



MEMORANDUM

To: Design Review Board
From: Angela Ruggeri, Senior Planner
Date: August 17, 2015
File No.: DRV15-01250
Subject: **POTALA VILLAGE
DESIGN RESPONSE CONFERENCE**

I. MEETING GOALS

At the August 24, 2015 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 Section 3.30.040.

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

- Scale & Building massing
- Vehicle and Pedestrian access
- Plaza design
- Landscaping
- Materials, colors, and details

II. PROPOSAL

The subject property is located at 1006 Lake Street South, which is currently a vacant lot (see Attachment 1, Page 4). The applicant is proposing to construct a new mixed-use project that would consist of approximately 7,000 square feet of ground floor commercial retail space and approximately 58 residential units. Structured parking is proposed. The applicant has provided general project and program information on pages 2 through 4 of Attachment 1.

III. SITE

The site is a corner property with street frontage along Lake Street South to the west and 10th Avenue South to the north. Lake Street South is a designated *Pedestrian-Oriented Street*. The site slopes generally from the northeast (approx. elevation 54') down to the west (approx. elevation 32') over a distance of about 200'. The steepest portion of the property is at the northeast corner.

The following list summarizes the zoning designations, existing uses, and allowed heights of properties adjacent to the subject property (see Attachment 2):

- North:* **RM 3.6:** 4-plex & apartments. Maximum height is 30' above Average Building Elevation (ABE)/25' above ABE on the east side where adjoining a single family zone.
- East:* **RM 3.6:** Park Bay Condos and a single family home. Maximum height is 30' above ABE.
- South:* **RM 3.6:** Pleasant Bay Condos. Maximum height is 30' above ABE.
- West:* **WD 1:** Settler's Landing Park, Waterford East Condos and single family homes. Maximum height for single family homes is 30' above ABE. Maximum height for multifamily is 30' above ABE, but may be increased to 35' above ABE if certain criteria are met.

Additional photographs prepared by the applicant that show the surrounding properties are contained in Attachment 1, pages 6 -7).

IV. CONCEPTUAL DESIGN CONFERENCE

A Conceptual Design Conference was held on March 16, 2015. The DRB provided direction to the applicant in preparation for the Design Response Conference. At the meeting, the DRB chose massing option 3 with a "U" shape concept as the preferred option. The board also 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 below under the discussion of 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

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
- Pedestrian connections
- Blank wall treatment
- Landscaping
- Building material, color, and detail

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

Compliance with Design Guidelines

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

Purpose of the Design Guidelines for Neighborhood Business Districts

The Comprehensive Plan establishes a hierarchy of commercial districts, with regional goods and services at the upper end and neighborhood goods and services at the lower end.

Kirkland's Neighborhood Business Districts (BN, BNA, and MSC2) are important in providing neighborhood goods and services. Given the more localized draw for residents to meet their everyday needs, an emphasis on convenient and attractive pedestrian connections and vehicular access is important.

In addition, because these districts are surrounded by the residential land uses they serve, the design character and context of new development is critical to ensure that it integrates into the neighborhood.

The design guidelines are intended to further the following design objectives that are stated in the Plan:

- Establish development standards that promote attractive commercial areas and reflect the distinctive role of each area.
- Encourage and develop places and events throughout the community where people can gather and interact.
- Moss Bay neighborhood: Ensure that building design is compatible with the neighborhood in size, scale, and character.

B.

1. Scale

DRB Discussion

- Modulate east and north elevations of building.
- Explore possibility of two buildings to break up facade.
- Reduce massing.
- Step back upper story on Lake Street side.
- Reduce 19' commercial floor.
- Achieve pedestrian scale.
- Explore rooftop modulation.

- Address fenestration and materials.

Supporting Design Guidelines

Fenestration Patterns

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 Elements: Decks, Bay Windows, Arcades, Porches

Architectural building elements such as arcades, balconies, bay windows, roof decks, trellises, landscaping, awnings, cornices, friezes, art concepts, and courtyards should be encouraged.

Building Modulation – Vertical

Vertical building modulation should be used to add variety and to make large buildings appear to be an aggregation of smaller buildings.

Special Considerations for Neighborhood Business Districts

Façades over 120 feet in length should incorporate vertical definition including substantial modulation of the exterior wall carried through all floors above the ground floor combined with changes in color and material.

Building Modulation - Horizontal

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. Building design should incorporate strong pedestrian-oriented elements at the ground level and distinctive roof treatments.

Special Considerations for Neighborhood Business Districts

Above the ground floor, buildings should utilize upper story step backs to create receding building forms as building height increases. Rather than a rigid stair step approach, varied step back depths and heights should be used to create well-modulated façades and usable decks and balconies overlooking the street.

Analysis

As requested by the DRB, the applicant has pursued massing option 3 with a "U" shape concept and has provided detailed plans for review (see pages 8 and 9 of Attachment 1). The applicant has also responded to the concerns expressed by the DRB at the Conceptual Design Conference on pages 10 and 11 of Attachment 1.

The DRB should provide input on the following items based on the information provided by the applicant and applicable design guidelines:

- *Has there been enough modulation provided on the east and north elevations? See Attachment 1, page 9 - a bird's eye view from the NE corner.*

- *Should the building be broken up into two buildings or is modulation adequate to break up the façades as proposed?*
- *Does the design require additional step backs for upper stories on Lake Street to reduce the building massing?*
- *The commercial floor height is shown as 16', but the floor to floor height is 19' - 8". Is that an appropriate height for the commercial floor (see page 32)?*
- *Does the design achieve pedestrian scale?*
- *Does the proposed parapet change of 1' - 2" provide adequate rooftop modulation (see page 32)?*
- *What does the Board think about the proposed fenestration and materials?*

2. Pedestrian & Vehicular Access

DRB Discussion

- Support access off of 10th Avenue South.

Supporting Design Guidelines

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

Sidewalk Width – Movement Zone

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.

Parking Locations and Entrances

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.

Analysis

The applicant has shown vehicular and pedestrian access for the project on pages 12 and 13 of Attachment 1.

- *Vehicular Access*

The applicant's design has access off of 10th Avenue South as supported by the DRB. The City Public Works Department also supports access from 10th Avenue South.

- *Pedestrian Access*

The DRB should provide input on the pedestrian access on site.

3. Open Space and Landscaping

DRB Discussion

- Support central courtyard and U shaped building.
- Avoid shaded courtyard.

- Pay special attention to important west wall of the courtyard.
- Provide information on landscape buffer to the east. Is any tree retention planned?

Supporting Design Guidelines

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

KZC Chapter 95 requires that a landscape plan be approved as part of the Design Review Process.

Visual Quality of Landscapes

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.

Pedestrian-Oriented Plazas

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.

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/plaza and buffer the neighbors to the north and east. The applicant has responded to the DRB on pages 14 and 15. A tree retention plan has been provided on page 25. It appears that all existing trees on site will be removed.

The DRB should provide input on the following items:

- *Does the proposed landscaping support central courtyard and U shaped building?*
- *Does the plan avoid having a shaded courtyard? The sun and shade diagrams on page 33 show that the courtyard works well in the summer months in particular.*
- *Has the west wall of the courtyard been given enough special attention since it is an important area?*
- *Are the east and south buffers adequate?*

4. Building Materials, Color, and Details

DRB Discussion

This topic was not discussed in detail at the Conceptual Design Conference, but the applicant was asked to address materials at the Design Response Conference.

Supporting Design Guidelines

The *Design Guidelines* contain the following discussion and guideline addressing the colors and materials:

Discussion: A variety of colors should be used in Kirkland. By no means should design be limited by overly-restrictive guidelines dictating color use. Based on Kirkland's existing color scheme, the following general guidelines can prevent garish, incongruous colors from being inappropriately applied or juxtaposed to more subdued earth tones and colors.

- Where appropriate, use the natural colors of materials such as brick, stone, tile, and stained wood (painted wood is acceptable).
- Use only high-quality coatings for concrete.
- Emphasize earth tones or subdued colors such as barn red and blue-gray for building walls and large surfaces.
- Reserve bright colors for trim or accents.
- Emphasize dark, saturated colors for awnings, and avoid garish and light colors that show dirt.
- Avoid highly-tinted or mirrored glass (except stained-glass windows).
- Consider the color of neighboring buildings when selecting colors for new buildings.

Color

Color schemes should adhere to the guidelines enumerated above. The use of a range of colors compatible within a coordinated color scheme should be encouraged.

Analysis

Attachment 1 contains color elevation and perspective drawings, but does not callout the proposed building materials. The DRB should provide feedback to the applicant regarding the materials and colors.

5. Other

DRB Discussion

- Pedestrian oriented retail is important.
- Be sure it is obvious where to park.

Supporting Design Guidelines

"Pedestrian-Friendly" Building Fronts

All building fronts should have pedestrian-friendly features

Special Consideration for Neighborhood Business Districts

Commercial space should generally be at grade with the adjoining sidewalk. Where this is not feasible, the building should be setback from the sidewalk far enough to allow a comfortable grade transition with generous pedestrian oriented open space.

Pedestrian Connections

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

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.

Street Corners

Buildings should be designed to architecturally enhance building corners.

Circulation Within Parking Lots

Parking lot design should be clear and well organized. Space should be provided for pedestrians to walk safely in all parking lots.

Analysis

The DRB should provide input on the following items:

- *Has the pedestrian oriented retail been treated as an important part of the project?*
- *Is it obvious where to park and how to access the site?*

VI. KEY ZONING REGULATIONS

The project is required to meet the current zoning regulations for uses in the BN zone. The following regulations are important to point out as they form the basis of any new development on the site.

- A. Permitted Uses: Permitted uses in this zone include, but are not limited to retail, restaurants, office, and stacked dwelling units.

The following commercial frontage requirements apply to all development that includes dwelling units or assisted living uses:

- a. The street level floor of all buildings shall be limited to one or more of the following uses: Retail; Restaurant or Tavern; Entertainment, Cultural and/or Recreational Facility; or Office. These uses shall be oriented toward fronting arterial and collector streets and have a minimum depth of 20 feet and an average depth of at least 30 feet (as measured from the face of the building along the street).

The Design Review Board (or Planning Director if not subject to D.R.) may approve a minor reduction in the depth requirements if the applicant demonstrates that the requirement is not feasible given the configuration of existing or proposed improvements and that the design of the commercial frontage will maximize visual interest. The Design Review Board (or Planning Director if not subject to D.R.) may modify the frontage requirement where the property abuts residential zones in order to create a more effective transition between uses.

- b. The commercial floor shall be a minimum of 13 feet in height. In the BN zone, the height of the structure may exceed the maximum height of

structure by three feet for a three-story building with the required 13-foot commercial floor.

- c. Other uses allowed in this zone and parking shall not be located on the street level floor unless an intervening commercial frontage is provided between the street and those other uses or parking subject to the standards above. Lobbies for residential or assisted living uses may be allowed within the commercial frontage provided they do not exceed 20 percent of the building's linear commercial frontage along the street.

Staff Comment: The applicant is proposing ground floor retail along Lake Street South and along a portion of 10th Avenue South.

Vehicular access to the parking garage is proposed on 10th Street South. The parking for the project is proposed within the structure and is not visible from Lake Street South (see Attachment 1). Retail parking is proposed at the ground level behind the Lake Street South retail frontage. The proposal is consistent with the permitted uses for the BN zone.

- B. Setbacks: There is no required setback from the front property line. Side and rear yards are a minimum of 10 feet.

