

Comprehensive Plan Land Use, Capital Facility, and Transportation Amendments and Zoning and Municipal Code Amendments

Draft Supplemental Planned Action Environmental Impact Statement

MAY 2010





May 27, 2010

Subject: Comprehensive Plan Land Use, Capital Facility, and Transportation Amendments and Zoning and Municipal Code Amendments Draft Supplemental Planned Action Environmental Impact Statement (DSEIS)

Dear Interested Citizen:

On October 16, 2008, the City of Kirkland (City) completed the Downtown Area Planned Action Final Environmental Impact Statement (FEIS) addressing Parkplace and two other properties in its vicinity. This Draft Supplemental Planned Action Environmental Impact Statement (DSEIS) is a supplement to that 2008 FEIS.

The City is considering alternative locations for accommodating additional commercial growth in or near Downtown Kirkland (Downtown). The City previously studied additional employment growth and adopted ordinances approving the Touchstone (Parkplace) Private Amendment Request in 2008. This DSEIS has been prepared to review alternatives for growth on the Parkplace site to comply with a Central Puget Sound Growth Management Hearings Board order and State Environmental Policy Act (SEPA) Rules, which requires consideration of off-site alternatives for legislative actions and private rezones in some situations.¹

The City is reevaluating its previous approval of the Touchstone (Parkplace) Comprehensive Plan and Zoning and Municipal Code amendments using the additional information provided in this DSEIS. The City is also considering additional amendments to the Transportation and Capital elements of the Comprehensive Plan, and techniques that can be used to impose mitigation requirements on project applicants. Following consideration of this new information, the City may decide to reaffirm or modify its prior decision. Specifically, the Proposal studied in this DSEIS includes the following actions:

- Amend the City of Kirkland Comprehensive Plan and Kirkland Zoning and Municipal Codes to allow for 954,000 additional square feet of retail and office uses in or near Downtown.
- Amend the City of Kirkland Capital Facilities and Transportation Elements of the Comprehensive Plan to include all necessary capital improvements and a multi-year financing plan based on the 10-year transportation needs identified in the Comprehensive Plan, including those supporting Downtown growth.
- Approve a Planned Action Ordinance to facilitate future environmental review of selected properties in Downtown.

The City will also consider other implementing tools to ensure financing of transportation improvements. Such tools may take the form of a development agreement with one or more property owners consistent with RCW 36.70B.170, or a similar technique.

¹ See WAC 197-11-440 (5)(d), as well as Central Puget Sound Growth Management Hearings Board Case, *Davidson Serles v. City of Kirkland* (October 5, 2009), Case No. 09-3-0007c.

The DSEIS alternatives would vary the location of additional growth in Downtown. The DSEIS Alternatives are additional options to those considered in the 2008 FEIS. The DSEIS alternatives not previously studied in the 2008 FEIS include a Superblock Alternative, Unified Ownership Alternative, and Off-Site Alternative. In addition, the DSEIS compares the three new alternatives to the same No Action Alternative studied in 2008. It should be noted that the new alternatives do not constitute specific development proposals. No applications have been submitted, and the new alternatives do not presume to reflect the intentions of individual property owners or the availability of specific properties. Rather, the new alternatives hypothesize how additional office and retail growth could possibly be located in and near Downtown.

Affected agencies, tribes, and members of the public are invited to comment on this DSEIS. Comments may be provided in writing. Written comments should be directed to the contact person at the address identified below or may be submitted electronically to aruggeri@ci.kirkland.wa.us no later than **5:00 p.m., June 28, 2010**.

Angela Ruggeri, AICP, Senior Planner
Department of Planning and Community Development
City of Kirkland
123 5th Avenue
Kirkland, WA 98033

In addition, the City will hold a public hearing to obtain comments on the DSEIS and proposed legislation as follows:

Planning Commission Public Hearing
Thursday, June 24, 2010
7:00 p.m. (or as soon thereafter as possible)
City Council Chambers
123 5th Avenue
Kirkland, WA 98033

The City may also conduct study sessions before the hearing and deliberation sessions after the hearing. Please see the City website for the Planning Commission schedule and any updates:
http://www.ci.kirkland.wa.us/depart/Planning/Planning_Commission.htm.

