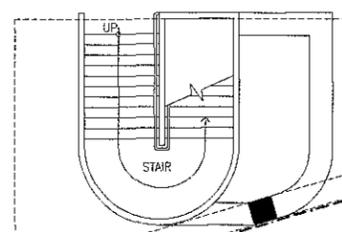
1/16" = 1'-0"



AREA CALCULATION	
SITE AREA:	14,481 SF
ROOF DECK:	6,350 SF
THIRD FLOOR ADDITION:	2,532 SF



**WATERFRONT MARKET**



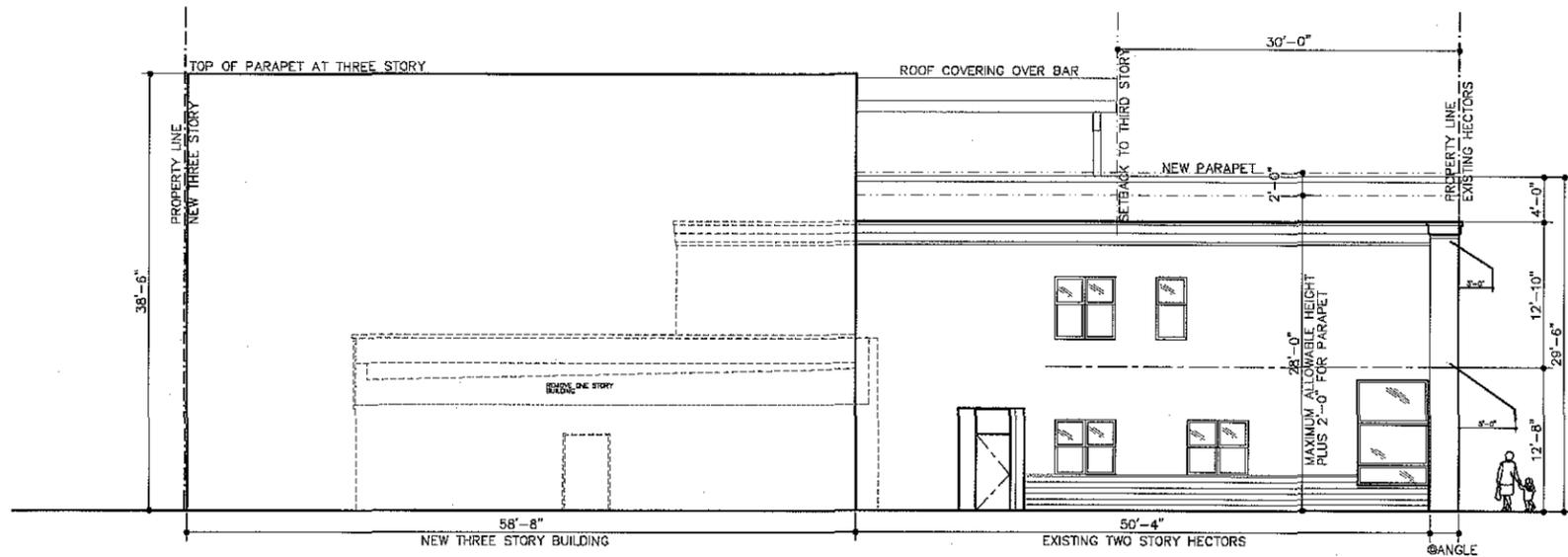
# Lake Street Mixed Use Bldg.

112 LAKE STREET SOUTH  
KIRKLAND, WA 98033

**CHESMORE/BUCK**  
architecture  
27 100TH AVENUE NE, SUITE 100  
BELLEVUE, WA 98004  
PHONE: 425-679-0907  
FAX: 425-679-0804

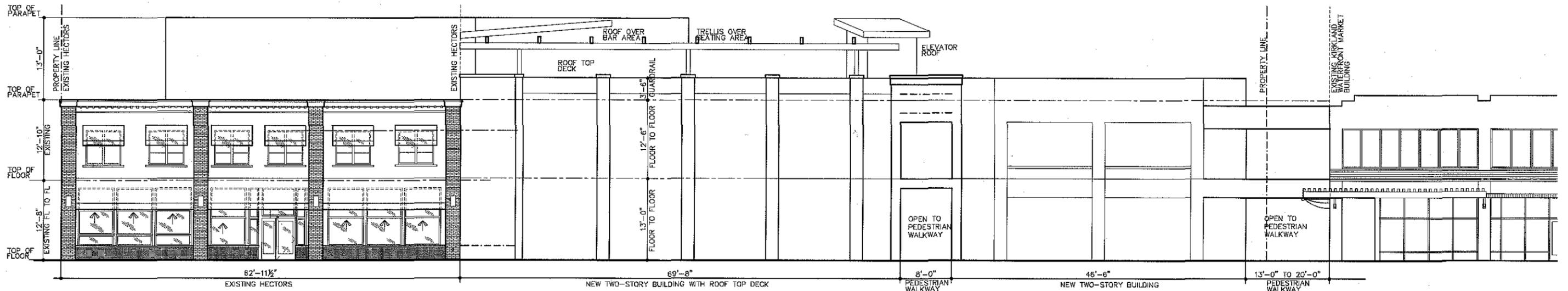
LAKE STREET SOUTH

**Roof Plan**  
1/16" = 1'-0"



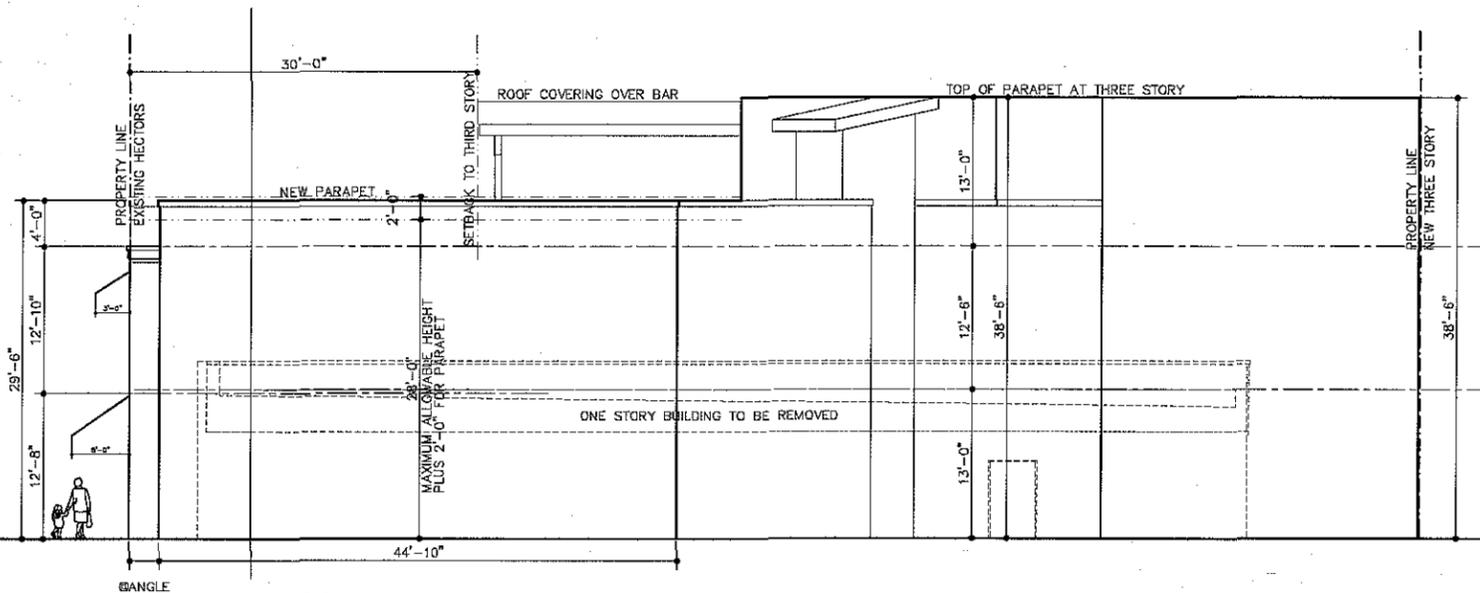
**NORTH ELEVATION**

1/16" = 1'-0"



**WEST ELEVATION**

1/16" = 1'-0"



**SOUTH ELEVATION**

1/16" = 1'-0"

