



CITY OF KIRKLAND

Planning and Community Development Department
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MEMORANDUM

To: Design Review Board

From: Jeremy McMahan, Planning Supervisor
Jon Regala, Senior Planner

Date: December 3, 2008

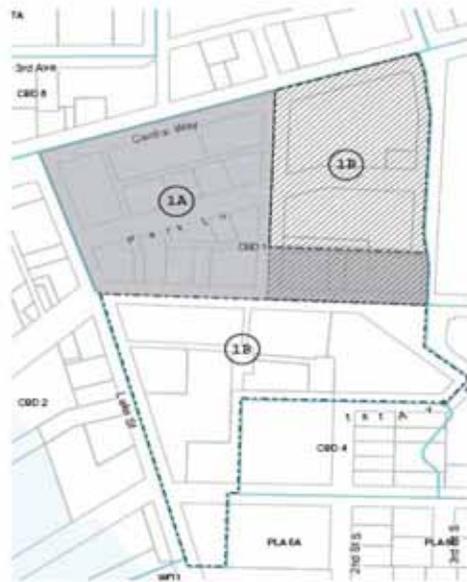
Subject: CBD 1 ZONING AMENDMENTS – UPPER LEVEL BUILDING STEP BACKS (File No. ZON08-00019)

RECOMMENDATION

Review options for regulation of upper story step backs in CBD 1 and provide recommendations to staff and the City Council. Staff provides the analysis below for discussion. In addition, staff will bring a SketchUp model of CBD 1 to the DRB meeting to illustrate and refine options.

BACKGROUND

At their November 24th study session (attended by Brian, Carter, and Jim), the City Council provided staff with direction on draft CBD 1 regulations on retail design and use, maximum building heights, and step backs above the 2nd story along Lake Street. Regarding building heights, the CBD 1 Zoning will be divided into a CBD 1A zone and a CBD 1B (see diagram below) zone to correspond to the 4 story and 5 story height districts established in the Comprehensive Plan. The maximum height of building in CBD 1A would be 45' and the maximum height of buildings in CBD 1B would be 55'. Ground floor retail would be required to be a minimum 15' in height. Regarding step backs along Lake Street, all portions of the building above two stories (28') would be required to be setback 30' from Lake Street. The DRB could approve setback reductions to 25' with 1:1 trade offs for public space at the street level.

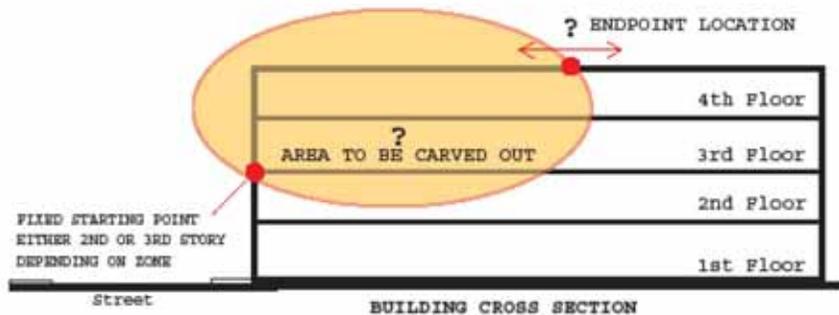


Zoning map amendment

The City Council also reviewed preliminary concepts for regulating upper story step backs and asked staff and the DRB to further explore these concepts.

UPPER STORY STEP BACKS

The proposed height limits establish a basic outline of building massing. The issue is that maximizing the massing along pedestrian oriented streets is not acceptable. By reducing mass at the upper stories, focus is reoriented towards the building base and back to the pedestrian experience. As shown in the diagram below, the challenge is to establish specific standards to reduce the massing of upper stories along pedestrian-oriented streets.



The Comprehensive Plan provides the following policy guidance:

General - Design District 1 Policies

- Stories above 2nd story are setback from the street
- Street frontages should be two stories along Park Lane west of Main Street, 3rd Street, and Kirkland Avenue
- Buildings up to 3 stories along Central Way
 - Avoid continuous 3 story street wall

Design District 1B Policies

- East of Main Street – modulate height and facades
- South of Kirkland Avenue – Step up from north and west
- Reduce building mass above the 2nd story

'Bonus' Story Step Back Policies

- Stories above the 2nd story should be stepped back significantly
- Building form stepped back at the 3rd, 4th, and 5th stories

Staff has studied a number of approaches including angle of visibility, floor area ratios, and setback averaging. We have also conducted a detailed analysis of approved CBD 1 projects to quantify what has actually been built. Since the Downtown Plan policies on upper story step backs refer primarily to the perception of building massing from the street, staff is proposing to focus the step back discussion to a zone or area within a certain distance from the street. Staff has focused on a distance of 30' from the street to define the area in which to measure or quantify upper story step backs. The reason is that when looking at built and approved projects, the majority of upper story step backs and massing reductions were located within a zone of 30' from the property line (see Attachment 1).

The Tables in Attachment 2 provide two different ways to quantify the massing reductions within the 30' zone. Table 1 shows the average setbacks within 30' of the property line. Table 2 shows the average floor area ratio within 30' of the property line. Note that the analysis only includes the primary street frontage (i.e. – Kirkland Avenue for Heathman and Kirkland Central and not 3rd Street of State Street).

Several conclusions can be drawn from the data:

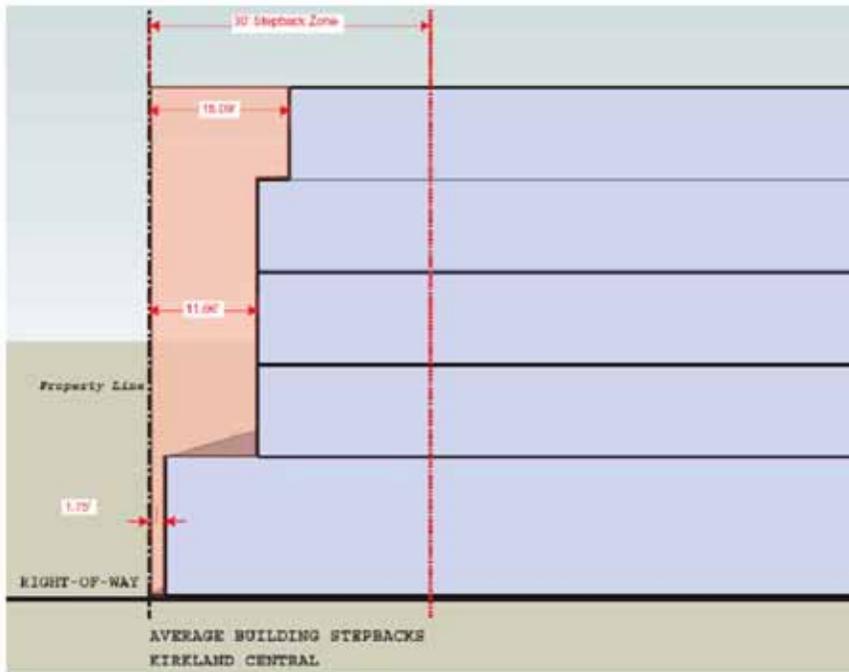
- Consistent with the Comprehensive Plan, buildings are being stepped back from the street with these step backs increasing in conjunction with building height.
- On average, buildings are infilling roughly 50% of the total possible floor area within the 30' zone and roughly 40% of the possible floor area above the second story.
- The first stories of buildings are generally not being built flush with the property line, consistent with previous conclusions that these buildings are providing wider sidewalks and more public space than code minimums.

The goal now should be to use the data to assess existing buildings and establish regulations and supporting design guidelines for massing and step backs of upper stories.

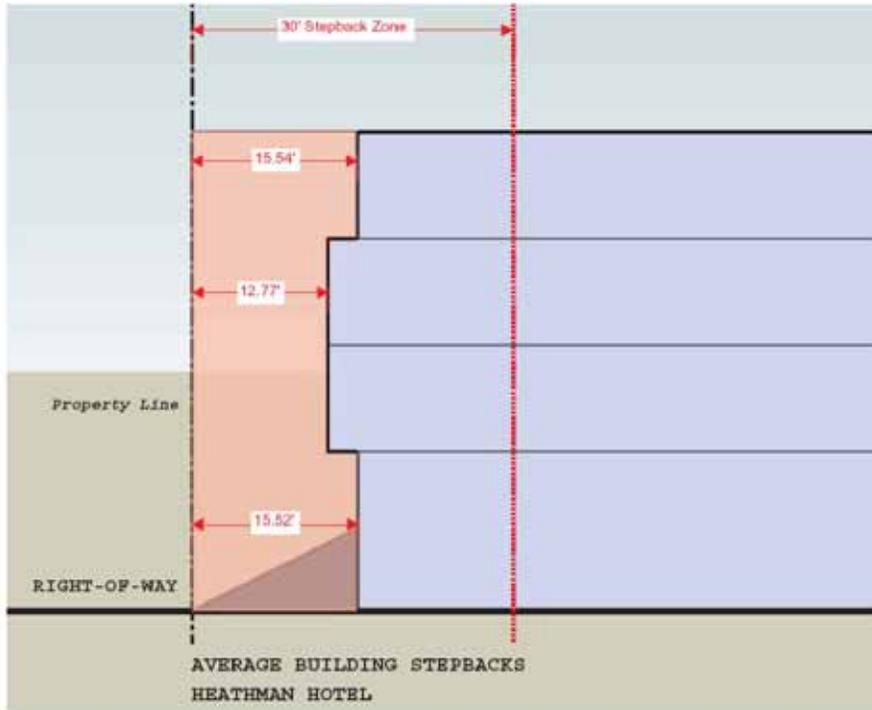
The following project analysis includes a vignette illustrating a generalized cross section of the average project setbacks within the 30' zone.