Should you have questions, please contact Angela Ruggeri at the address above or by phone at (425) 587-3256

Sincerely,



Eric Shields, AICP, Director
Department of Planning and Community Development
SEPA Responsible Official

**COMPREHENSIVE PLAN LAND USE, CAPITAL FACILITY,
AND TRANSPORTATION AMENDMENTS AND ZONING
AND MUNICIPAL CODE AMENDMENTS
DRAFT SUPPLEMENTAL PLANNED ACTION
ENVIRONMENTAL IMPACT STATEMENT**

PREPARED FOR:

City of Kirkland
123 Fifth Avenue
Kirkland, Washington 98033
Contact: Angela Ruggeri, AICP, Senior Planner
425/587-3256

PREPARED BY:

ICF International
710 Second Avenue, Suite 550
Seattle, WA 98104
Contact: Lisa Grueter, AICP
206/801-2816

May 2010



ICF International. 2010. Comprehensive Plan Land Use, Capital Facility, and Transportation Amendments and Zoning and Municipal Code Amendments Draft Supplemental Planned Action Environmental Impact Statement. May. (ICF 00182.10.) Seattle, WA. Prepared for City of Kirkland, Kirkland, WA.

Project Title

Comprehensive Plan Land Use, Capital Facility, and Transportation Amendments and Zoning and Municipal Code Amendments Draft Supplemental Planned Action Environmental Impact Statement (DSEIS)

Proposal and Alternatives

The City of Kirkland (City) is considering alternative locations for accommodating additional commercial growth in or near Downtown Kirkland (Downtown). The City previously studied additional employment growth and adopted ordinances approving the Touchstone (Parkplace) Private Amendment Request in 2008. This DSEIS has been prepared to review alternatives for growth on the Parkplace site to comply with a Central Puget Sound Growth Management Hearings Board order and its interpretation of the State Environmental Policy Act (SEPA) Rules, which requires consideration of off-site alternatives for legislative actions and private rezones in some situations.¹

The City is reevaluating its previous approval of the Touchstone (Parkplace) Comprehensive Plan and Zoning and Municipal Code amendments using the additional information provided in this DSEIS. The City is also considering additional amendments to the Transportation and Capital elements of the Comprehensive Plan, and techniques that can be used to impose mitigation requirements on project applicants. Following consideration of this new information, the City may decide to reaffirm or modify its prior decision. Specifically, the Proposal studied in this DSEIS includes the following actions:

- Amend the City of Kirkland Comprehensive Plan and Kirkland Zoning and Municipal Codes to allow for 954,000 additional square feet of retail and office uses in or near Downtown.
- Amend the City of Kirkland Capital Facilities and Transportation Elements of the Comprehensive Plan to include all necessary capital improvements and a multi-year financing plan based on the 10-year transportation needs identified in the Comprehensive Plan, including those supporting Downtown growth.
- Approve a Planned Action Ordinance to facilitate future environmental review of selected properties in Downtown.

The City will also consider other implementing tools to ensure financing of transportation improvements. Such tools may take the form of a development agreement with one or more property owners consistent with RCW 36.70B.170, or a similar technique.

The DSEIS alternatives would vary the location of additional growth in Downtown. The location of the alternative would, in turn, determine the type of Comprehensive Plan Land Use, Zoning, and other plan and regulatory amendments that may be required. The DSEIS Alternatives are additional options to those considered in the Downtown Area Planned Action Ordinance Final Environmental Impact Statement (FEIS) (2008).

¹ See WAC 197-11-440 (5)(d), as well as Central Puget Sound Growth Management Hearings Board Case, *Davidson Serles v. City of Kirkland* (October 5, 2009), Case No. 09-3-0007c.

The DSEIS alternatives not previously studied in the 2008 FEIS include a Superblock Alternative, Unified Ownership Alternative, and Off-Site Alternative. In addition, the DSEIS compares the three new alternatives to the same No Action Alternative studied in 2008.

Superblock Alternative

This reduced intensity alternative spreads the development throughout the “Superblock” located between Central Way, 6th Street, Kirkland Way, and Peter Kirk Park. This is considered an on-site alternative since development amount, intensity, height and bulk would also be commensurately reduced on the Parkplace site compared to 2008 FEIS Alternatives. The growth on the Parkplace site alone would still increase above the No Action Alternative, but the increase would be less at approximately 482,000 square feet instead of 954,000. The remainder of the square footage increase, or 472,000 square feet, would be spread to the area on the Superblock south of Parkplace. This alternative would designate the block as a Planned Action.

Unified Ownership Alternative

This alternative locates additional growth on Parkplace and the Post office sites. For purposes of the SEIS, the Unified Ownership Alternative is considered an on-site alternative, which also includes some off-site development. The level of growth on Parkplace is similar to the Superblock Alternative and less than the 2008 FEIS Alternatives at about 482,000 square feet of office and retail uses above the No Action Alternative. Development amount, intensity, height, and bulk would also be reduced on the Parkplace site compared to 2008 FEIS Alternatives. The Post Office site would redevelop to contain 472,000 square feet of office and retail uses above the No Action Alternative. Each site is in single ownership which would make it easier to coordinate master planning and amenities on the two sites. This alternative would designate the Parkplace portion of the alternative as a Planned Action.