# Lake Street Mixed Use Bldg.

112 LAKE STREET SOUTH  
KIRKLAND, WA 98033

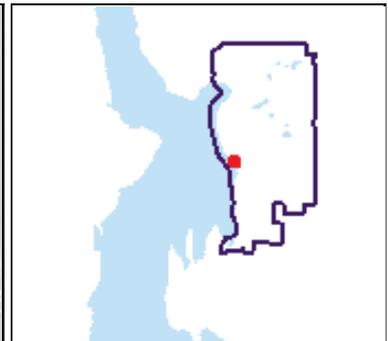
**CHESMORE/BUCK**  
architecture

27 100TH AVENUE NE, SUITE 100  
BELLEVUE, WA 98004

PHONE: 425-679-0907  
FAX: 425-679-0804



# Aerial Map - 118 Lake Street South



Approximate  
Scale 1:1,673  
1 in = 139 ft

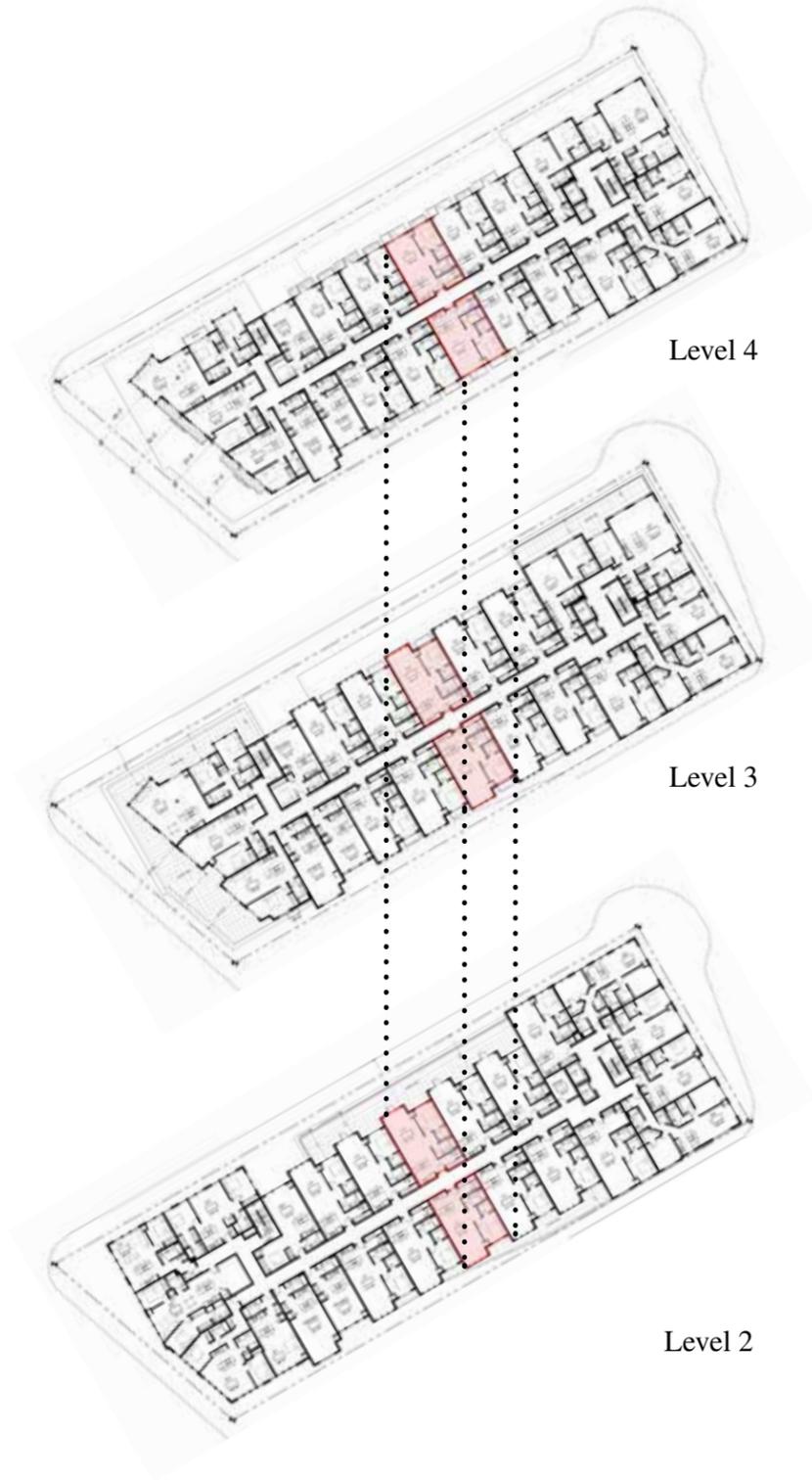
Produced by the City of Kirkland. (c) 2009, the City of Kirkland, all rights reserved. No warranties of any sort, including but not limited to accuracy, fitness or merchantability, accompany this product.

# 5 STORY ALTERNATIVE - 10.31.08

ER 408/Settlement Purposes Only/Do NOT Distribute



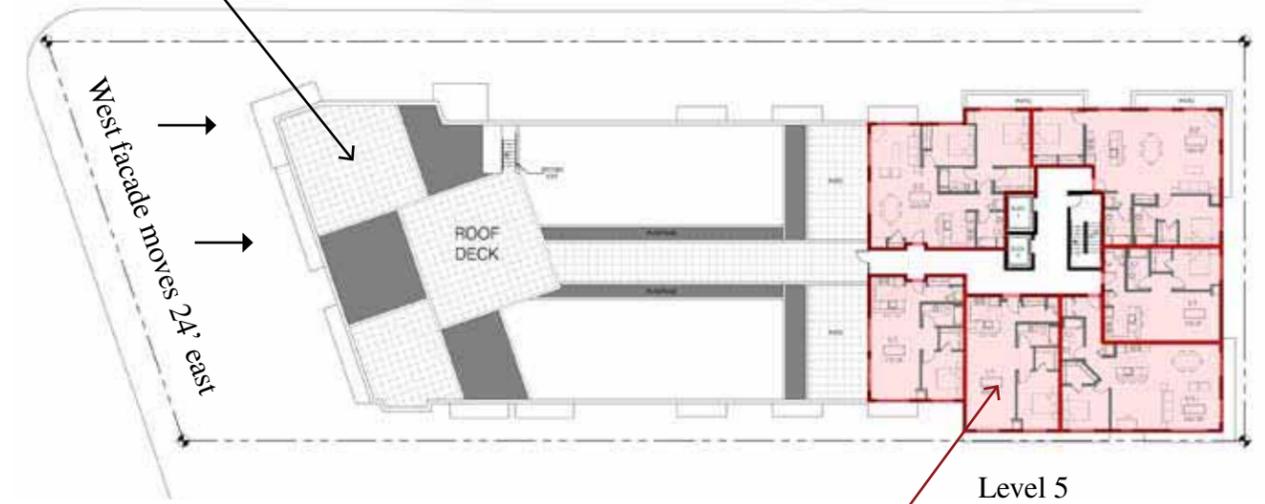
4 Story Settlement Design 10.31.08



remove 6 units from the center  
of the 4 story building

5 Story Alternative 10.31.08

Re-establish roof top deck



relocate the 6 units to a small fifth level on the east building

### Why this alternative?

The 5 story alternative is presented as a way of maintaining the economics of the building, yet providing significant pedestrian enhancements. By simply reallocating 6 units in the body of the 4 story building to a very small 5th floor, most of the west facade can be moved east by 24', the width of these units. This allows for a plaza 25% larger than what was approved by the DRB, restores an 35% larger cafe space onto Lake Street, and creates a lasting public amenity on one of the main corners of downtown Kirkland.

