



MEMORANDUM

To: Design Review Board
From: Jon Regala, Senior Planner
Date: April 8, 2013
File No.: DRV12-01340
Subject: **450 CENTRAL WAY MIXED USE PROJECT
DESIGN RESPONSE CONFERENCE**

I. MEETING GOALS

At the April 15, 2013 Design Review Board (DRB) meeting, the DRB should conduct a Design Response Conference and determine if the project is consistent with the design guidelines contained in Design Guidelines for Pedestrian Oriented Business Districts, as adopted in Kirkland Municipal Code (KMC) Section 3.30.040.

During the Design Response Conference, the DRB should provide feedback on the following topics:

- Building massing
- Pedestrian access
- Plaza design
- Landscaping
- Materials, colors, and details
- Project phasing
- Requested minor setback variations

II. PROPOSAL

The subject property is located at 450 Central Way (see Attachment 1). Robert Pantley, with authorization from the property owner MISTPA LLC, has applied for a Design Response Conference for a new mixed-use development on the subject property (see Attachment 2). The majority of the project contains a mix of market rate apartment units (62) and residential suites (228). In addition, approximately 9,400 square feet of retail space is proposed at the ground floor along Central Way. The majority of the parking will be provided in a below-grade 2-level parking structure. Residential vehicular access is proposed at the northwest corner of the property from 4th Avenue. Vehicular access for the retail component is proposed at the southeast corner of the property at Central Way.

The applicant is also requesting to phase construction of the project. Phase I would consist of Buildings 3, 4, and 5 which are located along/near Central Way. Buildings 1 and 2 would occur with Phase II. These buildings are located near northwest and north property lines. Attachment 2, pages 14-17 contains the phasing plan.

The applicant is also requesting approval of a minor variation to the required 20' setback along 4th Avenue and Central Way (see Section V.C below).

III. SITE

The subject property currently contains the Crab Cracker restaurant and a surface parking lot. The site is relatively flat. According to the property survey, 18 significant trees are located along the north property line. The property has street frontage along Central Way to the south and 4th Avenue to the north. Central Way is a designated *Pedestrian Oriented Street*.

The following list summarizes the zoning designation, uses, and allowed heights of properties adjacent to the subject property (see Attachment 3):

North: PLA 7B. **Park 54 Condominiums. Maximum height is 30'.**

East: CBD 7. Wells Fargo Bank. **Maximum height is 41'.**

South: CBD 5A. **Kirkland Parkplace. Maximum height is 60' to 115'.**

West: CBD 7. Office Building, small mixed-use building, and Moss Bay Shell gas station. **Maximum height is 41'.**

Additional photographs prepared by the applicant that show the surrounding properties are contained in Attachment 2.

IV. CONCEPTUAL DESIGN CONFERENCE

A Conceptual Design Conference was held on December 3, 2012. The DRB provided direction to the applicant in preparation for the Design Response Conference. At the meeting, the DRB discussed:

- A. How the design guidelines affect or pertain to the proposed development.
- B. Which guidelines applied to the proposed development; and
- C. The application materials that are needed for the Design Response Conference.

The DRB's feedback from the conference is summarized in Section V.B below under the DRB's discussion on the various design topics.

V. DESIGN RESPONSE CONFERENCE

The Design Review Board reviews projects for consistency with design guidelines for pedestrian-oriented business districts, as adopted in Kirkland Municipal Code Chapter 3.30. In addition to the standard guidelines contained in the *Design Guidelines for Pedestrian-Oriented Business Districts*, the following information summarizes key guidelines which apply specifically to the project or project area. See also Section VI for information regarding zoning regulations and how they affect the proposed development.

A. Pedestrian-Oriented Design Guidelines

1. General

The following is a list of key design issues and/or design techniques that should be addressed with this project as identified in the design guidelines.

- Building Scale
 - Vertical and horizontal modulation
 - Architectural scale
- Pedestrian-Orientation

- Plazas
- Pedestrian friendly building fronts
- Blank wall treatment
- Landscaping
- Building material, color, and detail

See the adopted Design Guidelines for Pedestrian-Oriented Business Districts for complete text and explanations.

2. Special Considerations for Downtown Kirkland

In addition to the standard guidelines contained in the *Design Guidelines for Pedestrian-Oriented Business Districts*, the following list summarizes some of the key guidelines which apply specifically to the project or project area.

- Most of the business core of Kirkland is already developed with fairly narrow sidewalks. New development should provide sidewalks at the recommended width. Providing wider sidewalks throughout downtown is a long-term endeavor.
- **Retail frontages in the Central Business District should have a 15' story height** to ensure diverse retail tenants and enhance the pedestrian experience. Where these taller retail stories are required, special attention to storefront detailing is necessary to provide a visual connection between pedestrian and retail activity.
- A strong street tree planting scheme is especially important in downtown because of the variety of scale and architecture encouraged in private development. Major entries into Kirkland, especially along Central Way, Kirkland Avenue, Lake Street, and Market Street, should be unified by a strong street tree program.
- Parking lot location and design is critical on busy entry streets such as Market Street, Central Way, Lake Street, Kirkland Avenue, and in the congested core area where pedestrian activities are emphasized. The *Downtown Plan* calls for limiting the number of vehicle curb cuts.
- Pedestrian features should be differentiated from vehicular features; thus fenestration detailing, cornices, friezes, and smaller art concepts should be concentrated in Design Districts 1 and 2, while landscaping and larger architectural features should be concentrated in Design Districts 3, 5, 7, and 8.
- Large-scale developments, particularly east of the core area, should stress continuity in streetscape on the lower two floors. Setback facades and varied forms should be used above the second stories.
- **The Downtown Plan's mandate for high-quality development** should also be reflected in sign design.
- No internally lit plastic-faced or can signs should be permitted.
- All signs in the downtown should be pedestrian-oriented. Master-planned sites such as Parkplace may also include signs oriented to automobile traffic for the whole complex.

B. Compliance with Design Guidelines

1. Scale

a. DRB Discussion

The DRB expressed a preference for massing Proposal #1 in which a south-facing plaza was depicted. The Board supported the idea of the plaza space at or near grade. Other recommendations by the DRB included:

- Cues could be taken from the Tera project (538 Central Way), where strengths include a strong retail base but weaknesses include the flatness of the upper stories above the base.
- The scaling and design of the project should not seek to mirror the approved Parkplace proposal to the south. The scale of this project will be dramatically different and the design should develop its own style.
- Care should be taken in roof design as many elements like pitched roofs, solar, green roofs may be incorporated into the project. The DRB is interested in seeing how the different roof elements will all come together.

b. Supporting Design Guidelines

The *Design Guidelines for Pedestrian Oriented Business Districts* contain the following policy statements that address the use of these techniques:

- All building fronts should have pedestrian-friendly features (see Design Guidelines, page 10 for examples)
- Special Consideration for the CBD - Retail frontages in the Central **Business District should have a 15' story height to ensure** diverse retail tenants and enhance the pedestrian experience. Where these taller retail stories are required, special attention to storefront detailing is necessary to provide a visual connection between pedestrian and retail activity.
- Storefronts should be highly transparent with windows of clear vision **glass beginning no higher than 2' above grade to at least 10' above** grade. Windows should extend across, at a minimum, 75% of the façade length. Continuous window walls should be avoided by providing architectural building treatments, mullions, building modulation, entry doors, and/or columns at appropriate intervals.
- Lobbies for residential, hotel, and office uses may be allowed within the required retail storefront space provided that the street frontage of **the lobby is limited relative to the property's overall retail frontage** and that the storefront design of the lobby provides continuity to the retail character of the site and the overall street.
- All buildings on pedestrian-oriented streets should be encouraged to have upper-story activities overlooking the street, as well as balconies and roof decks with direct access from living spaces. Planting trellises and architectural elements are encouraged in conjunction with decks and bay windows. Upper-story commercial activities are also encouraged.

