CITY OF KIRKLAND
PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
123 FIFTH AVENUE, KIRKLAND, WA 98033 425.587.3225
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MEMORANDUM

DATE: February 16, 2012

TO: Planning Commission

FROM: Jeremy McMahan, Planning Supervisor
Eric Shields, AICP, Planning Director

SUBJECT: Commercial Codes KZC Amendments, File No. ZON11-00042

RECOMMENDATION

Provide staff with direction on revised development standards for commercial codes. Based on Planning Commission direction, staff will prepare draft codes for consideration at a public hearing.

BACKGROUND

The Planning Commission has conducted three study sessions to scope the amendments and provide preliminary direction. At the February 9th meeting, the Commission invited public comment from interested parties regarding zoning and Comprehensive Plan standards guiding development of the BN zone on Lake Street South.

The current scope of the amendments directed by the Planning Commission is as follows:

1. KZC – Commercial Codes:

   - Measuring Ground Floor Commercial (BN, BNA, BC, BC 1, BC 2, BCX, MSC 2)
     - Defer to later phase - MSC 3, RH 8, NRH 1A, NRH 1B, RH 1A, RH 3, RH 5A, RH 5B, RH 7
   - Review Development Standards and Consider Density Limits (BN, BNA, MSC 2)
     - Decide if revised standards have applicability to BC, BCX, BC 1, BC 2 zones

2. Comprehensive Plan, Moss Bay Neighborhood Residential Market:

   - No Comprehensive Plan changes anticipated at this time

3. KZC - Miscellaneous Minor Commercial Code Amendments:

   - Codify provisions for encroachment of structural columns in parking spaces in garages
   - Use consistent terminology for gas stations and auto repair uses

- Correct special regulations for mini-schools and mini-daycares that reference out of date statutes
- Clarify land use buffer, required yards, and minimum lots size requirement in mixed use zones (including RM) to accommodate use changes in tenant spaces over time
- Allow coffee shop/deli retail/restaurant uses in PR zone

The current Commercial Codes work plan in included as Attachment 1.

Development Standards

The Commission has reviewed applicable Comprehensive Plan guidance on these commercial zones (see Attachment 2) and concluded that amendments to the Plan are not anticipated at this time. The next step is to identify specific potential changes to the development standards regulating development in these zones to ensure that they are creating desired outcomes. Attachment 3 provides a matrix of current development standard for the study zones. The last column in the matrix provides options for potential changes, many based on examples from other zones in Kirkland. The matrix is divided into two categories based on the scope outlined above. The first two pages outline all existing and potential development standards for the Neighborhood Business zones (BN, BNA, MSC 2). The third page outlines ground floor commercial standards for the Community Business zones (BC, BXC, BC 1, BC 2).

<u>Ground Floor Commercial Standards</u>

As noted in Attachment 3, all of the identified commercial zones establish a minimum ground floor commercial requirement of 75% percent of the total ground floor. The following flaws with this method have been discussed:

- It is arbitrary to dictate the amount of commercial solely based on the size of the structure being built.
- It may force more commercial space than the market will bear or the neighborhood desires.
- It does not adequately address other ground floor uses such as parking and residential.

The Commission agreed that the percentage of ground floor method should be replaced with one or a combination of the following three methods.

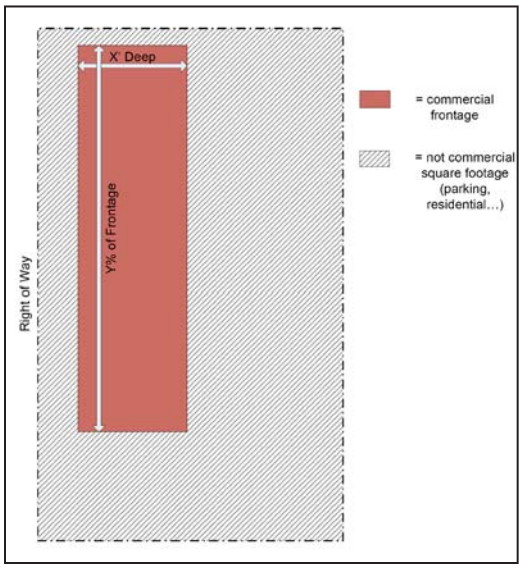
- Establish a minimum Floor Area Ratio (FAR) requirement for commercial space in new mixed use developments
- Establish a minimum commercial frontage requirement
- Establish maximum residential floor area as a percentage of the amount of ground floor commercial

The Commission also requested information on how neighboring jurisdictions regulate commercial space in similar zone. Attachment 4 provides a summary of Bellevue, Redmond, and King Council neighborhood business zones.