ER 408/Settlement Purposes/Do NOT Distribute

SETBACK/STEP BACK CHART  
November 3, 2008

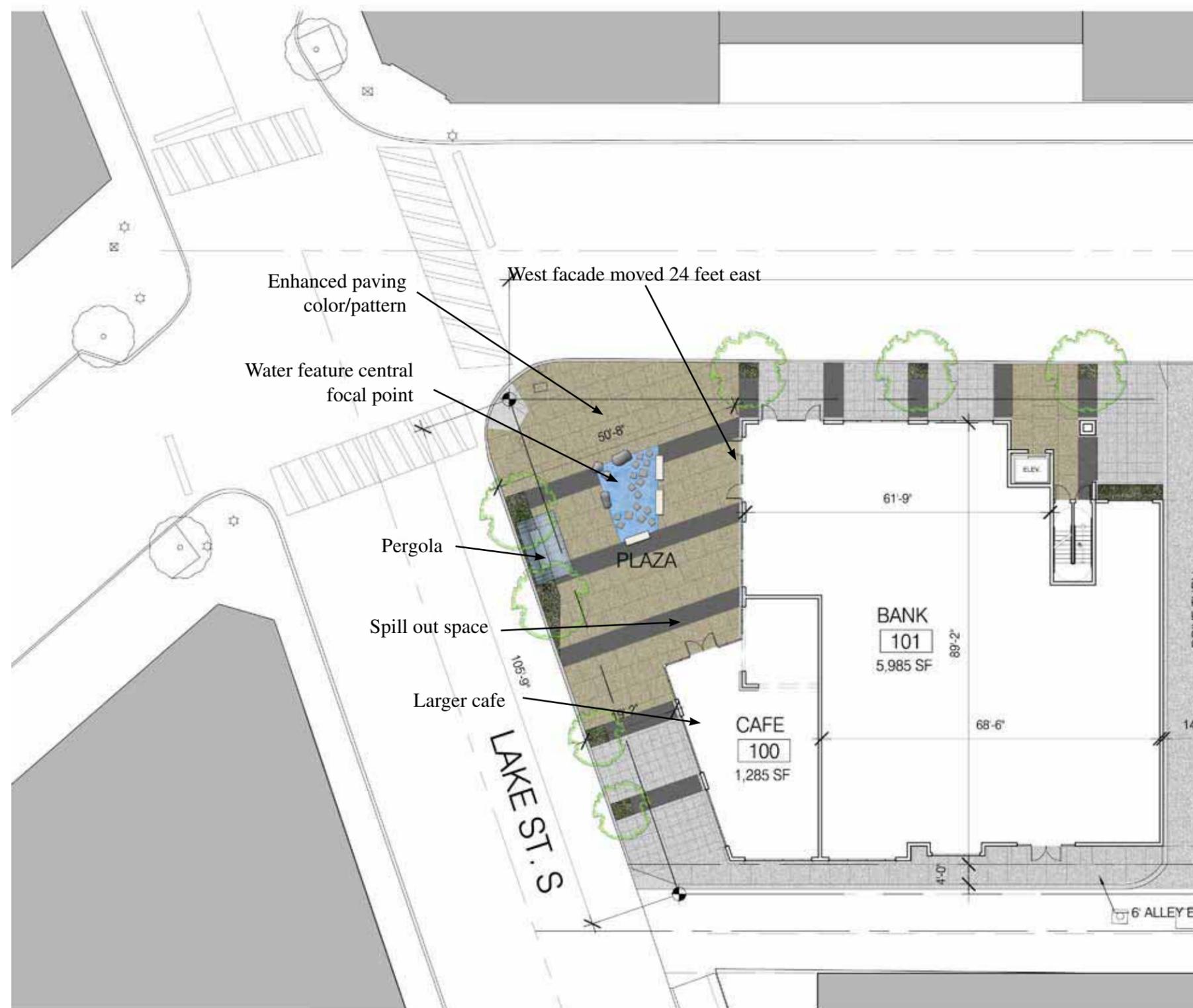
<i>Project Elements</i>	<i>Settlement Design 2 5 story - (10.31.08)</i>
1 <sup>st</sup> floor setback Lake St* <i>step back</i>	19' - 51' N/A
2 <sup>nd</sup> floor setback Lake St * <i>step back</i>	12' - 29.5' 0'
3 <sup>rd</sup> floor setback Lake St* <i>step back</i>	44' - 48' 6' - 37.5'
4 <sup>th</sup> floor setback Lake St* <i>step back</i>	44' - 48' 0' - 4'
5 <sup>th</sup> floor setback Lake St* <i>step back</i>	175' - 200' 125' - 150'
1 <sup>st</sup> floor setback Kirkland Ave* <i>step back</i>	10.5' - 13.5' N/A
2 <sup>nd</sup> floor setback Kirkland Ave* <i>step back</i>	10.5' - 28' 0' - 16'
3 <sup>rd</sup> floor setback Kirkland Ave* <i>step back</i>	19' - 28' 8' - 14.5'
4 <sup>th</sup> floor setback Kirkland Ave* <i>step back</i>	19' - 28' 0' - 4'
5 <sup>th</sup> floor setback Kirkland Ave* <i>step back</i>	24' 4'
Plaza square footage	2,800 sf
Plaza Dimensions	19' - 51'

\*Setbacks are minimum and maximum from edge of curb. The curb edge to the property line is 7'-9" on both Lake Street and Kirkland Avenue.

**Plaza Square Footage**

Original DRB Approved Design	2,085 SF
Settlement Design 9.26.08	1,375 SF
Settlement Design 10.31.08	1,475 SF
<b>5TH STORY ALTERNATIVE</b>	<b>2,800 SF</b>

With the 5 story alternative the plaza is 25% larger than the original design and 50% larger than any of the settlement designs presented to date. The water feature is again the central feature and the cafe has a significant presence on the plaza with spill out space for tables and chairs. The sidewalk in front of the cafe is over 19' wide and the plaza opens up to nearly 50' on the north end. The pergola and enhanced paving remain.





