



MEMORANDUM

To: Design Review Board

From: Angela Ruggeri, AICP, Senior Planner

Date: November 10, 2010

Subject: **DESIGN RESPONSE CONFERENCE #26**
TOUCHSTONE (PARKPLACE)
FILE DRC09-00002

I. INTRODUCTION

Touchstone's proposal is for design review of a 1.8 million sq. ft. mixed-use project that includes 1.2 million sq. ft. of office space and an additional 300,000 sq. ft. of retail. Other uses include a hotel and athletic club. All buildings and the site plan have now been reviewed by the Design Review Board and received public comment over the previous 25 meetings. The DRB closed the conference to public comment on October 4, 2010 to allow final deliberations by the DRB.

The approved Master Plan has established the building and open space locations, access points and grid for the internal road system. The zoning specifies building heights, setbacks and other development parameters. The Design Review Board (DRB) is completing its work with the applicant on the design of the buildings and open spaces. The approved Design Guidelines for Parkplace have been used by the DRB to guide this process.

***Please bring your copy of the Master Plan and Design Guidelines for Parkplace and the applicant's "Kirkland Parkplace DRB Final Submittal Draft\02 Nov 2010" to the meeting on 11/15/10. The applicant is working on some minor revisions to their draft final submittal and will bring those to the meeting on 11/15/10.*

II. DESIGN REVIEW BOARD FINAL DECISION

The Design Review Board will issue a final written decision. This decision will have the applicant's final submittal package for Kirkland Parkplace as an attachment. A draft of this package was sent to the DRB last week and also posted to the DRB website (see DRB Final Submittal Draft\02 Nov 2010). The DRB final decision will outline conditions of approval in addition to the applicant's submittal package.

When reviewing the applicant's submittal package, please give special attention to the following items that will be discussed at the 11/15/10 DRB meeting. In addition, the DRB should review the notes in the applicant's submittal package and determine which guidelines and project components merit further discussion in the final decision. Comments from the discussion will be used by staff to complete the DRB final decision.

- Where flexibility is allowed in final decision - Since the project will be built over an extended period of time, it is important to recognize that some details of the design will change. Section 142.50 establishes the criteria for such modifications. Writing some flexibility into the final decision will help clarify areas where staff can make decisions on minor changes. In some cases, staff may also want to consult with the DRB before making a decision. If a change is major enough to require DRB approval, however, the DRB process will have to meet with the requirements outlined in Section 142.35 of the Zoning Code.
- Site Area Square Footage Breakdown (Page MP-6 of Master Plan and Design Guidelines – Site Area graphic) – the actual figures for building square footages, open space, uses, etc. will be included in the applicant's final submittal package.
- Pedestrian Space measurements (Page MP-7 of Master Plan and Design Guidelines) – actual figures for this breakdown will be included in the applicant's final submittal package.
- Measurements between Buildings B and C (Page B-2 of applicant's submittal package – drawings numbered 5 and 6) – the drawings show the exact measurements between these buildings. Should these measurements be the specified minimums in the DRB decision?
- Distance between Buildings A and B – This distance should be included in the applicant's submittal package. Should these measurements be the specified minimums in the DRB decision?
- Building Design: 2.b Massing/Articulation (Page M6 of the applicant's submittal package) – This guideline states that all building faces should be responsive to the context of the surrounding environment and neighboring buildings. Does the applicant's explanation under Note 1 give enough background on the Board's decision relating to this guideline?
- Gateway District: Site Planning #4 - Atrium/Breezeway Space (Page M10 of the applicant's submittal package) – is more information on how the guidelines were met necessary under the comment section.
- Color & materials - They are called out for each building, but the sample colors are often different from those shown in the elevation drawings. This is because the elevations were drawn before the color scheme was approved near the end of the review process. The report will indicate that some variation in color and materials should be expected.

Master Plan Modification:

Page PO-4 in the Policy Overview section of the Master Plan and Design Guidelines for Parkplace contains Section 5 - Modifications. This section states that a major modification to the Master Plan is one which substantially alters the Plan's proposed development such as: decrease in open space quantity, changes to locations of primary access/pedestrian streets, or changes in allowed

use. Major modifications to the Master Plan require a staff review for consistency with the Comprehensive Plan and City Council approval. There are no proposed major modifications.