<u>Analysis of proposed methods:</u>

1. Minimum FAR for commercial space. This method would establish benchmark FARs for commercial sites and provide that, within all other parameters of the zone, mixed use projects must have a minimum amount of the ground floor devoted to commercial uses based the size of the parcel (for example, at FAR .25 a 10,000 s.f. site would provide a minimum of 2,500 s.f. of commercial space). Unlike existing regulations, this requirement would be for actual commercial floor area and not include parking. Many of the zones under discussion currently have developments that are between .20 and .25 FAR of commercial floor area. Attachment 5 is a map of the subject commercial zones illustrating the total existing FARs for each zone. The main strength of this approach is that it preserves commercial space at a predetermined level and is highly predictable. Previous discussion with the Commission suggested that the minimum FAR would only apply to new mixed use development.

2. Establish minimum depth and minimum frontage requirements. Some commercial codes already require that commercial uses be oriented to the street or sidewalk. This method would make that requirement more specific by requiring that a percentage of the property frontage provide a minimum depth of commercial (see diagram below). This is a common tool in the CBD zones to address placement of required commercial and creation of a pedestrian streetscape. Parking and residential uses on the site can be placed behind or beside the specified frontage. In zones with 20' front yards, the relation of the pedestrian to the building front is less direct compared to zones with 0' (CBD) or 10' (BNA) setbacks. This method is best used in cases where orientation to a sidewalk is intended to be a predominant characteristic of the development pattern.



Example of frontage requirement

3. Maximum residential floor area. This method would not directly regulate commercial floor area. Instead, it would restrict residential floor area as a maximum percentage of the commercial space provided (for example, at 100% maximum residential floor area, a site with 10,000 square feet of commercial space could have a maximum of 10,000 square feet of residential uses). This was a component of King County's approach to regulating the BN and BC zones prior to annexation. The County's Neighborhood Business zones on Finn Hill limited residential square footage to no more than 50% of the total project square footage. The main strength of

this approach is that it allows the property owner to decide how much commercial space the market will support but precludes redevelopment of a commercial site into a predominantly residential project. Actual ratios would need to be set on a case by case basis depending on land use objectives for the zone.

Public Comment

Attachment 6 provides copies of all public comment received since the February 9th study session. These emails were also forwarded directly to Planning Commissioners for review.

Attachments

1. Commercial Codes Work Plan
2. Comprehensive Plan Excerpts
3. Development Standards Matrix
4. Neighboring Jurisdiction Neighborhood Business Summary
5. FAR Map
6. Public Comment

COMMERCIAL CODES AMENDMENTS WORK PLAN (FILE ZON11-00042)

Draft 2/15/2012

Scope:

1. KZC – Commercial Codes:

   - Measuring Ground Floor Commercial (BN, BNA, BC, BC 1, BC 2, BCX, MSC 2)
     - Defer to later phase - MSC 3, RH 8, NRH 1A, NRH 1B, RH 1A, RH 3, RH 5A, RH 5B, RH 7
   - Review Development Standards and Consider Density Limits (BN, BNA, MSC 2)
     - Decide if revised standards have applicability to BC, BCX, BC 1, BC 2 zones

2. Comprehensive Plan, Moss bay Neighborhood Residential Market:

   - No Comprehensive Plan changes anticipated at this time

3. KZC - Miscellaneous Minor Commercial Code Amendments:

   - Make rules for residential and assisted living lobbies consistent (where residential use is limited/prohibited on the ground floor)
   - Make regulations for ground floor assisted living uses consistent with other residential use regulations
   - Codify provisions for encroachment of structural columns in parking spaces in garages
   - Use consistent terminology for gas stations and auto repair uses
   - Correct special regulations for mini-schools and mini-daycares that reference out of date statutes
   - Clarify land use buffer, required yards, and minimum lots size requirement in mixed use zones (including RM) to accommodate use changes in tenant spaces over time
   - Allow coffee shop/deli retail/restaurant uses in PR zone

Schedule:

10/27/11	Planning Commission Study #1
12/8/2011	Planning Commission Study #2
12/12/11	Council directs Planning Commission to review BN zoning and Lake St. S BN Comprehensive Plan
1/3/12	Council hearing on whether to extend BN moratorium
1/12/12	Brief Planning Commission on Council direction and results of 1/3/12 hearing
2/9/12	Planning Commission Study #3
2/23/12	Planning Commission Study #4

3/15/12	Send draft amendments to Dept. of Commerce
3/15/12	SEPA Issued
3/22/12	**Planning Commission Public Hearing**
4/12/12	Planning Commission Study #5 (Recommendation)
5/1/12	City Council Review
5/15/12	City Council Adoption
5/15/12	BN Moratorium Ordinance expires (6 months post adoption)
5/18/12	Send Adopted Regulations to Dept. of Commerce

Neighborhood Business Zone-Related Comprehensive Plan Excerpts

GENERAL ELEMENTS:

Land Use Element

Policy LU-3.2: *Encourage residential development within commercial areas.*
Residential development which is incorporated into commercial areas can provide benefits for businesses and residents alike. Housing within commercial areas provides the opportunity for people to live close to shops, services, and places of employment. Conversely, residents living within commercial areas create a localized market for nearby goods and services, provide increased security, and help to create a "sense of community" for those districts.