Staff Comment: The proposal meets the required yard dimensions and must demonstrate compliance as part of any building permit.

- C. Height: BN zoning allows a maximum height of 30' above ABE. As noted above, the following General Regulation also applies.

- b. The commercial floor shall be a minimum of 13 feet in height. In the BN zone, the height of the structure may exceed the maximum height of structure by three feet for a three-story building with the required 13-foot commercial floor.

Staff Comment: Pursuant to this General Regulation for the BN zone, the maximum structure height is 33' under the conditions noted. The proposed building is approximately 32' above average building elevation.

- D. Lot Coverage: BN zoning regulations allow a maximum of 80% lot coverage.

Staff Comment: The proposal meets the required lot coverage and must demonstrate compliance as part of any building permit.

- E. Parking: Retail and office uses must provide one parking space for each 300 square feet of gross floor area. Stacked dwelling units must provide a minimum of 1.2 stall per studio unit, 1.3 per 1 bedroom unit, 1.6 per 2 bedroom unit, 1.8 per 3 or more bedroom unit, plus guest parking pursuant to KZC 105.20.

Staff Comment: The proposal must demonstrate compliance with parking requirements as part of any building permit.

- F. Landscaping. Based on the proposed uses on the subject property and the adjoining multi-family/single family development to the east, north and south, a 10'-wide landscape buffer is required along the east, north and south property lines planted pursuant to standards found in KZC Section 95.42.

Staff Comment: The DRB also made specific comments about the required landscape buffers at the Conceptual Design Conference. A landscape plan by a Registered Landscape Architect has been included in the packet with the Design Response Conference application.

Sidewalks. Lake Street South 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 Lake Street South. The project will be required to confirm with the Public Works Department required frontage improvements.

VII. STATE ENVIRONMENTAL POLICY ACT

SEPA is the state law that requires an evaluation of a development proposal for environmental impacts. A Final Environmental Impact Statement was issued on November 2, 2012 that reviewed the previous project. A SEPA Addendum will be required for the current proposal. The mitigating measures for the previous project are included as Attachment 3. Although the project has changed substantially, the mitigating measures should still be considered. Those relating to Building massing and size are of particular interest. They discuss the following points:

- Top floor setback along the west building façade.
- Reducing the perceived mass of the building by providing two distinct building wings.
- Providing exterior wall modulation on the north and south facades.

VIII. SHORELINE SUBSTANTIAL DEVELOPMENT PERMIT

The project received a final decision on the shoreline development permit in 2013. The permit including conditions of approval is Attachment 4. These conditions of approval 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.

IX. PUBLIC COMMENT

The DRB has received a number of emails from neighbors expressing their concerns about the project. All the emails were either sent to the Board directly or forwarded to the Board by staff. The main concerns expressed by the neighbors included:

- Height
- Building massing, size and scale
- Buffering for neighboring properties
- Neighborhood character
- 19' commercial floor
- Not adequate retail space supplied
- More landscaping along Lake Street South
- No below grade retail
- 3 story maximum
- Adequate setbacks from neighboring properties
- Location of garbage pickup (reviewed with building permit)
- Rooftop appurtenances
- Lot coverage (reviewed with building permit)

- Access off of Lake Street/access off of 10th Avenue South (different opinions)
- Safety for pedestrians and bikes
- Traffic (reviewed as part of EIS)
- Site Contamination (being handled by Department of Ecology)
- Lot Consolidation before building (reviewed at building permit stage)

X. 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.

XI. ATTACHMENTS

1. Applicant's Proposal
2. Zoning Map
3. Final EIS – Mitigating Measures
4. Revised notice of decision for Shoreline Substantial Development Permit.



1008 Lake Street Design Response Conference

CITY OF KIRKLAND FILE NO. DRV14-02047
Legal Address:
1006 LAKE STREET S. KIRKLAND WA 98033
6/16/2015



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Project Introduction



PACKAGE INDEX

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PROJECT CONTACTS

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REF PROJECT #2015.083
- OWNER:
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500 108TH AVE NE SUITE 2020, BELLEVUE WA 98033

SITE LOCATION

Legal Address: 1006 Lake Street S, and 21 10th Avenue S
Kirkland WA 98033

- Parcel: 9354900220; 9354900240; 0825059233
- Zoning: Neighborhood District ("BN") - 2009 Kirkland Comprehensive Plan - Figure MB-2: Moss Bay Area Land Use Map
- Lot Size: 54,509 SF
- Lot Coverage: 66%

PROJECT HISTORY

March 9, 2015 - Conceptual Design Conference
File No. DRV14-020147

ALLOWABLE HEIGHT

Commercial floor to ceiling: 16'
Maximum structure: 30' above average building elevations for BN zone (KZC 40.10) + 3'

PROPOSED DEVELOPMENT SIZE

The project will be providing 58 condo units above street level with views overlooking a central courtyard and Seattle skyline across Lake Washington. The central courtyard is set back from Lake Street providing a physical break up of building mass, and it simultaneously creates an inviting place that separates the two retail spaces and becomes an informal gathering place for pedestrians.

- Building Height: 33' / three levels
- Total NSF: 138,434 SF
- Total GSF: 120,365 SF
- Residential Units: 58
- Commercial Retail SF: 7,000 SF
- Parking : 123 Required, 129 Provided

VISION

This project is a new, visionary concept of modern living that will support the development of the Lake Washington waterfront in the City of Kirkland. The project serves as a community catalyst by creating an integrated pedestrian plaza with inviting design features along Lake Washington Boulevard. Lake Street will build a serene and vibrant environment for residents, neighbors and retailers alike. It is this connection to the community, that we seek to express, by using timeless, simple and modern material and colors to allow this project to blend-in and enhance the existing surrounding.

DEVELOPMENT OBJECTIVES

The vision of the 1008 Lake Street project is to create community-centered, neighborhood retail with generous pedestrian plaza, while providing high-end quality housing. Located about half a mile south of downtown Kirkland, the project site consists of approximately 54,509 SF (1.21 acres). The project is bounded by Lake Street South to the West, and 10th Avenue South to the North; the site slopes up eastward from Lake Street (away from Lake Washington) up to 14 feet along the South boundary and 22 feet along the North boundary at the rear of the property. The terrain lends the project a unique opportunity to blend with the natural contour of the land and to minimize visual impacts to the existing neighboring residential developments.

The Preferred Option is a three-story building above grade that will consist of a mixed use development with approximately 7,000 SF of retail use on the ground floor, and 58 residential units on the 2nd and 3rd floors. It will have adequate parking for both retail clients, residents, as well as their guests. The development would be contained in a single building with a total area of 138,434 gross SF. The retail spaces will be located at both (the north and the south) front corners of the building, with a central plaza dividing the two. The parking will be accessed from 10th Ave S, in accordance with City of Kirkland Public Works' criteria. This central open plaza concept will be easily accessible for all visitors, and it may also provide outdoor functions for the retail tenants.

The Preferred Option will be set back approximately 24' from Lake Street's curb and 11'-18' from west bound property line to create a spacious street frontage for pedestrians. The Preferred Option will extend into the Shoreline Buffer as it is permitted by concurrent and approved Shoreline Permit. This design option supports the open feel on Lake Street. The ground plane was conceived with a desire for openness and transparency allowing a generous public view through the site. The modulation of the building creates a structure that will be physically and visually less massive in appearance. When the project is completed, the 1008 Lake Street development will become an attractive and welcoming place that will enhance the desired pedestrian-friendly retail nature that the Kirkland waterfront district calls for, and thus can be embraced by its neighbors and citizens as a positive addition.

1. RETAIL USES:

- Approx. 7,000 SF of Commercial Retail space, with Services and Parking access on street level

2. RESIDENTIAL USES:

- 58 residential units, (a mix of 1 Bedroom, 2 Bedroom, and 3 Bedrooms units)
- Residential Lobby on street level
- Indoor amenity space on street level
-

3. DEVELOPMENT GOALS

- 33' above average grade (33' permitted), 58 residential units, 129 parking stalls (at-grade and above grade)
- Parking will be utilized by residents, retailers and guests

4. CONSTRUCTION TYPE

- Concrete podium (Type I) for parking/commercial wood frame construction (Type V) for residential

GOAL 1

Provide a larger public plaza with easy and visible access to improve pedestrian experience.

GOAL 2

Provide a parking entry hidden from view and Lake Street S. The new parking entry is located off 10th Avenue S.

GOAL 3

Provide retail per new BN zoning, with 16' floor to ceiling and average depth of 30'. The Retail storefront will be framed by a continuous canopy at 10 feet above sidewalk to provide amicable atmosphere for pedestrians.

4 CONTEXT

SITE DESCRIPTION AND OPPORTUNITIES

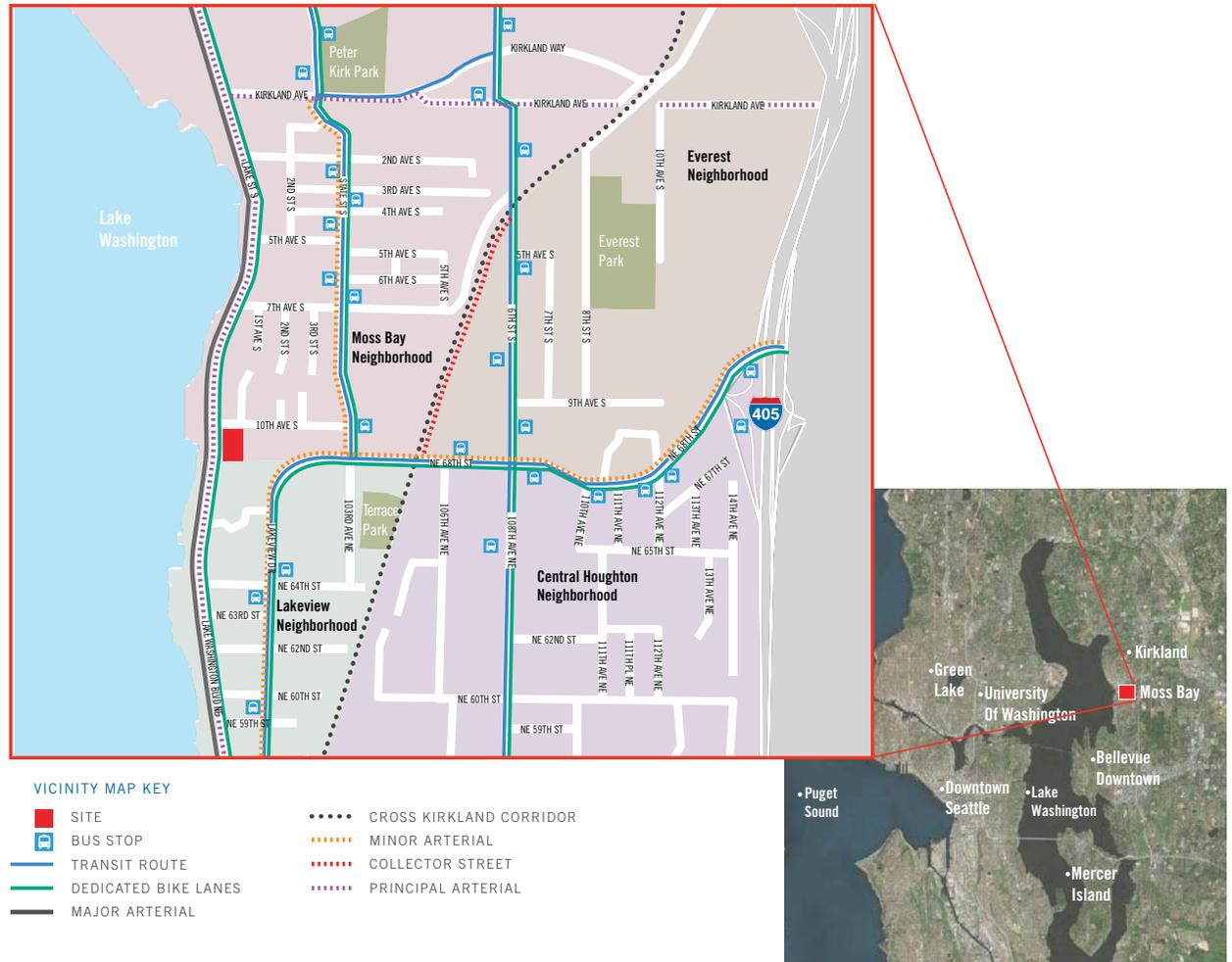
This site is located about half a mile south of downtown Kirkland. With Lake Washington to the west, this is an opportunity to integrate a mixed-use environment into the neighborhood, creating a pedestrian destination for Kirkland's beachfront community.