PROJECTS

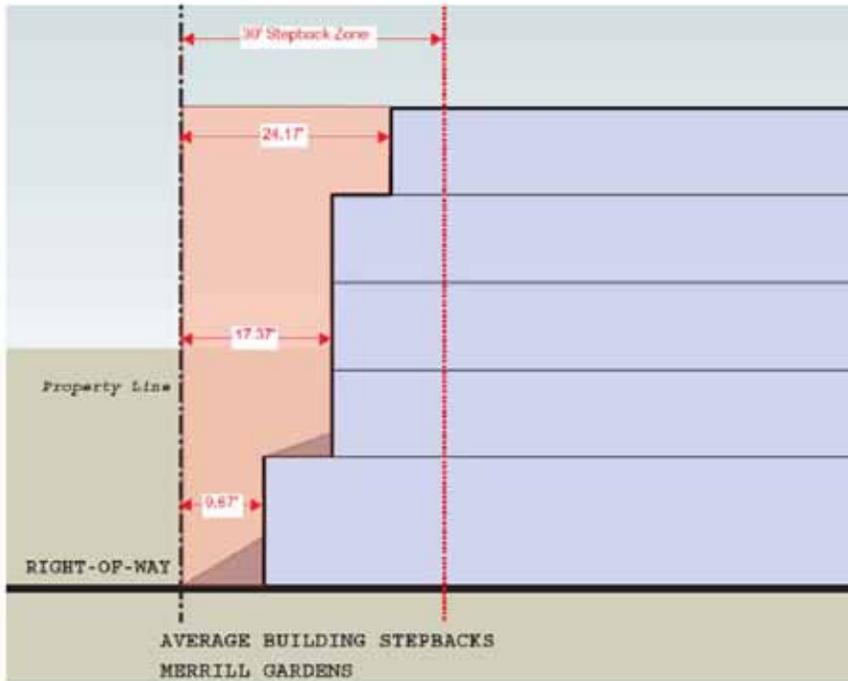
Kirkland Central: FAR above 2nd floor = 1.72; average setback above 2nd floor = 12.80. Kirkland Central has the lowest average setbacks and the highest FAR within the 30' zone of the projects evaluated. As with Merrill Gardens, the building did not build a two story presence at the street, with only one story base and four stories of wood frame construction above. The project has the greatest amount of public space in front of it due to intersection configuration and the project's development of the public plaza. There are no other sites with this opportunity in CBD 1.



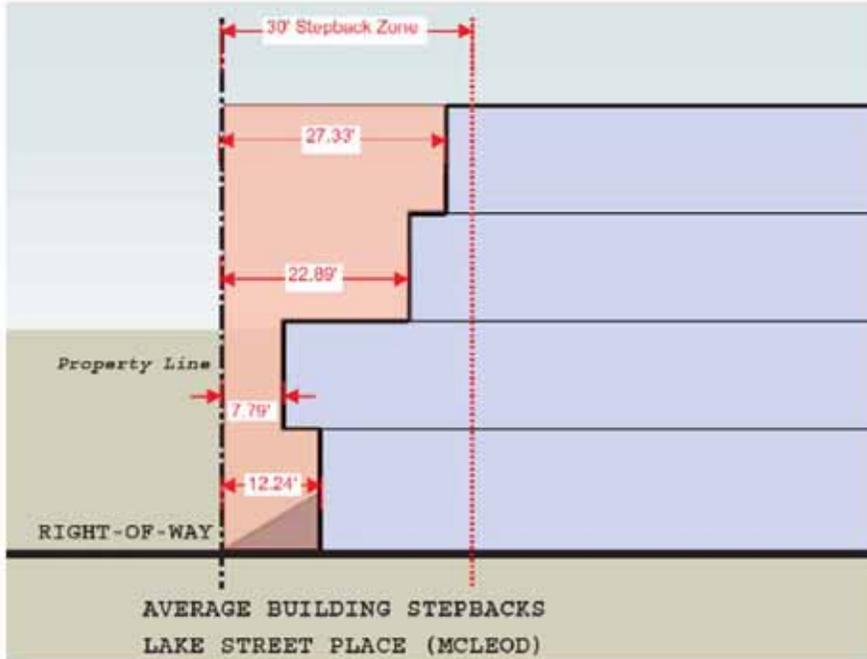
Heathman Hotel: *FAR above 2nd floor = 1.05; average setback above 2nd floor = 14.16.* The Heathman Hotel presents an interesting example of a project that provides a significant amount of open space along the street frontage in the form of an arcade and covered central building entrance. This provides a good study of whether that type of open space is effective public open space in terms of potential code allowances for trading lesser step backs for street level public space.



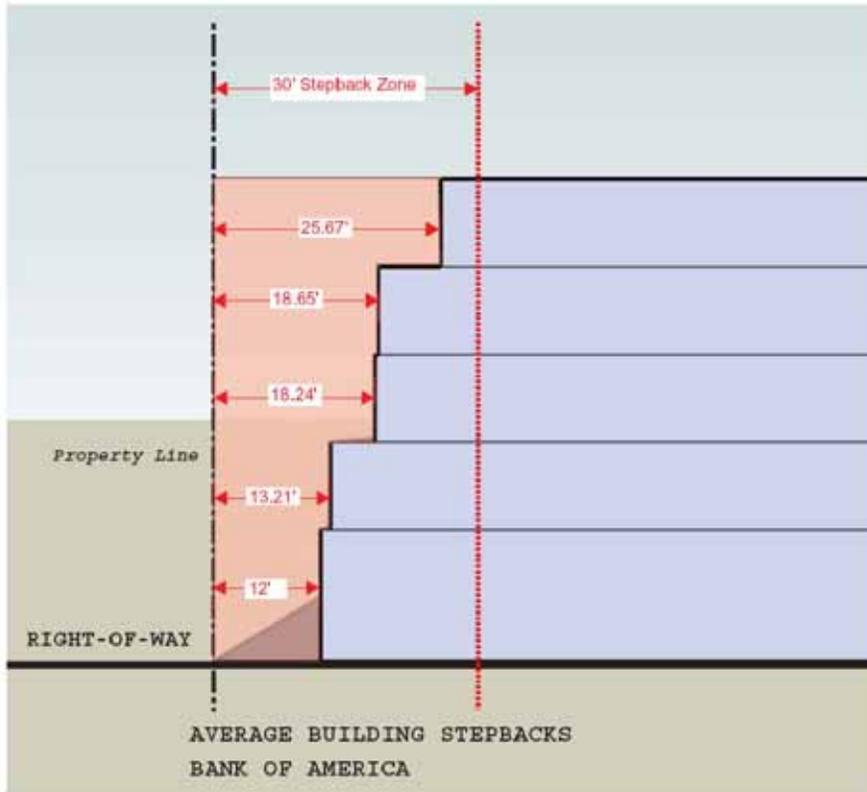
Merrill Gardens: FAR above 2nd floor = 2.15; average setback above 2nd floor = 19.64. Merrill Gardens is the most recently completed example. Similar to Kirkland Central, the project has one story street wall with four story of wood frame construction above. The project also includes some fairly heavy roof forms and covered decks that seem to diminish the appearance of the project's actual step backs. This provides an opportunity for discussion about how new regulations might interact with new supporting design guidelines.



McLeod: FAR above 2nd floor = 1.68; average setback above 2nd floor = 25.11. This project provides the lowest FAR and the greatest step backs above the 2nd story of projects evaluated. Although staff includes the project as an example, note that this project is along Lake Street where the Comprehensive Plan requires two story buildings along the street. The City Council has accepted a recommendation for 30' step backs above the 2nd story along Lake Street.



