



## **CITY OF KIRKLAND**

**Planning and Community Development Department**

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### **MEMORANDUM**

**Date:** August 29, 2008

**To:** Houghton Community Council

**From:** Dorian Collins, Project Planner

**Subject:** **SOUTH KIRKLAND PARK & RIDE COMPREHENSIVE PLAN AMENDMENT  
– COURTESY HEARING (File ZON08-00002)**

### **RECOMMENDATION**

Staff recommends that the Houghton Community Council take public testimony at the courtesy hearing, and provide comments to staff for transmittal to the Planning Commission at their upcoming study session and public hearing. At the meeting, staff will provide a brief presentation, followed by comments from King County and Mithun Architects, who have done some preliminary work in site analysis.

Staff recommends that the Comprehensive Plan amendments for the South Kirkland Park and Ride be fairly general in nature. Since half of the Park and Ride site is located within the City of Bellevue, coordination with Bellevue will be critical in the later process of developing development standards and zoning for the site. Since Bellevue may opt not to move forward in the study of the Park and Ride until next year (see discussion on page 3), Kirkland Comprehensive Plan policies that will provide the general framework for future zoning will be desirable to enable this task to be undertaken next year. Staff believes the following key points should be addressed in the Comprehensive Plan amendments at this time:

- ◆ Support for transit-oriented-development at the Park and Ride
- ◆ General objectives for affordable housing to be included in future development
- ◆ Provisions for a broader mix of uses, particularly residential use
- ◆ Identification of impacts to be addressed in future zoning (building massing, design, traffic, etc.)

Direction from the Community Council on the issues noted in the “Issues for Discussion” section (page 5) will be particularly helpful for the Planning Commission in their study of this topic on September 25<sup>th</sup>.

- Guidelines for building height maximums
- Affordability targets or objectives

## **INTRODUCTION**

King County has identified the South Kirkland Park & Ride property (see Attachment 1) as a potential site for transit-oriented-development (TOD) for several years. The City of Kirkland has included exploration of this subject on the City's annual Planning Work Program for some time, and scheduled the task for study in 2007. Upon learning at their retreat in 2007 that the King County Department of Transportation had ranked the South Kirkland Park & Ride as its top TOD priority in the region, the Kirkland City Council established the creation of affordable housing at the Park & Ride as its highest-priority housing strategy. At their 2008 retreat, the City Council discussed the issue further, and provided more specific direction with regard to objectives for mixed income affordability to be included in future development.

The amendment under study would include changes to the Lakeview Neighborhood Chapter of the Comprehensive Plan and the Land Use Map to allow TOD at the South Kirkland Park & Ride site. The amendment will involve the consideration of a broader range of uses to be allowed on the property, and provide general direction regarding the key issues and scale of development at the site.

To allow for residential development at the site, currently designated for office use, the Comprehensive Plan and Land Use Map would need to be changed to include residential as a permitted use. Some additional commercial uses, including retail, may also be included in a future TOD. So while current zoning allows for limited retail use, amendments to the Comprehensive Plan may be needed to allow for future zoning that would broaden the range and size of these uses. It is anticipated that uses that are not transit-related or residential would be relatively minor in terms of overall development.

Following the changes to the Comprehensive Plan which are expected to be relatively general in nature, amendments to the Zoning Code will be necessary. Zoning Code amendments will provide specific development standards regarding building height, density, design, review process and so forth. This process is expected to be completed in 2009.

## **BACKGROUND**

The Houghton Community Council has discussed the concept of an amendment to the Comprehensive Plan for TOD at the South Kirkland Park & Ride at several meetings earlier this year. At the study session in June, Community Council members asked staff to provide information about other transit-oriented-development projects in the country. The TOD Program Information document contained in Attachment 2 was provided by King County to give the Community Council an overview of the typical features and purposes of TOD, and a status report about TOD projects underway and planned in King County.

As was discussed at the June meeting, the bus-TOD concept for the South Kirkland Park & Ride and others in King County is somewhat different from other models throughout the country which

are often developed around rail. In addition, the amendments planned for this project would apply to the Park & Ride site only. Often, TOD is thought of as an approach applied to a larger neighborhood, where the bus or rail station is located within the center of the area, surrounded by high density development. Densities then decrease with distance from the center. In the case of the South Kirkland Park & Ride site, the study and proposed changes are limited to the Park & Ride site alone.

The South Kirkland Park and Ride sits at the southeastern corner of the City. The site's seven acres are split almost equally between the Cities of Kirkland and Bellevue. The site is surrounded by office use to the west in Kirkland, and parking and office uses to the north in Kirkland. The Bellevue portion of the site is bounded by the BNSF right-of-way and office uses to the east, single family uses across 108<sup>th</sup> Avenue NE to the southeast, and multifamily residential uses to the south (see Attachment 3).