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

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

The three categories of minor modifications to the Parkplace Master Plan are listed below:

- Gateway District: 2. Upper Levels, b. Step backs (Page A8 of the applicant's submittal package). This guideline states that Building A should have a modulated step back incorporated after the third level (approximately 50') on the building façade along Central Way. It also says that this step back can vary in depth from 0-10 feet, as long as the upper levels of the building appear to be receding from the base. The DRB allowed minor modifications to this requirement as shown on pages A7 and A8 of the applicant's submittal package. Is the applicant's description of the modification adequate to explain the DRB's decision and rationale?
- Gateway District: 2. Upper Levels, c. Top Floor/Roof Edge (Page M11 of the applicant's submittal package). This guideline states that Building A should have a distinct profile against the sky through elements such as projections, overhangs, cornices, step backs, trellises, changes in material or other elements. Does the applicant's explanation adequately respond to modifications made to this guideline?
- Revised street sections shown on Pages L23 through L29 – Pages MP-8 through MP-14 of the Development Standards in the Master Plan and Design Guidelines show the various types of streets anticipated in the project. This section allows for some adjustment in the final design as long as access is in compliance with city codes and policies for public improvements and emergency access. The applicant has highlighted the adjustments in green on pages L23 through L29. The Public Works Department and the DRB have reviewed and approved these adjustments. Does the applicant's explanation adequately respond to these modifications?

Minor Variations (Zoning Code Section 142.37):

Section 142.37 of the Zoning Code provides a mechanism for requesting minor variations from requirements in certain zones, including minimum required yards in the CBD zone. The DRB may grant a minor variation only if it finds that the following requirements are met:

- a. The request results in superior design and fulfills the policy basis for the applicable design regulations and design guidelines;
- b. The departure will not have any substantial detrimental effect on nearby properties and the City or the neighborhood.

There is one minor variation from required yards for the project.

- Building F – 15' Stair landing/overlook projection into required park setback yard – the DRB has determined that this minor variation in the setback requirement is consistent with the above criteria.

III. PHASING PLAN

The Master Plan and Design Guidelines for Parkplace include a brief section on the phasing for the project (see Page PO-4, Section 6), but the DRB has decided that more specific direction is necessary.

DRB Chair James Truhan has written a draft plan for discussion which defines the qualitative aspects of the edge conditions that a future phasing plan for the project will need to satisfy.

The premise is that there is an approved phasing plan operative at all times. The applicant will be required to submit an initial phasing plan and then resubmit phasing plans as conditions change. Each plan should comply with whatever conditions are established by the DRB.

FIRST: For any phase of the project, the Parkplace Development Guidelines shall be the overall definitive standard.

SECOND: Architectural themes, features, concepts and all other aspects integral to the design approved by the DRB must be executed such that the construction making up the phase stands on its own as a complete, fully integrated, fully functional entity.

THIRD: The construction making up the phase must be fully integrated in all respects with construction executed in any previous phases.

FOURTH: The construction making up the phase must be fully integrated with adjacent city service infrastructure, architectural conditions, sidewalks, landscaping and recreational infrastructure.

FIFTH: Temporary facilities such as shoring, scaffolding, formwork, etc. which are not intended to be included in the permanent architectural features of the project are generally prohibited, except to support the phase under construction.

SIXTH: Edge conditions for paving, landscaping, streets, sidewalks and all other site work and appurtenances must be extended to a logical point where such edges make sense from a functional and design perspective. Random or unresolved edge conditions are prohibited.

SEVENTH: Sufficient infrastructure shall be in place to completely support current and proposed phases. Infrastructure includes parking, irrigation, lighting, etc.

IV. DESIGN REVIEW BOARD APPROVAL EXTENSION:

Staff recommends that the lapse of approval for the Parkplace decision by the DRB be the same as that used for the approved Planned Action Ordinance. The DRB should decide if they would like to include an interim requirement for submittal of the first building permit application.

Section 142.55.1 of the Zoning Code states that:

Unless otherwise specified in the decision granting DR approval, the applicant must begin construction or submit to the City a complete Building Permit application for development of the subject property consistent with the Design Review approval within one (1) year after the final decision to grant the DR approval or that decision becomes void. Furthermore, the applicant must substantially complete construction consistent with the DR approval and complete all conditions listed in the DR approval decision within three (3) years after the final decision on the DR approval or the decision becomes void. Application and appeal procedures for a time extension are described in Sections 142.55.2 and 142.55.3.

The DRB has determined that given the size of the project, the planned action designation, and the fact that it will be constructed in phases over a period of years, this approval shall be valid for the duration of the Planned Action Ordinance (Ordinance #4175 or its successor), provided that the first building permit application is submitted no later than XX years following the date of this approval.