Land Use Element, pg VI-12:

...Currently, a hierarchy of "commercial development areas" exists in the City, based primarily on size and relationship to the regional market and transportation system (see Figure LU-2: Commercial Areas).

Some of Kirkland's commercial areas serve primarily the surrounding neighborhood; others have a subregional or regional draw. Most of the larger commercial areas are centered around major intersections. They depend on principal arterials, the freeway, or the railroad for goods transport and for bringing in workers or customers. Smaller commercial areas, Neighborhood Centers, for example, have a more localized draw. Residents depend on their neighborhood grocery store, dry cleaners, bank, etc., for everyday needs.

The Land Use Element provides general direction for development standards in commercial areas and describes the future of specific commercial areas in Kirkland. The following terms are used in the discussion of commercial land uses:

> **Urban Center**
> An Urban Center is a regionally significant concentration of employment and housing, with direct service by high-capacity transit and a wide range of land uses, such as retail, recreational, public facilities, parks and open space. An Urban Center has a mix of uses and densities to efficiently support transit as part of the regional high-capacity transit system.
> **Activity Area**
> An Activity Area is an area of moderate commercial and residential concentration that functions as a focal point for the community and is served by a transit center.
> **Business District**
> A Business District is an area that serves the subregional market, as well as the local community. These districts vary in uses and intensities and may include office, retail, restaurants, housing, hotels and service businesses.
> **Neighborhood Center** *(((South Rose Hill BN Zone)))*
> A Neighborhood Center is an area of commercial activity dispensing commodities primarily to the neighborhood. A supermarket may be a major tenant; other stores may include a drug store, variety, hardware, barber, beauty shop, laundry, dry cleaning, and

other local retail enterprises. These centers provide facilities to serve the everyday needs of the neighborhood. Residential uses may be located on upper stories of commercial buildings in the center.

Residential Market *(((Moss Bay BN Zone and RM Zone/Super 24 store)))*
A residential market is an individual store or very small, mixed-use building/center focused on local pedestrian traffic. Residential scale and design are critical to integrate these uses into the residential area. Uses may include corner grocery stores, small service businesses (social service outlets, daycares), laundromats, and small coffee shops or community gathering places.

Policy LU-5.9: Allow residential markets, subject to the following development and design standards:

- Locate small-scale neighborhood retail and personal services where local economic demand and local citizen acceptance are demonstrated.
- Provide the minimum amount of off-street parking necessary to serve market customers.
- Ensure that building design is compatible with the neighborhood in size, scale and character.

Economic Development Element, pg VIII-8-9

Policy ED-3.1: Promote economic success within Kirkland's commercial areas.

The Land Use Element sets forth the general land use development pattern for Kirkland's commercial areas. Consistent with each Neighborhood Plan there will be opportunities to strengthen commercial areas in the types of businesses provided and redevelopment opportunities. Following is a summary of the role of each commercial area.

- Totem Lake's role is an Urban Center that serves as a community and regional center for destination retailing, health care, automobile sales, high technology, light industrial, professional offices and housing.
- Downtown's role is an Activity Area that serves as a community and regional center for professional and government services, specialty retail, tourism, arts and entertainment, neighborhood services and housing.
- The Yarrow Bay and Carillon Point Business Districts provide corporate headquarters, professional offices, professional services, restaurants and housing.
- The Rose Hill Business District along NE 85th Street provides regional and neighborhood services in general retail, automobile sales, high technology, small office parks and housing.
- The North Rose Hill Business District provides both regional and neighborhood services, retail stores and housing.
- The Market, Juanita, Houghton and Bridle Trails Neighborhood Centers provide neighborhood retail stores, professional services, recreation and housing. *(((South Rose Hill BN Zone)))*
- The Everest and Norkirk Industrial Areas provide opportunities for small businesses in light industrial, manufacturing, wholesale, office and high technology. Within the Norkirk Industrial Area, environmentally sustainable technology and clean energy commerce is encouraged.

- The Residential Markets along Lake Washington Boulevard provide convenience commercial goods and services. *(((Moss Bay BN Zone and RM Zone/Super 24 store)))*

Implementation Strategies:

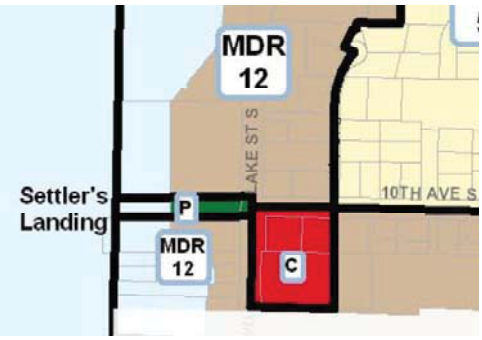
LU.6 (page XIV-5): Amend the Zoning Code as appropriate to establish standards for residential markets.

