



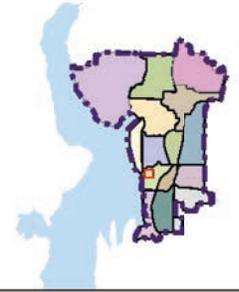
HECTORS PROPERTY REMODEL & EXPANSION

112 LAKE STREET SOUTH
KIRKLAND, WA

ATTACHMENT 5
CDC11-00002



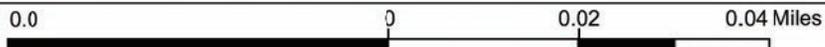
GIS MAPPING PORTAL ~ City of Kirkland, Washington ~ Department of Information Technology



Legend

- City Limits
 - Streets
 - Parcels
 - Lakes
 - Parks
 - Schools
- z_Image09
- Red: Band_1
 - Green: Band_2
 - Blue: Band_3

1:1,306



NAD_1983_StatePlane_Washington_North_FIPS_4601_Feet
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THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes

Aerial



VIEW OF McLEOD PROPERTY FROM NORTHWEST



VIEW OF McLEOD PROPERTY FROM WEST



VIEW OF McLEOD PROPERTY FROM EAST



VIEW FROM McLEOD PROPERTY ACROSS LAKE STREET



RIGHT-OF-WAY AT END OF PIONEER ST



ENTRY TO PIONEER ST FROM KIRKLAND AVE



END OF PIONEER ST



McLEOD PROPERTY FROM PIONEER ST

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; Entertainment, Cultural and/or Recreational Facility; Parks; Government Facility; or Community Facility. The street level floor of buildings south of Second Avenue South may also include Office 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, not including alleys and similar service access streets). 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.
(GENERAL REGULATIONS CONTINUED ON NEXT PAGE)

(GENERAL REGULATIONS CONTINUED FROM PREVIOUS PAGE)
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.
 - 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.
6. May also be regulated under the Shoreline Master Program; refer to Chapter [83](#) KZC.

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	 	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							
.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.	<ol style="list-style-type: none"> 1. Drive-through facilities are permitted as an accessory use only if: <ol style="list-style-type: none"> a. The drive-through facility is not located on a property that abuts either Park Lane or Lake Street. b. 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"> 1) Was demolished to allow redevelopment of the site on which the primary use was located; and 2) Will serve the same business served by the replaced facility, even if that business moves to a new location; and 3) Does not result in a net increase in the number of drive-through lanes serving the primary use; and c. 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 d. 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 e. 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"> 1) The design of the vehicular access for any new drive-through facility is compatible with pedestrian walkways and parking access. 2) Disruption of pedestrian travel and continuity of pedestrian-oriented retail is limited by minimizing the width of the facility and associated curb-cuts. 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



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"> The following uses are not permitted in this zone: <ol style="list-style-type: none"> Vehicle service stations. Vehicle and/or boat sale, repair, service or rental. Drive-in facilities and drive-through facilities. 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.
.040	Entertainment, Cultural and/or Recreational Facility									See KZC 50.60 and 105.25.		
.060	Private Club or Lodge									B	See KZC 50.60 and 105.25.	
.070	Office Use									D	One per each 350 sq. ft. of gross floor area. See KZC 50.60.	
.080	Stacked or Attached Dwelling Units									A	1.7 per unit. See KZC 50.60.	
.090	School, Day-Care Center or Mini School or Day-Care Center									B	See KZC 50.60 and 105.25.	

(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.										

DESIGN GUIDELINES FOR PEDESTRIAN ORIENTED BUSINESS DISTRICTS

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.*
- *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.*
- *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.*
- *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.*
- *Because land is limited in Downtown Kirkland, efficient and compact parking lot configurations are a top priority. Parking lots in the periphery of the core area that accommodate about 100 vehicles (approximately 3/4 to 1 acre) should be articulated with landscaped berms.*
- *Garages built on Downtown Kirkland's perimeter slopes, near residential areas, or near the waterfront can fit less obtrusively into the landscape when terraced. Treatment of the facade of the parking structure can be just as effective in mitigating the visual impacts of parking garages as pedestrian-oriented businesses, plazas, or landscaped setbacks at the ground level.*
- *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.*
- *Buildings above the second story (or third story where applicable in the Downtown Plan) should utilize upper story step backs to create receding building forms as building height increases, allow for additional solar access, and maintain human scale at the street level.*
- *The final arrangement of building mass should be placed in context with existing and/or planned improvements, solar access, important street corners, and orientation with the public realm.*
- *A rigid stair step or “wedding cake” approach to upper story step backs is not appropriate.*
- *Decks and/or balconies should be designed so that they do not significantly increase the apparent mass of the building within the required upper story setback area.*
- *In addition to applying setbacks to upper stories, building facades should be well modulated to avoid blank walls and provide architectural interest.*
- *Along pedestrian oriented streets, upper story building facades should be stepped back to provide enough space for decks, balconies and other activities overlooking the street*
- *Landscaping on upper story terraces should be included where appropriate to soften building forms and provide visual interest.*
- *Continuous two or three story street walls should be avoided by incorporating vertical and horizontal modulations into the building form.*
- *Limited areas of vertical three, four, or five story walls can be used to create vertical punctuation at key facades. Special attention to maintain an activated streetscape is important in these areas.*
- *For properties on Park Lane which front multiple streets and upper story setbacks are proposed to be averaged, concentration of upper story building mass along Park Lane should be avoided.*
- *Reductions to required upper story setbacks may be appropriate where an equal amount of beneficial public open space is created at the street level consistent with the following principles:*
 - *Public open space should be open to the sky except where overhead weather protection is provided (e.g. canopies and awnings).*
 - *The space should appear and function as public space rather than private space.*
 - *Public open space should be activated with adjacent shops, outdoor dining, art, water features, and/or landscaping while still allowing enough room for pedestrian flow.*

- *A combination of lighting, paving, landscaping and seating should be utilized to enhance the pedestrian experience within the public open space.*
- *Where substantial open space "trade-offs" are proposed, site context should be the primary factor in the placement of the public open space (e.g. important corners, solar access.)*
- *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 1/3rd 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.*
- *The Downtown Plan's mandate for high-quality development should also be reflected in sign design.*
- *No internally lit plastic-faced or can signs should be permitted.*
- *All signs in the downtown should be pedestrian-oriented. Master-planned sites such as Parkplace may also include signs oriented to automobile traffic for the whole complex.*