



CITY OF KIRKLAND

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MEMORANDUM

To: Planning Commission

From: Angela Ruggeri, AICP, Senior Planner

Date: August 20, 2008

Subject: ORNI, AND ALTOM PRIVATE AMENDMENT REQUESTS (PARs) FILE NO. ZON07-00012 AND ZON07-00019

RECOMMENDATION

Review draft Comprehensive Plan wording and Use Zone Charts for PLA5C and PLA5D relating to Altom and Orni PARs.

BACKGROUND DISCUSSION

I. PLANNING COMMISSION PREFERRED ALTERNATIVE

The Planning Commission defined the basic parameters of the preferred alternatives for the Orni and Altom PARs at the July Planning Commission meetings. These parameters are outlined below and are captured in the attached Comprehensive Plan language (Attachment 1) and Zoning Code amendments (Attachments 2 and 4).

A. Orni Preliminary Preferred Alternative (See Attachments 2 and 3)

1. Uses: The allowed uses for the preferred alternative include residential and mixed use (with residential more than 50% and office less than 50%). An office only development as proposed by the applicant would not be allowed.
2. Height Allowances: The code presently allows multifamily buildings up to 4 stories or 40 feet above average building elevation (ABE), whichever is less if the site is at least one acre, otherwise 30' ABE is allowed. This would also be the maximum height limit for the new mixed use listing.
3. Setback Requirements: The existing code requires an additional setback from single family uses in PLA5A for buildings over 30' above average building elevation (ABE). This regulation will be removed.

A regulation stating that office use must be setback at least 25' from residential uses on adjoining properties has been added. Attachment 2 shows where this 25 foot setback would occur on the property.

4. Design review: Administrative design review will be a requirement for the mixed use development, but not for residential only development.

B. Altom Preliminary Preferred Alternative

1. Uses: Both the existing Comprehensive Plan designation and the proposed designation are for office/multifamily uses and so a change in use is not being considered.
2. Height Allowances: The zone allows up to 60' above ABE if the property is at least 1 acre. The code amendment will allow up to 52' above average building elevation (ABE) for the Altom PAR.
3. Lot size requirements: The zoning presently allows up to 6 stories or 60' above ABE if the site is at least 1 acre, otherwise, 30' above ABE. The Commission has added the following lot size/height limitations to the zoning: If there is at least .4 acres developed, 40' above ABE or 3 stories whichever is less is allowed. If .83 acres is developed, 52' above ABE or 4 stories whichever is less is allowed.
4. Design review: Administrative design review will be a requirement for all buildings over 30' above average building elevation in this zone.

II. WHAT'S NEXT IN THE PROCESS

- **9/25** - Planning Commission study session on policies, regulations and the planned action ordinance.
- **October** – FEIS issued
- **October** - Planning Commission hearing on preferred alternative
- **October/November** - Planning Commission study session on preferred alternative recommendation to City Council
- **11/18 (tentative)** - Council Study Session
- **12/2 (tentative)** - Council adoption

ATTACHMENTS

1. Comprehensive Plan wording for Planned Area 5
2. Zoning Chart amendments for PLA5D
3. Aerial photo showing setbacks for Orni PAR
4. Zoning Chart amendments for PLA5C

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File ZON07-00012
File ZON07-00016
File ZON07-00019

C. PLANNED AREA 5

The following text is excerpted from the Perimeter Areas section of the Moss Bay Neighborhood Plan to illustrate potential changes related to the Orni and Altom PARs within the context of the Plan. For complete text and graphics, review the online version of the Plan from the City's webpage. Edited portions are highlighted in yellow.

High-density residential and office uses permitted in Planned Area 5.

The eastern portion of the Central Neighborhood has been designated as Planned Area 5. Due to topographic conditions and circulation patterns, land in Planned Area 5 is relatively secluded. The area has been designated for high-density residential and office uses because of the ability to buffer such high-density development from other uses in the area. The area is developed primarily in high-density residential development while limited office uses exist in the northeastern western portion of the area. ~~In addition, a number of single-family homes as well as several parcels of vacant land remain in the area.~~ This planned area is divided into five subareas, based on the unique conditions for development within each area.

Central A Subarea

The Central A subarea of PLA 5 should be permitted to develop with high-density residential uses (up to 24 dwellings/acre). ~~Several If single-family homes remain in the area, however, and they should be protected from incompatible high-density development.~~ Adjacent to single-family residential development, high-density structures should be set back and limited in height and horizontal dimension.