Aerial Vantage Point of Enlarged Plaza

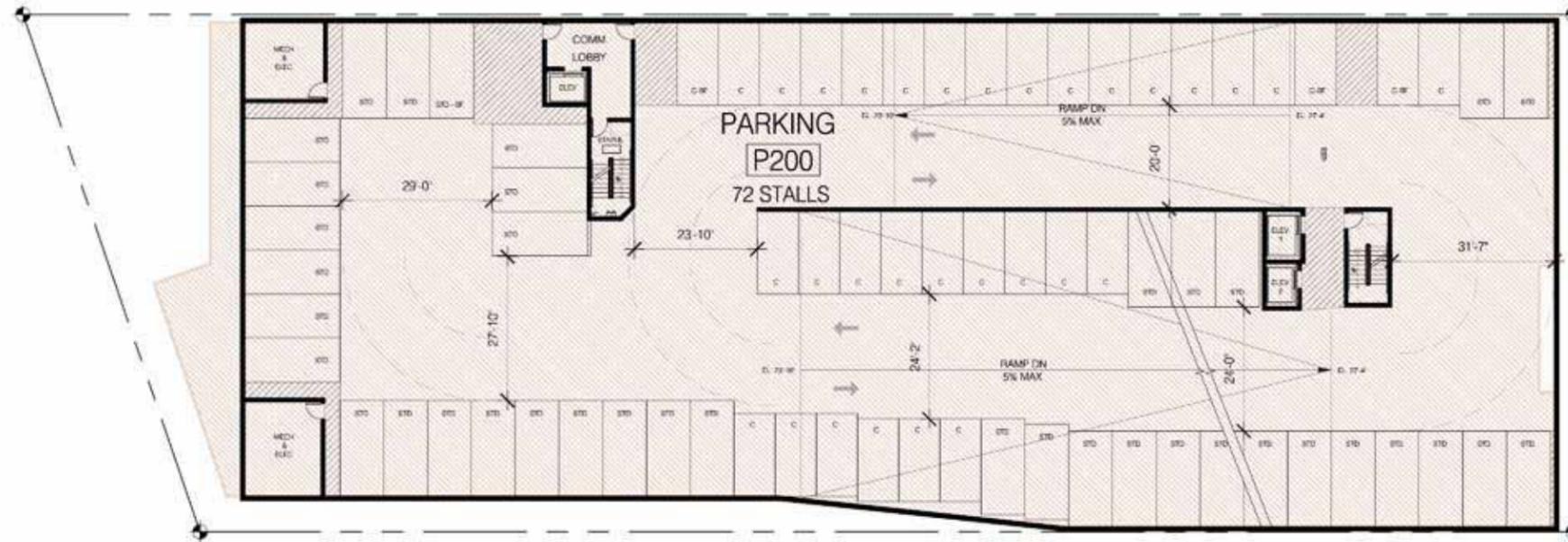


Pedestrian Perspective of Plaza

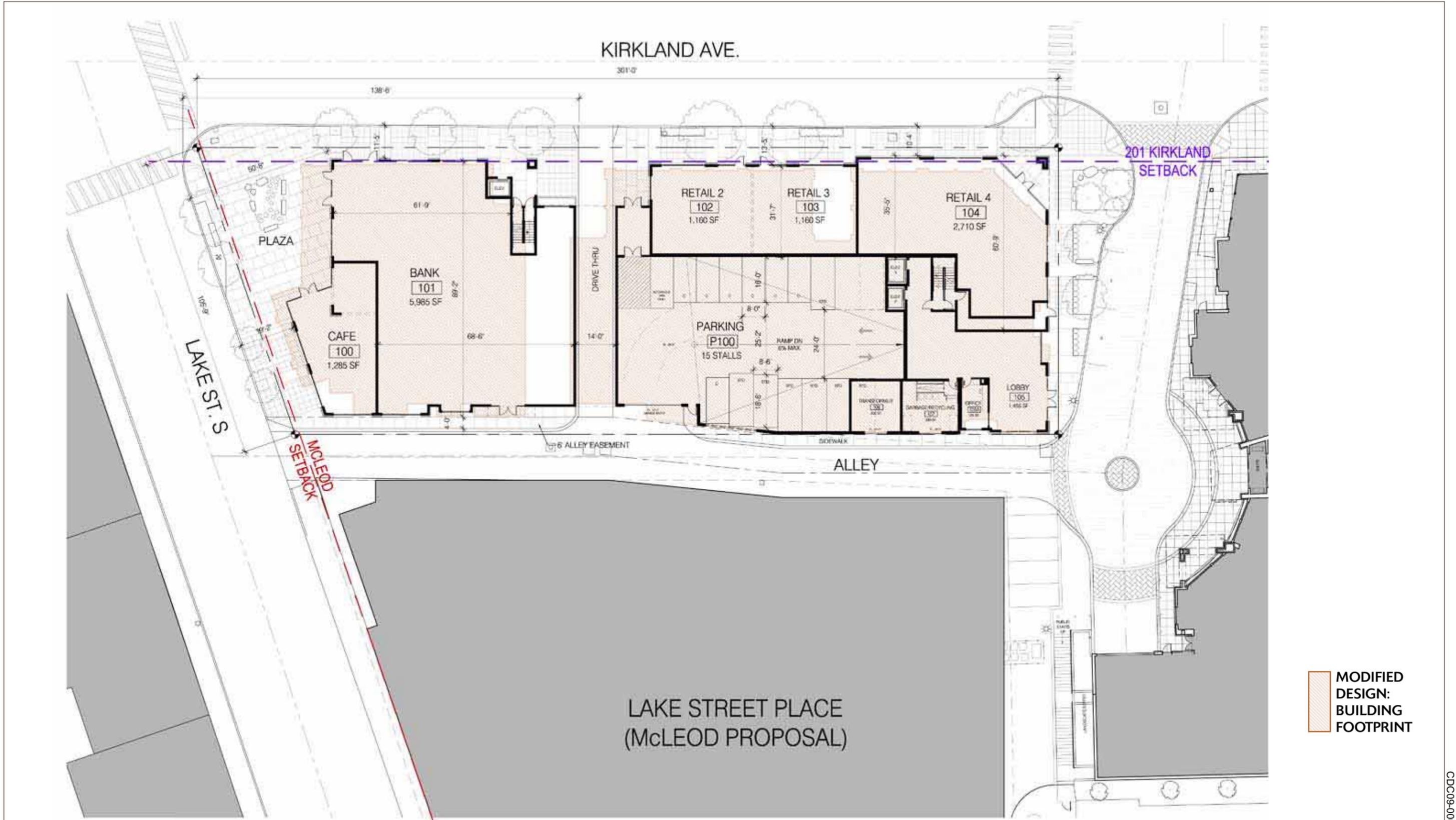
### Enlarged Plaza Features

- Moved west facade east 24 feet
- 19' sidewalk in front of cafe
- Plaza 50' widest point
- Interactive water feature reinstated as central focal point
- Cafe has large presence on the plaza with spill out space for tables and chairs
- Pergola over east facing bench
- Enhanced paving with concrete banding and coloring in plaza area
- Roof deck reinstated providing activity at multiple levels along Lake St.





MODIFIED  
DESIGN:  
BUILDING  
FOOTPRINT



LAKE STREET PLACE  
(McLEOD PROPOSAL)

MODIFIED  
DESIGN:  
BUILDING  
FOOTPRINT



201 KIRKLAND  
SETBACK

McLEOD  
SETBACK

13'-0"

6'-0"

25'-3"

LAKE STREET PLACE  
(McLEOD PROPOSAL)

MERRILL GARDENS  
@ KIRKLAND



Significant setback from Lake Street Place

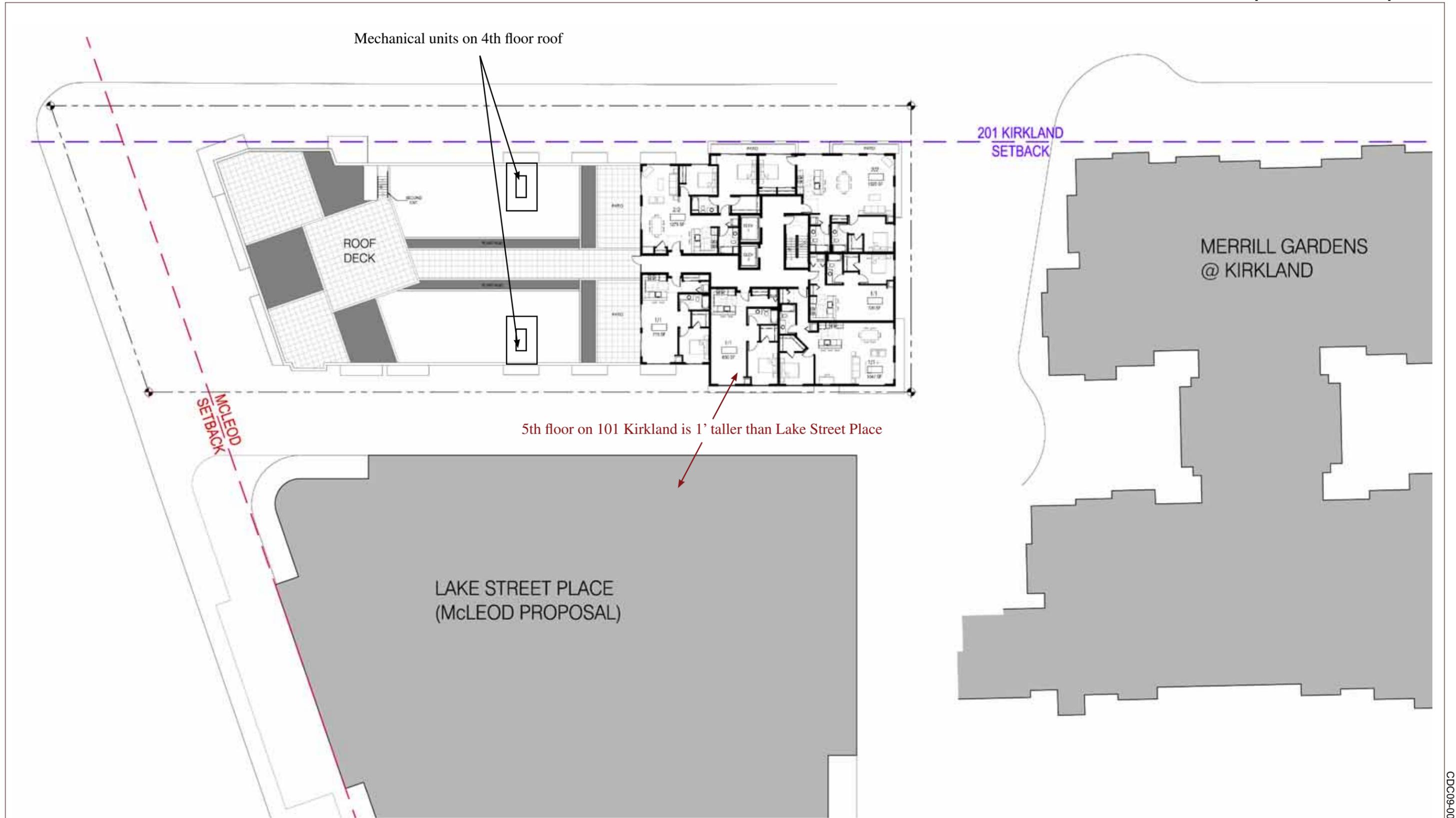
McLEOD SETBACK

201 KIRKLAND SETBACK

MERRILL GARDENS @ KIRKLAND

LAKE STREET PLACE (McLEOD PROPOSAL)





**KIRKLAND AVE. LAKE ST MIXED USE**  
*Feasibility Study*

**PROJECT DATA (5 story alt.)**    **DATE:** 11/3/2008

**1.1 Location:** 101 Kirkland Ave  
**1.2 Site Area:** 28,390 SF  
**1.3 Zone:** CBD 1B  
**1.5 Proposed Use:** Mixed-Use  
**1.6 Type of Construction per IBC:**  
     Residential Bldg: Type 5  
     Parking/ Comm: Type 1

**1.7 Occupancy Classification per IBC:**  
     Business B  
     Residential R-2  
     Parking Garage S-2

**1.8 Apt. Building Floor Areas (gross):**

APT.s	PARKING	RETAIL	RESIDENTIAL	LOBBY/ COMMON/	M & E	CIRCULATION	TOTAL
P2	15,745			350	310	586	<b>16,991</b>
P1	23,167			254	597	586	<b>24,604</b>
C1	5,692	12,300		1,620	740	815	<b>21,167</b>
L2			18,818		146	2315	<b>21,279</b>
L3			16,010			1990	<b>18,000</b>
L4			15,500			2000	<b>17,500</b>
L5			5,975			992	<b>6,967</b>
<b>Subtotal</b>	<b>44,604</b>	<b>12,300</b>	<b>56,303</b>	<b>2,224</b>	<b>1,793</b>	<b>9,284</b>	<b>126,508</b>

	Studio +	1BR	2BR	total
<b>L2</b>	4	13	5	<b>22</b>
<b>L3</b>	3	13	3	<b>19</b>
<b>L4</b>	3	13	3	<b>19</b>
<b>L5</b>		3	3	<b>6</b>
	<b>10</b>	<b>42</b>	<b>14</b>	<b>66</b>

**Parking Requirements: (per parking modification)**  
**see Memo from Thang Nguyen, City of Kirkland Transportation Engineer dated December 26, 2007**

**2.0 Residential Parking:**  
     1 per bedroom                      **80 stalls**  
     15% for guest stalls                **12 stalls**  
     **92 residential stalls required**

**Commercial Parking:**  
     restaurant -1/125                    **11 stalls required**  
     retail - 1/350                         **32 stalls required**  
     total comm.                            **43**

**Total Required Parking:**            92 + 43            **135 stalls required**, however the Applicant paid \$15,077.53 into the LID for parking mitigation giving the property a credit of **3 stalls**