Appendix B (Glossary):

Residential Markets: Individual stores or very small, mixed-use buildings/centers focused on local pedestrian traffic. Residential scale and design are critical to integrate these uses into the residential area.

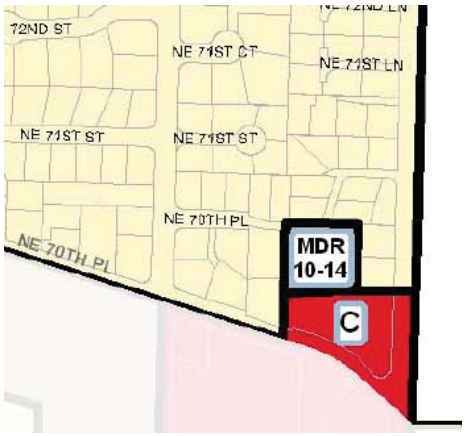
NEIGHBORHOOD PLANS

Moss Bay Neighborhood (BN Zone Potala Village Site):



Most of the land on the east side of Lake Street South appears to be unsuitable for commercial use because of steep slope conditions, as well as problems concerning vehicular ingress and egress. The southeast quadrant of the 10th Street South and Lake Street intersection, however, is developed with a market which serves as a convenience to the surrounding residences. Limited commercial use of this location, therefore, should be allowed to remain.

South Rose Hill Neighborhood (BN Zone Atcon Plaza Site):



Commercial development is permitted on the north side of NE 70th Street, across from the Bridle Trails Shopping Center. Medium density detached single-family residential development is also appropriate in the immediate vicinity.

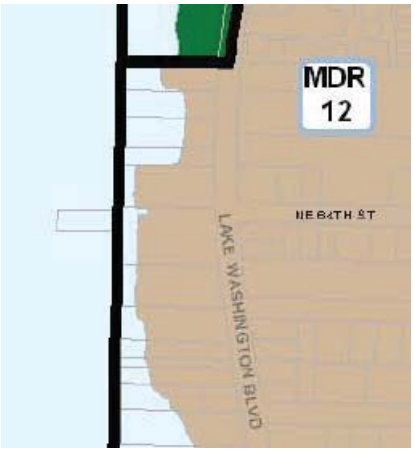
The northwest corner of NE 70th Street and 132nd Avenue NE contains a small-scale commercial development. Development should not extend into the surrounding low-density residential neighborhood, however. The northern boundary of the commercial area lies south of the existing single-family development along 132nd Avenue NE. The western boundary lies east of the existing single-family development along NE 70th Street. In the northwestern portion of the site, the boundary generally follows the toe of the existing slope. To mitigate impacts to the adjoining residential area, development is subject to the following standards:

(1) Commercial uses should be oriented to serving the neighborhood. Uses should not include vehicle service stations, drive-in businesses, auto service and sales, or storage facilities.

(2) Building height, bulk, modulation, and roofline design should reflect the scale and character of single-family development. Blank walls should be avoided.

(3) New structures should be substantially buffered from nearby low-density residential uses. Such buffering should consist of an earthen berm a minimum of 20 feet wide and five feet high at the center. In some places, the existing slope may replace the berm. The berm or slope should be planted with trees and shrubbery in sufficient size, number, and spacing to achieve a reasonable obstruction of views of the subject property. Alternatively, an equal or superior buffering technique may be used.

<u>Lakeview Neighborhood (RM 3.6 Super 24 Site):</u>



Policy L-7.4: ***Limit commercial activities north of NE 64th Street east of Lake Washington Boulevard.***
A convenience commercial grocery store located on Lake Washington Boulevard and NE 64th Street serves a localized need by providing limited grocery service to the surrounding residential neighborhood. Limited neighborhood commercial uses should be allowed to remain at this site and improvements should be encouraged to enhance its compatibility with surrounding residential uses and the scenic character of Lake Washington Boulevard. No further development of retail commercial facilities in this residential area should be permitted.