- All building entries should be well lit. Building facades in pedestrian areas should provide lighting to walkways and sidewalks through building-mounted lights, canopy- or awning-mounted lights, and display window lights. Encourage variety in the use of light fixtures to give visual variety from one building facade to the next. Back-lit or internally-lit translucent awnings should be prohibited.
- Successful pedestrian-oriented plazas are generally located in sunny areas along a well-traveled pedestrian route. Plazas must provide plenty of sitting areas and amenities and give people a sense of enclosure and safety.
- Commercial developments should have well defined, safe pedestrian walkways that minimize distances from the public sidewalk and transit facilities to the internal pedestrian system and building entrances.
- Blank walls should be avoided near sidewalks, parks, and pedestrian areas. Where unavoidable, blank walls should be treated with landscaping, art, or other architectural treatments.
- Varied window treatments should be encouraged. Ground floor uses should have large windows that showcase storefront displays to increase pedestrian interest. Architectural detailing at all window jambs, sills, and heads should be emphasized.
- Architectural building elements such as arcades, balconies, bay windows, roof decks, trellises, landscaping, awnings, cornices, friezes, art concepts, and courtyards should be encouraged.
- Special Consideration for the CBD - Pedestrian features should be differentiated from vehicular features; thus fenestration detailing, cornices, friezes, and smaller art concepts should be concentrated in Design Districts 1 and 2, while landscaping and larger architectural features should be concentrated in Design Districts 3, 5, 7, and 8.
- Vertical building modulation should be used to add variety and to make large buildings appear to be an aggregation of smaller buildings.
- Horizontal building modulation may be used to reduce the perceived mass of a building and to provide continuity at the ground level of large building complexes.

c. Staff Analysis

*As requested by the DRB, the applicant has pursued massing Proposal #1 (central courtyard concept) and has provided detailed plans for review (see Attachment 2). Since the Conceptual Design Conference, the site plan has evolved considerably in that five buildings are now being **proposed instead of the original massing scheme of one 'U' shaped building**. Utilizing five separate buildings instead of one large building helps break up the building massing when viewed from various vantage points along Central Way.*

*Building II is located along the north property line and has the longest **building façade (approximately 170')**. This façade is visible from 4th Avenue and the condominiums to the north. The closest condominium unit to the north is **approximately 52' from the subject property**. Varied roof forms, material changes, building articulation and change in colors*

have been proposed to moderate building massing. In addition, the **building is setback 15' from the north property line** to comply with the required landscape buffer standard in this area. **Also required is a 6' tall fence along the property line.** See Section VI.F below for more information regarding the required landscape buffer and tree retention standards.

The applicant is also requesting to phase the construction of the project. Phase I would consist of Buildings 3, 4, and 5 which are located along Central Way. Buildings 1 and 2 would occur with Phase II. These buildings are located along the northwest and north property lines (see Attachment 2, pages 14-17). It is unclear with the current phasing plan the interim improvements proposed in the area of Building 1 and 2.

The CBD 7 zone requires a front yard 20' setback. The applicant has requested a minor variation to this requirement as it applies to the 4th Avenue and Central Way facades. See Section V.C below for additional information.

The DRB should provide input on the following items:

- *Is the current façade design along with the proposed landscape buffer adequate in mitigating the buildings mass? Consider if **changes are needed at Building II's north façade.***
- *Do the buildings provide enough horizontal and/or vertical modulation when viewed from key vantages?*
- *Information on solar installations has not yet been presented. The DRB should discuss integration with proposed roof forms as that information becomes available.*
- *What additional information is needed in regards to the proposed phasing plan?*
- *Determine if additional details are needed for the public plaza?*
- *Based on the applicable criteria, provide direction regarding the **requested variations to the required 20' front yard setback** along 4th Avenue and Central Way.*

2. Pedestrian and Vehicular Access

a. DRB Discussion

The DRB supported moving forward with vehicular access concept of commercial access and parking from Central Way and residential access and parking from 4th Street.

b. Supporting Design Guidelines

The *Design Guidelines for Pedestrian Oriented Business Districts* contain the following policy statements that pertain to vehicular and pedestrian access:

- Minimize the number of driveways by restricting curb cuts and by encouraging property and business owners to combine parking lot entrances and coordinate parking areas. Encourage side and rear yard parking areas by restricting parking in front yards. Require extensive screening where there is front yard parking.

- Special Consideration for the CBD - Parking lot location and design is critical on busy entry streets such as Market Street, Central Way, Lake Street, Kirkland Avenue, and in the congested core area where pedestrian activities are emphasized. The Downtown Plan calls for limiting the number of vehicle curb cuts.
- A sidewalk should support a variety and concentration of activity yet avoid overcrowding and congestion. The average sidewalk width **should be between 10' and 18'**. **New buildings on pedestrian-oriented streets should be set back a sufficient distance to provide at least 10'** of sidewalk. If outdoor dining, seating, vending, or displays are desired, an additional setback is necessary.
- New buildings should be set back a sufficient distance from the front **property line a minimum of 10' to allow enough room for pedestrian** movement. Wider setbacks should be considered to accommodate other sidewalk uses that would benefit their businesses and the pedestrian environment. Lighting and special paving of the storefront activity zone are also beneficial.

c. Staff Analysis

Vehicular Access

In terms of vehicular access, the subject property has several options given that a portion of the property fronts on 4th Avenue to the north and has frontage along Central Way to the south. The City Public Works Department had originally recommended that all vehicular access occur at 4th Avenue. However, to address concerns expressed by the residential neighbors to the north, the City is open to limiting the access at 4th Avenue to the residential uses only. Vehicular access to the retail uses would be provided at Central Way. The applicant should continue to work with Public Works in finalizing the design with this dual access approach.

Through-Block Pathway

At the City pre-submittal meeting with the applicant, the Public Works Department asked the applicant to provide an 8-foot wide public through-block pedestrian pathway along the north property line. The long term goal is to break up the large block and create a pedestrian pathway that connects 4th Street and 5th Street in line with 4th Avenue. There is currently no formal east-west pedestrian connection between Central Way and 7th Avenue in this area. The City is open to modifying the pedestrian pathway standards in order to retain existing significant trees located along the north property line. A pedestrian pathway would eventually be required on the Wells Fargo property to the east, as part of a redevelopment project, in order to eventually complete the through-block pedestrian connection.

Public Works is now recommending a through-block pedestrian pathway along the north property line as follows (see Attachment 4, 4th Avenue Street and Pedestrian Improvement Conditions):

From the east end of the said sidewalk extension install a 5 ft. wide public pedestrian sidewalk that shall run along the entire north property line to the east property line. The path shall be encompassed in a 10 ft. wide pedestrian easement. The intent of

this pathway is to allow for a future pedestrian connection to 5th Street.

KZC Section 105.19 allows the City to require a through-block pedestrian pathway if:

- *A walkway is reasonably necessary to provide efficient pedestrian access to a designated activity center of the City or to transit; or*
- *A through-block pedestrian pathway if blocks are unusually long; or*
- *Pedestrian access is necessary to connect between existing or planned dead-end streets, through streets, or other pedestrian access*

The through-block pathway would be subject to the standards found in KZC Section 105.19.2.b (see Attachment 5). Modifications to these standards would have to be approved by the DRB subject to the criteria in KZC Section 105.103.3.b:

- *The modification is necessary because of the size, configuration, topography or location of the subject property;*
- *The modification will provide for equal or improved pedestrian and bicycle safety and convenience; and*
- *The modification will not have any substantial detrimental effect on nearby properties and the City as a whole.*

The location of the through-block pathway coincides with the required 15' wide landscape buffer (includes 6' tall fence at the property line) and existing row of significant evergreen trees. Staff will look to retain as many of the significant trees as feasible given the location of the proposed improvements. Remaining trees will be supplemented with new trees in order to comply with landscape buffering requirements. Staff has the following concerns regarding pathway and buffering requirements:

- *Existing significant tree retention. To what extent should additional trees be removed to allow for the pedestrian walkway?*
- *Location of the pathway relative to the new residential building*
- ***Reduced visibility of the walkway given that a 6' tall fence is required at the property line***
- *Any modification of the landscape buffering standards requires written approval by the neighboring owners (including the removal or relocation of the required 6' tall fence)*

Pedestrian Arcade

Also in terms of pedestrian access, the applicant is proposing an arcade along the property frontage where adjoining the building. The DRB had previously asked that the applicant refine this concept for the Design Response Conference.