West B Subarea

~~The southern portion of Subarea B is a~~ Adjacent to 6th Street and ~~the entire subarea is~~ south of 4th Avenue, Subarea B is heavily impacted by traffic, as well as existing and future commercial uses and offices to the west. The noise and traffic make this area inappropriate for single-family use, while its ease of access and proximity to the Downtown makes it appropriate for both offices and multifamily uses at a density of up to 24 dwelling units per acre. New development in this subarea should minimize access points directly onto 6th Street. Access for offices, however, should be provided exclusively from 6th Street or 4th Avenue and precluded

from Kirkland Way. Structures should be limited to three stories in height. ~~Greater height limitation, large setbacks, and limitation on horizontal dimensions should be required adjacent to single family dwellings in Subarea A.~~

North C Subarea

Subarea C, located north of Subareas B and A, contains **office development and the U.S. Post Office facility serving Greater Kirkland.** Remaining land should develop as professional office or multifamily residential at a density of up to 24 dwelling units per acre. Structures up to five or six stories in height are appropriate here **for developments containing at least one acre.** ~~as ¶~~The adjacent steep hillside limits potential view obstruction from tall buildings. At the same time, taller than normal structures could themselves take advantage of views to the west while maintaining greater open area on site and enhancing the greenbelt spine. ~~Greater height limitation, large setbacks, and limitation of horizontal dimensions should be required adjacent to single family dwellings in Subarea A.~~

East D Subarea

The easternmost third of PLA 5 is identified as Subarea D. This area has developed in high-density multifamily ~~uses in recent years.~~ **There is also an existing office complex in the northwest portion of the Subarea. The future redevelopment of this site should include either high density residential or mixed use office and residential.** Remaining developable land is limited to one parcel in the southeast portion of the subarea. Development in the rest of the area should be multifamily residential at a density of up to 24 dwelling units per acre. ~~However, to minimize impacts of future development or redevelopment on remaining single family dwellings in Subarea A, height limitations, large setbacks, and limitation of horizontal dimensions should be required where this development is adjacent to single family homes.~~

South E Subarea

The most southerly subarea is the smallest and is somewhat isolated from the other subareas. Lying between 2nd Avenue and Kirkland Way, this area could develop with high-density multifamily residential (up to 24 units per acre). Due to sight distance problems on Kirkland Way, access to and from this area should be restricted to 2nd Avenue.

DRAFT PLA5D USE ZONE CHART

The following is excerpted from the PLA5D zone of the Zoning Code to illustrate potential changes related to the Orni PAR. For the complete zone, review the online version of the Code from the City's webpage. Edited portions are highlighted in yellow.

KZC 60.44 User Guide. The charts in KZC 60.47 contain the basic zoning regulations that apply in the Planned Area 5D, including sub-zones. Use these charts by reading down the left hand column entitled Use. Once you locate the use in which you are interested, read across to find the regulations that apply to that use.

Section 60.45 - GENERAL REGULATIONS

The following regulations apply to all uses in this zone unless otherwise noted:

1. Refer to Chapter 1 KZC to determine what other provisions of this code may apply to the subject property.
2. If any portion of a structure is adjoining a low density use within PLA 5A, then either:
 - a. The height of that portion of the structure shall not exceed 15 feet above average building elevation, or
 - b. The horizontal length of any façade of that portion of the structure which is within 100 feet of the lot containing a low density use within PLA 5A shall not exceed 75 feet.

See KAC 115.30, Distance Between Structures/Adjacency to Institutional Use, for further details.
(Does not apply to Detached Dwelling Unit uses).
3. Any portion of a structure that exceeds 30 feet above average building elevation must be setback from the front property line one foot for each one foot that the portion of the structure exceeds 30 feet above average building elevation (does not apply to Detached Dwelling and Public Park uses).

~~4. The minimum setback from a lot containing a low density use within PLA 5A of any structure that exceeds 30 feet above average building elevation is twice the height of that structure as measured on the side of the structure closest to the lot containing a low density use within PLA 5A (does not apply to Detached Dwelling and Park uses).~~

5. If the subject property abuts the 4th Avenue right-of-way or the easterly extension of the alignment of that right-of-way to 10th Street, the following regulations apply:
 - a. The City may require the applicant to dedicate and improve land as shown in the Public Improvements Master Plan adopted by the City for this area.

- b. Any required yard of the subject property abutting the 4th Avenue right-of-way or the easterly extension of that right-of-way will be regulated as a front yard.
- c. Any required yard of the subject property abutting 5th Avenue will be regulated as a rear yard.
- d. Service and parking areas must, to the maximum extent possible, be located and oriented away from the 4th Avenue right-of-way unless primary vehicular access to the subject property is directly from that right-of-way. (Does not apply to Public Park uses).

USE ZONE CHART

Section 60.47.XXX (new listing)

Use: Development containing over 50% Stacked or Attached Dwelling Units and Office Uses (Veterinary office is not permitted). See Special Regulation #1.

Required Review Process: Administrative Design Review, Chapter 142 KZC.

Minimums:

Lot Size: 3600 square feet with at least 1,800 square feet per unit.

Required Yards: Front: 20'; Side: 5', but 2 side yards must equal at least 15'; and Rear: 10' See Special Regulations #2 through #5.

Maximums:

Lot Coverage: 70%.

Height of Structures:

- If the development contains at least 1 acre, then the lower of 4 stories or 40 feet above average building elevation, otherwise, 30' above average building elevation.

Landscape Category: D

Sign Category: D

Required Parking: 1.7 per residential unit. If a Medical or Dental office, then 1 per each 200 square feet of gross floor area. Other office, 1 per each 300 square feet of gross floor area.