Bank of America: FAR above 2nd floor = 2.0; average setback above 2nd floor = 20.85. One of the features of this project is the inclusion of two story buildings at the street wall. In their review of the project, the DRB appreciated the stronger building base that this added to the project. Note that tables only reflect the Kirkland Avenue frontage and that the figures reflect the inclusion of a significant public plaza on the west side and a limited 5th floor presence.



DRB DISCUSSION:

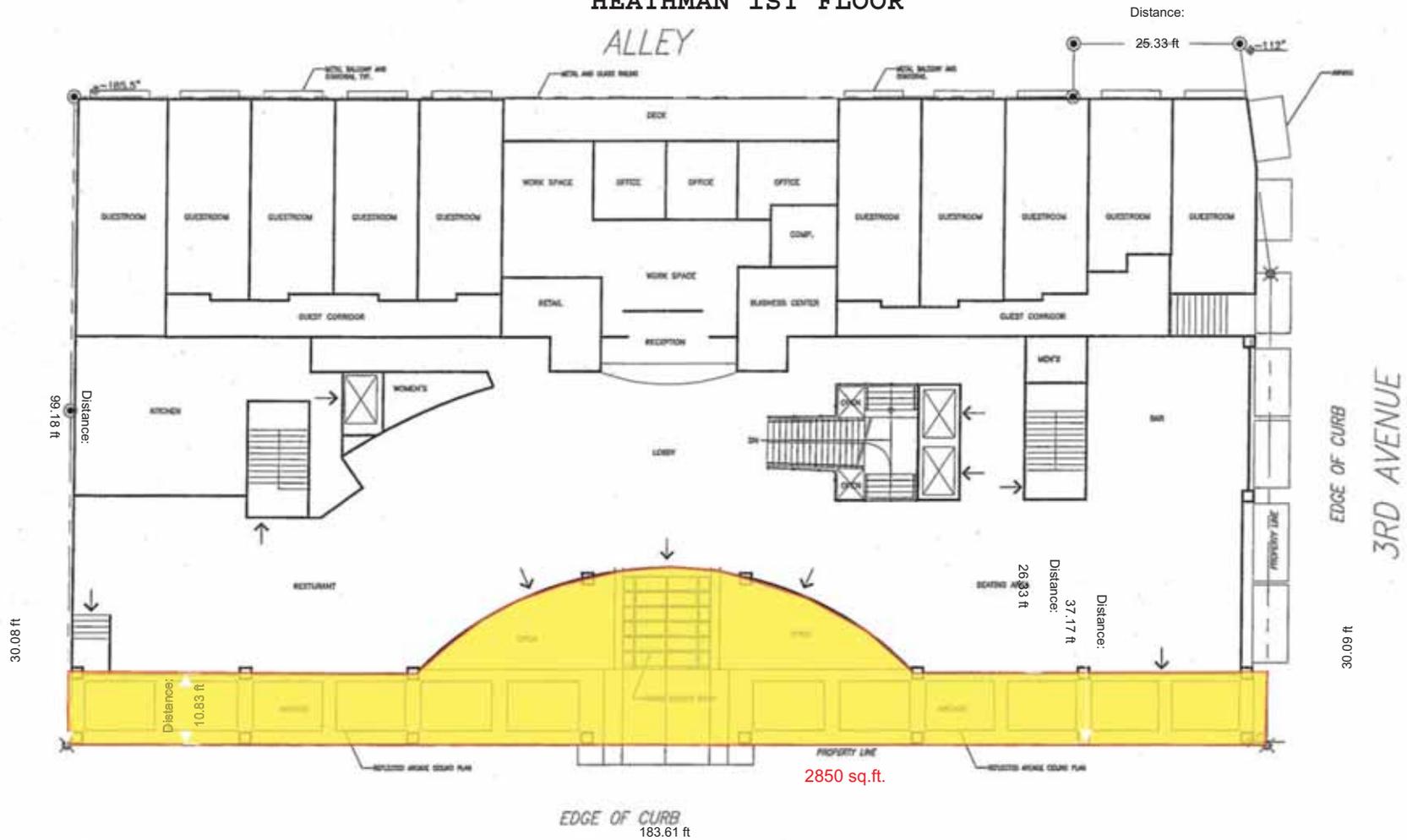
There are a number of ways to establish baseline requirements for upper story step backs. As the DRB noted at their last meeting, the end result will likely be a combination of prescriptive requirements paired with an appropriate level of discretion. The goal should be to select the simplest and clearest method that achieves the desired result. Another goal should be to establish clarity of how much massing should be reduced along street frontages while preserving appropriate design flexibility in arranging the allowed mass.

In reviewing the options, staff is inclined to proceed with developing requirements for average setbacks (*e.g. linear frontage x average setback = building area reduction within 30 of the property line*). Based on previous discussions with the DRB and Council, the requirement should be paired with incentives for public open space. The following discussion questions are intended to help staff and the DRB refine an option to proceed with draft regulations:

1. Is the area within 30' of the property line the right zone?
2. How much building mass should be allowed within that zone?
2. Should the zone and/or the setback requirement vary for different street frontages (Park Lane vs. 3rd Street, etc.)?
4. Should the setback requirement vary by story (e.g. – 5th floor should generally be setback more the 3rd) or should more flexibility be retained?
5. What design guidelines are needed to support the regulations?
 - Guidance on arrangement of massing
 - Guidance on horizontal and vertical definition of the 1st and 2nd stories.
6. What is the appropriate incentive for public open space?
 - 1:1 trade-offs of building square footage for open space
 - Average and minimum setback requirements
7. What are the guidelines for acceptable public space?
 - Open to the sky, amenities like fountains, public art, seating, appropriate location, etc.
8. How much building cantilevering over sidewalks is acceptable? To achieve 13' sidewalks, some additional dedication of right-of-way or easement will be necessary. The Code currently allows buildings to cantilever over the sidewalk to minimize the impact of the dedication on the property.

Attachments

HEATHMAN 1ST FLOOR



1st floor plan
1/16" = 1'-0"

KIRLAND AVENUE

Kirkland Hotel at Third St. and Kirkland Avenue

Max Floor Area within 30' Zone = 30 * 183 = 5,490 sq.ft.
 1st Floor FAR within 30' Zone = 0.48
 2nd Floor FAR within 30' Zone = 0.57
 3rd Floor FAR within 30' Zone = 0.58
 4th Floor FAR within 30' Zone = 0.48
 Total FAR within 30' Zone = 2.11

CRISTAL HOTEL PROPERTIES, INC.

A2.04

HEATHMAN 2ND FLOOR



2nd floor plan
1/16"=1'-0"

Kirkland Hotel at Third St. and Kirkland Avenue

CORBETT HOLT PROPERTIES, INC.



Jensen/Fey
Architecture and Planning
3131 EAST MADISON SUITE #200
SEATTLE, WA 98112
TELE 206.526.9000 FAX 206.526.7008

A2.05

HEATHMAN 3RD FLOOR



3rd floor plan
1/16"=1'-0"

Kirkland Hotel at Third St. and Kirkland Avenue

CORBETT HOLT PROPERTIES, INC.

A2.06

HEATHMAN 4TH FLOOR



4th floor plan
1/16"=1'-0"