135 - 3 = **132 stalls required by parking modification**

**Total Parking Provided:**

level	Standard	Comp	Total
<b>C1</b>	8	7	<b>15</b>
<b>P1</b>	39	33	<b>72</b>
<b>P2</b>	19	30	<b>49</b>
<b>Totals</b>	<b>66</b>	<b>70</b>	<b>136</b>

**Unit Distribution**

Unit Type	%	GSF	# of Units
St.+	15%		10
1/1	64%		42
2/2	21%		14
<b>Total Res. Units</b>			<b>66</b>

**Average Unit Size**

Res	# of Units	Avg. GSF
56,303	66	<b>853</b>

Allowable height: 55'



Aerial View of 5 story alternative

**5 STORY ALTERNATIVE - 10.31.08**

ER 408/Settlement Purposes Only/Do NOT Distribute

**CHESMORE/BUCK**  
architecture

**Hectors Property Remodel and Expansion**



**View Looking Southeast toward Hectors Property**



**View Looking East toward Hectors Restaurant entrance**

**CHESMORE/BUCK**  
architecture

**Hectors Property Remodel and Expansion**



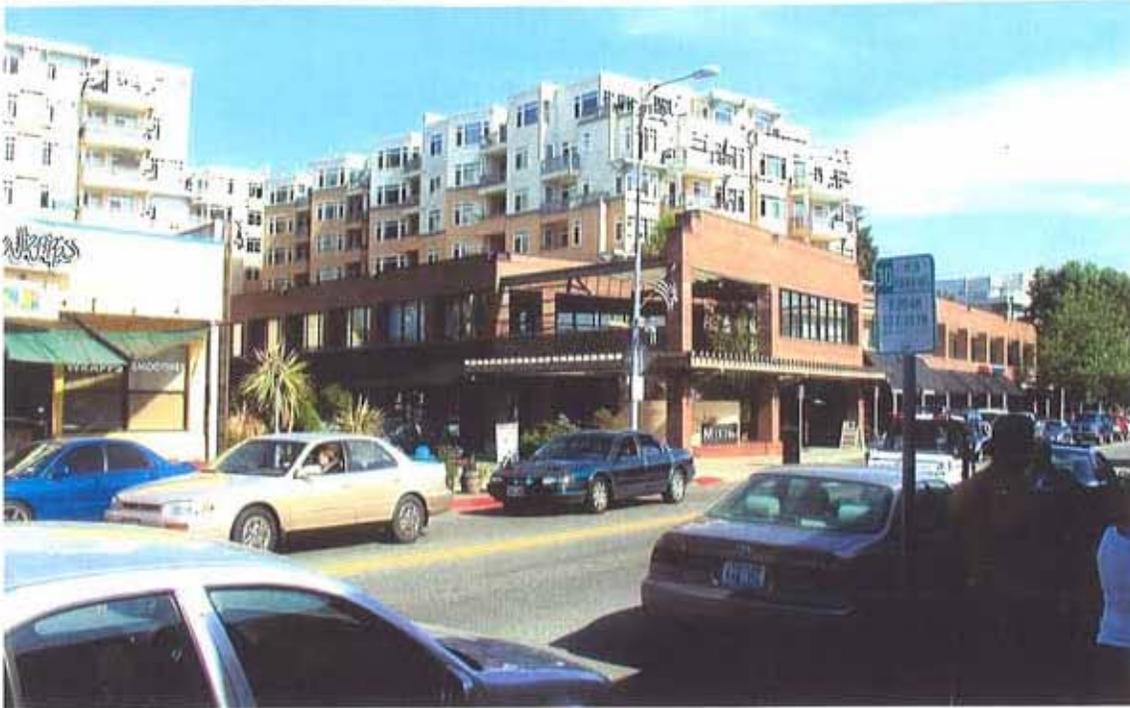
**View Looking East across Lake Street at Southeast corner of property**



**View Looking East across Lake Street at center of property**

**CHESMORE/BUCK**  
architecture

**Hectors Property Remodel and Expansion**



**View Looking East across Lake Street at Southeast corner of property**



**View Looking East across Lake Street at Southeast corner of property**

**CHESMORE/BUCK**  
architecture

**Hectors Property Remodel and Expansion**



**View Looking at Eastern property line of the Hectors Property**



**View Looking at Southeast corner of the Hectors Property**

**CHESMORE/BUCK**  
architecture

**Hectors Property Remodel and Expansion**



**View Looking at Northeast corner of toward Hectors Property**



**View Looking at North property line at Hectors Property**

## CHAPTER 50 - CENTRAL BUSINESS DISTRICT (CBD) ZONES

### 50.05 User Guide.

The charts in KZC 50.12 contain the basic zoning regulations that apply in the CBD 1 zones of the City. Use these charts by reading down the left hand column entitled Use. Once you locate the use in which you are interested, read across to find the regulations that apply to that use.

#### Section 50.10 Section 50.10 – GENERAL REGULATIONS



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

1. Refer to Chapter 1 KZC to determine what other provisions of this code may apply to the subject property.
2. The maximum height of structure shall be measured at the midpoint of the frontage of the subject property on the abutting right-of-way, excluding First Avenue South. See KZC 50.62 for additional building height provisions.
3. The street level floor of all buildings shall be limited to one or more of the following uses: Retail; Restaurant or Tavern; Banking and Related Financial Services; and Entertainment, Cultural and/or Recreational Facility use. The required uses shall have a minimum depth of 20 feet and an average depth of at least 30 feet (as measured from the face of the building on the abutting right-of-way). Buildings proposed and built after April 1, 2009, and buildings that existed prior to April 1, 2009, which are at least 10 feet below the maximum height of structure, shall have a minimum depth of 10 feet and an average depth of at least 20 feet containing the required uses listed above.

The Design Review Board (or Planning Director if not subject to D.R.) may approve a minor reduction in the depth requirements if the applicant demonstrates that the requirement is not feasible given the configuration of existing or proposed improvements and that the design of the retail frontage will maximize visual interest. Lobbies for residential, hotel, and office uses may be allowed within this space subject to applicable design guidelines.

4. Where public improvements are required by Chapter 110 KZC, sidewalks on pedestrian-oriented streets within CBD 1A and 1B shall be as follows:  
Sidewalks shall be a minimum width of 12 feet. The average width of the sidewalk along the entire frontage of the subject property abutting each pedestrian-oriented street shall be 13 feet. The sidewalk configuration shall be approved through D.R.
5. Upper story setback requirements are listed below. For purposes of the following regulations, the term “setback” shall refer to the horizontal distance between the property line and any exterior wall of the building. The measurements shall be taken from the property line abutting the street prior to any potential right-of-way dedication.
  - a. **Lake Street:** No portion of a building within 30 feet of Lake Street may exceed a height of 28 feet above Lake Street except as provided in KZC 50.62.
  - b. **Central Way:** No portion of a building within 30 feet of Central Way may exceed a height of 41 feet above Central Way except as provided in KZC 50.62.
  - c. **Third Street and Main Street:** Within 40 feet of Third Street and Main Street, all stories above the second story shall maintain an average setback of at least 10 feet from the front property line.
  - d. **All other streets:** Within 40 feet of any front property line, other than Lake Street, Central Way, Third Street, or Main Street, all stories above the second story shall maintain an average setback of at least 20 feet from the front property line.

(GENERAL REGULATIONS CONTINUED ON NEXT PAGE)

(GENERAL REGULATIONS CONTINUED FROM PREVIOUS PAGE)

- e. The required upper story setbacks for all floors above the second story shall be calculated as Total Upper Story Setback Area as follows:  
Total Upper Story Setback Area = (Linear feet of front property line(s), not including portions of the site without buildings that are set aside for vehicular areas) x (Required average setback) x (Number of stories proposed above the second story). See Plate 35.
- f. The Design Review Board is authorized to allow a reduction of the required upper story setback by no more than five feet subject to the following:
- 1) Each square foot of additional building area proposed within the setback is offset with an additional square foot of public open space (excluding area required for sidewalk dedication) at the street level.
  - 2) The public open space is located along the sidewalk frontage and is not covered by buildings.
  - 3) For purposes of calculating the offsetting square footage, along Central Way, the open space area at the second and third stories located directly above the proposed ground level public open space is included. Along all other streets, the open space area at the second story located directly above the proposed ground level public open space is included.
  - 4) The design and location is consistent with applicable design guidelines.
- g. The Design Review Board is authorized to allow rooftop garden structures within the setback area

Section 50.12

Zone  
CBD-1A,  
1B

USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 50.12	USE ↓ REGULATIONS ↑	Required Review Process	MINIMUMS			MAXIMUMS		Landscaping Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
			Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage					Height of Structure
				Front	Side	Rear						
.010	Restaurant or Tavern	D.R., Chapter 142 KZC	None	0'	0'	0'	100%	CBD 1A – 45' above each abutting right-of-way. CBD 1B – 55' above each abutting right-of-way.	D	E	One per each 125 sq. ft. of gross floor area. See KZC 50.60.	1. Drive-in or drive-through facilities are prohibited.
.020	Any Retail Establishment, other than those specifically listed, limited or prohibited in this zone, selling goods or providing services, excluding banking and related financial services										One per each 350 sq. ft. of gross floor area. See KZC 50.60.	1. The following uses are not permitted in this zone: a. Vehicle service stations. b. The sale, service and/or rental of motor vehicles, sailboats, motor boats, and recreational trailers; provided, that motorcycle sales, service, or rental is permitted if conducted indoors. c. Drive-in facilities and drive-through facilities. 2. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if: a. The assembled manufactured goods are directly related to and dependent upon this use, and are available for purchase and removal from the premises. b. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other retail uses.