Special Regulations:

1. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. This is an existing special regulation for multi family uses in this zone.
2. Office use has a minimum setback of 25' from a lot containing a residential use.
3. Chapter 115 KZC contains regulations regarding common recreational space requirements. This is an existing special regulation for multi family uses in this zone.
4. The side yard may be reduced to zero feet if the side of the dwelling unit is attached to a dwelling unit on an adjoining lot. If one side of a dwelling unit is so attached and the opposite side is not, the side that is not attached must provide a minimum side yard of five feet. This is an existing special regulation for multi family uses in this zone.
5. The rear yard may be reduced to zero feet if the rear of the dwelling unit is attached to a dwelling unit on an adjoining lot. This is an existing special regulation for multi family uses in this zone.
6. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if:
 - a. The ancillary assembled or manufactured goods are subordinate to and dependent on this use.
 - b. Outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other office uses.

DRAFT PLA5C USE ZONE CHART

The following is excerpted from the PLA5C zone of the Zoning Code to illustrate potential changes related to the Altom PAR. For the complete zone, review the online version of the Code from the City's webpage. Edited portions are highlighted in yellow.

KZC 60.39 User Guide. The charts in KZC 60.42 contain the basic zoning regulations that apply in the Planned Area 5C, including subzones. Use these charts by reading down the left hand column entitled Use. Once you locate the use in which you are interested, read across to find the regulations that apply to that use.

Section 60.40 - GENERAL REGULATIONS

The following regulations apply to all uses in this zone unless otherwise noted:

1. Refer to Chapter 1 KZC to determine what other provisions of this code may apply to the subject property.
2. If any portion of a structure is adjoining a low density use within PLA 5A, then either:
 - a. The height of that portion of the structure shall not exceed 15 feet above average building elevation, or
 - b. The horizontal length of any façade of that portion of the structure which is within 100 feet of the lot containing a low density use within PLA 5A shall not exceed 75 feet.

See KAC 115.30, Distance Between Structures/Adjacency to Institutional Use, for further details.
(Does not apply to Detached Dwelling Unit uses).
3. Any portion of a structure that exceeds 30 feet above average building elevation must be setback from the front property line one foot for each one foot that the portion of the structure exceeds 30 feet above average building elevation (does not apply to Detached Dwelling and Public Park uses).

~~4. The minimum setback from a lot containing a low density use within PLA 5A of any structure that exceeds 30 feet above average building elevation is twice the height of that structure as measured on the side of the structure closest to the lot containing a low density use within PLA 5A (does not apply to Detached Dwelling and Park uses).~~

5. If the subject property abuts the 4th Avenue right-of-way abuts the 4th Avenue right-of-way or the easterly extension of the alignment of that right-of-way to 10th Street, the following regulations apply:
 - a. The City may require the applicant to dedicate and improve land as shown in the Public Improvements Master Plan adopted by the City for this area.

- b. Any required yard of the subject property abutting the 4th Avenue right-of-way or the easterly extension of that right-of-way will be regulated as a front yard.
- c. Any required yard of the subject property abutting 5th Avenue will be regulated as a rear yard.
- d. Service and parking areas must, to the maximum extent possible, be located and oriented away from the 4th Avenue right-of-way unless primary vehicular access to the subject property is directly from that right-of-way. (Does not apply to Public Park uses).

USE ZONE CHART

Section 60.42.030

Use: Office Use

Required Review Process: Administrative Design Review for buildings over 30' above average building elevation, Chapter 142 KZC.

Minimums:

Lot Size: None

Required Yards: Front: 20'; Side: 5', but 2 side yards must equal at least 15'; and Rear: 10'

Maximums:

Lot Coverage: 70%.

Height of Structures:

- If the development contains at least 1 acre, then the lower of 6 stories or 60 feet above average building elevation.
- **If the development contains at least .83 acres, then the lower of 4 stories or 52' above average building elevation.**
- **If the development contains at least .4 acres, then the lower of 3 stories or 40' above average building elevation.**
- **If the development contains less than .4 acres, than 30' above average building elevation.**

Landscape Category: C

Sign Category: D

Required Parking: If a Medical, Dental, or Veterinary office, then 1 per each 200 square feet of gross floor area. Otherwise, 1 per each 300 square feet of gross floor area.

Special Regulations:

1. The City may limit access points onto 6th Street and require traffic control devices and right-of-way realignment.
2. The following regulations apply to veterinary offices only...
3. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if:
 - a. The ancillary assembled or manufactured goods are subordinate to and dependent on this use.
 - b. Outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other office uses.

The same changes would be made to all use listings in for this zone except “detached dwelling units” and “Public Parks”.

The other use listings include:

- *Detached, Attached or Stacked Dwelling Units*
- *Development Containing Stacked or Attached Dwelling Units and Office Uses (a veterinary office is not permitted in any development containing dwelling units).*
- *Church*
- *School or Day Care Center*
- *Mini-School or Mini-Day Care*
- *Assisted Living Facility*
- *Convalescent Center or Nursing Home Public Utility*
- *Public Utility*
- *Government Facility or Community Facility*