The site is currently vacant. The south bound easement has matured landscaping installed by adjacent property owners, providing access to their on-grade parking lots. The immediate neighboring properties are RM (Multifamily Residential) and WD (Waterfront District).

Lake Street South is a 'principal arterial' that becomes Lake Washington Boulevard at the site's southwest corner. It connects downtown Kirkland to Evergreen Point Bridge (520), providing Moss Bay community and adjacent communities immediate vehicular access and at the same time it has views of the Seattle skyline across Lake Washington.

10th Ave South is a neighborhood street; it connects State St. South to Lake Street South/waterfront.

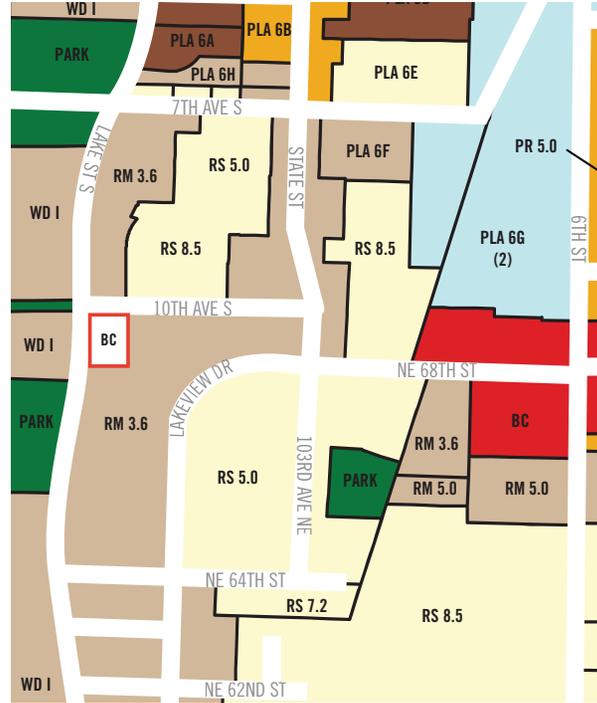
This mixed-use development will support the growth of the City of Kirkland and will serve as a buffer and transitional node for the quieter community east of Lake Washington from the busy Lake Street South. The new retail development along with the vibrant and generous plazas on Lake Street will improve and support the existing pedestrian experience along Lake Washington.





NATURAL FEATURES MAP

- SITE
- OPEN STREAM
- LAKE WASHINGTON
- SHORELINES OF STATEWIDE SIGNIFICANCE
- PARK AND OPEN SPACE



ZONING MAP

- SITE / COMMERCIAL
- COMMERCIAL
- INDUSTRIAL
- OFFICE
- HIGH DENSITY RESIDENTIAL
- MEDIUM DENSITY RESIDENTIAL
- LOW DENSITY RESIDENTIAL
- PARK/OPEN SPACE

ZONING ANALYSIS

TOTAL SITE AREA: 54,509 SF
 ZONE: Business Neighborhood ("BN")
 ZONE AREA: 54,509 SF
 PERMITTED USE: Retail & Residential Uses

MAX. ALLOWABLE HEIGHT LIMIT: 30'-0" above ABE ("average base elevation"). Additional 3' permitted for 3-story building.
 SETBACKS: 0'-0" Front; 10'-0" Side & Rear

LOT COVERAGE: 66%
 LANDSCAPE: Category B

KIRKLAND SHORELINE OVERLAY

ZONE: Urban Mixed ("UM")
 ZONE AREA: 54,509 SF
 PERMITTED USE: Retail/Office/ MF Residential
 Req. Substantial Development Permit

SHORELINE SETBACK: 25'-0" or 15'-0" of Lot Depth from Water
 HEIGHT: 35'-0" above A.B.E.

LOT COVERAGE: 80% max.

6 CONTEXT



1



2



3



PHOTO KEY PLAN



4



5



6



7



8



9



PHOTO KEY PLAN

1



2



3



8 DESIGN CONCEPT SUMMARY

THE 'U' SHAPE CONCEPT

This option is the DRB's preferred option that was presented at the Conceptual Design Conference on March 9, 2015. The concept takes advantage of the site slope by nesting the building into the hillside. Additionally, this option respects the existing Shoreline Permit prescription while providing a larger at-grade plaza. The overall footprint is within the general range of the design parameters reviewed in the Environmental Impact Statement (EIS). The site density is maximized with a minimal footprint and the project scope is reduced with 3 stories above grade.

DRB PRIORITIES

A. SCALE:

- 1 Study Modulation of all elevations of building.
- 2 Reduce the feeling of bulk with meaningful modulation.
- 3 Reduce 19' commercial floor to reflect pedestrian scale of area.
- 4 Explore rooftop modulation.

B. ACCESS:

- 1 Support access off of 10th Avenue South.

C. BUFFER AND LANDSCAPING:

- 1 Support central courtyard and U shaped building.
- 2 Study shading at courtyard and appearance of back wall.
- 3 Provide information on landscape buffer to the east and tree retention.

D. REQUIRED ITEMS:

- 1 Sketch Up model with adjoining development dropped in. Model should have ability to turn the tree layer off and navigate around property to show pedestrian level view.
- 2 A pedestrian eye view from Lake Street South.
- 3 Elevations for all facades.
- 4 Full Survey.
- 5 ABE Calculation.

OVERALL VIEW ALONG LAKE STREET



BIRD'S EYE VIEW ALONG LAKE STREET



BIRD'S EYE VIEW OF COURTYARD



BIRD'S EYE VIEW FROM NE CORNER



BIRD'S EYE VIEW FROM NW CORNER



DESIGN PROS:

- One building story less than other design options.
- Option allows for largest mid-block plaza.
- Larger view access across the site.
- Smaller building footprint and massing.
- Plaza is flat, not sloped toward retail.

DESIGN CONS:

- Asymmetrical retail spaces.

10 DESIGN CONCEPT: MODULATION STUDY

A. SCALE

- DRB DIRECTION A1**
Study Modulation of all elevations of building.

- DRB DIRECTION A2**
Reduce the feeling of bulk with meaningful modulation.

- DRB DIRECTION A3**
Reduce 19' commercial floor to reflect pedestrian scale of area.

- DRB DIRECTION A4**
Explore rooftop modulation.



DRB RESPONSE A1

Building façade maximum length is reduced from 125'-0" per zoning code allowance. The average façade length is 60'-0", with one exception at 102'-0".

DRB RESPONSE A2

Building bulk is reduced by application of 'punches' to recess the building façade 5' to 8' back on all façades to increase visual interest and reduce the 'solid feel' of massive walls.

DRB RESPONSE A3

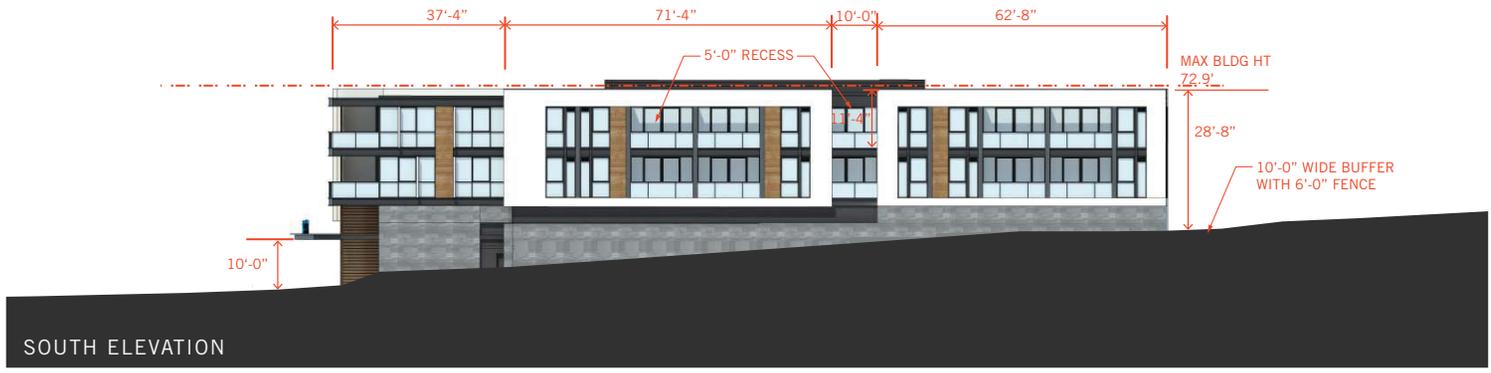
Commercial floor to ceiling height is reduced to 16'-0", in addition a continuous canopy will be installed at 10'-0" above sidewalk to create an amicable pedestrian atmosphere.

DRB RESPONSE A4

Rooftop modulation is applied with façade modulation at intervals where the parapet is stepped down.



WEST ELEVATION



SOUTH ELEVATION

12 DESIGN CONCEPT: ADJACENCY

ILLUSTRATION OF ADJACENCY



LANDSCAPING SCHEDULE

**NW 1/4, SW 1/4, SEC. 8, T.25N., R.5E., W.M.
KING COUNTY, WASHINGTON**

TREES



Pyrus callereana/
Capital Pear



Calocedrus decurrens/
Incense Cedar



Styrax japonicus/
Snowdrop Tree



Acer Palmatum Sangu Kaku/
Coral Bark Maple



Umbellularia californica/
California Laurel



Cercidiphyllum japonicum
Var. Magnificum/
Katsura Tree

SHRUBS



Rhododendron Unique



Raphiolepis indica/
India Hawthorn



Forsythia Intermedia/
Forsythia



Skimmia japonica/
Skimmia - Male



Skimmia japonica/
Skimmia - Female



Viburnum davidii/
David's Viburnum



Rhus typhina/
Staghorn Sumac



Pieris japonica/
Lily of the Valley



Mahonia nervosa/
Oregon Grape



Phyllostachys nigra/
Black Bamboo

GROUND COVER



Vinca Minor/
Myrtle



Arctostaphylos uva ursi/
Kinnikinnick



Gaultheria shallon/
Salal

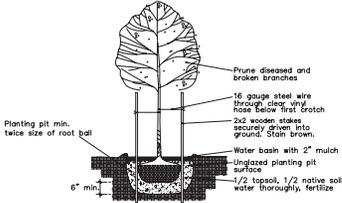


Blechnum spicant/
Deer Fern

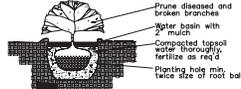


Adiantum pedatum/
Maidenhair Fern

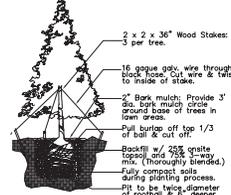
DECIDUOUS TREE PLANTING DETAIL
No Scale



SHRUB PLANTING DETAIL
No Scale



EVERGREEN TREE PLANTING DETAIL
No Scale



IECO

INTEGRITY ENGINEERING CO.