As proposed, the arcade columns separate the walkable area into two 'zones'. The window zone (area under arcade) as proposed shows 8' from window to column face while the sidewalk zone is about 4.5' from column to face of curb. The sidewalk zone is proposed to contain a landscape strip and street trees.

*A successfully designed arcade should have enough room to have an open feel (appropriate scale), provide enough natural light, be integrated **with the building's architecture, not hinder the retail experience, and should not impact the flow/movement of pedestrians.** Pedestrian movement should feel comfortable when walking under the arcade as well as on the sidewalk adjoining the street. Groups of people passing each other should be able to do so comfortably. The proposed sidewalk design shows landscaping next to the street thereby limiting pedestrian access on the outside of the arcade and from parked cars..*

*The applicant should continue to work with Public Works in finalizing the arcade design. Portions of the arcade walkway **are narrower (8') than the required 10' minimum sidewalk width due to 2' wide columns at the arcade edge.** The design guidelines suggest a **10' to 12' wide movement zone.** Also, the walkway area under the arcade does not coincide with the public easement being required by the City.*

Structural components of the arcade are also proposed within the required public easement. For example, sight distance compliance near the project driveway as it relates to the proposed building and arcade columns should be confirmed with Public Works as well as the location of street trees, landscaping, and lighting that would be required. This could affect the arcade design, awnings, and pedestrian movement relative to the arcade columns.

Back-of-House Functions

The applicant should confirm the location of trash and loading/unloading areas and mitigation of these areas.

Courtyard

*Also in regards to pedestrian access, a central courtyard that provides public space and access to the various tenant spaces and residential units internal to the property is proposed. Several renderings have been provided to provide the DRB a **sense of the applicant's concept** of the pedestrian areas (see Attachment 2).*

The DRB should provide input on the following items:

- *Provide direction regarding the requested through-block pedestrian pathway.*
- *Is the arcade scaled appropriately and does it provide enough room for comfortable pedestrian movement?*
- *Does the DRB need additional information regarding the visibility of the trash and loading/unloading area? Is additional mitigation of these areas needed?*
- *Is additional information needed regarding the proposed pedestrian plaza and circulation system?*

3. Open Space and Landscaping

a. DRB Discussion

The DRB had the following recommendations regarding open space and landscaping:

- Retention of existing buffer plantings on the north side have some challenges that should be explored with the neighbors. The existing predominance of Douglas fir currently provides a dense buffer, but over time the trees will shed their lower branches and become less effective.
- Street tree choices along Central will be important to help break-up the building frontage
- Adaptive planting for the plaza area should be well conceived to help define space, be flexible, and provide the drought-tolerance that the applicant will pursue
- Pedestrian covering within the plaza should avoid creation of elements that could be perceived as a barrier to the space
- If green walls are utilized, maintenance, materials, and solar exposure should be considered

b. Supporting Design Guidelines

The *Design Guidelines and Zoning Regulations* contain the following guideline addressing the visual quality of landscapes:

- KZC Chapter 95 requires that a landscape plan be approved as part of the Design Review Process.
- The placement and amount of landscaping for new and existing development should be mandated through design standards. Special consideration should be given to the purpose and context of the proposed landscaping. The pedestrian/auto landscape requires strong plantings of a structural nature to act as buffers or screens.
- The pedestrian landscape should emphasize the subtle characteristics of the plant materials. The building landscape should use landscaping **that complements the building's favorable qualities and screens its faults.**
- Special Consideration for the CBD - A strong street tree planting scheme is especially important in downtown because of the variety of scale and architecture encouraged in private development. Major entries into Kirkland, especially along Central Way, Kirkland Avenue, Lake Street, and Market Street, should be unified by a strong street tree program.

c. Staff Analysis

Landscaping should be placed in areas to help mitigate building massing and enhance the pedestrian experience along the project frontages. Other opportunities for landscaping should include areas to enhance the open space/plazas as experienced within the site as well as upper story terraces. Several of the drawings in Attachment 2, show the location of landscaping however, a more formal and detailed landscape plan should be submitted to the DRB for their review. See Section VI.F below for landscape buffer and tree retention requirements.

The DRB should provide input on the following items:

- *What changes are needed to the landscape plan?*

- *Are there other opportunities for landscaping?*

4. Building Materials, Color, and Details

a. DRB Discussion

This topic was not discussed in detail at the Conceptual Design Conference.

b. Staff Analysis

Attachment 2, pages 14-21 contains color elevation drawings and callouts for the proposed building materials. The DRB should provide feedback to the applicant regarding the proposed materials and colors.

C. Minor Variations

a. Applicant Request

KZC Section 142.37.1.a allows an applicant to request minor variations to the minimum required setback in the CBD zone. The DRB may grant a minor variation only if it finds that the following are met (KZC Section 142.37.4):

- The request results in superior design and fulfills the policy basis for the applicable design regulations and design guidelines;
- The departure will not have any substantial detrimental effect on nearby properties and the City or the neighborhood.

A 20' setback is required along 4th Avenue and Central Way. Ground floor retail space may have a zero-foot setback. The applicant has requested the following minor variations:

4th Avenue

- Building I – 5' setback (15' reduction).
- Building II – 5' setback (15' reduction)
- Approximately 1,092 sq. ft. setback area (**within 20'** of the property line)

Central Way

- Building IV – **10.9' to 13.9'** setback (6.1' to 9.1' reduction)
- Building V – **10.9' to 13.9'** setback (6.1' to 9.1' reduction)
- Building V – contains 507 sq. ft. of 2nd story mezzanine space within **the required 20' setback**
- Average **43' setback** along frontage
- Approximately 6,346 sq. ft. setback area (includes plaza – does not include sidewalk)

The applicant's response to the minor setback variation criteria above can be found in Attachment 6.

b. Background Information

In August 2004, the DRB approved Alexan Kirkland (now known as The Boulevard), a mixed-use project at 375 Kirkland Avenue located across the street from the Performing Arts Center. That project is located in CBD 3, which has the same height/setback requirements as the CBD 7 zone. **The DRB's decision included approval of a minor variation request to the required**

20' upper story setback. Approved was a 12' to 18' setback (a 2' to 8' reduction) with an average setback of 35' and a total of 10,958 square feet of setback area (see Attachment 7 for plans and DRB Conclusion).

The project included a large courtyard accessible from Kirkland Avenue and sidewalks along the Kirkland Avenue frontage **that exceed the minimum 10' width requirement. The DRB determined that "the design of the building itself as well as the public amenities proposed by the applicant adequately addressed the design departure criteria"**.

c. Staff Analysis

4th Avenue

Staff is uncertain if reducing the 20' setback along 4th Avenue down to 5' is minor. However, there are several factors that make a request to reduce the required 20' setback reasonable. As a result, many of the design guidelines regarding pedestrian-friendly building frontages do not apply.