Section 50.12	 REGULATIONS 	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
			Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage					Height of Structure
Front	Side	Rear	Lot Coverage	Height of Structure								
.025	Banking and Related Financial Services See Spec. Reg. 2.	D.R., Chapter 142 KZC	None	0'	0'	0'	100%	CBD 1A – 45' above each abutting right-of-way. CBD 1B – 55' above each abutting right-of-way.	D	E	One per each 350 sq. ft. of gross floor area. See KZC 50.60.	1. Drive-through facilities are permitted as an accessory use only if: <ol style="list-style-type: none"> <li>The drive-through facility is not located on a property that abuts either Park Lane or Lake Street.</li> <li>The drive-through facility existed prior to January 1, 2004, OR the drive-through facility will replace a drive-through facility which existed in CBD 1A or 1B on January 1, 2004, and which drive-through facility:                             <ol style="list-style-type: none"> <li>Was demolished to allow redevelopment of the site on which the primary use was located; and</li> <li>Will serve the same business served by the replaced facility, even if that business moves to a new location; and</li> <li>Does not result in a net increase in the number of drive-through lanes serving the primary use; and</li> </ol> </li> <li>The Public Works Department determines that vehicle stacking will not impede pedestrian or vehicular movement within the right-of-way, and that the facility will not impede vehicle or pedestrian visibility as vehicles enter the sidewalk zone; and</li> <li>The vehicular access lanes will not be located between the street and the buildings and the configuration of the facility and lanes is generally perpendicular to the street; and</li> <li>Any replacement drive-through facility is reviewed and approved pursuant to Chapter 142 KZC for compliance with the following criteria:                             <ol style="list-style-type: none"> <li>The design of the vehicular access for any new drive-through facility is compatible with pedestrian walkways and parking access.</li> <li>Disruption of pedestrian travel and continuity of pedestrian-oriented retail is limited by minimizing the width of the facility and associated curb-cuts.</li> </ol> </li> </ol> 2. Unless this use existed on the subject property prior to January 1, 2004, Banking and Financial Services may not be located within the 30-foot depth (as established by General Regulation 3) on the street level floor of a building fronting on Park Lane and Lake Street.

Section 50.12

Zone  
CBD-1A,  
1B

USE ZONE CHART

**DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS**

Section 50.12	USE REGULATIONS	Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
			Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage					Height of Structure
				Front	Side	Rear						
.030	Hotel or Motel	D.R., Chapter 142 KZC	None	0'	0'	0'	100%	CBD 1A – 45' above each abutting right-of-way. CBD 1B – 55' above each abutting right-of-way.	D	E	One for each room. See Spec. Reg. 2 and KZC 50.60.	<ol style="list-style-type: none"> <li>The following uses are not permitted in this zone:                             <ol style="list-style-type: none"> <li>Vehicle service stations.</li> <li>Vehicle and/or boat sale, repair, service or rental.</li> <li>Drive-in facilities and drive-through facilities.</li> </ol> </li> <li>The parking requirement for hotel or motel use does not include parking requirements for ancillary meetings and convention facilities. Additional parking requirements for ancillary uses shall be determined on a case-by-case basis.</li> </ol>
.040	Entertainment, Cultural and/or Recreational Facility									B	See KZC 50.60 and 105.25.	
.060	Private Club or Lodge									D	One per each 350 sq. ft. of gross floor area. See KZC 50.60.	
.070	Office Use									A	1.7 per unit. See KZC 50.60.	
.080	Stacked or Attached Dwelling Units									B	See KZC 50.60 and 105.25.	
.090	School, Day-Care Center or Mini School or Day-Care Center									B	See KZC 50.60 and 105.25.	<ol style="list-style-type: none"> <li>A six-foot-high fence is required along all property lines adjacent to outside play areas.</li> <li>Structured play areas must be set back from all property lines by at least five feet.</li> <li>Hours of operation may be limited by the City to reduce impacts on nearby residential uses.</li> <li>An on-site passenger loading area may be required depending on the number of attendees and the extent of the abutting right-of-way improvements.</li> <li>These uses are subject to the requirements established by the Department of Social and Health Services (WAC Title 388).</li> </ol>

(Revised 3/09)

Section 50.12	 REGULATIONS 	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
			Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage					Height of Structure
			Front	Side	Rear							
.100	Assisted Living Facility	D.R., Chapter 142 KZC.	None	0'	0'	0'	100%	CBD 1A – 45' above each abutting right-of-way. CBD 1B – 55' above each abutting right-of-way.	D	A	1.7 per independent unit. 1 per assisted living unit. See KZC 50.60.	1. A facility that provides both independent dwelling units and assisted living units shall be processed as an assisted living facility. 2. A nursing home use may be permitted as part of an assisted living facility use in order to provide a continuum of care for residents. If a nursing home use is included, the following parking standard shall apply to the nursing home portion of the facility: a. One parking stall shall be provided for each bed.
.110	Public Utility, Government Facility, or Community Facility								D See Special Reg. 1.	B	See KZC 50.60 and 105.25.	1. Landscape Category B or C may be required depending on the type of use on the subject property and the impacts associated with the use on nearby uses.
.120	Public Park	Development standards will be determined on a case-by-case basis. See Chapter 49 KZC for required review process.										

***Guidelines - Building Cantilevering Over Sidewalks***

*Buildings may be allowed to cantilever over sidewalks if a sidewalk dedication and/or easement is required consistent with following guidelines:*

- *The total length of cantilevered portions of a building should be no more than 1/3<sup>rd</sup> of the entire length of the building façade. The cantilevered portions of a building should be spread out and not consolidated in a single area on the building façade.*
- *Unobstructed pedestrian flow should be maintained through the subject property to adjoining sidewalks.*
- *Space under the building cantilever should appear and function as part of the public realm.*
- *The sense of enclosure is minimized.*

## **NEW GUIDELINE - GLAZING**

### **Special Consideration for Downtown Kirkland**

Retail frontages in the Central Business District should have a 15' story height to ensure diverse retail tenants and enhance the pedestrian experience. Where these taller retail stories are required, special attention to storefront detailing is necessary to provide a visual connection between pedestrian and retail activity.

#### ***Guideline***

***Storefronts should be highly transparent with windows of clear vision glass beginning no higher than 2' above grade to at least 10' above grade. Windows should extend across, at a minimum, 75% of the façade length. Continuous window walls should be avoided by providing architectural building treatments, mullions, building modulation, entry doors, and/or columns at appropriate intervals.***

## **NEW GUIDELINE - NON-RETAIL LOBBIES IN CENTRAL BUSINESS DISTRICT 1**

### **Special Consideration For Non-Retail Lobbies In Central Business District 1**

Non-retail uses are generally not allowed along street frontage within Central Business District 1. However, in order to provide pedestrian access to office, hotel, or residential uses located off of the street frontage or above the retail, some allowance for lobbies is necessary.

#### ***Guideline***

***Lobbies for residential, hotel, and office uses may be allowed within the required retail storefront space provided that the***

***street frontage of the lobby is limited relative to the property's overall retail frontage and that the storefront design of the lobby provides continuity to the retail character of the site and the overall street.***

## **REVISED GUIDELINE – STREET CORNERS**

#### **Issue**

Street corners provide special opportunities for visual punctuation and an enhanced pedestrian environment. Buildings on corner sites should incorporate architectural design elements that create visual interest for the pedestrian and provide a sense of human proportion and scale.

#### **Discussion**

Corners are crossroads and provide places of heightened pedestrian activity. Rob Krier notes that: "The corner of a building is one of the most important zones and is mainly concerned with the mediation of two facades." Corners may be accentuated by towers and corner building entrances.