P.O. BOX 1478
1423 10TH AVENUE, SEATTLE, WA 98108
INFO@INTEGRITYENGINEERING.NET

BY APPROVED:	DATE: 05/05/2015
BY APPROVED:	DATE: 05/05/2015

FILE # 10-00002

NW 1/4, SW 1/4, SEC. 8, T.25N., R.5E., W.M.

DATE PLOTTED:	DESIGNED BY:	CHECKED BY:	DATE:
05/05/2015	10	10	05/05/2015

PLANTING DETAILS

L2.0

16 DESIGN CONCEPT: SITE PERSPECTIVES

DRB DIRECTION D1

Sketch Up model with adjoining development dropped in. Model should have ability to turn the tree layer off and navigate around property to show pedestrian level view.

DRB DIRECTION D2

A pedestrian eye view from Lake Street South.

DRB DIRECTION D3

Elevations for all facades.

DRB DIRECTION D4

Full Survey.

DRB DIRECTION D RESPONSE

Required Items:

Provided as shown.

AERIAL VIEW OF COURTYARD



COURTYARD PEDESTRIAN LEVEL VIEW (FACING SOUTHEAST)



COURTYARD PEDESTRIAN LEVEL VIEW (FACING NORTHEAST)



18 DESIGN CONCEPT: PERSPECTIVES

DRB DIRECTION D1

Sketch Up model with adjoining development dropped in. Model should have ability to turn the tree layer off and navigate around property to show pedestrian level view.

DRB DIRECTION D2

A pedestrian eye view from Lake Street South.

DRB DIRECTION D3

Elevations for all facades.

DRB DIRECTION D4

Full Survey.

DRB DIRECTION D RESPONSE

Required Items:

Provided as shown.

PEDESTRIAN LEVEL VIEW (FACING EAST) @ LAKE STREET



PEDESTRIAN LEVEL VIEW (FACING SOUTH) @ LAKE STREET



PEDESTRIAN LEVEL VIEW (FACING NORTH) @ LAKE STREET



20 DESIGN CONCEPT: PERSPECTIVES

DRB DIRECTION D1

Sketch Up model with adjoining development dropped in. Model should have ability to turn the tree layer off and navigate around property to show pedestrian level view.

DRB DIRECTION D2

A pedestrian eye view from Lake Street South.

DRB DIRECTION D3

Elevations for all facades.

DRB DIRECTION D4

Full Survey.

DRB DIRECTION D RESPONSE

Required Items:

Provided as shown.

AERIAL VIEW (FROM SOUTHWEST)



NORTH PEDESTRIAN LEVEL VIEW (FACING WEST FROM ACROSS 10TH)



SOUTH PEDESTRIAN LEVEL VIEW (FACING WEST)



SOUTH PEDESTRIAN LEVEL VIEW (FACING EAST)



NORTH PEDESTRIAN LEVEL VIEW (FACING WEST)



NORTH PEDESTRIAN LEVEL VIEW (FACING EAST)



22 DESIGN CONCEPT: ELEVATIONS

NORTH ELEVATION



WEST ELEVATION



SOUTH ELEVATION

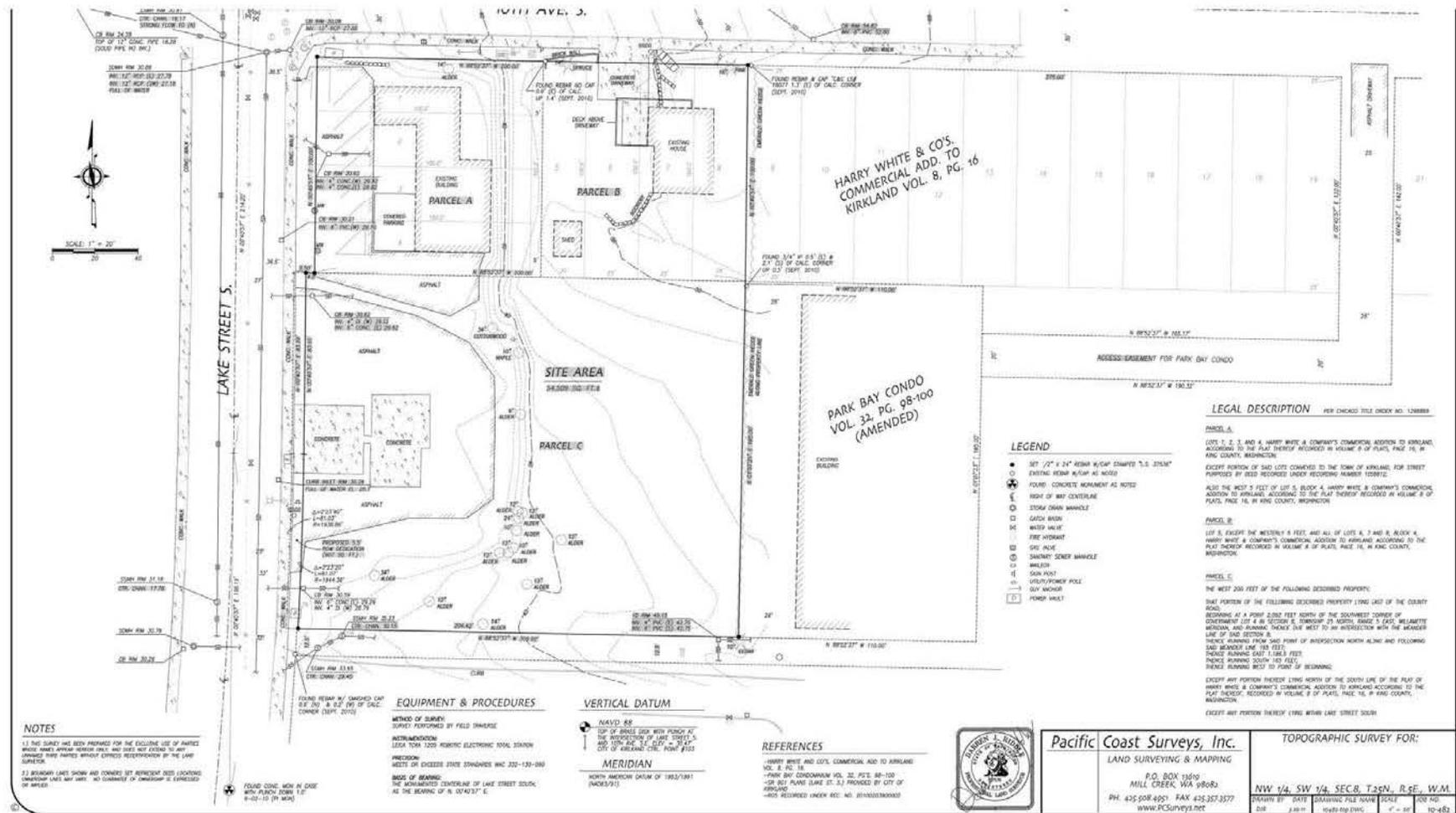


EAST ELEVATION



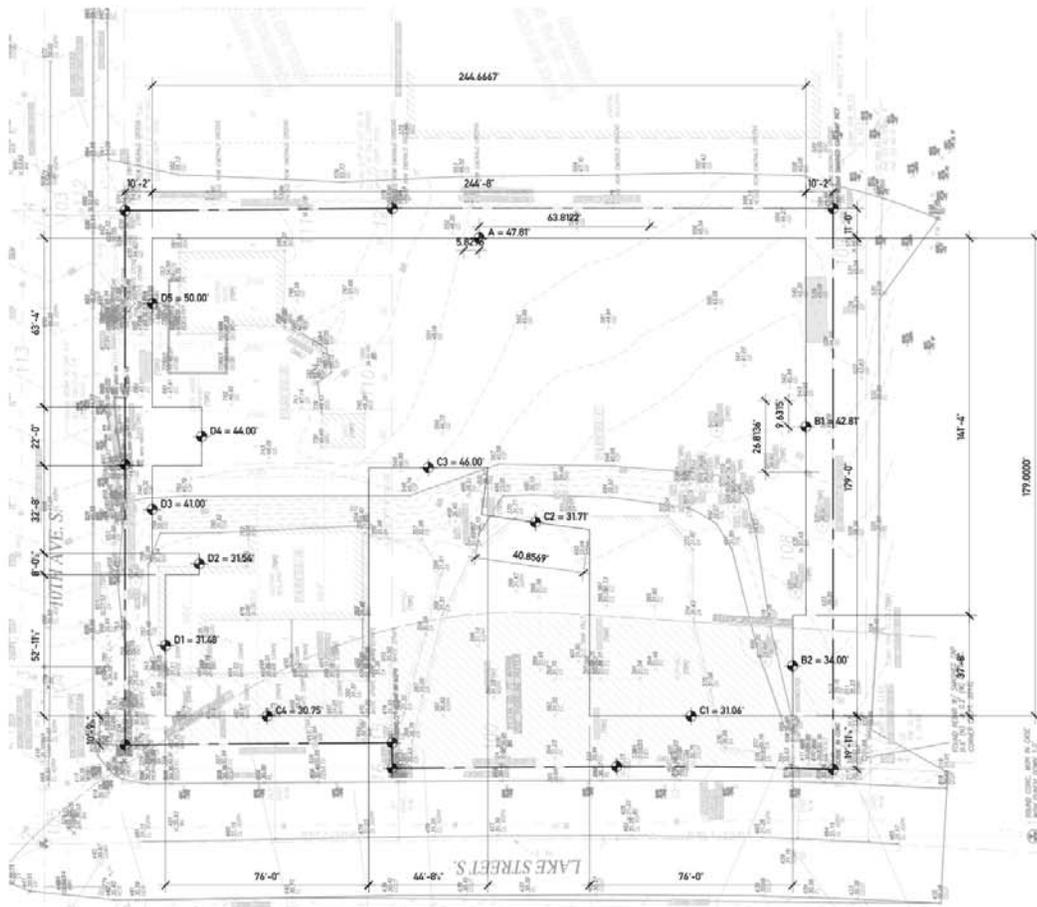
24 DESIGN CONCEPT SURVEY

D4. FULL SITE SURVEY



26 DESIGN CONCEPT: ABE

D5. AVERAGE BUILDING ELEVATION CALCULATION DIAGRAM



AVERAGE GRADE CALCULATION

A = 47.81' B1 = 42.81' B2 = 34.00' C1 = 31.04' C2 = 31.71'

a = 244.67' b = 141.33' b2 = 37.66' c1 = 76.00' c2 = 40.83'

C3 = 44.00' C4 = 30.75' D1 = 31.48' D2 = 31.54' D3 = 41.00'

c3 = 44.83' c4 = 76.00' d1 = 52.95' d2 = 8.00' d3 = 22.64'

D4 = 44.00' D5 = 50.00'

d4 = 22.00' d5 = 63.33'

AVERAGE GRADE = (Axa) + (Bxb) + (Cxc) + (Dxd)