#### Status of City of Bellevue and King County Efforts for TOD at South Kirkland P&R

While King County has been optimistic that both Kirkland and Bellevue will move forward with amendments to their Comprehensive Plans in 2008, the City of Bellevue has not yet committed to study an amendment this year. Last spring, King County applied to the City of Bellevue for an amendment to the Comprehensive Plan to allow TOD on the Bellevue portion of the Park & Ride site. In June, the Bellevue Planning Commission voted to recommend that the City Council support the study of the amendment. At their meeting on September 2<sup>nd</sup>, the Bellevue Council is expected to consider the request. While the Bellevue City Council may elect not to consider an amendment for the site this year, they may opt to study the amendment in 2009. Staff will provide an update regarding any decision made by the Bellevue Council at your meeting on September 9<sup>th</sup>.

#### Existing Comprehensive Plan Policies Related to TOD

The Kirkland Comprehensive Plan designates the South Kirkland Park & Ride site for office use, and notes the existence of a public facility on the property (see Attachment 4). Several existing policies in the Comprehensive Plan address land use and development for the property:

##### *Transportation Element, Policy T-3.1:*

"Design transit facilities (stations, centers, park and rides, shelters, etc.) that are easily accessible from other modes of transportation, accommodating those with disabilities, and appealing to pedestrians, and that may contain residential, office, institutional and/or commercial uses where appropriate."

##### *Lakeview Neighborhood, Page XV.A-17:*

"The Metro Park and Ride lot at the southern end of the Lakeview Neighborhood provides a valuable local and regional transportation function. Any future expansion of this facility should be carefully reviewed to minimize visual and traffic impacts on the surrounding area".

##### *Land Use Element, Policy LU 3.3:*

"Consider housing, offices, shops and services at or near the park and ride lots."

Text discussing this policy states that “Park and ride facilities provide a potential location for offices, shops, and services serving two sets of customers: nearby residents and transit riders. In addition, housing at these facilities supports transit use. However, the design of these facilities would have to be carefully considered to ensure protection of the surrounding neighborhood. The City should work with Metropolitan King County to develop standards for housing, offices, shops and services at these facilities.”

Policies T-3.1 and LU 3.3 indicate general support for a range of uses at a Park & Ride facility. Text in the Lakeview Neighborhood Chapter and Land Use Element points to the need for careful analysis of impacts if expansion is to be considered on the site.

The proposed Comprehensive Plan amendment would involve the development of general policy language that would support a broader range of uses and more intensive development in a TOD at the Park & Ride. Detailed study of specific provisions for building height, bulk, density and design would need to follow with the development standards (Zoning) for the site.

#### Park & Ride Tour

On July 22<sup>nd</sup>, several members from the City Council, Planning Commission and Houghton Community Council participated in a Park & Ride tour led by King County staff. First, the group visited the South Kirkland Park & Ride site, where we primarily discussed the elevation changes on the property, access issues, and the dense buffers of tall trees surrounding the site on the south and east. We also made note of the general location of the city-limit line between Kirkland and Bellevue.

The group next visited the Northgate North development and Park & Ride, and the transit-oriented-development project under construction by Lorig and Associates. A tour of the site including the buildings and area where a stream is being day-lighted was provided by the developer. This project was interesting, in that the site area is similar in size (7 acres) to the South Kirkland Park & Ride site. When development is completed, 20% of the units will be affordable to median income households (see Attachment 5 for a summary of affordability provided in King County's TOD projects).

The last stop on the tour was the Village at Overlake Park & Ride/mixed use project. This development has been open since 2001. All of its 308 units are affordable to households earning 60% of median income. We toured the interior of the site where we saw the courtyards, daycare and play areas for site residents.

#### Initial Design and Market Analysis

Since the concept for TOD at the South Kirkland Park & Ride site includes residential development and possible incidental retail and/or office uses, King County has contracted with Mithun Architects for conceptual design assistance, and GVA Kidder Matthews for a preliminary retail market analysis. The work-to-date performed by these firms is summarized below.

- ◆ TOD Pre-Design Study/Site Analysis (Mithun)

During an earlier discussion on this topic, members of the Houghton Community Council requested information regarding the site's topography and buffering, in order to understand the visual impacts of taller buildings that might be included in future development on the property. Attachment 6 contains a "South Kirkland TOD Predesign Study", prepared by Mithun Architects, which includes views of the site from a series of points along the site's eastern (rail line), southeastern and south (108<sup>th</sup> Avenue NE) and western (NE 38<sup>th</sup> Place) boundaries. Sections are also included from many of these points which provide information regarding the height of trees and the elevation changes in these areas.