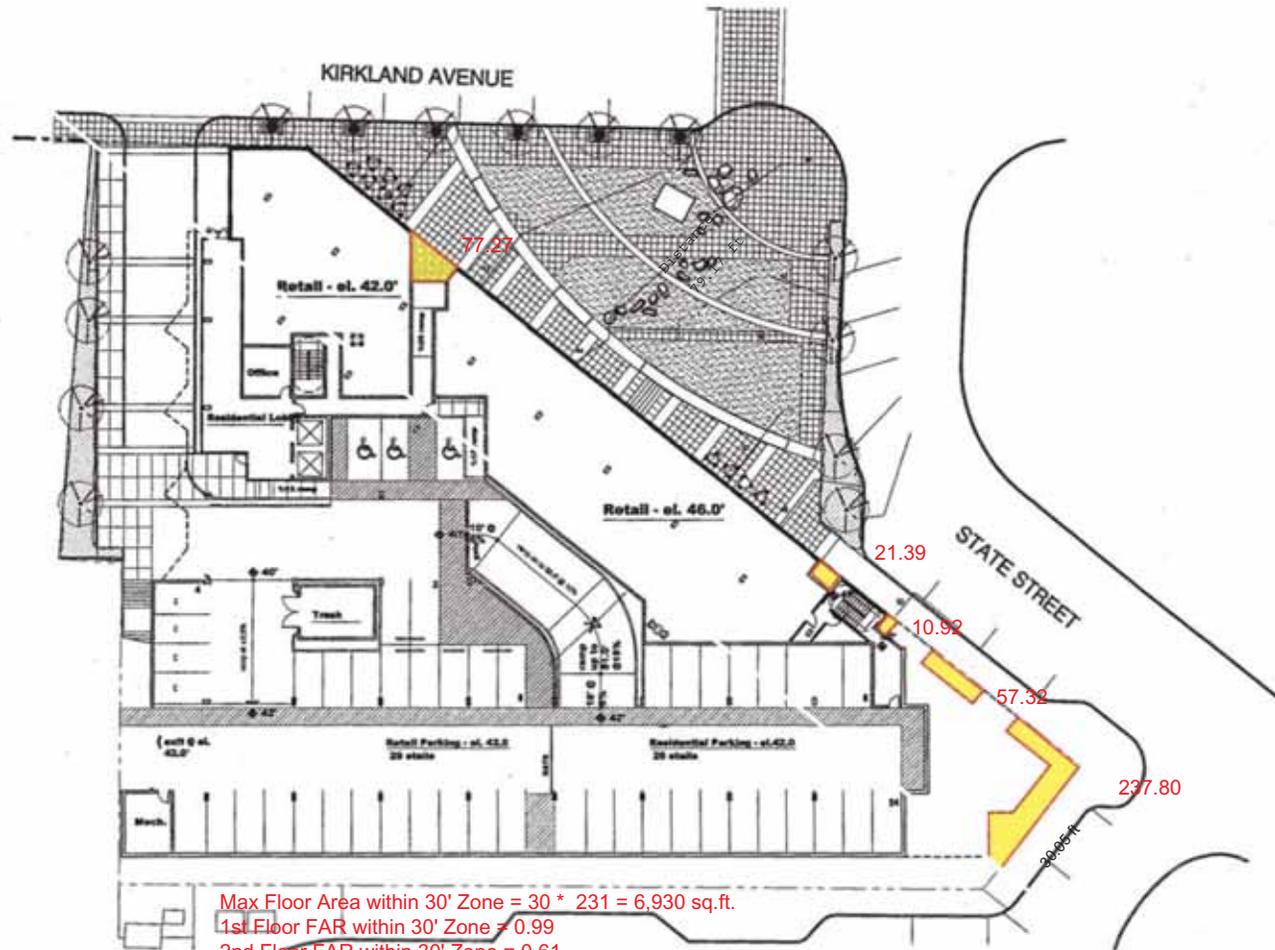
Kirkland Hotel at Third St. and Kirkland Avenue

CORBETT HOLT PROPERTIES, INC.

J/f
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Architecture and Planning
3131 EAST MADISON SUITE #300
SEATTLE, WA 98112
TEL 206.328.8900 FAX 206.328.7088

A2.07

KIRKLAND CENTRAL 1ST FLOOR



Max Floor Area within 30' Zone = $30' \times 231 = 6,930 \text{ sq. ft.}$
 1st Floor FAR within 30' Zone = 0.99
 2nd Floor FAR within 30' Zone = 0.61
 3rd Floor FAR within 30' Zone = 0.61
 4th Floor FAR within 30' Zone = 0.61
 5th Floor FAR within 30' Zone = 0.50
 Total FAR within 30' Zone = 3.32

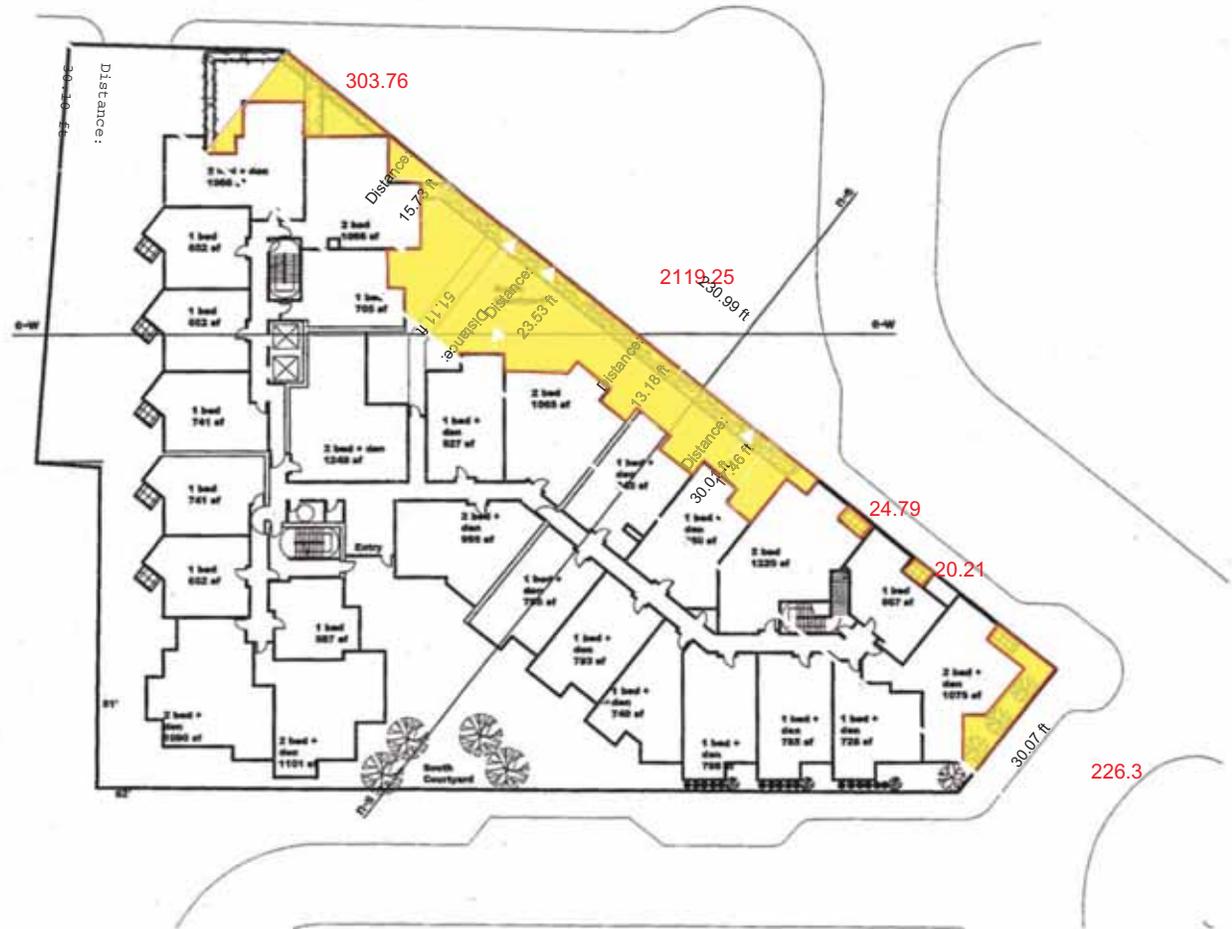
P2 Parking Level - el. 42'

75 State Street

MITHUN
Architectural Design & Planning



KIRKLAND CENTRAL 2ND TO 4TH FLOORS



Floors 2-4

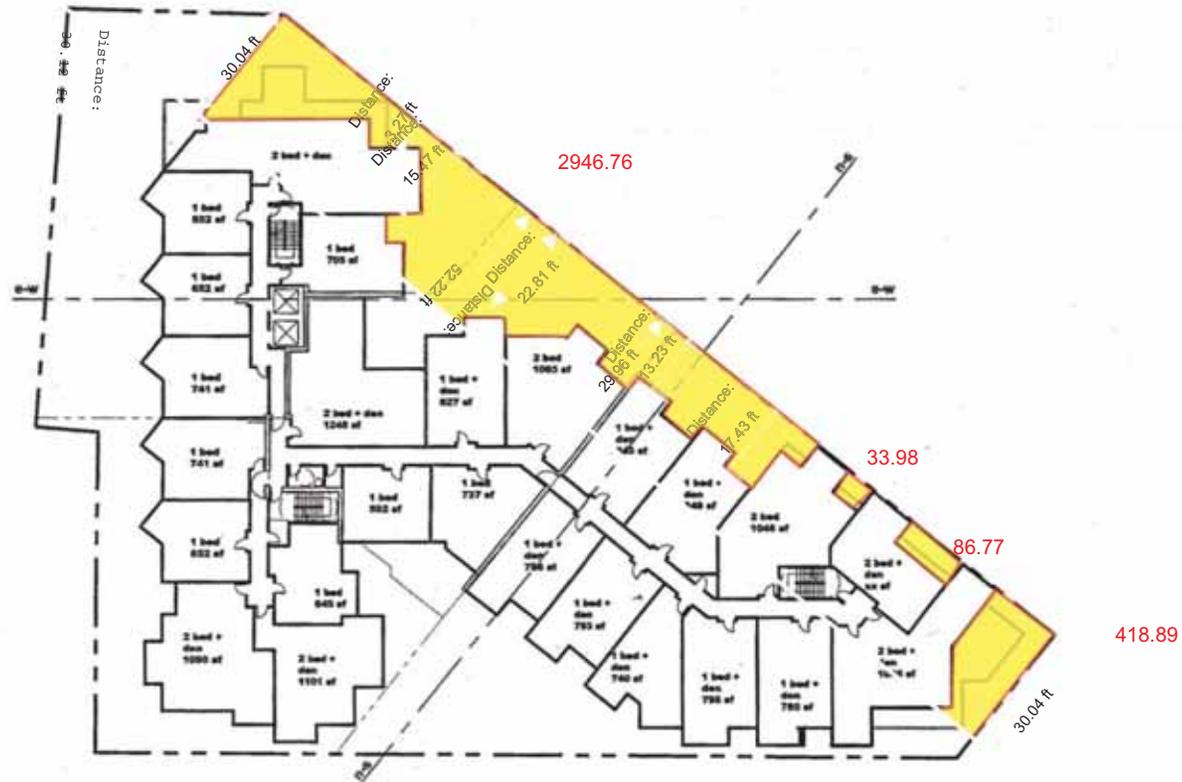
R1 Residential Level - el. 61'