(a+b+c+d)

= (47.81x244.67) + (42.81x141.33) + (34.00x37.66) + (31.06x76.00) + (31.71x40.83) + (44.00x44.83)

+ (30.75x76.00) + (31.48x52.95) + (31.54x8.00) + (41.00x22.00) + (50.00x63.33)

(244.67 + 141.33 + 37.66 + 76.00 + 40.83 + 44.83 + 76.00 + 52.95 + 8.00 + 22.00 + 63.33)

= 11697.67 + 6050.33 + 1290.44 + 2340.56 + 1294.72 + 2062.18 + 2337.16 + 1664.86 + 292.32 + 1339.56 + 3168.31

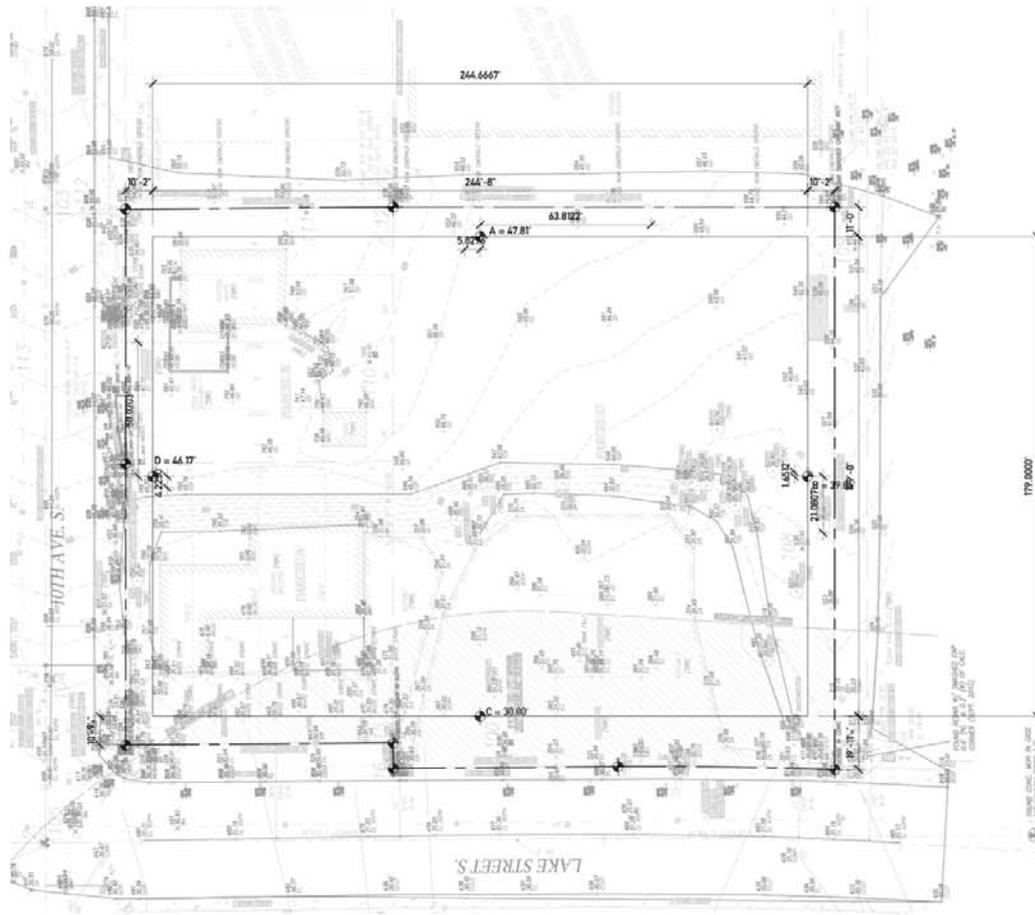
8402.26

= 34479.64

8402.26

= 41.03'

D5. AVERAGE BUILDING ELEVATION CALCULATION DIAGRAM



AVERAGE GRADE CALCULATION

$A = 47.81'$ $B = 39.84'$ $C = 30.80'$ $D = 44.17'$
 $a = 244.67$ $b = 179$ $c = 244.67$ $d = 179$

$$\text{AVERAGE GRADE} = \frac{(Ax)a + (Bx)b + (Cxc) + (Dx)d}{(a+b+c+d)}$$

$$= \frac{(47.81 \times 244.67) + (39.84 \times 179) + (30.80 \times 244.67) + (44.17 \times 179)}{244.67 + 179 + 244.67 + 179}$$

$$= \frac{11697.67 + 7131.36 + 7535.84 + 8264.43}{847.34}$$

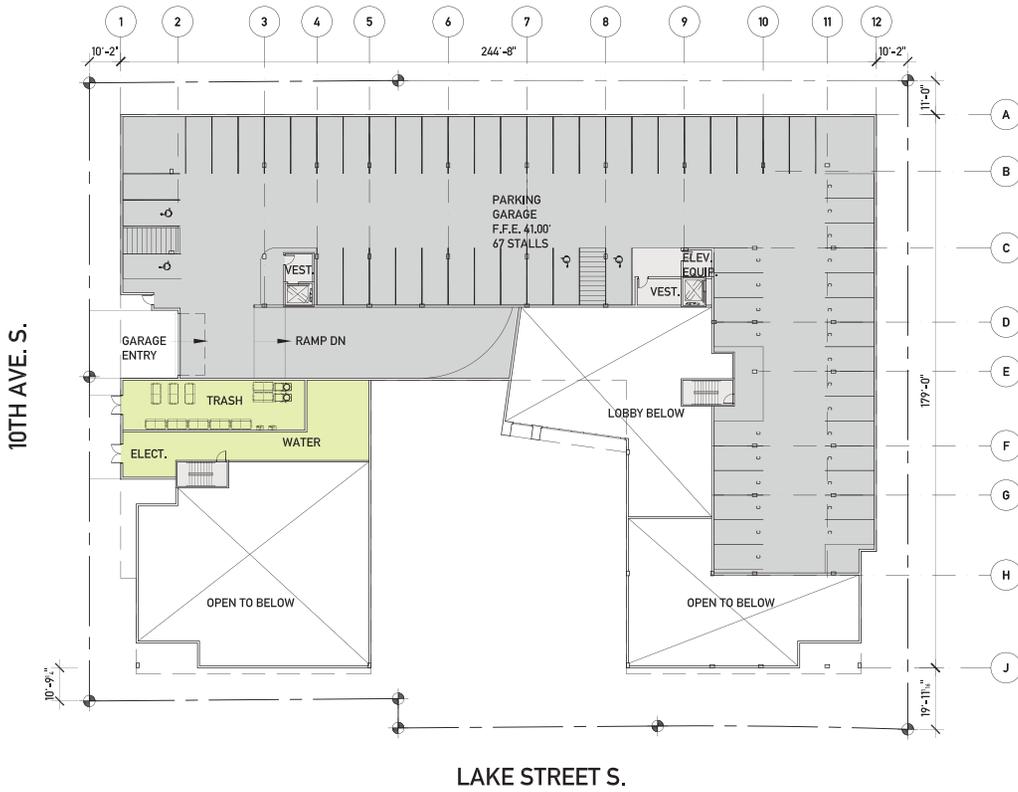
$$= \frac{34629.33}{847.34}$$

$$= 40.86'$$

LEVEL 1 (PARKING) FLOOR PLAN



LEVEL 1 MEZZANINE (PARKING) FLOOR PLAN



PLAN KEY

- PARKING
- RESIDENTIAL AMENITY
- BACK OF HOUSE / UTILITY

LEVEL 2 FLOOR PLAN



LEVEL 3 FLOOR PLAN

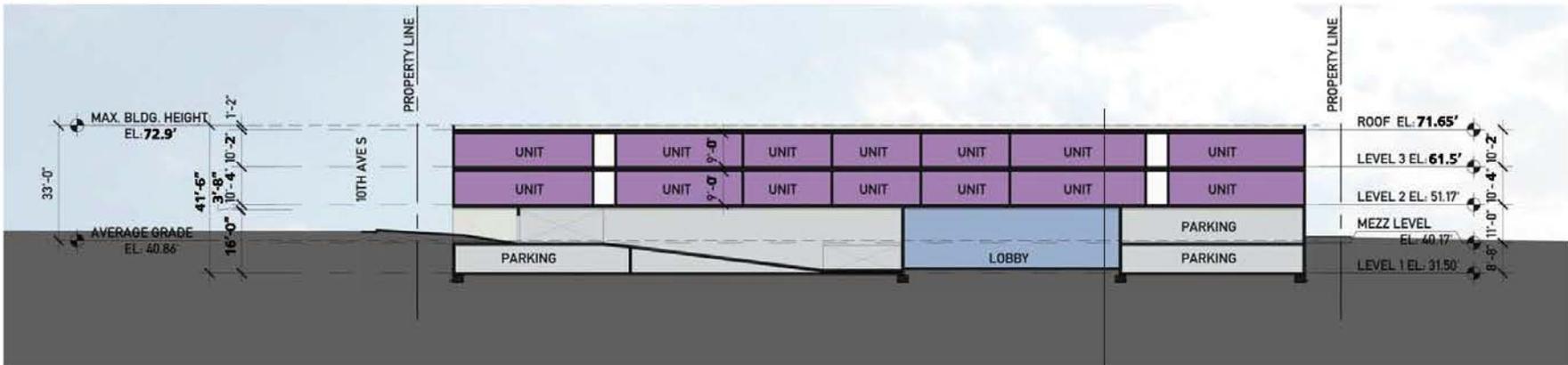


PLAN KEY

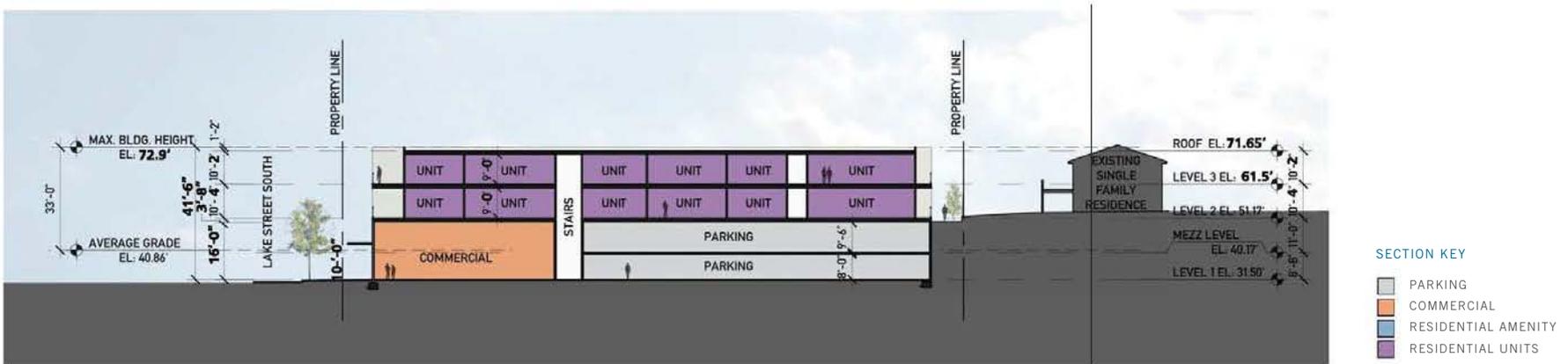
- RESIDENTIAL UNITS
- BACK OF HOUSE / UTILITY