#### **Guideline**

*Property owners and developers Buildings should be encouraged to designed to architecturally enhance building corners.*

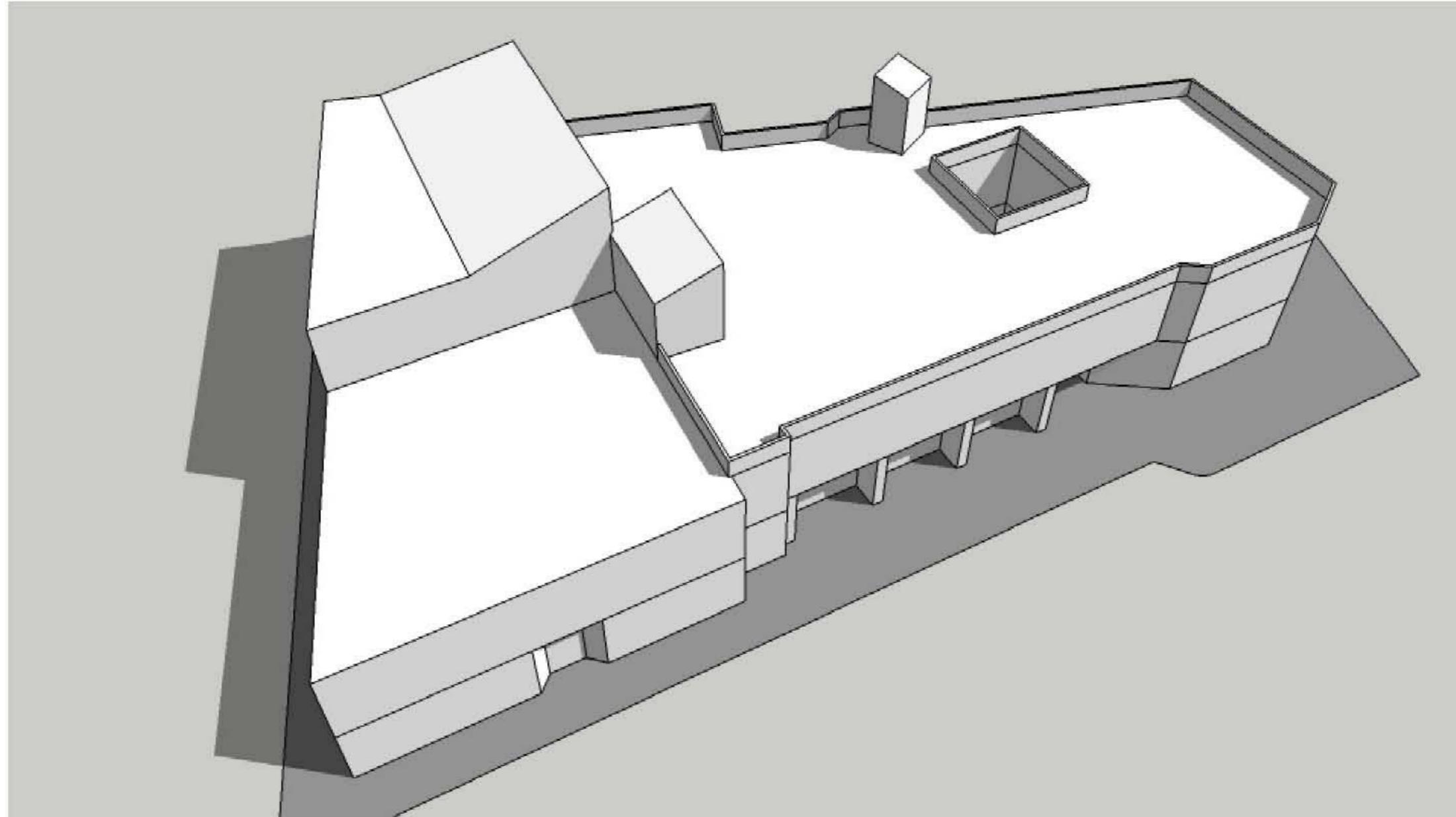
### **Special Consideration for Downtown Kirkland**

Special attention should be paid to both the design and detailing of new buildings on corner sites in the pedestrian oriented design districts. Existing buildings could incorporate some of these elements (human-scale and visual punctuation) through the use of such elements as awnings and well-designed signs at the corner.

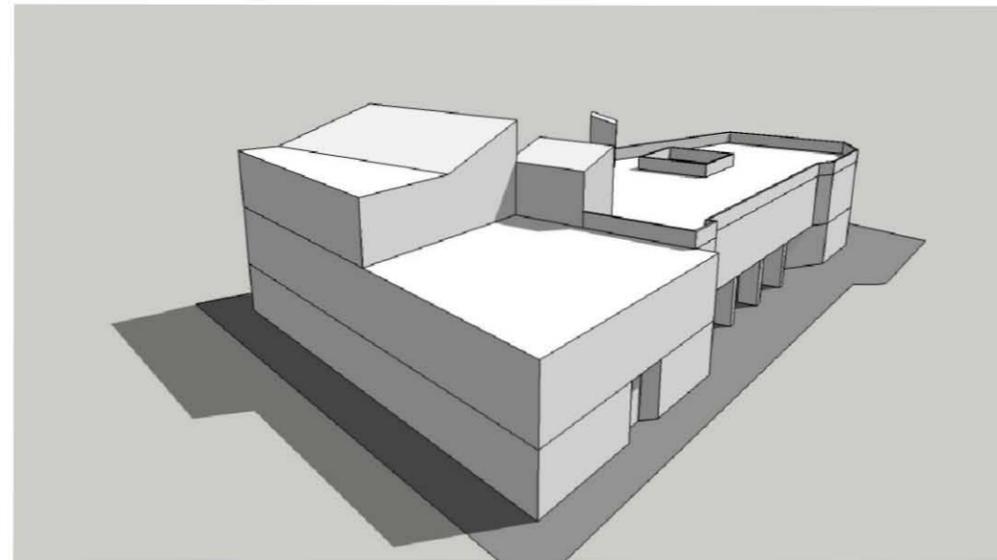
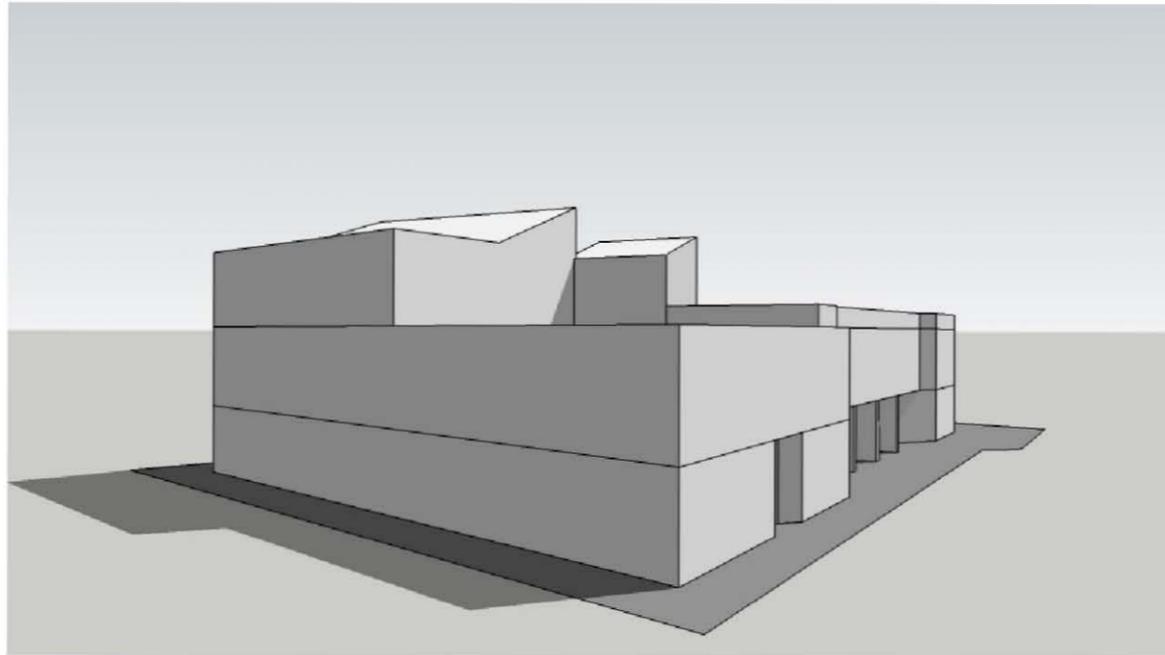
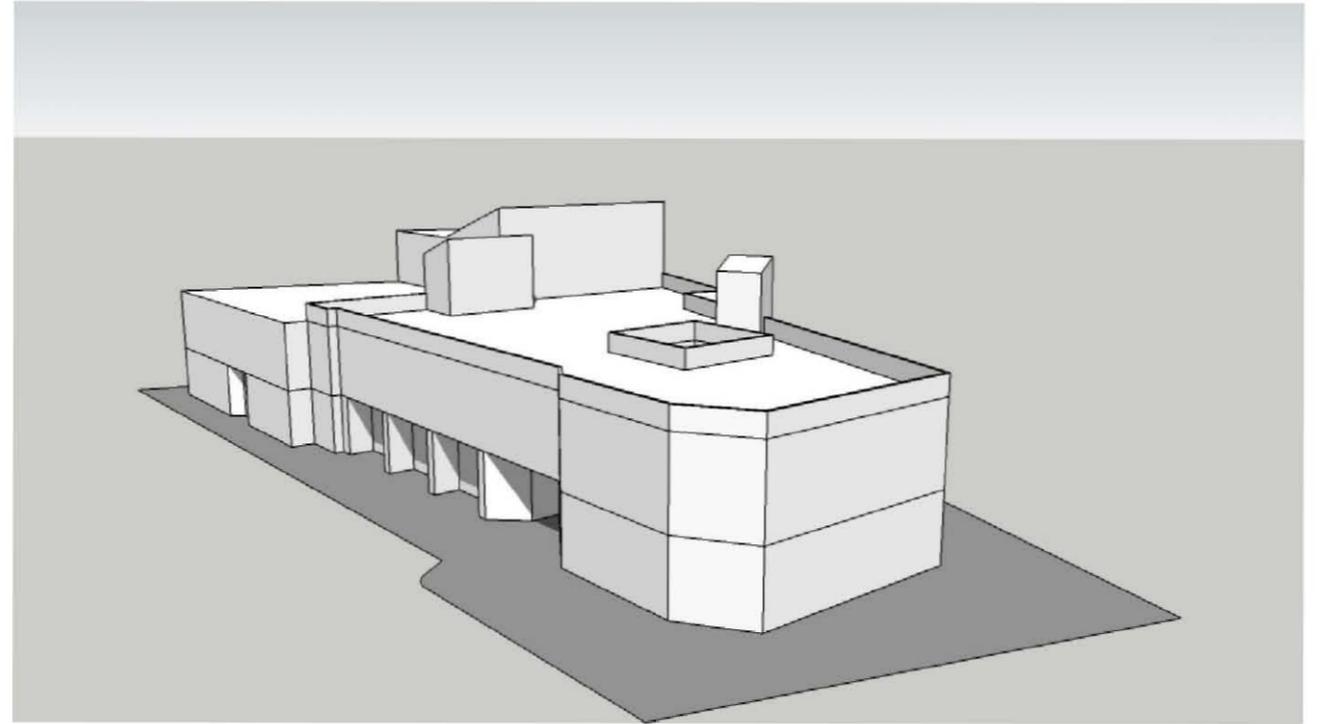
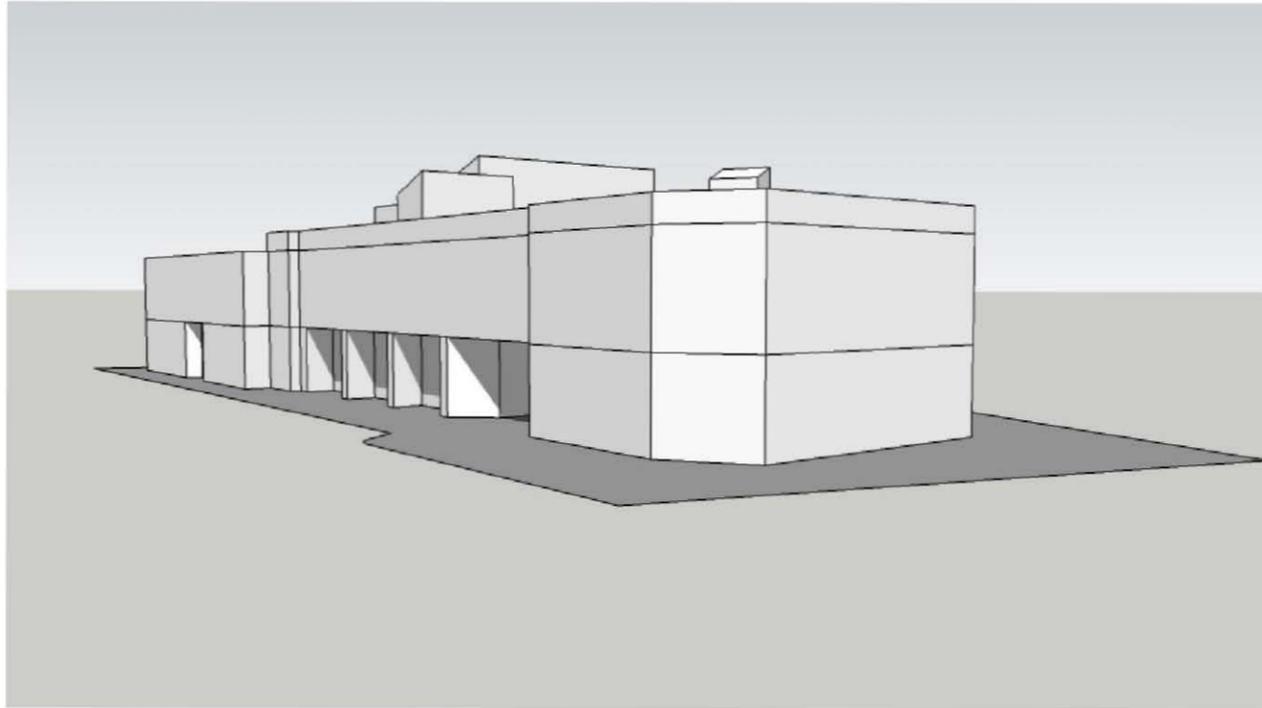
Downtown Kirkland has several "T" intersections, and the building located at the terminus of the street view corridor presents a high-visibility opportunity for special architectural treatment.