75 State Street

MITHUN
Distance



KIRKLAND CENTRAL 5TH FLOOR

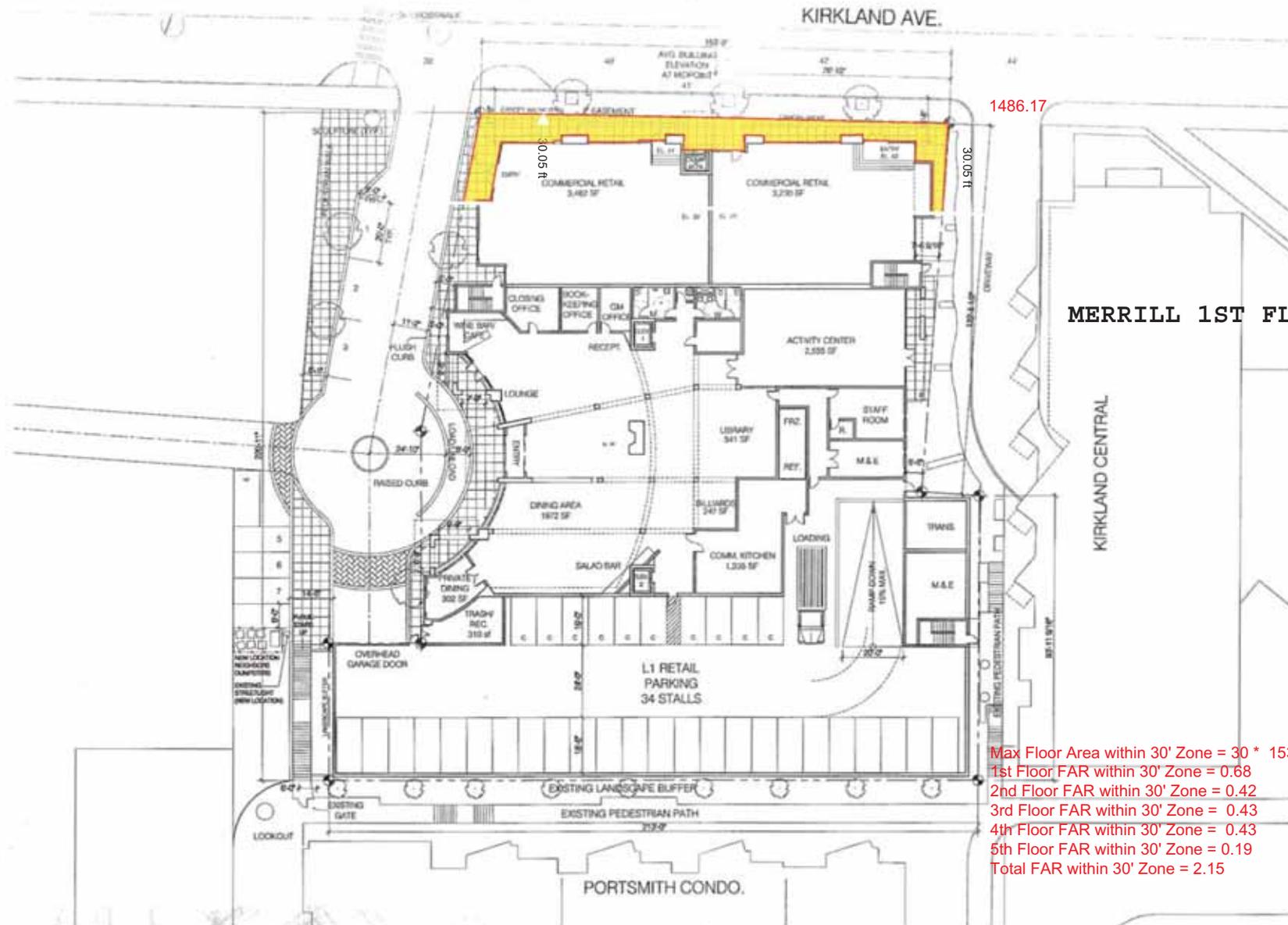


5th Floor

R4 Residential Level EL. 90.25'

75 State Street





MERRILL 1ST FLOOR

Max Floor Area within 30' Zone = 30 * 153.75 = 4,612.5 sq.ft.
 1st Floor FAR within 30' Zone = 0.68
 2nd Floor FAR within 30' Zone = 0.42
 3rd Floor FAR within 30' Zone = 0.43
 4th Floor FAR within 30' Zone = 0.43
 5th Floor FAR within 30' Zone = 0.19
 Total FAR within 30' Zone = 2.15

Merrill Gardens at Kirkland :

201 KIRKLAND AVENUE | OCTOBER 3, 2006

SCALE: 1/32" = 1'-0"



MERRILL GARDENS

SRM STONE RIVARD MCGONIGLE DEVELOPMENT, LLC



Sheet 4



Merrill Gardens at Kirkland : PLAN: L2

201 KIRKLAND AVENUE | OCTOBER 3, 2006



2613 sq.ft.



Merrill Gardens at Kirkland : PLAN: L3-4

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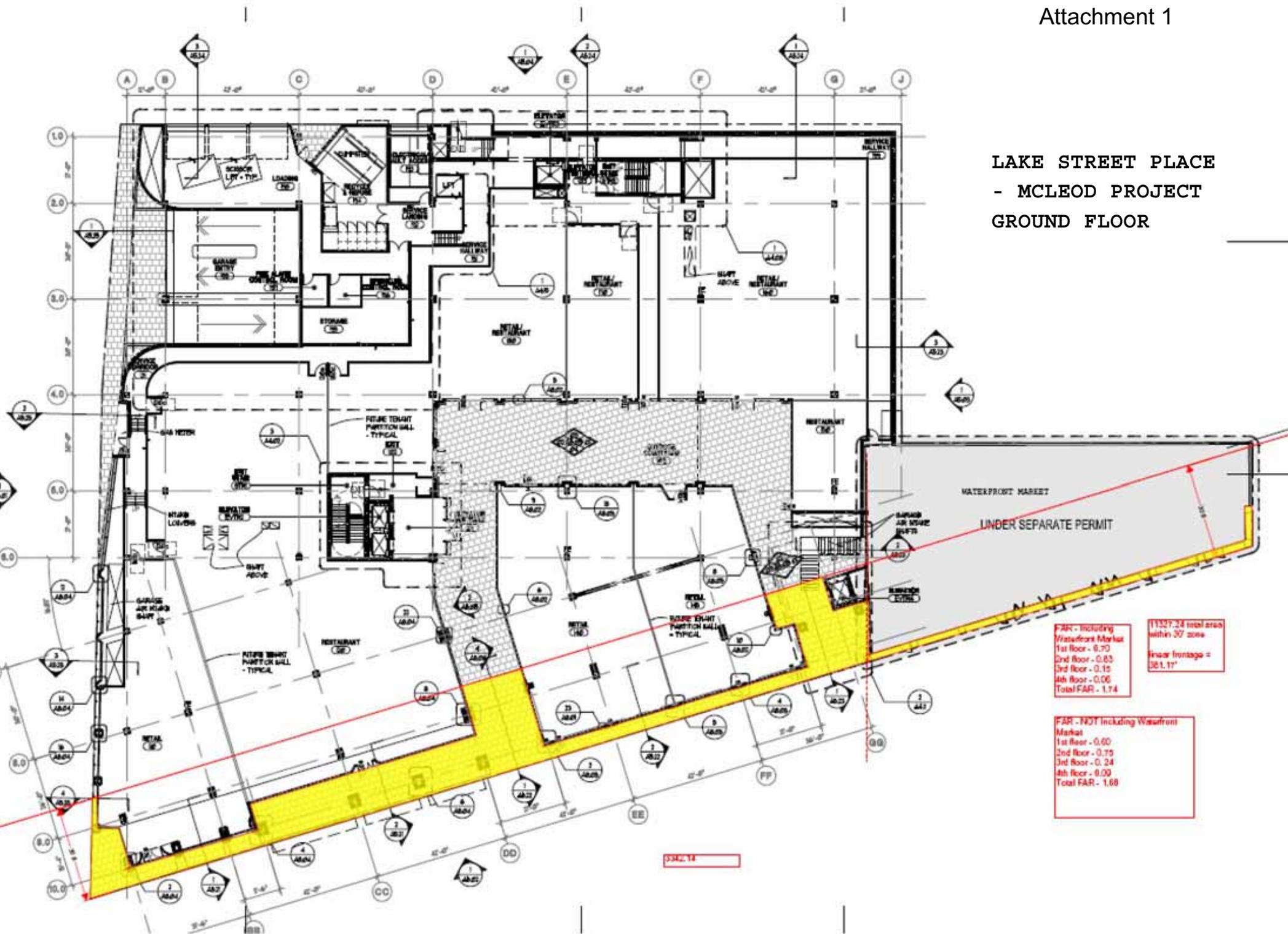