Development Standards for Neighborhood Business Family of Zones

*(key differences between zones are **bolded**)*

	BN (current)	BN (amendments)	BN (1) (current)	BN (1) (amendments)	BNA (current)	BNA (amendments)	MSC 2 (current)	MSC 2 (amendments)	Options (examples used in other zones)
Residential Density	None		None		None		None		• None • Medium density (1 unit per 3,600 sf) • High density (1/2,400[1], 1/1,800, 1/900[2])
Minimum Commercial Floor Area	75% of ground floor		75% of ground floor		75% of ground floor		75% of ground floor		• No change • Minimum commercial FAR • Maximum residential FAR as percentage of commercial provided • Minimum commercial frontage
Residential on Ground Floor of Structure	Prohibited		Prohibited		Prohibited		Prohibited		• No change • Allow subject to commercial requirements
Commercial Orientation	Toward arterial or sidewalk		Toward arterial or sidewalk		Toward arterial or sidewalk		Toward arterial or sidewalk		• No change • Minimum 13' ground floor height • Specify commercial floor to be at grade with street/sidewalk
Maximum Floor Area Ratio (FAR)	None		None		None		None		• No change • Maximum x% (similar to single family bulk limits)
Maximum Height	30'		30'		**35'**		30'		• No change • Measure from street level (like CBD) • Cap # of stories • Lower
Maximum Lot Coverage	80%		80%		80%		80%		• No change • 60% (similar to medium density zones) • 70% (similar to office zones)
Required Yards	**20' front**[3] 10' side & rear		20' front 10' side & rear		**10' front** 10' side & rear		20' front 10' side & rear		• No change • 0' (similar to ped. oriented business districts) • 10' (similar to BNA) • Reduce for ground floor only (similar to CBD 3 & 7) • Increase

[1] Similar to King County NB zone
[2] King County density adopted for BC 1 & BC 2 zones
[3] Required yard along Lake St S or LWB increased 2' for each 1' that the structure exceeds 25' (applies to RM & PR zones along Boulevard as well)

Development Standards for Neighborhood Business Family of Zones (cont.)

	BN (current)	BN (amendments)	BN (1) (current)	BN (1) (amendments)	BNA (current)	BNA (amendments)	MSC 2 (current)	MSC 2 (amendments)	Options (examples used in other zones)
Land Use Buffer	Retail=15' adjoining SF or MF Office=15' adjoining SF, 5' adjoining MF		Retail=20' adjoining SF, 15' adjoining MF Office=20' adjoining SF, 5' adjoining MF[4]		Retail=15' adjoining SF or MF Office=15' adjoining SF, 5' adjoining MF		Retail=15' adjoining SF or MF Office=15' adjoining SF, 5' adjoining MF		• No change • Make Retail & Office buffers consistent to allow change in use of tenant spaces o Increase office to 15' o Decrease retail to 5'
Maximum Retail/Restaurant Store Size	10,000 s.f. per establishment		10,000 s.f. per establishment		10,000 s.f. per establishment, **excludes grocery, drug, hardware…**		**4,000 s.f.** per establishment		• No change • 4,000 s.f. (similar to MSC 2 zone) • 3,000 s.f (similar to RM zone) *Examples:* • *Totem Lake Rite Aid = 11,000 s.f.* • *Brown Bag Café = 4,900 s.f.* • *Super 24 = 3,100 s.f.* • *Spud's – 1,500 s.f.*
Maximum Building Length[5]	None		None		None		None		• No change • Maximum 120' • Maximum 70' • Maximum 50'
Maximum Building Size	None		None		None		None		• No change • Select a desirable size (this type of regulation is not currently in use in Kirkland)
Review Process	None		**Process IIA**		None		**Design Review**		• None • Zoning Permit (with established standards & criteria) o Process I o Process IIA o Process IIB • Design Review (with established guidelines/regulations) o Administrative o Design Review Board

[4] 20' landscaped berm/topographic change required by (1) suffix
[5] Used in Design Regulations. Depending on Business District, regulations may require full building separation, a significant modulation break, or change in building definition and materials

Ground Floor Commercial Development Standards for Community Business (BC) Family of Zones

	BC (current)	BC (amendments)	BCX (current)	BCX (amendments)	BC 1 (current)	BC 1 (amendments)	BC 2 (current)	BC 2 (amendments)	Options
Minimum Commercial Floor Area	75% of ground floor		75% of ground floor		75% of ground floor		75% of ground floor		• No change • Minimum commercial FAR • Maximum residential FAR as percentage of commercial provided • Minimum commercial frontage
Residential on Ground Floor of Structure	Prohibited		Prohibited		Prohibited		Prohibited		• No change • Allow subject to commercial requirements
Commercial Orientation	Toward arterial or sidewalk		Toward arterial or sidewalk		Toward arterial or sidewalk		Toward arterial or sidewalk		• No change • Minimum ground floor height (13'-15') • Specify commercial floor to be at grade with street/sidewalk