32 DESIGN DEVELOPMENT

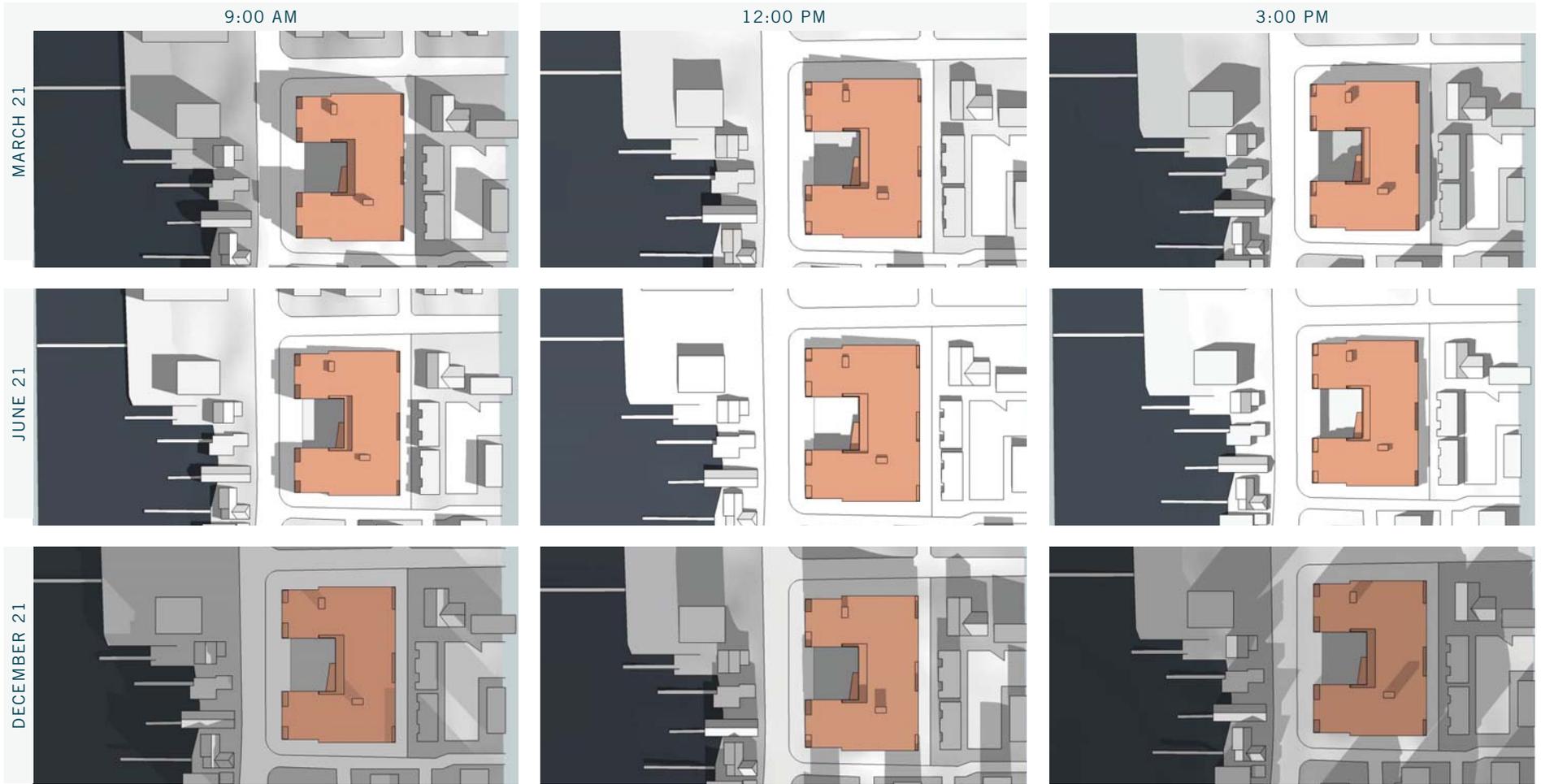
SECTION 1: NORTH-SOUTH



SECTION 2: EAST-WEST



Envelope Sun and Shading Study





Exterior Materials

REF. IMAGE



1

SWISSPEARL AMBER



2

SLATE



3

PRODEMA DEEP BROWN

Exterior Composition

PRIMARY ELEMENTS



A SHROUD ELEMENT



B BASE FACADE



C STONE BASE

SECONDARY ELEMENTS



D LAKE STREET BALCONIES



E RETAIL STOREFRONT



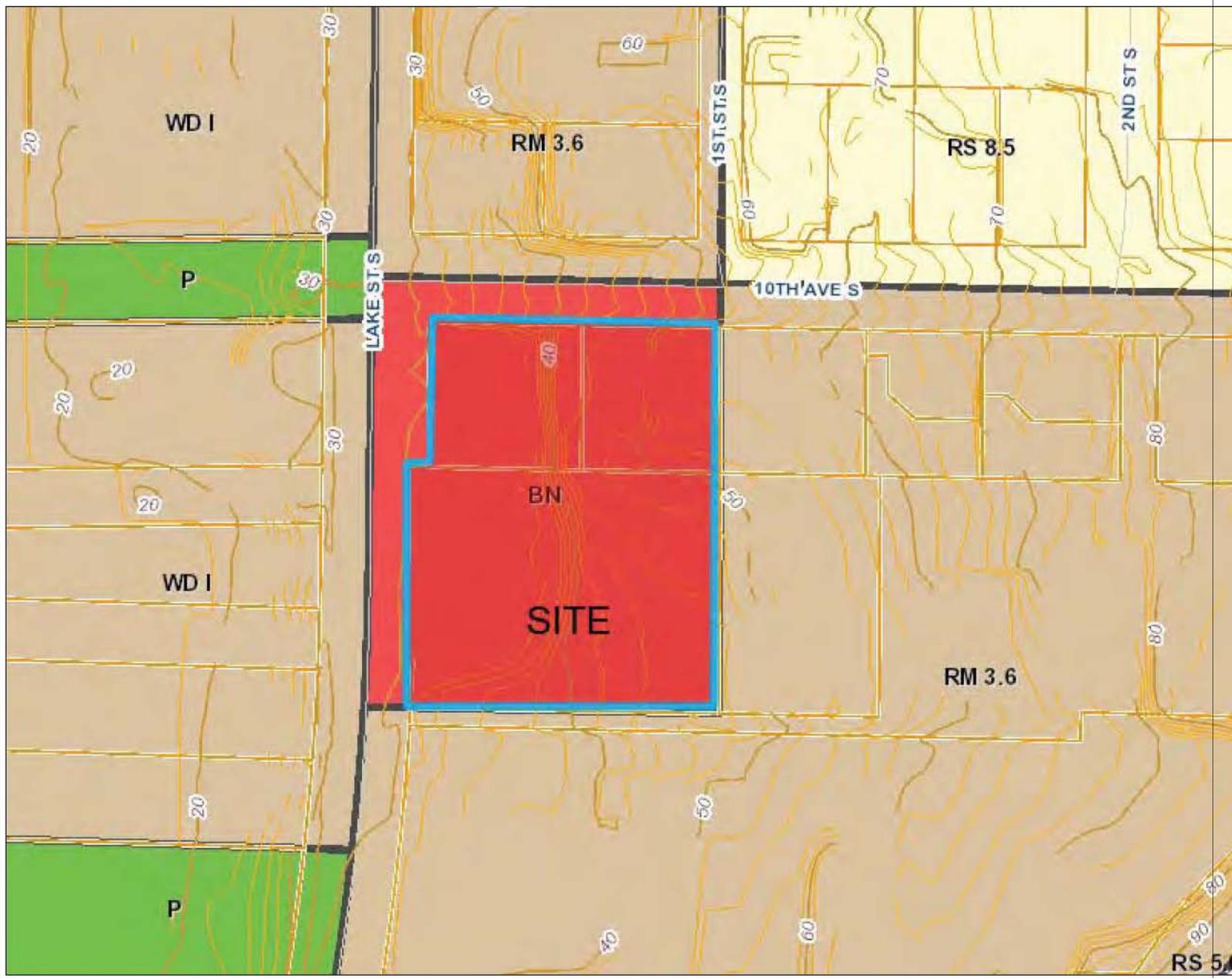
F RETAIL CANOPY

OVERALL COMPOSITION





Zoning



Legend

- Contours 10 Feet
- Contours 2 Feet
- Streets
- Parcels
- City Zoning**
- Commercial
- Industrial
- Transit Oriented Development
- Office
- High Density Residential
- Medium Density Residential
- Low Density Residential
- Institutions
- Park/Open Space

1:1,215



Notes



NAD_1983_StatePlane_Washington_North_FIPS_4601_Feet

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1.6 MITIGATION MEASURES

The mitigating measures listed in Final EIS Section 1.6 include revised measures to allow ground floor retail and reduce off-street parking supply based on existing Comprehensive Plan policy guidance and revised measures to mitigate aesthetic impacts, transportation and construction phase impacts based on comments received on the Draft EIS. Deleted information is crossed out (XXX) and inserted information is underlined in red (XXXX).

1.6.1 Land Use

Applicable Regulations and Commitments

The proposed development would be required to comply with applicable provisions of the Kirkland Zoning Code and Shoreline Master Program. Adherence to these regulations will help ensure that the proposal is consistent with the surrounding land use pattern.

As required by Section 95.42 KZC, required landscape buffers shall provide effective screening for adjacent properties. The proposed site plan needs to be revised to meet the intent of the required landscape buffers. Modifications to the proposed site plan to meet this requirement could include shifting the retaining walls along the east, north and south property lines from the outer edge of the buffer to the inner edge and installing the landscape buffer between the retaining walls and property lines, widening the buffers to provide an adequate area along the retaining walls for a raised platform so that planted vegetation provides screening above the fence line at time of planting, or other measures as approved by the City.

In addition, to meet the requirement of 95.42.5 KZC, the proposed site plan needs to be revised to provide for a gradual transition in buffer widths along the east property line.

Other Mitigation Measures

In order to allow for future retail use of the site, landscape buffers would need to be modified to meet the standard for Buffering Standard 1, which requires a 15-foot width.

1.6.2 Plans and Policies

Applicable Regulations and Commitments

All new development on the subject property will be required to comply with the applicable standards of the Kirkland Zoning Code and, for the portion of the site within 200 feet of Lake Washington, the Shoreline Master Program.

Other Mitigation Measures

Revise the proposed site plan to allow ground floor retail uses. Please see Draft EIS Section 3.1 Land Use for a discussion of proposed mitigation to ensure that landscape buffers provide an effective transition between the subject property and adjoining land uses. In particular, Section 3.1 describes buffering standards for retail uses adjoining residential uses and identifies a mitigating measure recommending use of this standard to allow for future retail use. Under current regulations, office use would be allowed, but retail use would not be allowed unless a wider buffer is provided. ~~Consistent with this mitigating measure and in order to~~ To meet the

intent of a residential market to provide a variety of services that support the surrounding neighborhood, the 15-foot wide landscape buffer standard for retail uses adjoining residential uses would need to be provided.

Provide a minimum ground floor story height of 13-feet to accommodate retail and restaurant uses.

Incorporate mitigating measures described in ~~Please see Draft Final~~ EIS Section 3.53 ~~and 1.6.3~~ Aesthetics ~~for a discussion of proposed mitigation~~ to address potential impacts to community character and compatibility in scale and character.

Reduce off-street parking supply to the minimum required for the proposed use, pursuant to KZC Section 105.45 and/or 105.103.