Page 5 of the analysis is particularly helpful. In this view, the existing elevation at the lowest point of the site is noted, at 90'. The highest point, at the rail line near the southeast corner, is shown to be 150'. Greater detail on the site's topography can also be seen in Attachment 7 (10' contour plan), which shows that the eastern edge of the BNSF right-of-way is about 10-20 feet higher than the elevation at the shared property line with the Park & Ride property, at 160-170'. The topography to the east falls slightly, with the nearest office development sitting at an elevation about 10 feet below the rail line. After a slight drop beyond the offices, land generally continues to rise to the east, with the elevation at 111<sup>th</sup> Avenue NE directly east of the Park & Ride in Bellevue of about 50' above the site corner. (It should be noted also that all of this elevation change occurs within the City of Bellevue, since the portion of the site lying in Kirkland is very level). As can be seen on page 5 of the Mithun study, the existing trees along the site's eastern boundary are between 40-70 feet in height.

Representatives from Mithun will present this information to the Community Council at the upcoming meeting, and will be available to answer any questions that arise.

- ◆ Preliminary Retail Market Feasibility and Housing Analysis

Kirkland staff joined King County in a meeting with representatives from GVA Kidder Matthews to hear a report on their initial findings. Their study included a review of demographic information for the area, physical site analysis (constraints/opportunities), and retail development potential. They also evaluated the potential of the site for residential development that would include affordable housing.

Generally, their conclusions indicate that the site would support smaller retail uses and particularly those that are convenience-oriented. Preliminary conclusions regarding residential use are that the residential market for the site appears relatively strong, and that development could likely support a significant percentage of affordable units.

### Issues for Discussion

Three members of the Houghton Community Council attended the August meeting of the City Council Housing Committee to discuss the South Kirkland Park & Ride project. At the meeting, members of both groups discussed the value of transit-oriented-development at the site to provide

affordable housing, and the Council's direction from the 2008 retreat, to seek deep affordability in a mixed-income residential project at the site.

In moving forward with the study of amendments to the Comprehensive Plan, those in attendance agreed that input from the Houghton Community Council regarding issues of greatest importance to the Community Council would be helpful as soon as possible, so that any concerns or direction can be discussed with the Planning Commission at their study session later in September. The following issues discussed at the meeting are those the City Council members thought would be particularly important for the Houghton Community Council to discuss and provide input on.

Many of these issues do not need to be resolved at this time with the Comprehensive Plan amendments. The policies contained in the Lakeview Neighborhood will provide general guidance and lend support to future Zoning Code amendments to be studied next year. In addition, since the southern half of the site lies within the City of Bellevue, policies should be developed that will not result in inconsistencies with the direction Kirkland and Bellevue may take once Bellevue begins to study the site for Comprehensive Plan policy and zoning amendments.

- ◆ *Affordability targets or objectives*

One of the primary reasons for the City's interest in a partnership with King County for TOD at the Park & Ride is to ensure development successfully blends a mix of housing types and incomes. At their retreat, the City Council directed staff to incorporate policies in the Comprehensive Plan that support development providing deep affordability at the site, possibly in the range of 20-25% of the total housing to be affordable to households earning 60% or less of median income.

ARCH suggests that the Comprehensive Plan include the minimum objectives for affordable units (such as "a minimum of 20% of housing affordable to low-and/or moderate-income households"), and in addition, incorporate language that would support the future evaluation of proposals for development at the site based on the degree to which those proposals meet the City's objectives (as expressed by the City Council at their retreat) regarding the level of affordability to be addressed. Under this approach, future proposals that include the use of public and other funding assistance might receive higher priority, in that they might provide a larger proportion of affordable units and/or a greater level of affordability.

**Does the Community Council agree with this general approach, or have additional or different ideas on this topic?**

- ◆ *Building height maximums*

Preliminary site analysis (Attachment 6) indicates that the change in elevation on the site is about 60 feet from west to east. Existing trees appear to rise approximately 70 feet above the BNSF right-of-way.

Staff recommends that the Comprehensive Plan include the site's topography and existing vegetative screening in a discussion of guidelines to be used for establishing building height maximums in subsequent zoning code changes.

**What issues are of concern related to building height that might be addressed by policies in the Comprehensive Plan?**

- ◆ *Site's geographic location as a gateway to Kirkland, and design issues that may be important to address this role*

Staff recommends that the Comprehensive Plan address this issue in a general way, but that any specific design elements to be required be included in future zoning. Since the site's southern and eastern edges lie within Bellevue, coordination with Bellevue will be important on this issue.

**Does the Community Council have any specific direction on this point?**

- ◆ *Design issues:*
  - Appearance of site development from the freeway
  - Building height and approach to height calculation
  - Massing of buildings
  - Quality of building design

Many of these elements are addressed in relation to other points as well. Staff recommends that general policy language be included in the Comprehensive Plan to provide support for subsequent zoning and design regulations.