	Bellevue NB	Redmond NC-1[1]	Redmond NC-2	King County	Kirkland BN & BNA
Residential density	15 units/acre	none	none	8-16 units/acre[2]	none
Residential location	Second floor and above	-	-	-	Second floor and above
Floor Area Ratio	For office only	.60[3] (.30 commercial, .30 residential)	.60[4] (.30 commercial, .30 residential)	1.0-2.0[5] (residential FAR maximum 50% of total FAR)	none
Allowed height	20'[6]	35'	35'	45'	30'
Lot coverage	80%[7]	70%	70%	85%	80%
Setbacks	none	15' front 10' side & rear	15' front 10' side & rear	10' front 20' side & rear	20' front BN 10' front BNA 10' side & rear
Commercial limits	3,000-5,000 s.f. per establishment, varies by use[8]	Max 3,500 s.f. per establishment[9]	Max 5,000 s.f. per establishment	none	10,000 s.f. per establishment[10]
Review process	none	none	none	none	none[11]

Redmond 21.14.015 Neighborhood Commercial 2 (NC-1)

Purpose. The purpose of the Neighborhood Commercial 1 (NC-1) zone is to provide for attractively designed small- scale shopping areas that offer convenience goods and professional and personal services for the daily needs of nearby neighborhoods and that serve as neighborhood gathering places. The intent is to ensure compatibility with the vicinity neighborhood character and to reduce trip length and frequency by allowing only those uses that primarily serve the neighborhood and that do not have a tendency to draw traffic from outside the neighborhood. Location on transit routes and near pedestrian facilities and bike paths is intended to encourage transit use, walking, and biking and to promote convenient access within the shopping area and to and from the neighborhood. Neighborhood Commercial developments should be compatible in height, size, bulk, and design with adjacent residential uses. Mixed-use development is encouraged.

[1] There are currently no NC 1 zoned properties in Redmond. This less intensive neighborhood commercial zone provides a rezone opportunity if a neighborhood or property owner desire these small scale neighborhood services in the future.

[2] Bonuses available to achieve up to 16 units/acre maximum

[3] Bonus commercial FAR available for open space, bonus residential FAR available for affordable housing & green building (maximum .66)

[4] Bonus commercial FAR available for open space, bonus residential FAR available for affordable housing & green building (maximum .80)

[5] Bonuses to 2.0 FAR available for mixed use and structured parking

[6] May be increased up to 15' if at least 75% of ground floor is structured parking , or may be increased to 30' if office or residential provided above (but not to exceed two stories

[7] Maximum 35% structure footprint

[8] Due to vacancies in struggling shopping centers, Bellevue is currently reevaluating size limits and uses in identified areas (File No 11-125521 AD)

[9] Public amenity bonuses up to 5,000 s.f.

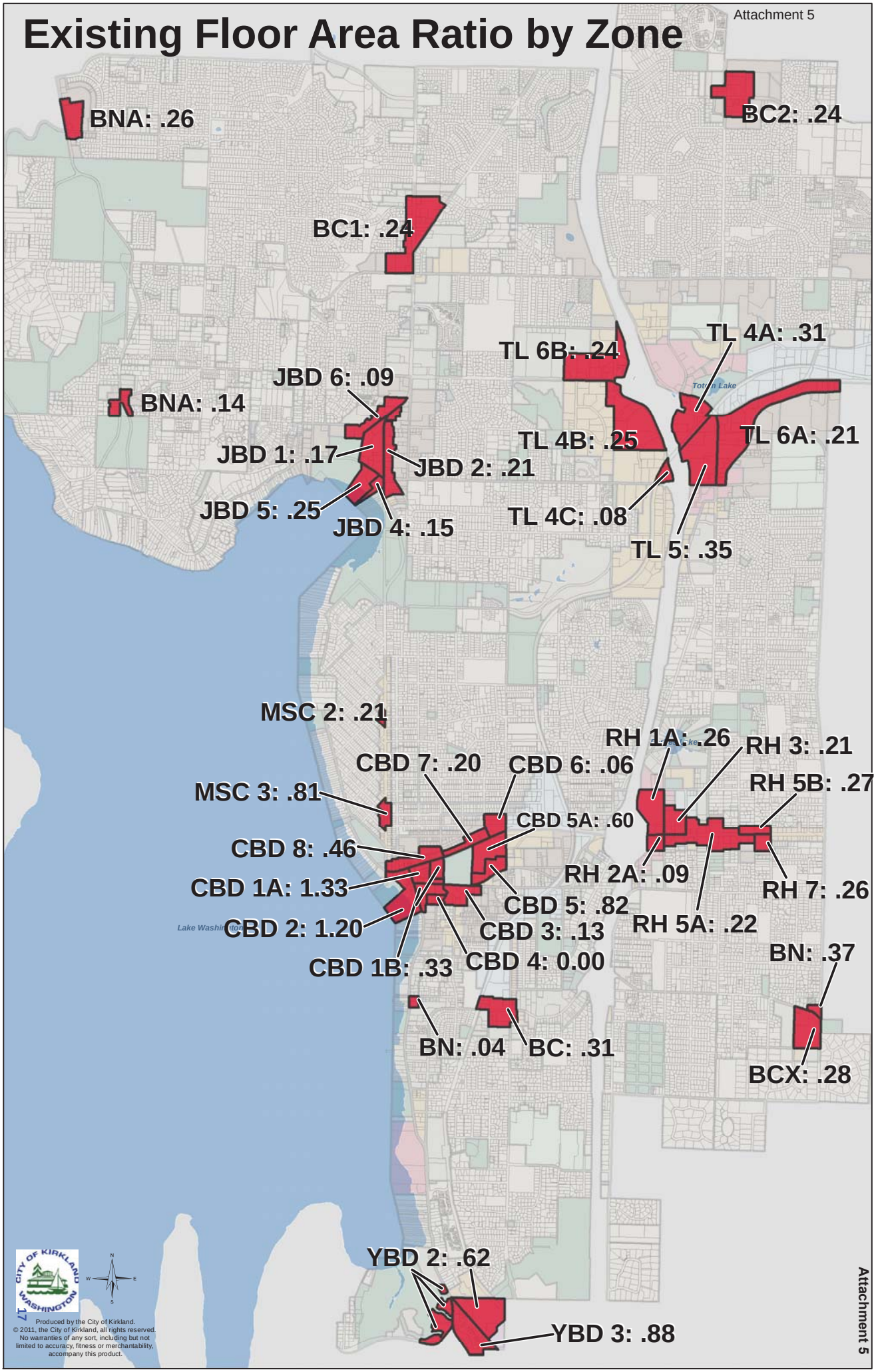
[10] Excluding grocery stores in BNA zone