V. REMAINING STEPS IN THE DRB PROCESS:

November meeting: Discuss final DRB decision and applicant's draft final submittal and give staff direction on edits. A draft memo on the existing tree plan and recommended actions from Deb Powers, the City's Urban Forester, is also included for discussion (Attachment 1).

December meeting: The edited final report will be presented with adjustments as directed by the DRB. The Design Review Board's final decision on the Parkplace project will be made.

Attachment:

1. Draft memo from Deb Powers, Urban Forester for the City of Kirkland

Cc: A-P Hurd, Touchstone, 2025 First Ave, Suite 1212, Seattle, WA 98121
Ken Davidson, PO Box 817, Kirkland WA 98087-0817

**CITY OF KIRKLAND**

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MEMORANDUM

To: Angela Ruggeri, Senior Planner

From: Deb Powers, Urban Forester

Date: November 8, 2010

Subject: DRC09-00002/Kirkland Parkplace Tree Retention

First, I'd like to commend the applicant with providing an accurate tree inventory and arborist report, fulfilling the preliminary requirements for a Commercial Tree Retention Plan per Kirkland Zoning Code Chapter 95. Kirkland's tree regulations for commercial properties pertain only to trees located in the required landscaping areas, buffers, and adjacent offsite trees, so only those trees are included in the inventory.

The combined quantity of significant viable trees located in the areas required for a Commercial Tree Retention Plan total 105. Excluding the offsite trees and trees located in the right-of-way, there are 44 existing trees required to potentially retain by code. Of these, only 7 trees are in good to excellent condition, which is a minimal threshold for trees to withstand the impacts of construction. Given the quantity and quality of existing trees within the required areas, there is a low potential for tree retention per code on the Kirkland Parkplace site.

However, there is an incredible opportunity with this project to offset the effects of tree removal allowed by code by creatively repurposing the trees on this site. In keeping with the intent of KZC Chapter 95 to slow the loss and enhance tree canopy, the applicant is encouraged to follow these recommendations:

1. **Retain where feasible 'landmark' trees** - to balance the scale of the proposed structures and provide a diversity of tree age/size for urban forest succession. Some of the oldest and largest corridor trees in downtown Kirkland are located in the right-of-way adjacent to Parkplace. Studies have shown that *established* trees enhance economic stability by attracting business and tourists, encourage patrons to linger and shop longer in retail districts, and help businesses recruit and retain employees. There are a few London Plane trees located on Central Way that are good

- candidates for retention as their species' tolerance of root loss is good and their current overcrowded condition/disease issues would benefit with adjacent removals.
2. **Relocate trees** - to City parks in a collaborative effort with Kirkland Parks Department. The majority of trees most worthy of retention are not located within the required landscaping areas and buffers. Many of these trees are excellent candidates for relocation to other sites within the City. Contact Jason Filan, Kirkland Parks Operation Manager (425) 587-3341.
 3. **Repurpose urban tree timber**: Each year, tens of thousands of trees are removed from Seattle and the Eastside area. A USDA Forest Service study estimates that nationwide, nearly four billion usable board feet of timber are removed from urban areas each year. The vast majority of these trees are currently turned into chips, firewood, and landfill. There are many benefits to making better use of urban trees in the Northwest: it saves landfill space by removing useful wood from the waste stream, saves fuel and pollution that would otherwise be needed to transport the trees or lumber from around the globe, and potentially keeps more trees in the forests. It also saves disposal costs for municipalities and property owners. Repurposing urban tree timber for high-end furniture, cabinets and crafts has become more mainstream:
 - City Tree Salvage <http://www.citytreesalvage.com/>
 - On-site or small local milling companies: <http://www.greentreamill.com/>
 - City Trees Furniture <http://www.citytreesfurniture.com/>
 - Urban Hardwoods <http://www.urbanhardwoods.com/>
 4. **Recycle Wood Chips into Biofuel** - use woody debris for local energy: <http://www.seattlesteam.com/environmental-stewardship.htm>

Commercial Tree Retention Plans do not incorporate tree credits for meeting a minimum tree density on the site; it's assumed the required landscape plan will comply with the Parkplace Master Plan requirements. I would encourage that the landscape plan incorporate a diversity of tree species, address the typical inadequate soil volumes issues found in commercial landscapes, and utilize systems such as Silvacell or Filterra wherever low-impact development methods and materials may be employed.