- *4th Avenue is not a designated pedestrian-oriented street. The Planning Director issued an interpretation that ground floor retail is not required (see Attachment 8)*
- *4th Avenue is not a required a major pedestrian sidewalk*
- *The area of 4th Avenue that abuts the subject property is part of a cul-de-sac 100' in diameter so the right-of-way is much wider than the norm*
- *The office **building to the west has a 10' setback***
- *The proposed building areas within the required setback are parts of two separate buildings separated by a driveway*

*A point of concern is that **the building to the west has a 10' setback** and would not be consistent with the proposed setback variation. The DRB should provide feedback to the applicant on whether the requested variation is deemed "minor" and will result in a superior design than if the building complied with the required setback. Potential detrimental effects should be discussed.*

Central Way

The 20' upper story setback is being measured from the public easement as required by Public Works (see also Section VI.G below). The City is treating the public easement line as a property line for purposes of measuring setbacks as if the property had been dedicated for right-of-way. As a result there would be no net effect in terms of where the setback is being measured. However, since sidewalk area will be within a public easement, the applicant would be allowed to place a below grade parking structure beneath the easement.

The sidewalk width is approximately 14.5' with 10' of the sidewalk located beneath an arcade. Approximately 4.5' is located on the outside of the arcade near the street and is proposed to contain a landscape strip. Since the City requirement is for only a 10' sidewalk, the DRB should consider whether the extra width contributes to the overall building façade design and the relationship to the minor setback variation request.

Also, the setback minor variation request by the applicant follows The Boulevard project in that encroachment of the upper stories would result in

visual architectural interest, add upper story activity, and provide significant plaza space at the ground level. Elsewhere in the CBD, the CBD 1A/1B zone contains zoning provisions that allow for encroachment into an upper story setback for a one-for-one tradeoff in ground-floor open space (which the current proposal would exceed). Generally speaking, the DRB has found this design approach acceptable.

As with the 4th Avenue minor variation request, the DRB should provide feedback to the applicant on whether the requested variation is deemed "minor" and will result in a superior design than if the applicant pushed the buildings back and recaptured the main courtyard space with building area. Potential detrimental effects should be discussed.

VI. KEY ZONING REGULATIONS

The applicant's proposal is also subject to the applicable requirements contained in the Kirkland Municipal Code, Zoning Code, Fire and Building Code, and Public Works Standards. It is the responsibility of the applicant to ensure compliance with the various provisions contained in these ordinances. Attachment 4, Development Standards, is provided to familiarize the applicant with some of these additional development regulations. These regulations and standards are not under the review authority of the DRB and will be reviewed for compliance as part of the building permit review for the project.

In terms of zoning, development on the subject property is subject to the regulations in CBD 7 (see Attachment 9) as well as other applicable KZC sections. The following regulations are important to point out as they form the basis of any new development on the site. Below are some of the key zoning standards that apply to the development followed by staff comment in italics.

- A. Permitted Uses: Permitted uses in this zone include, but are not limited to retail, restaurants, office, and stacked dwelling units. Office and residential uses may not be located on the ground floor of a structure unless there is an intervening retail use. Residential suites are also allowed in CBD 7 as another type of residential use. Residential suites are defined as:

KZC Section 5.10.778 - A structure containing single room living units with a minimum floor area of 120 square feet and maximum floor area of 350 square feet offered on a monthly basis or longer where residents share bathroom and/or kitchen facilities. **"Residential Suites" does not include dwelling units, assisted living facility, bed and breakfast house, convalescent center, nursing home, facility housing individuals who are incarcerated as the result of a conviction or other court order, or secure community transition facility.** For purposes of zones where minimum density or affordable housing is required, each living unit shall equate to one dwelling unit.

Staff Comment: The applicant is proposing ground floor retail along Central Way with residential uses behind. The upper stories will consist of only residential uses. The residential component of the project will consist of a mix of market rate apartment units and residential suites. The majority of the parking for the project is proposed in a below-grade parking structure. The proposal is consistent with the permitted uses for CBD 7.

- B. Setbacks: **A minimum 20' front yard setback is required. One-story street level retail shall have a zero foot setback.** There are no required setbacks for the side or rear property lines.

Staff Comment: **A 20' front yard setback is required along Central Way with the exception of one-story retail. In addition, a 20' front yard setback is also required along the portion of the north property line adjacent to 4th Avenue. The applicant has requested a minor variation to the setback requirement pursuant to KZC Section 142.37. See Section V.C above.**

- C. **Height:** CBD 7 allows a maximum height of 41' measured above the average building elevation. In addition, KZC Section 50.62.2 requires that the minimum ground floor height is 15' for retail, restaurant, and other ground floor uses.

Additional height is allowed for peaked roofs and/or parapets. For structures with a peaked roof, the peak may extend five (5) feet above the height limit if the slope of the roof is greater than three (3) feet vertical to 12 feet horizontal and eight (8) feet above the height limit if the slope of the roof is equal or greater than four (4) feet vertical to 12 feet horizontal. Decorative parapets may exceed the height limit by a maximum of four feet, provided that the average height of the parapet around the perimeter of the structure shall not exceed two feet.

Additional allowances for height in regards to rooftop appurtenances are found in KZC Section 115.120.

Staff Comment: **The applicant must demonstrate compliance with the City's height requirements as part of any building permit.**

- D. **Lot Coverage:** CBD 7 zoning regulations allow 80% lot coverage. If a minimum zero-foot front yard setback is provided for one-story retail uses, then the lot coverage for the property shall be 100%.

- E. **Parking:** Retail uses must provide one parking space for each 350 square feet of gross floor area. Stacked dwelling units must provide a minimum of one parking stall per bedroom or studio unit and an average of at least 1.3 parking stalls per unit for the development. Guest parking shall be provided at a rate of 0.1 stalls per bedroom or studio unit with a minimum of two guest parking stalls.

Residential suites must provide either 0.5 or 1 parking stalls per living unit (depending on how parking is managed per code) and 1 stall per on-site employee.

Staff Comment: **The applicant must demonstrate compliance with the City's parking requirements as part of any building permit.**

- F. **Landscaping & Tree Retention.** Based on the proposed uses on the subject property and the adjoining multi-family development to the north, a 15'-wide landscape buffer is required along the north property line planted pursuant to standards found in KZC Section 95.42.

Staff Comment: **KZC Section 95.40.2 gives the City the authority to require the retention of existing trees and vegetation in order for a project to comply with City landscape requirements. Since the existing trees along the north property line coincide with the required 15' wide landscape buffer, as many of the existing trees should be retained depending on the Tree Retention Plan review.**

The applicant submitted a Tree Retention Plan (see Attachment 10) and landscape plan (see Attachment 2). The Tree Retention Plan was reviewed by the City's arborist (see Attachment 11). Based on the City arborist's recommendations, the Tree Retention Plan should be confirmed for accuracy by the applicant and re-evaluated. The City arborist made notes as to the correct location of existing trees. In general however, the City arborist agrees with the

applicant's arborist in that all of the trees along the north property line, east of the cul-de-sac, should remain. The trees should survive the construction process if protected correctly. As the existing Douglas Fir trees mature and thin-out at the lower branches, the City arborist also recommends the landscape plan be updated with tree species and shrubs to enhance the tree understory and supplement the buffer.

- G. Sidewalks. Central Way is a designated Pedestrian Oriented Street. Therefore **the sidewalk standards require a minimum 10' wide sidewalk along the entire** frontage of the subject property abutting Central Way. The final sidewalk configuration should be approved through the design review process.

KZC Section 110.52.1 requires states that if the required sidewalk improvements cannot be accommodated within the existing right-of-way, the difference may be made up with a public easement over private property; provided, that a minimum of five (5) feet from the curb shall be retained as public right-of-way and may not be in an easement.

Staff Comment: The applicant should continue to work with Public Works regarding the sidewalk design, easement location in regards to the 10' wide sidewalk location, and confirm compliance with KZC Section 110.52.1.

VII. STATE ENVIRONMENTAL POLICY ACT

SEPA is the state law that requires an evaluation of a development proposal for environmental impacts. The issue most frequently addressed through SEPA is traffic. Design Review is not a project action and thus SEPA review is not required at the time of Design Review.