If shared parking is proposed, require a Parking Management Plan be prepared that provides measures to ensure that shared parking supply will meet demand.

To assure follow-through of site clean-up, the applicant should ~~could~~ provide funds for a qualified consultant selected by and under the supervision of the City to oversee the site cleanup process. Oversight of the process would include regular progress reports to the City to document that the MTCA process is being followed and a process for review and resolution of issues should problems be encountered. In the case of a voluntary cleanup, the consultant would coordinate technical consultation with Ecology, documented by a letter stating that no further action is needed.

1.6.3 Aesthetics

Applicable Regulations and Commitments

The proposed development would be required to comply with applicable provisions of the Kirkland Zoning Code.

Other Mitigation

Building massing and size

To address building massing and size impacts, ~~consider~~ require the following measures:

- Set back the top floor along the west building façade an average of 10-feet from the façade on the floor below. ~~Stepped back upper floor as shown in Alternative Development Scenario 1 and 3.~~
- ~~Use of deep balconies or other features which provide horizontal modulation as shown in Scenarios 1-3.~~
- Reduce the perceived mass of the building by dividing it into two distinct building wings that are located on the north and south portions of the site with the wings separated by at least 40 feet where the building extends above the grade of adjacent properties. On the west side of the building where four floors are visible from off site, the separation should occur between all four floors. On the east where approximately two floors are below the adjacent grade, only the top two floors need be separated. The main building wings could be joined by a narrow connection if the connection is sufficiently recessed toward the interior portion of the site. This would be similar to Scenario 3, but with deeper recesses along either or both the west and east façades. A deeper recess along the west façade

would be preferred given its greater prominence and visibility. Alternatively, Development of separate buildings as shown in Alternative Development Scenario 2.

- ~~Reduced building footprint as shown in Alternative Development Scenarios 2 or 3.~~
- ~~Reduced number of building floors as shown in Alternative Development Scenarios 2 or 3.~~
- Along the north and south facades, provide exterior wall modulation for floors two through four that meets the intent of KZC Section 92.30 for vertical definition.
- Incorporate ~~ion of~~ measures to achieve architectural and human scale, as described in the Design Guidelines for Pedestrian-Oriented Business Districts and KZC 92.30.4 and 6.

Parking

To mitigate impacts related to the visual prominence of the driveway, consider the following design features:

- Enhanced landscaping around the driveway, such as densely planted landscape islands, foundation planting, trellis, screen or other features.
- Special pavement treatment to help identify the pedestrian area and enhance the visual appearance of the driveway.
- Use of lighting, seating areas, artwork or other features.
- Decorative grill, screening or similar architectural means which diminish the prominence of the parking entrance.

Landscaping

Improve the visibility of perimeter landscaping from adjoining properties through: ~~by providing for a more gradual transition in grade from adjoining sites,~~

- ~~s~~Setting the retaining walls back from the property line (with a reduced building footprint) and installing buffer plantings between the retaining walls and property lines; or
- ~~w~~Widening the buffers for space to install raised platforms along the inside of the retaining wall to install plantings so that the top of the landscaping exceeds the height of the fence at time of planting; or
- Other options that meet the intent of the City's landscape buffer requirements (KZC Chapter 95) as proposed by the Applicant and approved by the City.

Building Street Relationship

To improve the building/street relationship, ~~consider the following measures:~~

- ~~Match the first floor elevation to the elevation of the street frontage along Lake Street South as shown in Alternative Development Scenarios 2 and 3.~~
- ~~Consider~~ provide additional landscaping and/or pedestrian features incorporating elements described in the Design Guidelines for Pedestrian-Oriented Business Districts and KZC 92.10.6 and 7.

Building Materials and Color

To address impacts associated with building color and materials, require compliance with KZC 95.35. 2 through 95.35.6. In addition, consider measures identified in the Design Guidelines for Pedestrian-Oriented Business Districts and KZC 92.35.1.

1.6.4 Transportation

Applicable Regulations and Commitments

Road Impact Fee

The City of Kirkland has adopted a Road Impact Fee Program that outlines the contribution that must be paid for new development, based on land use type, toward citywide roadway capacity improvement projects that have been planned to support concurrency. The estimated impact fee for the proposed project is \$378,275.

Frontage Improvements

As part of redevelopment, the project would provide frontage improvements as required by City development code. Frontage improvements would enhance the non-motorized facilities in the site vicinity.

Parking Garage

To ensure that adequate queuing is available between the street and the parking area and that commercial stalls are available at all times, the City Public Works Department shall review and approve the location of any security gate in the parking garage as part of building permit review.

Other Potential Mitigation Measures

Parking Management Strategies

~~The proposed parking supply meets the City's minimum requirements, and is expected to exceed the projected peak parking demand. Even so, it~~ It is possible that some parking demand generated by visitors to the office development or residential units could occur on public on-street spaces near the site. Since the on-site parking supply is expected to accommodate all parking demand generated by the project, the following parking management measures could be implemented to further encourage project-generated parking to occur on-site:

- Bundle parking with apartment leases (or condominium sales) to reduce the likelihood that residents will forego on-site parking and choose instead to park on the adjacent streets,
- Reserve parking spaces for the commercial uses and visitors in visible locations that are signed and easily accessible with no security gate,
- Provide signage that can be seen from the street indicating that visitor parking for commercial uses and residences are available inside the parking garage,
- Provide a kiosk in the common area that provides information on alternative transportation options; and
- Implement a parking management plan in which commercial parking is available to residents and their visitors on weekday evenings and weekends when not in use, and provide signage to clarify the availability of the additional spaces.

1.6.5 Construction Impacts

General Construction Mitigation Measures

Post the site with a readily visible sign and provide written notice to all residents within 300 feet of the site (and a copy to the City) with contact information to resolve concerns for

noise/vibration, air quality, light and glare, ~~transportation~~ truck traffic, construction employee parking, and other parking and access impacts. Provide the City with information about each concern and what measures are taken to resolved issues, if needed.

Noise/Vibration

Noise from construction activities would be subject to the limits in the Kirkland noise standards (KZC 115.95) and construction contractors would be required to comply with provisions of this code. The following contain both general and specific mitigation measures that could be undertaken to minimize noise and vibration-related impacts during construction.

General Noise Mitigation Measures

Because of the proximity of potentially sensitive land uses near the project site, the following project-specific mitigation is proposed.

- Limit construction-related activities to standard construction hours between 7 AM and 8 PM on weekdays and 9 AM - 6 PM on Saturdays.
- Limit the use of noise impact-type equipment, such as pavement breakers, pile drivers, jackhammers, sand blasting tools and other impulse noise sources, to work activity between 8 AM and 5 PM on weekdays.
- Whenever appropriate, substitute hydraulic impact tools with electric models to further reduce demolition and construction-related noise and vibration.
- Limit loud talking, music, or other miscellaneous noise-related activities.
- Provide properly sized and maintained mufflers, engine intake silencers, and where necessary engine enclosures on operating equipment.
- Turn-off idling equipment.

Specific Noise Mitigation Measures

Demolition, Earthwork and Shoring

- As necessary, deploy portable sound barriers around generators, compressors, tieback drill rigs, etc.
- As needed, construct temporary barriers of materials at least as dense as one-half-inch thick plywood with sound-dampening insulation.

Concrete Construction

- Where possible, pre-fabricate core-wall formwork at the contractor's off-site facility to minimize the use of electric saws and hammers on-site.
- Where possible, pre-fabricate reinforcing steel for the concrete core-wall curtains off-site to reduce the amount of noise associated with this work on-site.
- Where possible, locate the concrete pumping station and associated trucks to minimize impacts to residents in nearby buildings and other sensitive land uses proximate to the project site.

- Use hydraulic jacks to lift the core-wall formwork rather than disengaging, hoisting with crane, and re-attachment.

Interior Construction

- Pre-fabricate large duct risers and long interior runs and hoist them into place.
- Screen the building perimeter during steel fireproofing activities.

Air Quality

Site development would be required to adhere to Puget Sound Clean Air Agency's regulations and the City's construction best practices regarding demolition activity and dust emissions, including:

- As needed during demolition, excavation, and construction, sprinkle debris and exposed areas to control dust.
- As needed, cover or wet transported earth material.
- Provide quarry spall areas on-site prior to construction vehicles exiting the site.
- Wash truck tires and undercarriages prior to trucks traveling on City streets.
- Promptly sweep earth tracked or spilled onto City streets.
- Monitor truck loads and routes to minimize dust-related impacts.
- Use well-maintained construction equipment and vehicles to reduce emissions from such equipment and construction-related trucks.
- Avoid prolonged periods of vehicle idling.
- Schedule the delivery and removal of construction materials and heavy equipment to minimize congestion during peak travel times associated with adjacent streets.

Light and Glare

- Require construction-related lighting to be shielded and directed away from adjacent land uses.

Transportation, Parking and Access

- As part of building permit review, include a requirement that, should road repairs be required as a result of construction traffic, the applicant will pay for all repairs.

Prior to commencing construction on each block, require the prime contractor to prepare a Construction Management Plan. This plan would document the following:

- Truck haul-routes to and from the site.
- Peak hour restrictions for construction truck traffic and how those restrictions would be communicated and enforced.

- Truck staging areas (e.g., locations where empty or full dump trucks would wait or stage prior to and during loading or unloading.)
- Construction employee parking areas.
- Measures to reduce construction worker trips such as rideshare, shuttles, carpool, transit passes or related programs.
- Road, lane, sidewalk, or bike lane closures that may be needed during utility, street or building construction. A plan detailing temporary traffic control, channelization, and signage measures should be provided for affected facilities.
- Other elements or details may be required in the Construction Management Plan as required by the City of Kirkland. The project developer/owner and the contractor would be required to incorporate other City requirements into an overall plan, if applicable.

In addition, the City has identified more specific construction phase mitigating measures for parking and truck traffic, as listed below.

- A construction parking plan shall be submitted to the Public Works Department Transportation Division for approval prior to issuance of a building permit. The plan shall address the following elements:
 - Name of the designated parking coordinator who will be the City's contact person and person responsible for implementation of the construction parking plan
 - Number of construction workers on site by shift
 - Approximate number of parking spaces needed
 - Identification of measures to encourage carpooling
 - Map showing the designated area(s) for construction parking as approved in advance by the City. If the parking area(s) will be off-site, identification of a shuttle service or other measures to transport workers to the site.
 - Map showing the location of "No Construction Parking" signs in the neighborhood. The no construction parking area shall include Lake Street South/Lake Washington Boulevard from 5th Avenue South to NE 62nd Street, 10th Avenue South from Lake Street South to State Street South and side streets connecting 10th Avenue South and 7th Avenue South; and NE 64th Street between Lake Washington Boulevard and Lakeview Drive.
- A Construction Truck Circulation Plan shall be submitted to the Public Works Department Transportation Division for approval prior to issuance of a building permit. The plan shall minimize impacts on local streets and existing traffic congestion.
- Construction truck circulation shall be limited to the hours of 9 am and 3 pm, Monday through Saturday. No construction truck circulation on Saturdays is permitted during

community events in the downtown or near Lake Street South. The Public Works Department will provide the construction manager with dates of the Saturday community events in which construction truck circulation will not be permitted.

- An on-site sign shall be installed facing and visible from Lake Street South containing the contact information of the parking coordinator to accept and respond to public concerns. The sign shall stay in place until completion of the project.