Merrill Gardens at Kirkland : PLAN: L5

201 KIRKLAND AVENUE | OCTOBER 3, 2006



LAKE STREET PLACE
 - MCLEOD PROJECT
 GROUND FLOOR



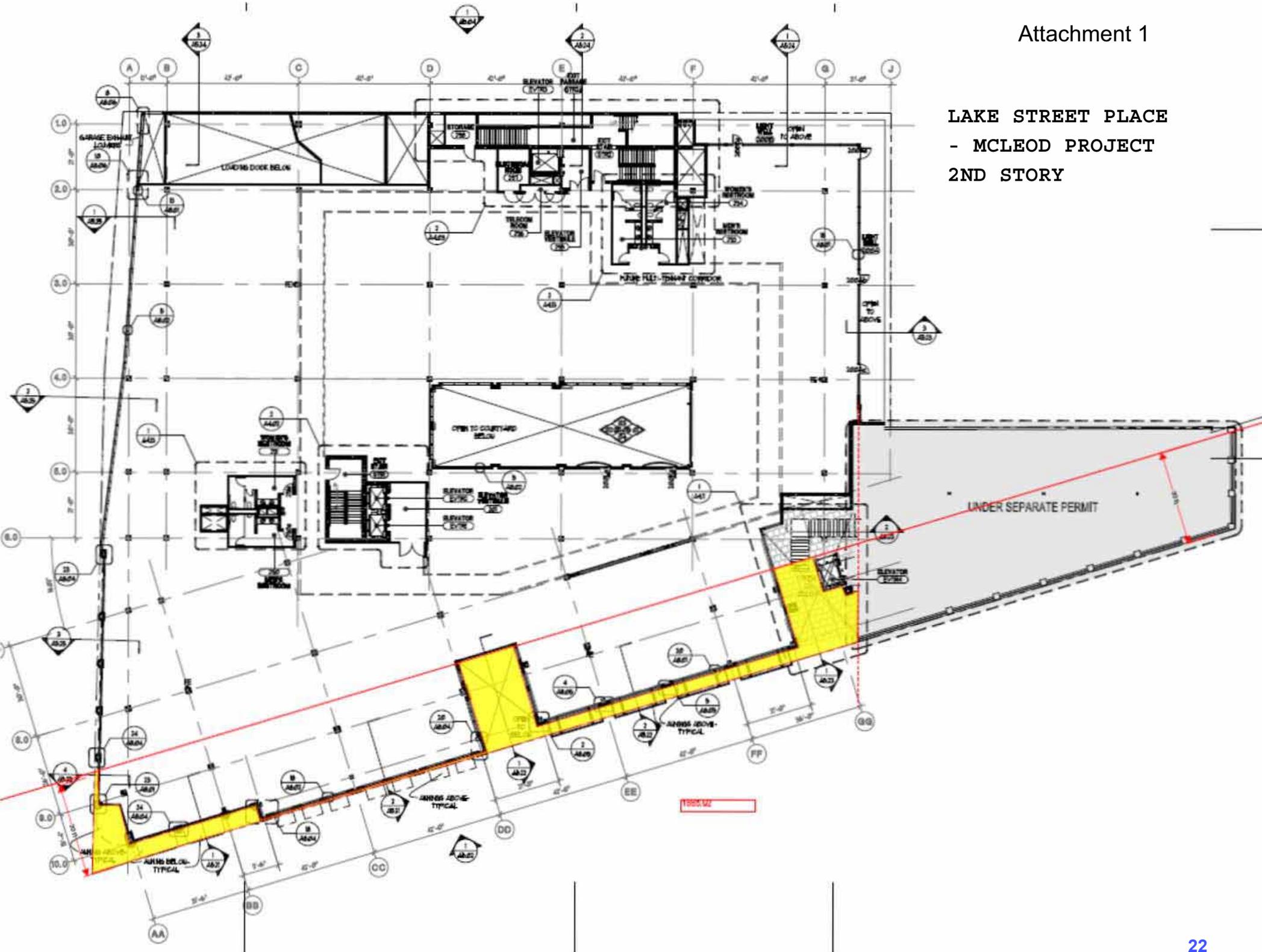
FAR - including
 Waterfront Market
 1st floor - 0.70
 2nd floor - 0.85
 3rd floor - 0.15
 4th floor - 0.06
 Total FAR - 1.74

11327.24 total area
 within 30' zone
 linear frontage =
 361.17'

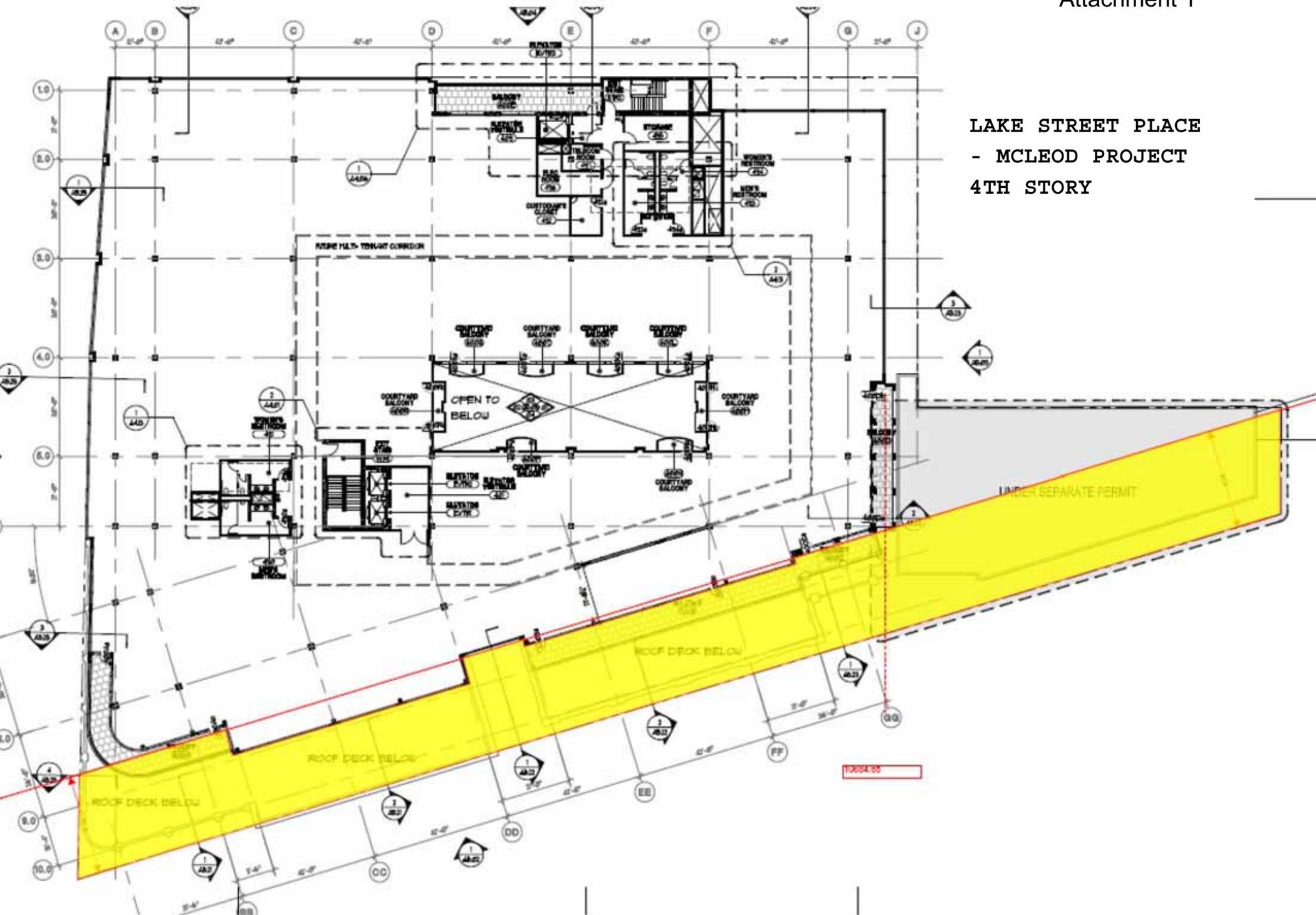
FAR - NOT including Waterfront
 Market
 1st floor - 0.60
 2nd floor - 0.75
 3rd floor - 0.24
 4th floor - 0.00
 Total FAR - 1.68

5342.14

LAKE STREET PLACE
- MCLEOD PROJECT
2ND STORY



LAKE STREET PLACE
- MCLEOD PROJECT
4TH STORY



PLANS | LEVEL C1 | C.3

R 1734

BANK OF AMERICA PROJECT
GROUND LEVEL

30' zone total area -
8793.37 sq.ft.