A SEPA application has not been submitted by the applicant. SEPA review is required to occur prior to the issuance of any building permit for the project.

VIII. PUBLIC COMMENT

Prior to the finalization and distribution of this staff memo, no comments from the general public were received. The applicant submitted a cover letter regarding the project on April 5, 2013 (see Attachment 12).

IX. SUBSEQUENT MODIFICATIONS

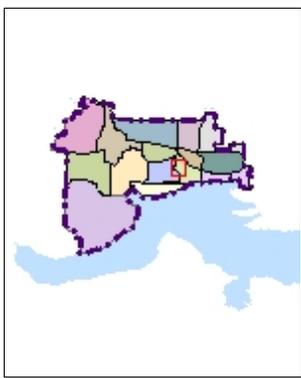
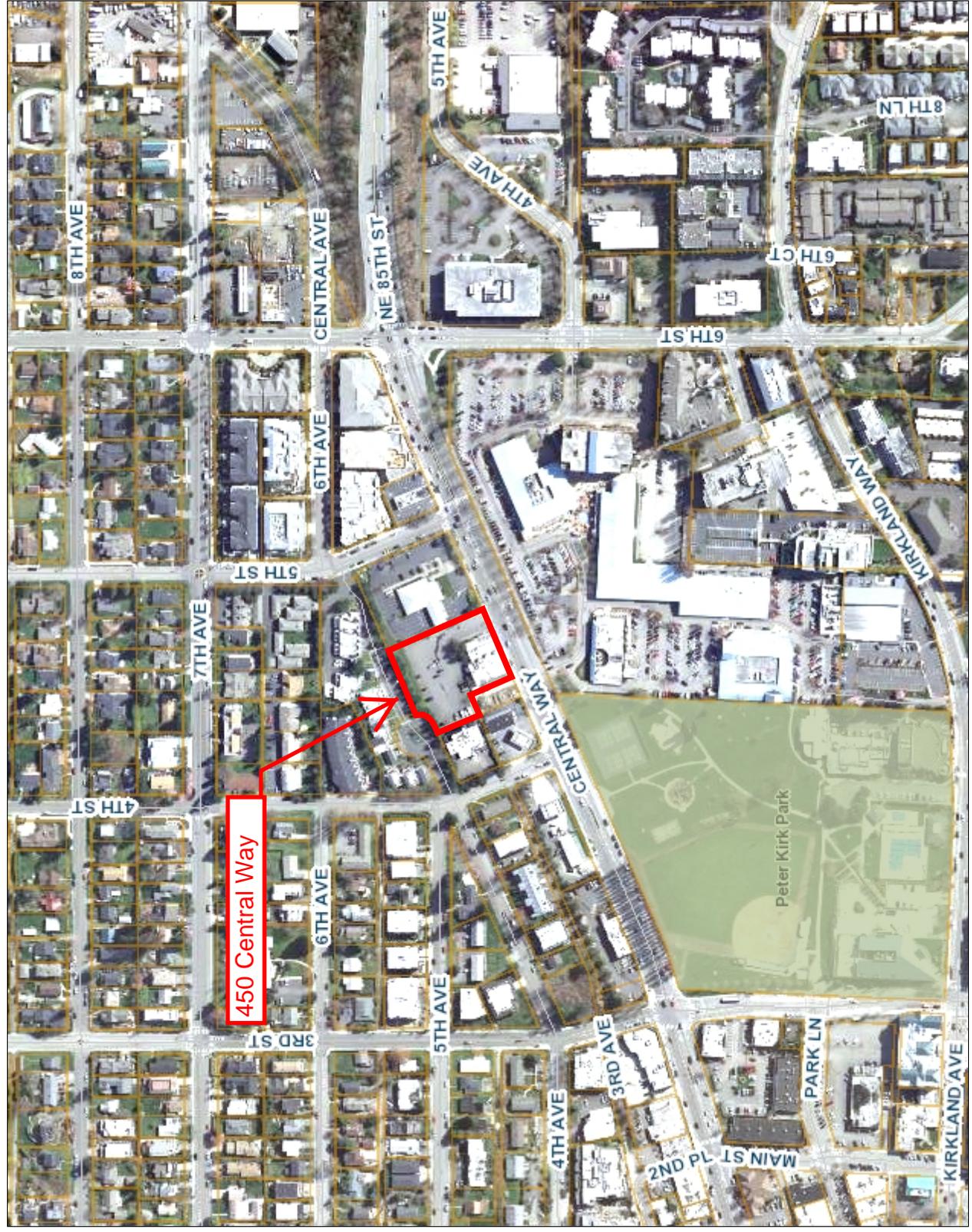
Modifications to the approval may be requested and reviewed pursuant to the applicable modification procedures and criteria in effect at the time of the requested modification.

X. ATTACHMENTS

1. Vicinity Map
2. Applicant Proposal
3. Aerial
4. Development Standards
5. KZC Section 105.19.2.b
6. Minor Variation Requests
7. Boulevard Minor Variation Information
8. Interpretation 13-1
9. CBD 7 Use Zone Chart
10. Applicant Tree Retention Plan
11. City Arborist Review
12. Applicant Cover Letter received April 5, 2013



GIS MAPPING PORTAL ~ City of Kirkland, Washington ~ Department of Information Technology



- Legend**
- Streets
 - Parcels
 - Parks
 - Schools
 - z_Image09
 - Red: Band_1
 - Green: Band_2
 - Blue: Band_3



1:4,199

Notes

Vicinity Map
436 Central Way

0 0.07 0.13 Miles



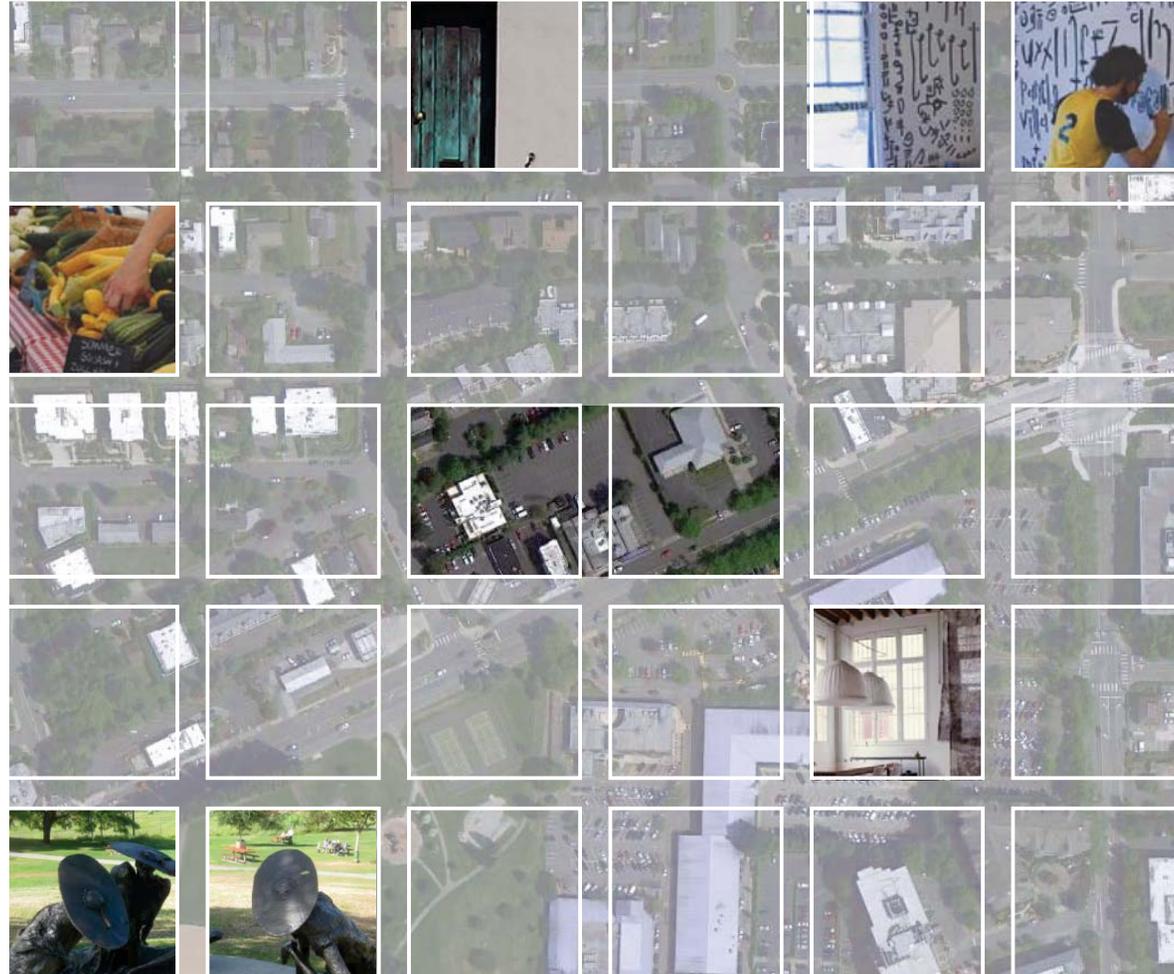
No warranties of any sort, including but not limited to accuracy, fitness or merchantability, accompany this product.