Site Clean-up

The project would be required to comply with all applicable Washington Department of Ecology MTCA rules for remediation of contaminated soil and groundwater, and removal of underground storage tanks.

The project could be required to fund a consultant selected and hired by the City to monitor site clean-up and ensure compliance with Ecology's MTCA rules.

Best management practices to include:

- Pre-construction testing to confirm presence, nature, and extent of possible contamination
- Qualified hazardous material transporters
- Certified UST Decommissioning Supervisors
- Contaminated Material Sampling and Handling Plans that provide for containment and decontamination of equipment and personnel
- Use of hazard reduction zones
- Hazard communication and Health and Safety plans
- Workers trained in hazardous materials cleanup work
- Air monitoring at the site boundary

1.7 SIGNIFICANT UNAVOIDABLE ADVERSE IMPACTS

The significant unavoidable adverse impacts listed below include revised Plans and Policies impacts as listed in Final EIS Section 3.3. Deleted information is crossed out (XXXX) and inserted information is underlined in red (XXXX).

1.7.1 Land Use

The Proposal would result in a greater density of land use on the project site. This change to the land use pattern to include multifamily use is consistent with the surrounding land use pattern and the Kirkland Zoning Code. With recommended mitigation, no significant unavoidable adverse impacts are anticipated.



CITY OF KIRKLAND

Planning and Community Development Department
 123 Fifth Avenue, Kirkland, WA 98033 - (425) 587-3225
www.kirklandwa.gov

**REVISED PURSUANT TO SHORELINES HEARINGS BOARD ORDER
 FOR SHB NO.13-002 APPEAL DATED AUGUST 8, 2013,
 AND STIPULATION REGARDING LEGAL ISSUE NO. 11**
 (Revisions shown in ~~strike-outs~~ and *italics*)

CITY OF KIRKLAND
 NOTICE OF DECISION
 SHORLINE SUBSTANTIAL DEVELOPMENT PERMIT

Permit Application:	City File SHR11-00002 – Potala Village Mixed Use Development
Location:	1006 and 1020 Lake Street South and 21-10 th Ave South (Parcel Nos. 9354900220, 9354900240 and 0825059233) within the Urban Mixed Shoreline Environment Designation.
Applicant:	Lobsang Dargey
Project Description:	Mixed use development containing 6,000 square feet of commercial space on the ground floor and 143 residential units on the upper floors with parking underground and behind the ground floor commercial space at a building height of 30 feet above average building elevation. Approximately 53 feet of the western portion of the site is within 200 feet of the ordinary high water mark of the Lake Washington. The site does not abut the Lake and is separated from the Lake by a major arterial and existing residential development. Five residential units, a portion of commercial space, up to 25 feet of the building, a sidewalk and landscaping would be located in the shoreland area. The site contains contaminated soil and underground storage tanks, possibly within the shoreland area, from the existing dry cleaners and a prior gas station.
Review Process:	Process I, Planning Director decision
Project Planner:	Teresa Swan, tswan@kirklandwa.gov , 425-587-3258
SEPA Determination:	A Determination of Non-Significance (DNS) was issued on 06/15/2011. The DNS was withdrawn and a Determination of Significance was issued on 08/04/2011. The project was placed on hold for six months until the applicant decided to move forward with preparation of a Draft Environmental Impact Statement (EIS). A Draft EIS was issued on 07/12/12, and a Final EIS was issued on 11/02/12.

Department Decision: Approval with Conditions



Eric Shields, Director
Department of Planning and Community Development

Decision Date:	January 17, 2013	<i>Revised Date: August 12, 2013</i>
Appeal Deadline:	21 days after Department of Ecology receives this decision (date of filing)	

Pursuant to RCW 36.70B.130, affected property owners may request a change in valuation for property tax purposes notwithstanding any program of revaluation.

Shoreline Permit and Relationship to Other Codes and Ordinances and to EIS

A Shoreline Substantial Development Permit (SDP) is issued under the authority of the Shoreline Management Act (SMA) of Chapter 90.58 RCW and Chapter 173-26 WAC. A SDP must be consistent with the Shoreline Management Act (SMA) as implemented in the City's Shoreline Master Program (SMP). The City's SMP consists of the following documents:

- Shoreline Area Chapter of the Kirkland Comprehensive Plan
- Chapters 83 and 141 of the Kirkland Zoning Code (KZC)
- Kirkland Restoration Plan

A SDP must be found to be consistent with these three documents, where applicable. The Restoration Plan does not apply since the proposal does not abut the Lake. Other development regulations, construction codes and chapters of the Comprehensive Plan are not under the authority of the SMA and local SMP so a decision on a SDP does not include a review of those for consistency or compliance. Any future building permit application associated with an approved SDP is subject to all applicable regulations in the KZC and Kirkland Municipal Code (KMC). Pursuant to RCW 19.27.095(1), the building permit application will be subject to the zoning and land use control ordinances in effect on the date that a fully complete application is submitted.

As stated in Chapter 90.58.RCW and KZC 83.20, the SMA and the City's SMP applies only to those lands or portions of land extending landward 200 feet from the ordinary high water mark of Lake Washington and those lands within wetlands that drain into the Lake called "associated wetlands." The City does not have the authority to apply its SMP to those portions of a property that are outside of the shoreland area, except in the following limited circumstances:

- (1) Temporary erosion control measures, storm water detention, water quality treatment and storm water conveyance facilities apply to the entire site;
- (2) Pursuant to KZC 83.190.1.b, density within the shoreland area may be based on the total square footage of the units within the shoreland area using the average unit size in the development;
- (3) Pursuant to KZC 83.190.4.a.2., the portion of the building with the shoreland area must meet the maximum allowable height regulation in KZC 83.180 based on calculating the average building elevation for the entire site;
- (4) Pursuant to KZC 83.190.3.a.3., the lot coverage calculation may be based on the entire site or only the portion of the land within the shoreland area; and
- (5) Parking stalls required for the uses within the shoreland area may be located within the development that is outside of the shoreland area.

The Potlatch Village EIS was issued under Title 24 KMC and the State Environmental Policy Act (SEPA) Chapter 43.21C RCW. The Final EIS identified many mitigating measures. Only those mitigating measures that address issues under the authority of the City's SMP, however, can be a condition of the SDP permit and addressed in this decision. The SEPA Responsible Official may impose any of the mitigating measures identified in the Final EIS on any future building permit associated with the SDP.

Appeals

Appeals of the City's decision may be filed with the State Shorelines Hearings Board as set forth in RCW 90.58.180. A 21-day appeal period begins on the date that the Department of Ecology receives the City's decision, referred to as the "filing date." In the event of an appeal, the Department of Ecology will notify the City and the applicant of the appeal. Construction pursuant to a permit shall not begin or be authorized until 21 days from the date of filing as defined in RCW 90.58.140 or until appeal proceedings are terminated if there is an appeal.

I. CONDITIONS OF APPROVAL

1. This application is subject to the applicable requirements contained in the shoreline regulations of KZC Chapters 83 and 141. In addition, for the building permit associated with the SDP, the applicant is also subject to the applicable requirements of the Municipal Code, the building and construction codes, including the fire code, and the Zoning Code. Attachment 24, Development Regulations, is provided in this report to familiarize the applicant with some of the shoreline regulations. It is the responsibility of the applicant to ensure compliance with all applicable provisions contained in KZC Chapter 83. When a condition of approval conflicts with a development regulation in Attachment 24, the condition of approval shall be followed.
2. With the building permit submittal, the applicant shall provide the following:
 - a. Final plans that reflect the lot size shown on the survey (see Conclusion II. B below).
 - b. Final calculations for meeting the maximum allowable density within the shoreland area, lot coverage and building height as regulated under KZC 83.180 (see Conclusion V.B.2. below).
 - c. Final building material details with no reflective or mirrored materials for any portion of the building within the shoreland area as regulated under KZC 83.390.3 (see Conclusions IV.B.4. and V.B.1. below).
 - d. Parking plan that shows a reduction in the number of on-site parking stalls to the minimum required for the proposed uses pursuant to KZC 105.45 and/or 105.103 and based on the parking analysis in Section 3.4 of the Final EIS. A reduction in the number of parking stalls is identified as a mitigating measure in the Final EIS, Section 1.6 in Attachment 25 (see Conclusion V.B.3).
 - e. Screening plans for any outdoor storage and garbage and recycling receptacles to be located within the shoreland area and which would be visible from any street or public area defined in KZC 83.80.94, or public park as regulated under KZC 83.450 (see Conclusions IV.B.4. and V.B.1. below).
 - f. Screening plan for roof top mechanical equipment located within the shoreland area and visible from Lake Washington or a public use area defined in KZC 83.80.94 and as regulated under KZC 83.450 (see Conclusions IV.B.4. and V.B.1. below).

- g. Lighting plan and photometric site plan for all exterior lights located within the shoreland area as regulated under KZC 83.470. The plan shall show the lighting directed downward and have "fully shielded cut off" fixtures as defined by the Illuminating Engineering Society of North America or other appropriate measures. Exterior illumination of building façade within the shoreland area to enhance architectural features is not permitted (see Conclusions IV.B.4. and V.B.1. below).
 - h. Temporary lighting plan for the construction phase meeting KZC 83.470 to reduce glare on adjacent properties and as identified as a mitigating measure in the Final EIS, Section 1.6 in Attachment 25 (see Conclusions IV.B.4. and V.B.1. below).
 - i. Final storm water plan with provisions for temporary erosion control measures, storm water detention, water quality treatment and storm water conveyance facilities as regulated under KZC 83.480 and in accordance with the City's adopted Surface Water Design Manual (see Conclusions IV.B.3. and V.B.1. below).
3. The applicant shall take the following actions to ensure that site remediation meets the Washington Department of Ecology's Model Toxics Control Act (MTCA) rules and underground storage tanks removal regulations (see Conclusions IV.B.5. and V.B.4. below, and Draft EIS, pages 3.2-10 through 3.2-13 and Final EIS, Section 1.6 in Attachment 25).
- a. The applicant shall hire a consulting firm qualified in site remediation pursuant to WAC 173-340 and certified by the State to remove underground storage tanks pursuant to WAC 173-360 to develop the cleanup action plan, perform the site cleanup work and prepare the compliance documentation under the Department of Ecology's Voluntary Compliance Program.
 - b. Prior to issuance of the land surface modification permit for site remediation, the applicant shall:
 - 1) Enter into a three-party contract with the City and the City's designated consultant to pay for the consultant's charges to perform a peer review of the clean-up action plan, compliance reports and other documentation prepared by the applicant's consulting firm to confirm that site remediation is in compliance with the Department of Ecology's rules.
 - 2) Submit the cleanup action plan prepared by the applicant's consulting firm for City approval. The City may require changes to the clean-up action plan if the City determines that the plan is not in compliance with the Department of Ecology's rules on remediation.
 - c. Prior to issuance of the building permit, but excluding a shoring permit for site remediation, the applicant shall provide the City with the compliance report and other documentation affirmatively demonstrating that the cleanup complies with the Department of Ecology's rules for remediation and removal of underground storage tanks. The City may require additional site remediation and/or changes to the documentation if it determines that the work and/or documentation do not meet the Department of Ecology's rules for remediation and removal of underground storage.
 - d. A copy of the No Further Action opinion from the Department of Ecology shall be provided to the City as soon as it has been issued.
 - e. The Best Management Practices listed in Section 1.6 of the Final EIS shall be reflected in the site cleanup plan and implemented in the site remediation work. See Attachment 25.