[11] BN (1) subarea has Process IIA review for new development

Redmond 21.14.015 Neighborhood Commercial 2 (NC-2)
Purpose. The purpose of the Neighborhood Commercial 2 (NC-2) zone is to provide for attractively designed medium-scale shopping areas that offer convenience goods, professional and business services, and personal services for the daily needs of nearby neighborhoods and that serve as neighborhood gathering places. The intent is to promote compatibility with the vicinity neighborhood character. Location on transit routes and near pedestrian facilities and bike paths is intended to encourage transit use, walking, and biking and to promote convenient access within the shopping area and to and from the neighborhood. Neighborhood Commercial developments should be compatible in height, size, bulk, and design with adjacent residential uses. Mixed-use development is encouraged.

Bellevue 20.10.340 Neighborhood Business District (NB).
Neighborhood Business Districts are small scale, mixed-use commercial areas that provide housing opportunities and retail and service businesses for the surrounding residential community. These sites may also accommodate a limited amount of administrative office space, provided that the office use does not interfere with the site's primary neighborhood-serving function. NB Districts front on designated primary or minor arterials and are generally 1,000 feet or more apart along the arterials. It is the intent of the City that any such district be located adjacent to existing or proposed residential areas. The maximum size of an NB District, composed of contiguous properties and located on one side of a street, is four and one-half acres. The maximum size is expanded to six acres for NB sites separated by a street.

Existing Floor Area Ratio by Zone



Jeremy McMahan

From: Teresa Swan
Sent: Tuesday, February 14, 2012 1:56 PM
To: Jeremy McMahan
Subject: FW: Potala Village project

Jeremy:

Another comment email. I sent her a response and provided her with a link to the Potala Village web page.

Teresa

From: Lori Isch [mailto:lori.isch@usa.net]
Sent: Monday, February 13, 2012 6:02 PM
To: Teresa Swan
Subject: Potala Village project

Add me to the list of very concerned neighbors. There is no way this building is only 30 ft high – I would love to see something on that lot, but this is much too large.
Thank you!

Lori Isch
425.444.7321 cell
lori.isch@usa.net

Jeremy McMahan

From: Teresa Swan
Sent: Monday, February 13, 2012 11:41 AM
To: Eric Shields; Jeremy McMahan
Subject: FW: To the Planning Commission

Eric and Jeremy:

See letter from Bob Style. Did you receive this email? The subject is addressed to the Planning Commission.

Teresa

From: RLSTYLE@aol.com [mailto:RLSTYLE@aol.com]
Sent: Saturday, February 11, 2012 6:50 AM
To: Teresa Swan
Subject: Fwd: To the Planning Commission

An important PC meeting Thursday night.

I understand why 4 of the red shirts wanted to present a unified approach to the PC. They were excellent speakers. However, the PC needed to hear from everyone who wanted to speak. When I spoke at the end of the meeting, most of the audience including some of the 18 people wearing red shirts had left. Too bad. They and would have learned a lot.

The purpose of the Council directing the PC to take a second look at the BN zone is for damage control.

I am not confident all our excellent research will find its way to the Council. Even it does, I believe the Council would have to admit mistakes were made. They, the Planning Department and Public Works would be exposed to criticism and possibly bear the brunt of poor decisions and procedures. The Council can and will probably reestablish facts; after all, this is a political process. Ultimately, anything said at a public hearing can be used to justify whatever decisions are made.