DESIGN OBJECTIVES

Establish Kirkland's first **Affordable Live | Work Art Community**

Create a "**Civic Amenity**" with functional but spirited design, quality materials and craftsmanship; partner with Park Place to establish a "Gateway" to downtown Kirkland

Continue our commitment to strategic, sustainable, affordable **LEED Platinum +** development



KIRKLAND LIVE | WORK ART COMMUNITY
450 CENTRAL WAY

APRIL 05, 2013

PROPOSAL SUMMARY

This proposal is Kirkland's first affordable Live | Work arts community that fulfills a need for work-force housing in the downtown core. The mission is to bring the housing needs of a diverse group of people, into an environment that promotes walkable commuting or work-where-you-live opportunities and celebrating the vitality an arts-focused program will establish. The team has a passion for sustainability and is committed to bringing a LEED Platinum + community to Kirkland's built environment.

The proposal's design objective is to create a vibrant retail presence along Central Way that offers a pedestrian priority activated by commercial and community functions and a quieter residential presence where the housing occurs. The proposal intends to achieve opportunities for local retail and multi-purpose outdoor plazas to support an active, dynamic urban environment

The proposal is located at the site of the existing Crab Cracker restaurant. Early discussions with transportation and engineering have identified a preference for sole site access from 4th Street to the north, but may allow for commercial parking access from Central Way to reduce the traffic volume on the quiet neighborhood street. Conversations with the neighbors have supported the latter approach.

Parking will be predominately below grade, and proposed access as aforementioned from Central Way and 4th.

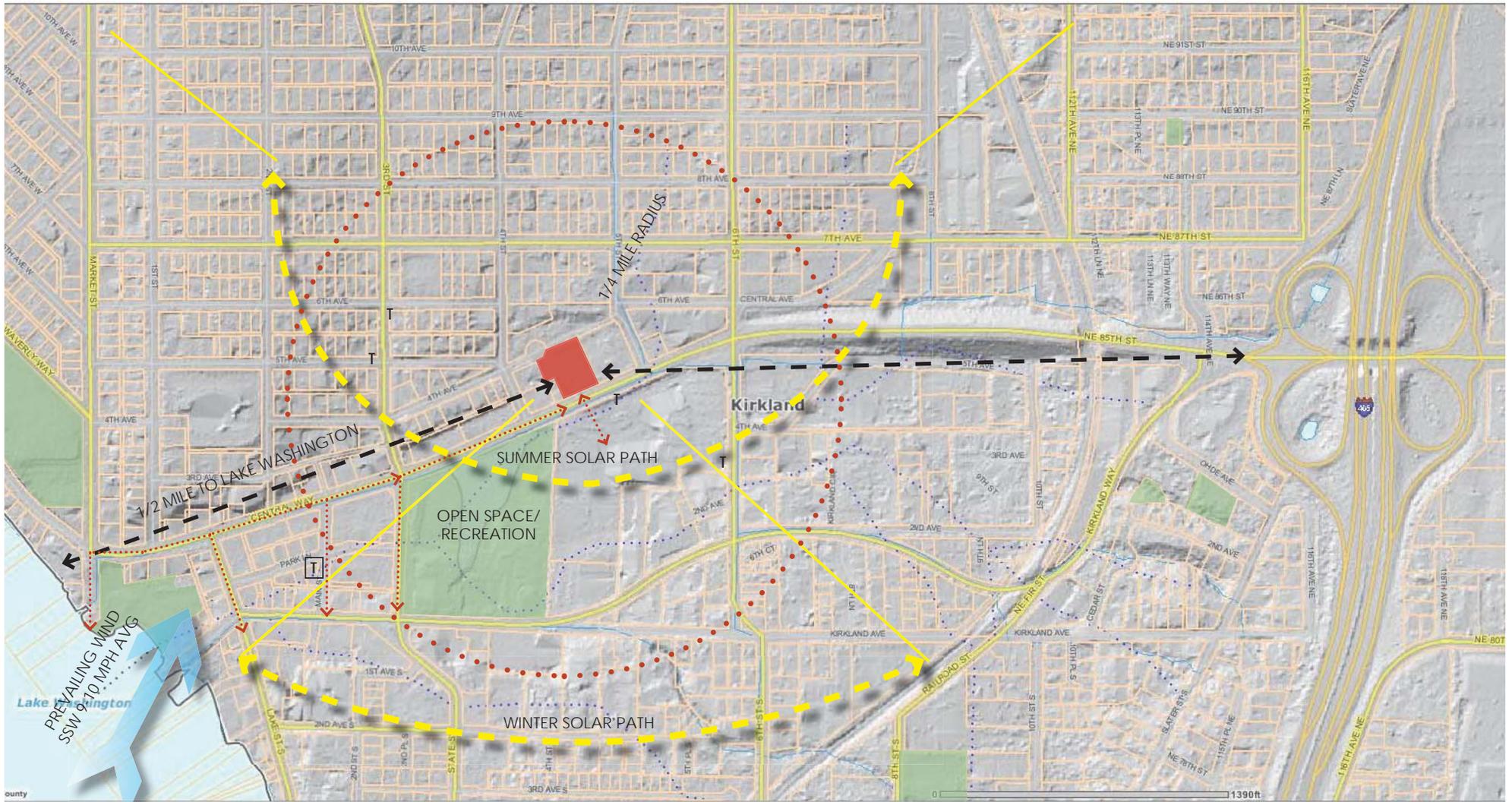
The retail proposes entries connected to a central courtyard or directly from Central Way determined by the function and needs of the future tenant. The courtyard could serve outside dining or café tables. A multipurpose, rotating-art gallery, approximately 500 sf, will be offered for local artists to showcase their work.

The housing proposes a range of unit sizes and configurations. Residential suites, "mini-suites" will be collected around central cooking and common work and/or leisure areas. Market rate apartments will consist of studios, one and two bedroom, and perhaps three bedroom units.