Off-Site Alternative

This alternative would allow Parkplace to develop consistent with the No Action Alternative and spread the 954,000 square feet increase to other blocks in and near the Downtown including two blocks north of Parkplace across Central Way and one block west of Peter Kirk Park. This alternative would not designate the site(s) as a Planned Action.

No Action Alternative

For purposes of comparison, the No Action Alternative assumes growth consistent with the 2008 Comprehensive Plan and Zoning Code for the blocks under study to the year 2022. It is the same No Action Alternative considered in 2008, with the information provided by study block to match the action alternatives studied in the 2010 SEIS.

The new alternatives were identified with the aid of the Commercial Growth Alternatives Site Selection Study (Appendix A) conducted in May 2010. It should be noted that the new alternatives do not constitute specific development proposals. No applications have been submitted, and the new alternatives do not presume to reflect the intentions of individual property owners or the availability of specific properties. Rather, the new alternatives hypothesize how additional office and retail growth could possibly be located in and near Downtown.

Location

The **Superblock Alternative** is bounded by Central Way on the north, 6th Street on the east, Kirkland Way on the south, and Peter Kirk Park on the west.

The **Unified Ownership Alternative** consists of two separate properties south of Central Way, the Parkplace site at 457 Central Way, and the Post Office site located at 721 4th Avenue.

The **Off-Site Alternative** would spread the additional commercial growth to multiple other sites in and near the Downtown including the Substation Block, CBD-7 Block, and CBD-1B Core Block. These blocks are located as follows:

- The Substation Block is located northeast of the Superblock. The Substation Block is bounded by 7th Avenue on the north, 8th Street on the east, NE 85th Street on the south, and 6th Street on the west.
- The CBD-7 Block is located generally northwest of the Superblock. The CBD-7 Block is bounded by an alley between Central Way and 4th Avenue on the north, 5th Street on the east, Central Way on the south, and 3rd Street on the west.
- The CBD-1B Core Block is located west of Peter Kirk Park and the Superblock. The CBD-1B Block is bounded by Central Way to the north, 3rd Street to the east, the alley dividing the block between Park Lane and Kirkland Avenue on the south, and Main Street on the west.

Proponent

City of Kirkland

Lead Agency

City of Kirkland

Responsible Official

Eric Shields, AICP, Director
Department of Planning and Community Development
City of Kirkland
123 Fifth Avenue
Kirkland, WA 98033
(425) 587-3226

Contact Person

Angela Ruggeri, AICP, Senior Planner
Department of Planning and Community Development
City of Kirkland
123 Fifth Avenue
Kirkland, WA 98033
(425) 587-3256

Required Approvals

Once the City has considered additional alternatives, it may choose to re-adopt the 2008 ordinances, amend the 2008 ordinances, or approve a different alternative. As legislative items, the Kirkland Planning Commission has authority to make recommendations on re-adoptions or amendments or alternative courses of action. The City Council has the authority to approve re-adopted, amended, or new ordinances. The following types of legislation may be considered for re-adoption, amendment, or new action:

- Amendments to the City of Kirkland Comprehensive Plan elements and land use map.
- Amendments to City of Kirkland Zoning Code and Zoning Map.
- Amendments to the design guidelines in the Kirkland Municipal Code.

As well, the City may readopt, amend, or adopt a new planned action ordinance for a selected alternative. The City may also consider other implementing tools such as a development agreement.

In addition, the State of Washington Department of Commerce reviews proposed Comprehensive Plan and development regulation amendments during a 60-day review period prior to adoption. The Puget Sound Regional Council reviews transportation element amendments for consistency with regional plans.

SEIS Authors and Principal Contributors

Principal Authors

ICF International
710 Second Avenue, Suite 550
Seattle, WA 98014
(206) 801-2816

Contributing Authors

Weinman Consulting, LLC
9350 S.E. 68th Street
Mercer Island, WA 98040
(206) 295-0783
(SEPA compliance)

Fehr and Peers
11410 NE 122nd Way Suite 320
Kirkland, WA 98034-6927
(425) 820-0100
(Transportation model and cost estimates)

Date of Draft SEIS Issuance

May 27, 2010

Date Comments Due

June 28, 2010

Public Comment

Affected agencies, tribes, and members of the public are invited to comment on this DSEIS. Comments may be provided in writing. Written comments should be directed to the contact person at the address identified below or may be submitted electronically to aruggeri@ci.kirkland.wa.us no later than **5:00 p.m., June 28, 2010**.

Angela Ruggeri, AICP, Senior Planner
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Date of Implementation

The date of anticipated implementation of the Comprehensive Plan, Zoning and other plan and regulatory changes is October 2010. Phased development on individual sites would follow necessary permit approvals.