FAR

1st Floor:	0.59
2nd Floor:	0.55
3rd Floor:	0.38
4th Floor:	0.36
5th Floor:	0.12
Total:	2.0



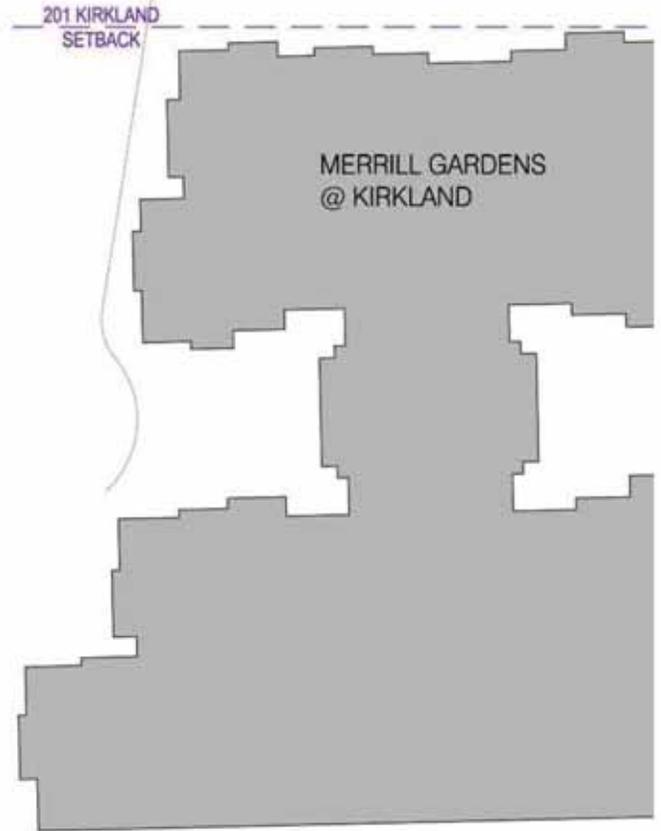
PLANS | LEVEL L3 | C.5

R-1721

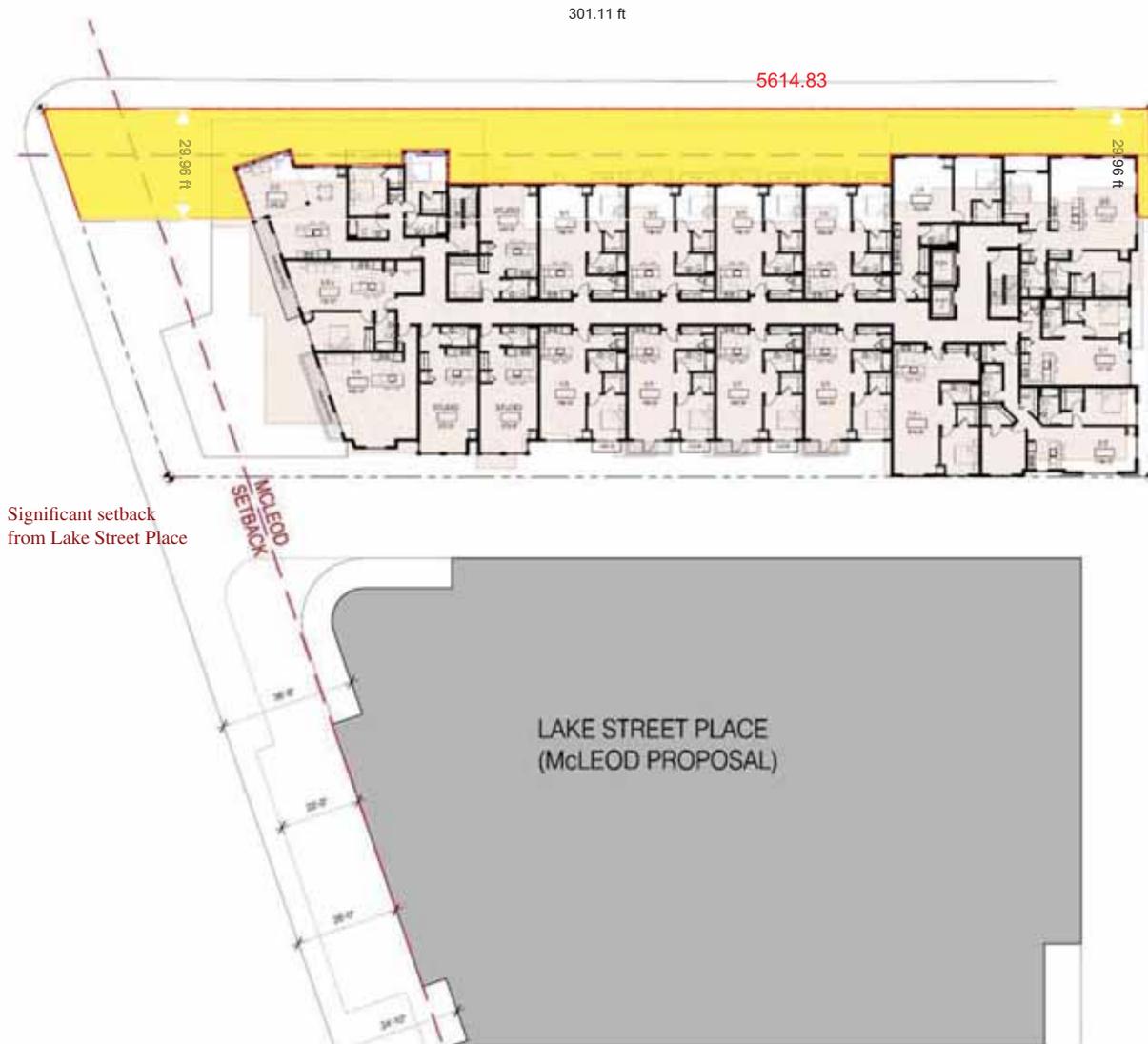
BANK OF AMERICA PROJECT
3RD STORY



Significant setback from Lake Street Place

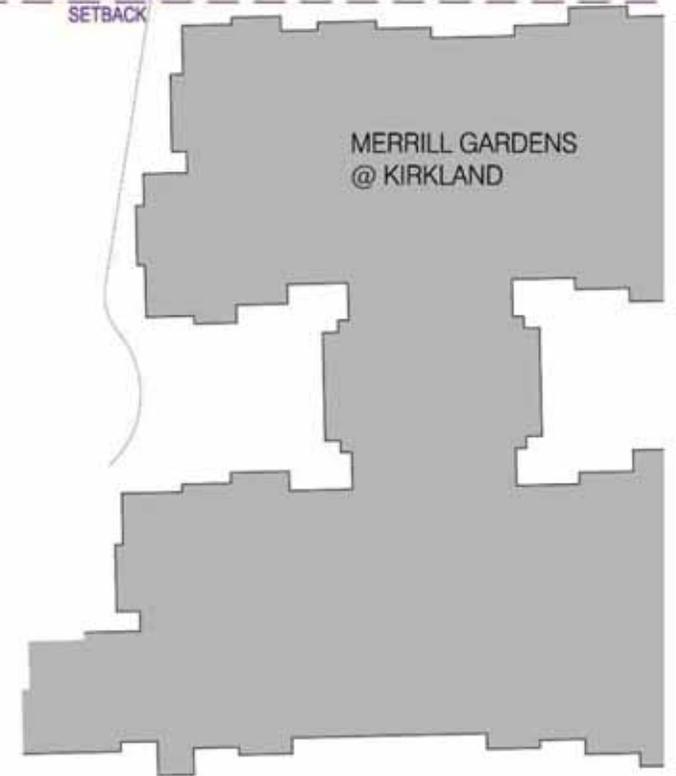


MODIFIED DESIGN:
BUILDING FOOTPRINT



**BANK OF AMERICA PROJECT
4TH STORY**

201 KIRKLAND
SETBACK



MERRILL GARDENS
@ KIRKLAND

MODIFIED
DESIGN:
BUILDING
FOOTPRINT

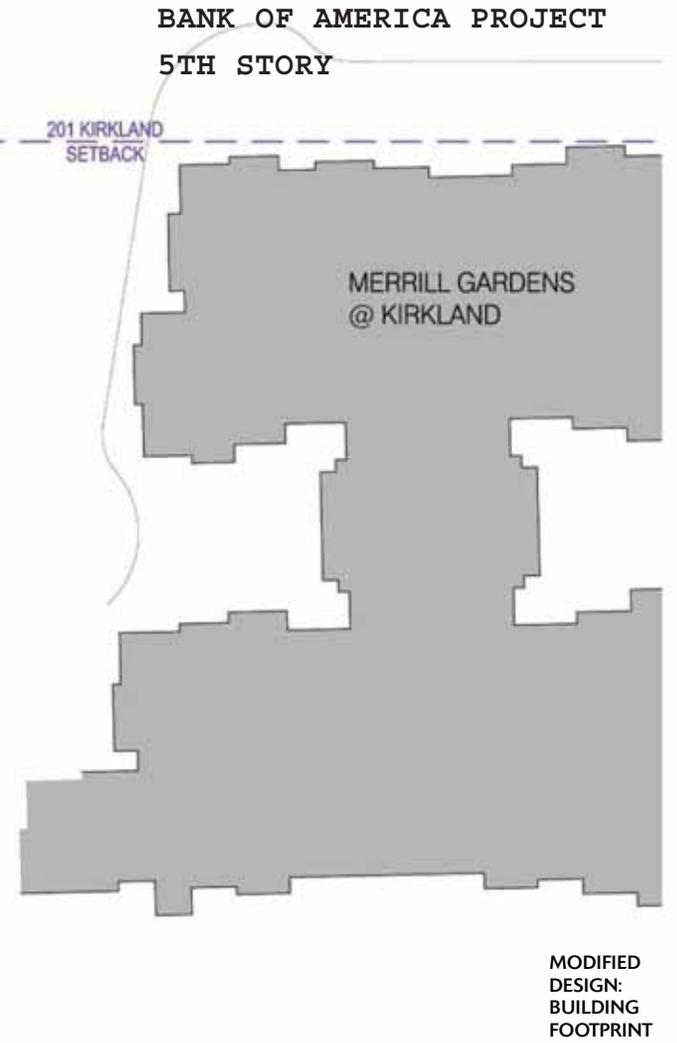
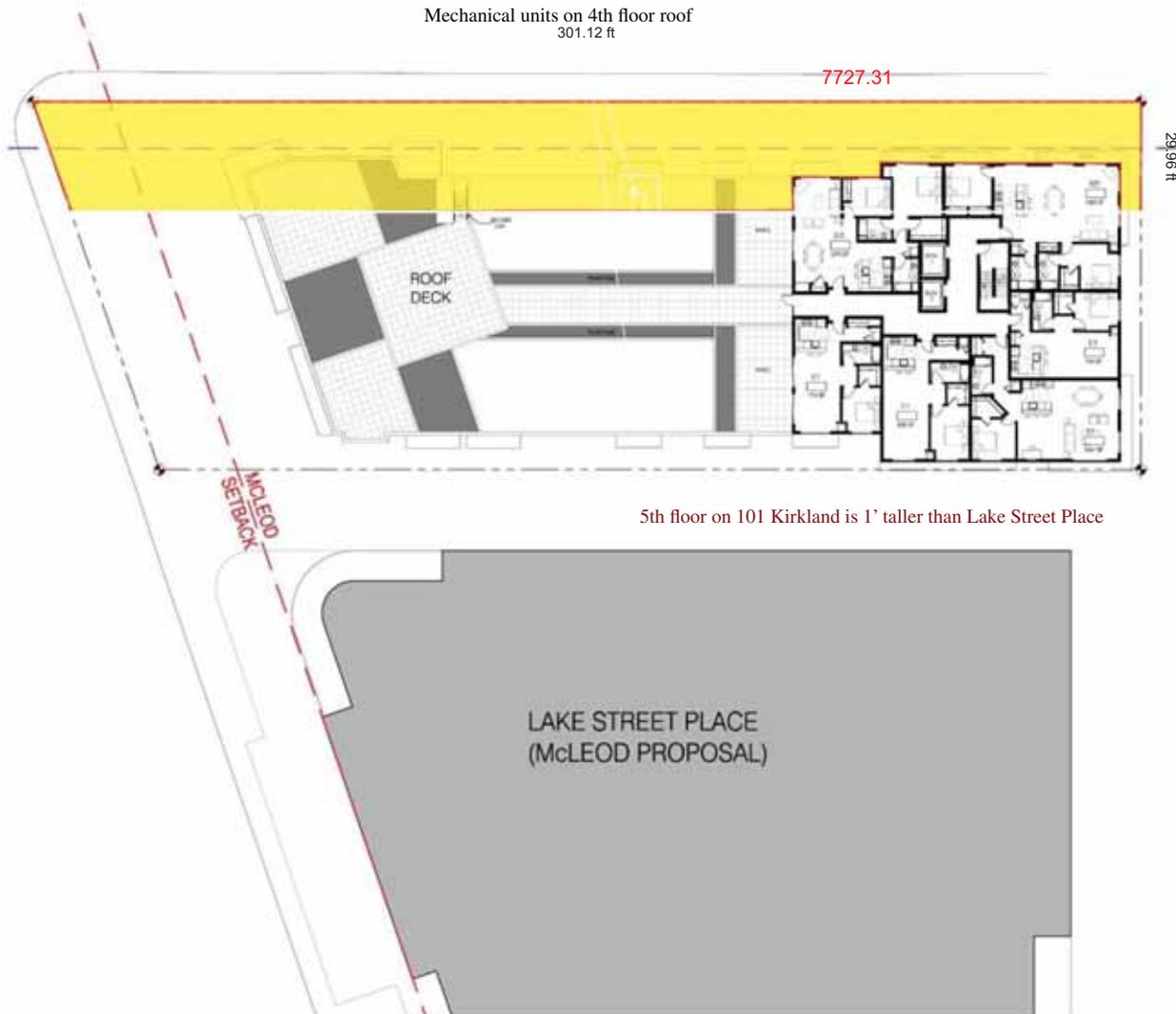


Table 1

SETBACKS WITHIN 30' ZONE

Project	Area within 30' zone	1ST STORY	2ND STORY	3RD STORY	4TH STORY	5TH STORY	AVERAGE ALL	AVERAGE ABOVE 2ND
Kirkland Central	6930.00	1.75	11.66	11.66	11.66	15.09	10.36	12.80
Heathman	5490.00	15.52	12.77	12.77	15.54	N/A	14.15	14.16
Merrill Gardens	4613.00	9.67	17.37	17.37	17.37	24.17	17.19	19.64
McLeod north	7521.00	12.24	7.79	22.89	27.33	N/A	17.56	25.11