KIRKLAND LIVE | WORK ART COMMUNITY

450 CENTRAL WAY



KIRKLAND LIVE | WORK ART COMMUNITY
450 CENTRAL WAY

SITE ANALYSIS
VICINITY & ENVIRONMENT

APRIL 05, 2013



KIRKLAND LIVE | WORK ART COMMUNITY
450 CENTRAL WAY

SITE ANALYSIS
AERIAL | SITE PHOTOGRAPHY

APRIL 05, 2013

Section 50.47

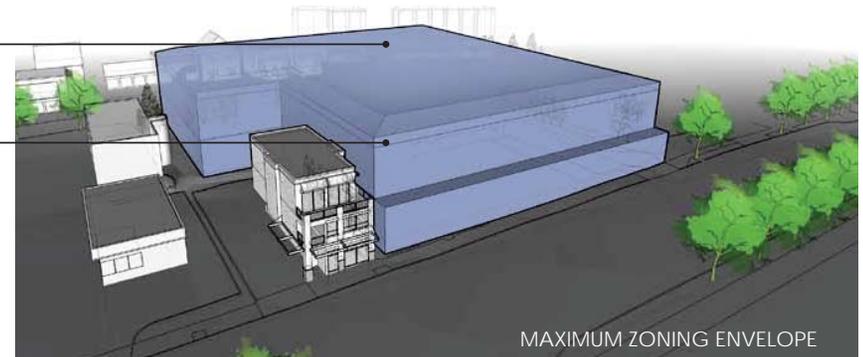


USE ZONE CHART

Section 50.47		DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
			Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage					Height of Structure
USE	REGULATIONS		Front	Side	Rear							
.060	Any Retail Establishment, other than those listed, limited, or prohibited in this zone, selling goods or providing services, including banking and related financial services	D.R., Chapter 142 KZC.	None	20'	0'	0'	80% See Spec. Reg. 5.	41' above average building elevation.	D See Spec. Reg. 4.	E	1 per each 350 sq. ft. of gross floor area.	1. Access for drive-through facilities must be approved by the Public Works Department. 2. Ancillary assembly and manufacture of goods on premises may be permitted only if: a. The assembled or manufactured goods are directly related to and dependent upon this use, and are available for purchase and removal from the premises. b. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other retail uses. 3. The sale, service and/or rental of motor vehicles, sailboats, motor boats, and recreational trailers is not permitted. Motorcycle sales, service, or rental is permitted if conducted indoors. 4. Landscape Category B is required if the subject property is adjacent to Planned Area 7B. 5. The required front yard for this use shall be zero feet for one story at street level. No parking may encroach into the required 20-foot front yard. If this use provides a zero-foot front yard, the lot coverage for the entire property shall be 100 percent.
.120	Stacked or Attached Dwelling Units See Special Regulation 1.										See Spec. Reg. 2.	1. This use may be located on the street level floor of a building only if there is a retail space extending a minimum of 30 feet of the building depth between this use and the abutting right-of-way. The Planning Director may approve a reduction to the depth requirement for the retail space if the applicant demonstrates that the proposed configuration of the retail use provides an adequate dimension for a viable retail tenant and provides equivalent or superior visual interest and potential foot traffic as would compliance with the required dimension. 2. This use must provide a minimum of one parking stall per bedroom or studio unit and an average of at least 1.3 parking stalls per unit for each development. In addition, guest parking shall be provided at a rate of 0.1 stalls per bedroom or studio unit with a minimum of two guest parking stalls provided per development.

49' ABOVE A.B.E. HEIGHT LIMIT WITH MIN. 4:12 PITCHED MANSARD ROOF PER KZC 50.62.3.b

20' AVERAGE SETBACK FROM STREET AT 2ND STORY PER KZC 50.47.060



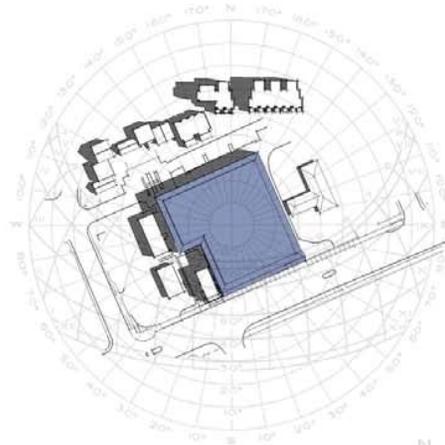
MAXIMUM ZONING ENVELOPE



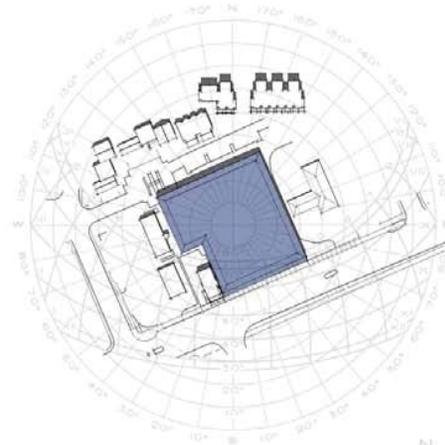
KIRKLAND LIVE | WORK ART COMMUNITY
 450 CENTRAL WAY