Previous Environmental Documents and Adoption

On October 16, 2008, the City completed the Downtown Area Planned Action FEIS addressing Parkplace and two other properties in its vicinity. This DSEIS is a supplement to that 2008 FEIS.

On October 15, 2004, the City issued an FEIS for the proposed City of Kirkland Comprehensive Plan. That document addresses future growth throughout the City and its planning area, including Downtown—which is the focus of this SEIS—as well as Totem Center, which is referenced in proposed amendments to the City's capital facilities and transportation elements. Subsequent SEPA addenda and checklists relevant to redevelopment of the Totem Lake Mall in the Totem Center area include:

- Zoning Code, Zoning Map and Municipal Code Amendments, EIS Addendum, for TL 4-TL 11 Zones (not including TL 9), issued on October 24, 2004, File ZON04-00020,

- Hart Private Amendment Request issued on January 17, 2008, File ZON06-00019,
- TL 9 Zoning Implementation issued on January 17, 2008, File ZON07-00023,
- Zoning Code amendments to the TL 6A zone for affordable housing, issued on May 13, 2009, File ZON09-00006, and
- Amendments to the Zoning Code and Municipal Code for affordable housing incentives and requirements, issued on November 18, 2009, File ZON09-00005.

In addition, other SEPA environmental addenda and checklists for non-project actions since issuance of the 2008 FEIS have addressed the following:

- Commute Trip Reduction Plan, issued on July 11, 2008,
- Active Transportation Plan, issued on February 4, 2009,
- LSM and Cottage Housing Zoning and Municipal Code Amendments, issued on July 14, 2008, File No. ZON08-00007,
- Costco Wholesale Private Amendment Request to RH 1B zone issued on September 29, 2008, File ZON07-00017,
- South Kirkland Park and Ride – City-Initiated Amendments to support Transit-Oriented-Development (TOD) issued on October 22, 2008, File ZON08-00002,
- CBD Amendments (upper story setbacks, superior retail, building heights, etc.) – City Council initiated. Issued on January 14, 2009, File ZON08-00019,
- Fast Track Zoning Code Amendments, issued on March 9, 2009, File ZON09-00002,
- Stormwater code amendments to KMC Section 15.04 and new stormwater design manual proposed by Public Works. Implements Stormwater Master Plan adopted in 2005. Issued on May 12, 2009,
- Shoreline Master Program update (goals, policies and regulations) issued on July 15, 2009, File ZON06-00017, and
- Update to KZC Chapter 95 Tree Regulations issued on October 19, 2009, File ZON08-00016.

Where appropriate, prior environmental review was assessed in the course of preparing this DSEIS. Additionally, for purposes of the Comprehensive Plan amendments addressing the Totem Center vicinity, the City adopts the 2004 EIS and associated addenda and determinations of non-significance.

Location of Background Information

City of Kirkland, Planning and Community Development Department.
See Lead Agency and Responsible Official Address listed above.

Draft SEIS Purchase Price

The purchase price of a copy of the DSEIS is based on reproduction costs of printed documents or compact disks (CDs). Hard copies of the DEIS are available for review at the Planning Department at City Hall, 123-5th Ave and at the downtown Kirkland Library, 308 Kirkland Ave. The document is posted on the City's Web site, <http://www.ci.kirkland.wa.us/>.

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Acronyms and Abbreviations

BKR	Bellevue-Kirkland-Redmond
BNSF	Burlington Northern Santa Fe
C	capacity
C	Commercial
CBD	Central Business District
CIP	Capital Improvement Plan
CTR	Commute Trip Reduction
DART	Dial-A-Ride Transit
Downtown	Downtown Kirkland
DSEIS	Draft Supplemental Environmental Impact Statement
EIS	Environmental Impact Statement
FAR	floor area ratio
FEIS	Final Environmental Impact Statement
FHWA	Federal Highway Administration
GHG	greenhouse gas
GMA	Growth Management Act
HDR	High Density Residential
HSS	Highways of Statewide Significance
I	Interstate
IND	Industrial
LDR	Low Density Residential
LIT	Light Industrial Technology
LOS	level of service
MDR	Medium Density Residential
Metro	King County Metro
O/MF	Office/Multi-family
P	Park/Open Space
PLA	Planned Area
PMP	parking management plan
PR	Professional Office Residential
PSE	Puget Sound Energy
PSRC	Puget Sound Regional Council
RCW	Revised Code of Washington
RM	Residential Multifamily
RS	Residential Single- Family
SEPA	State Environmental Policy Act
SOV	single-occupant vehicles
SR	State Route

TAZs	Transportation Analysis Zones
TDM	transportation demand management
TIA	Traffic Impact Analysis
TMP	transportation management plan
TMP	Transportation Management Plan
TOD	Transit-Oriented-Development
V	volume
V/Cs	volume-to-capacity ratios
WAC	Washington Administrative Code