

February 25, 2008

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AM PM  
PLANNING DEPARTMENT  
BY \_\_\_\_\_

Design Revue Board  
City of Kirkland  
123 - 5<sup>th</sup> Avenue  
Kirkland, WA 98033

Re: Park Place Private Amendment Request  
File No. ZON07-00016

Ref: Kenneth H. Davidson ltr to Board Members of DRB dated January 25, 2008

Dear Board Members:

I am writing to request that you recommend to the Planning Commission that the Park Place private amendment request be denied.

I support Mr. Kenneth H. Davidson's request for denial of the Park Place private amendment request for the reasons set forth in his letter to the DRB dated January 25, 2008. Mr. Davidson's letter to the Design Review Board is the product of a professional and legal analysis of the proposed Park Place development.

I am a layman, not a Comprehensive Plan expert. I have always regarded the Comprehensive Plan as a written communication by the Kirkland community of its vision for downtown Kirkland. I feel that current property owners and prospective property owners are able to rely on the Comprehensive Plan vision.

My belief has always been that elected City officials will ensure that the integrity of the Comprehensive Plan is protected. There is a presumption by the community that elected officials will uphold this trust.

City officials are authorized to make minor changes to the Comprehensive Plan. I argue that the removal of all set back variances and the addition of two to three additional floors on a number of buildings, 40% to 60% increase in height over the Comprehensive Plan, are not minor changes and should be denied.

I live in the 555 Building on Kirkland Way and my visual orientation is directly to the north across the Park Place site. This view is important to me.

Any development on the Park Place site will impact my view to the north. The degree of impact ranges from partial to complete obstruction of view depending on the action the City takes regarding the Park Place private amendment request.

ATTACHMENT 2  
ZON07-00016  
3/3/08 DRBpacket

I do not wish to look northward into a downtown glass wall without a glimpse of the crest of the Norkirk neighborhood. The Comprehensive Plan protects me from being walled in.

On Thursday, February 21st, I attended a community open house at the Kirkland Performance Center that was offered by Touchstone Corporation. The purpose of the meeting was to update the community and to solicit community input regarding Touchstone's ongoing efforts to make the Park Place development a "world class development".

The President of Touchstone specifically requested those of us in attendance to make their concerns and comments known to the City and/or to Touchstone so that this input will be part of the ongoing Park Place development process.

Touchstone has gone to a great deal of expense, effort and time in developing its vision for the Park Place site; its vision of a "world class downtown Kirkland Park Place development" meriting City approval of significant height and set back waivers.

Under the Touchstone plan, views from properties to the east/northeast/southeast of Park Place looking out towards Lake Washington and Seattle and many views from properties immediately to the north and south of the Park Place site will be severely impacted by seven and eight story buildings. In response to this concern, Touchstone has stated that they will do every thing they can to mitigate this issue. I assume that the mitigation that Touchstone envisions for the incremental loss of neighboring properties' views is the value of the heightened experience to the community from their world class project.

The impact of the higher buildings proposed by Touchstone will be felt by all citizens as the seven and eight story buildings will serve as a glass wall sealing off the eastern part of the Norkirk neighborhood visually from the eastern part of the Mossbay neighborhood. This loss of visual connection between the two neighborhoods adjacent to Park Place is an important consideration to the City.

Touchstone argues that the amount of open space within the project is critical to the quality of the project. In addition to increasing the loss of views to many current property owners, relative to the Comprehensive Plan, the developer is asking the City to waive the current open spaces along Central Way and 6<sup>th</sup> Street so that they can include this space within their project.

The waiver of setbacks will create a "canyon" experience for pedestrians and drivers along Central and 6<sup>th</sup> Street. This along with the loss of visual connection between neighborhoods is a major loss of an important Kirkland asset and will contribute to the loss of the Kirkland "small town" feeling.

On Thursday evening, Mr. Douglas Howe addressed a question concerning the impact of Touchstone's requested variances on the Comprehensive Plan. Mr. Howe expressed the view that the Park Place development was worthy of exception from the Comprehensive Plan based on its merits and that he felt that this exception had no impact on the Comprehensive Plan i.e. the City continues to retain the all its rights to act under the Comprehensive Plan along with the fact that there are not any other large single ownership parcels relative to the size of the Park Place site in Kirkland.

I assume that Mr. Howe's point regarding lack of ownership of large parcels of real property by one party, fractured ownership, implies that surrounding real property owners would not be able to successfully carry out Private Amendment Requests.

In addition, Mr. Howe pointed out that the buildings immediately adjacent to the proposed development were built relatively recently and as a result those properties would not be likely candidates for immediate development.

I think it is reasonable to assume that if Touchstone's Private Amendment request is approved by the City that all other Kirkland real property owners would likely and reasonably expect the same height and set back considerations granted to the owners of the Park Place site.

Prior to the start of Thursday's open house I asked the architect representing Touchstone whether the development could go ahead if the City required the developer to comply with the Comprehensive Plan. He said the project could be developed under the Comprehensive Plan but that they and their experts were in agreement that the current proposed plan was the preferred design.

Touchstone representatives express the belief that their request for height and set back variances merits approval because they wish to provide the Kirkland citizens a "world class integrated experience" and without the City's approval of their request they will not be able "to give the citizens the project that the citizens are demanding and that the citizens deserve".

Touchstone representatives stress that they are only reacting to the demands of the citizens of Kirkland. A.P., a Touchstone representative, repeatedly stated that the 2001 Downtown Strategic Plan clearly indicated that Kirkland citizens wanted more open spaces and that the development designed by Touchstone is only reacting to the citizens' wishes. The variances requested by Touchstone are the tradeoff for quality open spaces.

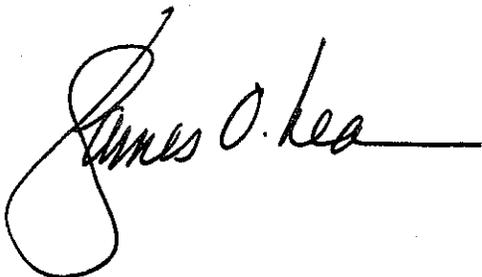
What A.P. and other representatives did not communicate was the context of the 2001 Downtown Strategic Plan. Citizens want more open spaces within the framework of the Comprehensive Plan. The 2001 Downtown Strategic Plan was not an invitation for a de facto scrapping of the Comprehensive Plan. Kirkland citizens count on the protection of the Comprehensive Plan and expect that all requests for development comply with the Kirkland Comprehensive Plan.

I would like Touchstone to step back from their vision for a moment. I would hope that they would recognize that the Kirkland Comprehensive Plan is the Kirkland community's written expression of its vision of a world class community.

I would appreciate the DRB providing me a written confirmation of receipt of my letter and have enclosed a stamped self addressed envelope for your convenience.

Thank you for your time.

Very truly yours,

A handwritten signature in cursive script that reads "James O. Lea". The signature is written in black ink and includes a horizontal line extending to the right from the end of the name.

James O. Lea  
555 Kirkland Way #402  
Kirkland, WA 98033-6237

cc Douglas O. Howe/ Kenneth H. Davidson/All City Council Members