**Does the Community Council have any specific direction on these issues?**

- ◆ *Density of development*

High residential densities may be necessary in development at the site to allow for the substantial construction costs for the expanded parking facilities and residential development, and to support the inclusion of a significant share of affordable units.

Staff recommends that the Comprehensive Plan not specify a density limit for development at the site. The City typically uses this approach in areas where mixed use and more intensive development is allowed (downtown, Totem Lake, Rose Hill Business District, Houghton shopping center, etc.).

**If density is a concern, it would be helpful to hear a discussion from the Community Council about this. Is the concern related to traffic impacts from the increased density? Visual impacts from more intensive development?**

- ◆ *Traffic impacts*

Traffic impacts from development will need to be mitigated and addressed by both Bellevue and King County. Staff recommends that the Comprehensive Plan include traffic impacts among those specifically identified to be addressed with future development.

**Does the Community Council have specific traffic or access concerns?**

- ◆ *Additional uses, particularly retail, to serve site's residents and transit users*

Since the market for retail uses at the site may not be particularly strong, staff recommends that these uses be allowed and encouraged, but not mandated in future development. Staff would also recommend exploring the potential for a day-care center.

**Does the Community Council agree with this approach?**

- ◆ *Preservation of an option for future pedestrian connection to the BNSF corridor*

Staff recommends that the Comprehensive Plan support pedestrian connections to the BNSF corridor.

**Does the Community Council agree with the staff recommendation?**

- ◆ *Opportunities for sustainable/green development*

Staff recommends that the Comprehensive Plan contain policies to support implementing regulations that would require sustainable development.

**Are there specific elements of “green” development that the Community Council would be particularly interested in seeing in future development?**

- ◆ *Responsibility for services (police and fire protection) to site split geographically between Kirkland and Bellevue, collection of tax revenue and permitting*

Members of the Houghton Community Council and City Council asked that staff investigate the approach that might be used to handle issues related to the property's split geographically between the Cities of Kirkland and Bellevue. The prospect of future development straddling the City-limit line puts into question the handling of tax revenue, permitting, and police and fire services to the site.

Police: Under informal agreement with the City of Bellevue, the Kirkland Police department is currently responsible for responding to all calls at the South Kirkland Park & Ride. Since this has required response to only a handful of car prowls and collisions each year, a representative from the Police department stated that he

believes that the addition of several hundred housing units and additional uses would necessitate a more formal agreement with the City of Bellevue.

Fire: Staff is waiting for a response from the Fire Department on this issue.

Financial Issues: The City's Finance Department has researched the issue of tax revenue with the Department of Revenue. The DOR indicated that, at the most basic level, tax revenue would be based on the address of the business. However, there may be a need to split revenue in the event that a single business actually straddles the line. This may be a matter of negotiation between Bellevue and Kirkland. In terms of construction sales tax revenue, assuming the structure will cross the boundary between the parcels, Kirkland may need to negotiate an approach with the City of Bellevue.

Permitting: Although we have not had experience with a development being built within Kirkland and another jurisdiction, it is assumed that an approach to project review and permitting would need to be developed during the course of the study of zoning regulations for the property.

Staff recommends that the Comprehensive Plan call for coordination with the City of Bellevue on these issues.

### **Does the Community Council agree with this approach?**

Input from the Houghton Community Council on these issues, and particularly on the key issues of building height and expectations for affordable housing will be important for staff to pass along to the Planning Commission at their next meeting.

### **Next Steps**

Public testimony and comments and direction provided by the Houghton Community Council at the meeting on September 9<sup>th</sup> will be forwarded to the Planning Commission at their study session on September 25<sup>th</sup>. At that meeting, the Planning Commission may develop a preliminary recommendation on many of the issues related to the proposed amendment, possibly including draft text for the Comprehensive Plan.

A public hearing on the proposed changes to the Comprehensive Plan will be held on October 23<sup>rd</sup>, before the Planning Commission. Their recommendation will be forwarded for consideration by the City Council on December 2<sup>nd</sup>. The decision of the City Council will then be considered for final approval by the Houghton Community Council on December 18, 2008.

Attachments

1. Vicinity Map – South Kirkland Park & Ride
2. King County Department of Transportation, Transit Oriented Development Program information, July 18, 2008
3. Aerial Map
4. Comprehensive Plan - Lakeview Neighborhood Land Use Map
5. Matrix of TOD Projects in King County
6. South Kirkland TOD Predesign Study, Mithun
7. South Kirkland Park & Ride – 10 Foot Contour Map

cc: ZON08-00002

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