McLeod all	11327.00	8.77	4.95	25.13	28.03	N/A	16.72	26.58
Bank of America	8793.00	12.00	13.21	18.24	18.65	25.67	17.55	20.85
PROJECT AVERAGE		10.24	12.56	16.59	18.11	21.64	15.36	18.51

Notes: averages use McLeod north example; Bank of America uses Kirkland Avenue frontage

Table 1

FAR WITHIN 30' ZONE

Project	Area within 30' zone	1ST STORY	2ND STORY	3RD STORY	4TH STORY	5TH STORY	AVERAGE ALL	AVERAGE ABOVE 2ND	FAR TOTAL ABOVE 2ND	TOTAL FAR IN 30' ZONE
Kirkland Central	6930.00	0.99	0.61	0.61	0.61	0.50	0.66	0.57	1.72	3.32
Heathman	5490.00	0.48	0.57	0.57	0.48	N/A	0.53	0.53	1.05	2.10
Merrill Gardens	4613.00	0.68	0.42	0.43	0.43	0.19	0.43	0.35	1.05	2.15
McLeod north		0.60	0.75	0.24	0.09	N/A	0.42	0.17	0.33	1.68
McLeod all	11327.00	0.70	0.83	0.15	0.06	N/A	0.44	0.11	0.21	1.74
Bank of America	8793.00	0.59	0.55	0.38	0.36	0.12	0.40	0.29	0.86	2.00
PROJECT AVERAGE		0.67	0.58	0.45	0.39	0.27	0.49	0.38	1.00	2.25

Notes: averages use McLeod north example; Bank of America uses Kirkland Avenue frontage