The corner of Central Way and Third Street marks a prominent gateway to the core area as well as the Downtown Transit Center and deserves special design emphasis.

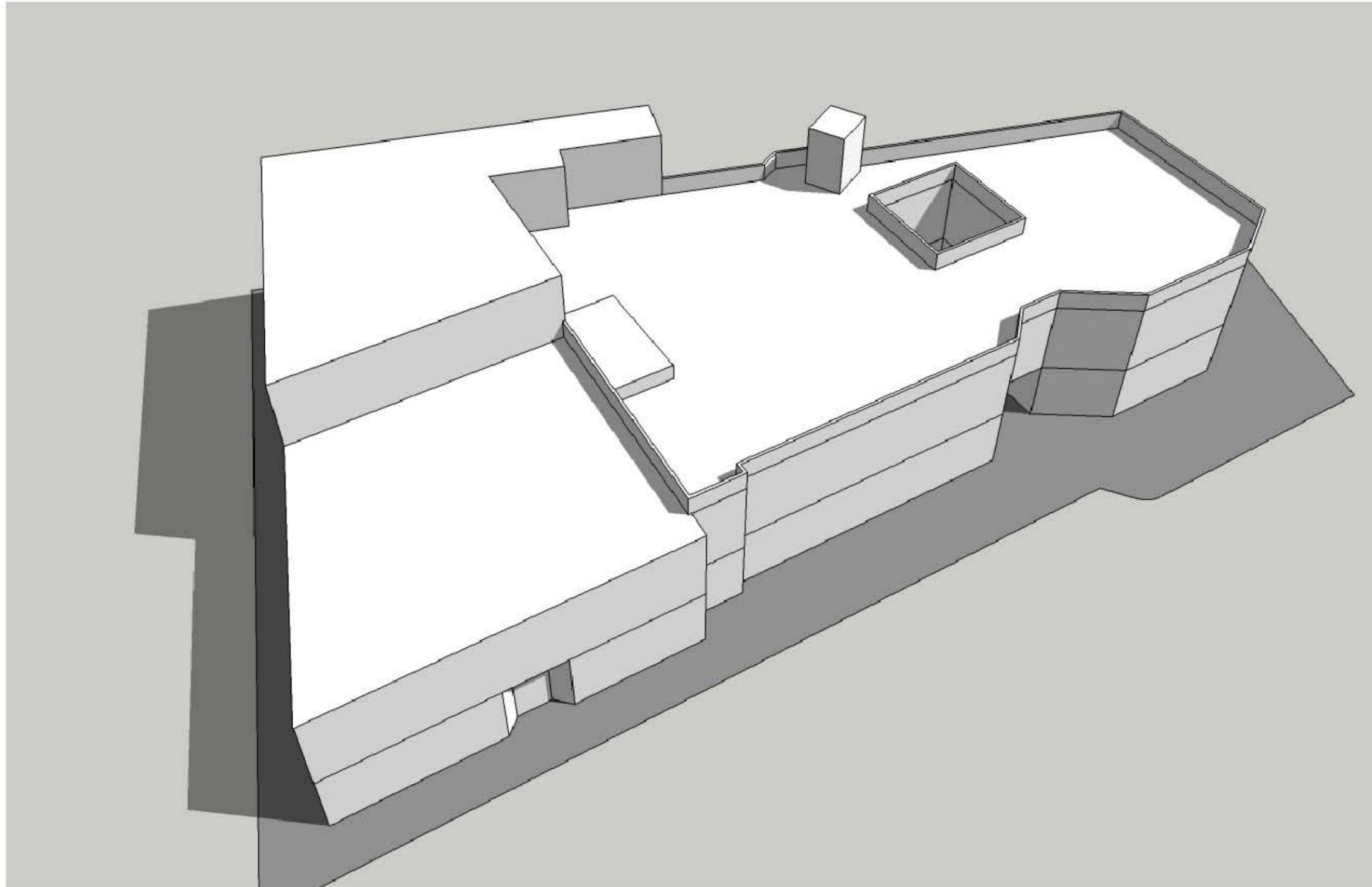
# SCHEME A



# SCHEME A



# SCHEME B



# SCHEME B