SITE ANALYSIS
 ZONING SUMMARY

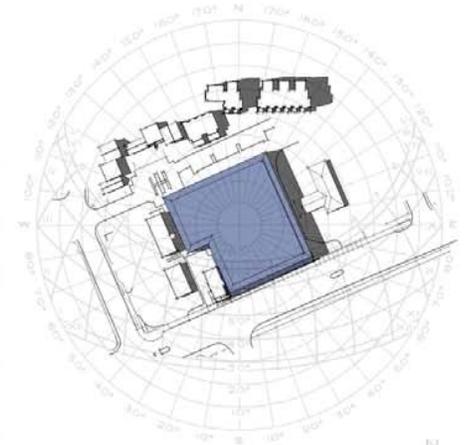
APRIL 05, 2013



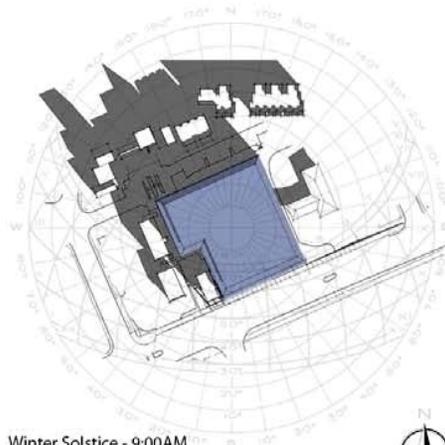
Summer Solstice - 9:00AM



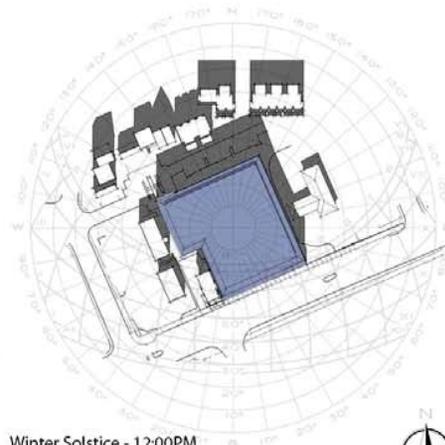
Summer Solstice - 12:00PM



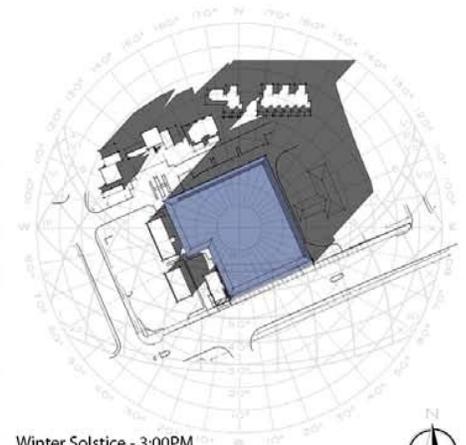
Summer Solstice - 3:00PM



Winter Solstice - 9:00AM



Winter Solstice - 12:00PM



Winter Solstice - 3:00PM



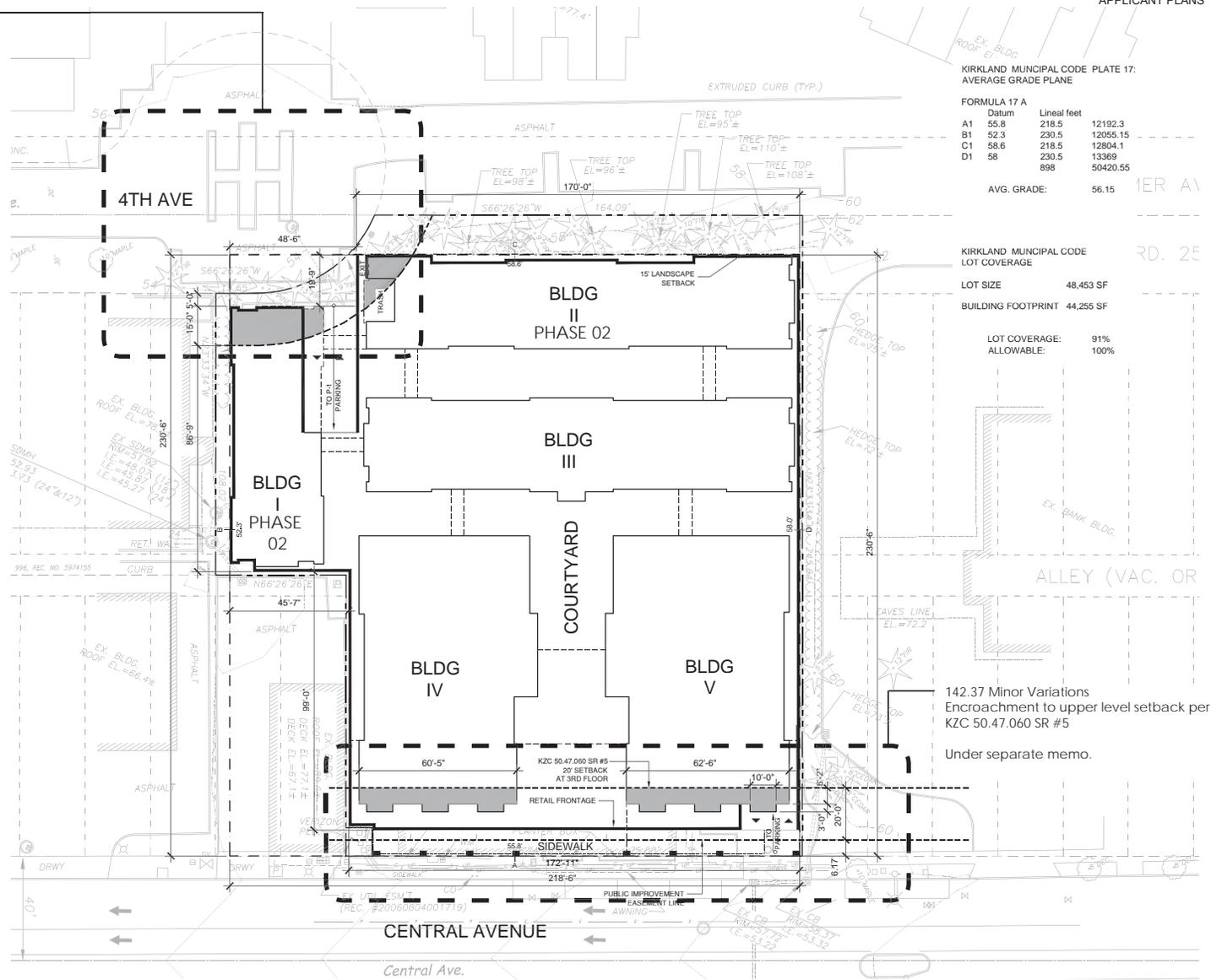
142.37 Design Departure and Minor Variations

encroachment to upper level setback per
 KZC 50.47.060 SR #5

Under separate memo.

Zoning	CBD-07				
Site Area	48,475				
Overlay	NONE				
Allowable Height	47' WITH PITCHED ROOF				
FAR	N/A				
Building Area					
	Parking	Retail	Multifamily	Res-Suites	
Level P2	17,300				
Level P1	39,500				
Level 1	11,500	9,414		4,943	
Level 2			6,817	13,856	
Level 3			8,493	14,052	
Level 4			17,049	9,142	
Level 5			13,995	8,849	
Roof					
Total GSF*	48,300	9,414	44,554	50,842	175,130
UNITS	255		42	228	
		Studio	11		
		1-Bed	37		
		2-Bed	12		
		3-Bed	2		
Parking Required					
	Multifamily				
	Studio	1	11		
	1-Bed	1	37		
	2-Bed	2	24		
	3-Bed	3	6		
Subtotal			78		
Guest multiplier:	0.1		8	Dev. Ratio	
Subtotal:			86	42	1.38
Mini Suites	0.5:1		114		
Commercial	GSF/350		27		
Parking Required			227		
Parking provided			257		

*GSF is measured to the OUTSIDE face of the exterior wall or centerline of party walls for separate, adjacent uses



KIRKLAND MUNICIPAL CODE PLATE 17:
 AVERAGE GRADE PLANE

FORMULA 17 A

Datum	Lineal feet	
A1	55.8	218.5 12192.3
B1	52.3	230.5 12055.15
C1	58.6	218.5 12804.1
D1	58	230.5 13369
		898 50420.55

AVG. GRADE: 56.15

KIRKLAND MUNICIPAL CODE
 LOT COVERAGE

LOT SIZE 48,453 SF
 BUILDING FOOTPRINT 44,255 SF

LOT COVERAGE: 91%
 ALLOWABLE: 100%

142.37 Minor Variations
 Encroachment to upper level setback per
 KZC 50.47.060 SR #5
 Under separate memo.



KIRKLAND LIVE | WORK ART COMMUNITY
 450 CENTRAL WAY

SITE ANALYSIS
 SITE PLAN

APRIL 05, 2013



PLANT SCHEDULE

BOTANICAL COMMON NAME	SIZE	COMMENTS
Acer palmatum / Japanese Maple		specimen
Magnolia sp. / Magnolia	10' ht multi-stem	specimen
Calamagrostis a. 'Karl's Foerster' / Feather Reed Grass		
lms sp.	1 gal.	
Calluna vulgaris 'Rosita' / Heather	1 gal.	
STREET TREE	2" caliper	
STREETSCAPE		
Bergeria sp.	1 gal.	
Prunus laurocerasus 'Mt. Verman' / Mount Verman laurel	24" x 24"	
Agastache 'Astello Indlgo'	1 gal.	
Lavendula angustifolia / English Lavender	1 gal.	
Carex 'Ice Dance'	1 gal.	
Rudbeckia sp. / Black Eyed Susan	1 gal.	
Salvia sp. / Sage	1 gal.	
Stipa tenuissima / Mexican Feather Grass	1 gal.	
BUFFER AREAS		
Polystichum munitum / Sword Fern	2 gal.	
Gaulltheria shallon / Salal	1 gal.	
Symphoricarpos albus / Snowberry	2 gal.	
Vaccinium ovatum / Evergreen Huckleberry	5 gal.	
Arctostaphylos uva ursi / Kinnikinnick	1 gal.	
COURTYARD		
Lilippe muscad / Lilly turf	1 gal.	
Hydrangea macrophylla / Hydrangea	5 gal.	
Evergreen Azalea	2 gal.	
Pachysandra terminalis / Japanese Spurge	Quarts	
Ferns	1 gal.	
SPIN GARDENS		
Blueberries	2 gal.	
Strawberries	Quarts at 24" o.c.	
Laurus nobilis / Bay Laurel	5 gal.	
Rosmarinus officinalis / Rosemary	2 gal.	
Thymus vulgaris / Thyme	1 gal.	
Oregano	1 gal.	



KIRKLAND LIVE | WORK ART COMMUNITY
 450 CENTRAL WAY

CONCEPT DEVELOPMENT
 LANDSCAPE SCHEME

APRIL 05, 2013