The Commission and the Council might not consider the reason why all the property was zoned BN when in fact almost all (95%) of the property as multi-residential at 18 units per acre. ***To rezone all of the property*** when only a small (5%) portion falls within the BN designation is not justifiable. In an attempt to overlay the land us map (Page 9 of the Staff Memorandum dated 11/1/11), a map showing land use was drawn with circles instead of lot lines, the Planning Director administratively rezoned the entire property without a public hearing calling his

decision a "minor" one and within his authority to do so. The land use map was not definitive enough to make that decision.

Never mind that the number of trips from the Potala project were not added to the trips generated by the TOD at the South Kirkland Park & Ride when in fact the TOD traffic analysis was in the "pipeline" before the Potala project; yet, was excluded from the traffic analysis. Traffic data was manipulated.

At the TOD, our roads must accommodate 40 to 60 passengers loading and unloading every 15 minutes during peak hours getting into their cars and hopefully driving through Kirkland to get home. The Growth Management Act states that any land use decision that does not prevent further LOS degradation must either be mitigated or denied.

Never mind the public was censored from speaking on the concurrency requirements of the Growth Management Act thereby prevented the Planning Director from hearing all the facts before making his decision to exempt the project from further environmental review. It was only when his feet were held to the fire that the Planning Director realized he made a mistake and reversed his decision.

The LOS procedure needs to be revised to insure land use decisions are concurrent with the traffic impacts to protect those who already live here. It would be well within the PC authority to recommend to Council that the Growth Management Act should be complied with. Some Commissioner said that Density should be the ultimate deciding issue. He was only partly right. Traffic congestion has been a concern in almost every citizen survey by the city for the past 20 years.

The applicant passed out a revised (I think) photo of the proposed project. It showed 4 levels instead of three. Also, what the project proposes is more than just for the neighborhood. It reaches far beyond the NB designation. The PC should review the NB definition to insure it meets the needs of each neighborhood, not the entire city. Perhaps a project this large should be reviewed by the Design and Review Board.

A public hearing should be held on the 23st to insure the public is heard before the PC does the analysis needed to make an informed decision and before they make their recommendations to Council. Otherwise decisions will be made beforehand and public hearings will not be necessary except for protecting the Council's image

Bob Style

Jeremy McMahan

From: Teresa Swan
Sent: Monday, February 13, 2012 11:04 AM
To: Jeremy McMahan
Subject: FW: Potala Village Project

Hi Jeremy:

Here is a comment letter on Potala Village. Please forward to the Planning Commission.

Teresa

From: Daniel Martinec [mailto:danimar@microsoft.com]
Sent: Friday, February 10, 2012 9:52 PM
To: Teresa Swan; Eric Shields; Kurt Triplett
Subject: Potala Village Project

Dear city officials,
I was quite disturbed when I found out about the possibility of building such an unbecoming project as the Potala Village in my neighborhood. If this project is approved, downtown Kirkland will lose much of its beauty and uniqueness. The quality of living will go down for all of us living here or just visiting. No matter how nature friendly the project is presented on its website, the massive rise of the density in the area will have many consequences. There will be more traffic which will make it less attractive to be around and do activities such as running, walking, and biking. I am afraid that it is worse than just having this inappropriate building in my neighborhood. Allowing such a construction might open door for shifting the character of the downtown Kirkland from a scenic little town to a business center. Of all the people I talked about this none would want that. There is many business centers around such as in Bellevue, Redmond and Seattle.

I hope you will use your senses and power to protect the beauty and uniqueness of Kirkland which could never be retrieved if lost by allowing here an unfitting project as the Potala Village.

Sincerely,

--Daniel Martinec

5535 Lk Wa Blvd NE #205, 98033 Kirkland, cell phone # (425)533-5911

Jeremy McMahan

From: Teresa Swan
Sent: Wednesday, February 08, 2012 11:27 AM
To: Jeremy McMahan
Subject: FW: Potala project corner Lk WA Blvd & 10th Ave S.

Follow Up Flag: Follow up
Flag Status: Flagged

Jeremy

Here is comment email on Potala Village. Please forward onto the Planning Commission. I have responded to the email and sent you a copy.

Teresa

-----Original Message-----
From: jkfoster756@frontier.com [mailto:jkfoster756@frontier.com]
Sent: Tuesday, February 07, 2012 3:45 PM
To: Teresa Swan; Eric Shields; Kurt Triplett
Subject: Potala project corner Lk WA Blvd & 10th Ave S.

Please reconsider this project as it is way too DENSE. It will cause all kinds of problems with traffic, parking and the environment in general. Why allow this density when all neighboring developments much smaller??

Please put me down as a very concerned neighbor who would like to be a "party of record".

Thank you.

Joan Foster
756 State St. S. #A
Kirkland, WA 98033